

**LEWISTON CITY COUNCIL AGENDA  
CITY COUNCIL CHAMBERS  
NOVEMBER 15, 2016**

**6:00 p.m. Workshop**

- A. Presentation of Cultural Plan by L/A Arts – 30 minutes
- B. Proposal to Hold a Drift Competition in Lewiston – 30 minutes

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

Pledge of Allegiance to the Flag  
Moment of Silence

Lewiston Youth Advisory Council Update

Public Comment period – Any member of the public may make comments regarding issues pertaining to Lewiston City Government (maximum time limit is 15 minutes for all comments)

ALL ROLL CALL VOTES FOR THIS MEETING WILL BEGIN WITH THE COUNCILOR OF WARD 6.

**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. Amendment to the Traffic Schedule to add a stop sign at Church Street.
- \*2. Amendment to the Traffic Schedule regarding a winter parking ban for a portion of the even numbered side of White Street.

**REGULAR BUSINESS:**

- 3. Public Hearing on the renewal application for a Special Amusement Permit for Live Entertainment for LBK Events, 1 Bates Street.
- 4. Public Hearing on the renewal application for a Special Amusement Permit for Live Entertainment for Rails, 103 Lincoln Street.
- 5. Public Hearing and Final Passage for amendments to the Solid Waste Ordinance regarding the ePass Program and Clean-Up Assistance Week.
- 6. Public Hearing and Final Passage for Land Use Code Amendments regarding stormwater management.
- 7. Public Hearing & Final Passage for re-zoning the even-numbered addressed properties from 10 King Avenue to 108 King Avenue from Community Business (CB) District to the Neighborhood Conservation "A" (NCA) District.
- 8. Amendments to the Solid Waste Policy regarding fee schedule changes regarding ePass System.
- 9. Resolve authorizing the City Administrator to Approve the Drift Competition scheduled on May 13 and 14, 2017.
- 10. Update from the Lewiston School Committee Representative.
- 11. Reports and Updates.
- 12. Any other City Business Councilors or others may have relating to Lewiston City Government.

LEWISTON CITY COUNCIL  
WORKSHOP AGENDA  
TUESDAY, November 15, 2016  
6:00 PM

1. Cultural Plan – LA Arts – 30 minutes

Louise Rosen, Director of LA Arts, will be present to review the work toward developing a Cultural Plan for Lewiston Auburn. Please see the attached material.

2. Proposal to Hold a Drift Racing Event in Lewiston – 30 minutes

A group has approached the City and expressed interest in holding a drift racing event in Lewiston. Drifting is a driving technique where the driver intentionally oversteers, causing loss of traction in the rear wheels or all tires, while maintaining control for the entirety of a corner. As a motoring discipline, professional drifting competitions are held worldwide and are judged according to the speed, angle, showmanship, and line taken through a corner or set of corners. Please see the further information on this proposal in the regular agenda.

# Economic and Community Development

Lincoln Jeffers

Director



**To:** Honorable Mayor and Members of the City Council  
**From:** Lincoln Jeffers  
**RE: LA Arts Cultural Plan Workshop**  
**Date:** November 9, 2016

Last year, LA Arts received a \$10,000 grant from the Maine Arts Commission to develop a cultural plan for the area. At its September 8, 2015 meeting, the Lewiston City Council agreed to provide \$5,000 in funding as a match to the grant. The Auburn City Council also approved \$5,000 in match funding.

Over the last year, there has been significant public engagement in developing a cultural plan for the area. Nearly 600 surveys were received and analyzed to gain an understanding of how arts are perceived in the community, what is valued, and what is desired. There were community conversations at the Lewiston and Auburn public libraries and meetings with youth at Edward Little High School and Tree Street Youth. A diverse stakeholder group including representatives from city staff, Bates College, artists, and local cultural institutions, provided guidance to LA Arts and the consultants as the plan was developed.

The plan has been completed. LA Arts will provide an overview and summary of the recommendations of *Cultural Plan LA* at a workshop on November 15<sup>th</sup>.

This work and the plan is the foundation for a \$75,000 implementation grant that LA Arts was invited to apply for by the Maine Arts Commission.

## Executive Summary



### **Cultural Plan Lewiston Auburn**

A Five Year Cultural Plan for Lewiston Auburn

Presented by



**Louise Rosen** Consulting Director

**Tyson Pease** Program Manager and Project Coordinator



## Development Timeline

Duration: March 2015 - September 2016

### Initial Research

### Qualitative Data Gathering

- Public Launch Meeting
- Two Community Conversations
- Youth Conversations at Edward Little H.S. and Tree Street

### Quantitative Data Gathering

- Public Opinion Survey
- Artisan and Maker Survey
- Cultural Organization and Creative Business Survey

### Identifying Priorities

- Priorities and objectives were identified through careful analysis of qualitative and quantitative data.
- Feedback was sought on recommended priorities through a series of two public meetings.

### Refining the Draft Blueprint

- Two meetings with the public were held to discuss and improve the recommended draft strategies.

#### Initial Research Included:

- AVCOG Comprehensive Economic Development Strategy 2015
- Auburn Comprehensive Plan 2010
- New Auburn Master Plan 2009
- Legacy Lewiston Comprehensive Plan 2015
- Lewiston Riverfront Island Masterplan 2010
- Auburn School Department Strategic plan vision and goals
- Lewiston School Department mission, beliefs, vision
- Lewiston Auburn Economic Growth Council Strategic Plan work
- Auburn Public Library mission, goals, programs
- Lewiston Public Library 2009- 2013 strategic plan and programs
- Bates College strategic priorities, mission, and outlook
- Bates Arts Collaborative mission, context, and annual report
- Online research on ACLA; Androscoggin Historical Society; Androscoggin Land Trust; Bates Dance Festival; Bates Museum of Arts; Community Little Theater, creative businesses; Emerge Film Festival, Franco Center; Great Falls Balloon Festival; Great Falls Brewfest; LA Arts; LA Metro Chamber; Museum LA; New England School of Metalworking; secondary education institutions; The Public Theater; UMVA Lewiston Auburn; Young Professionals of the Lewiston Auburn Area

#### Data Gathering Included:

- Community Conversations at Auburn and Lewiston Public Libraries (qualitative)
- Community Youth Conversations at Edward Little High School and Tree Street Youth (qualitative)
- Online Survey Campaign (quantitative):
  - Public Opinion Survey
  - Creative Business and Cultural Organization Survey
  - Artist and Artisan Survey
  - Total Survey Responses: 591 (~1%) of LA's population

#### Data Reliability:

CPLA consulting firm Reinholt Consulting, which has extensive experience in data collection and analysis, has applauded the CPLA survey data's high "confidence interval", in part thanks to the demographic similarity between the survey respondents and LA's most recent Census data.



### Overarching Priorities & Strategies

*Note: Priorities are of equal importance and are NOT ranked.*

<p><b>Foster community cohesion and cultural understanding.</b>  A. Create opportunities that build cultural bridges.</p>	<p><i>With a population rich in ethnic diversity, LA has an opportunity to establish itself as a leader in cultural awareness and inclusivity by promoting and providing opportunities that celebrate LA’s unique cultures.</i></p>
<p><b>Amplify quality of life with accessible lifelong learning in arts and culture.</b>  A. Strengthen and expand arts and cultural education learning experiences in public, private and nonprofit settings.</p>	<p><i>LA’s population is composed of high rates of young people and families, as well as high rates of elderly. Arts and cultural learning experiences have ripple effects including higher student SAT scores, social well-being, and enhanced quality of life.</i></p>
<p><b>Further the position of arts and culture in local governments.</b>  A. Foster arts and cultural advocacy in local governments.  B. Incorporate arts and culture into planning and development of city infrastructure.</p>	<p><i>Cities around the world recognize the benefits brought by a thriving creative economy and are using arts and cultural assets as tools for community revitalization, development, and as a means of establishing local economic resilience.</i></p>
<p><b>Bolster LA’s creative capital and entrepreneurial activity.</b>  A. Support the development of LA’s creative professionals to promote a resilient local economy.</p>	<p><i>As the community continues to face pressures of shifting economies LA can encourage workforce ingenuity by strengthening and building on its thriving network of artists and creative professionals.</i></p>
<p><b>Utilize arts and culture to enhance LA’s image to attract and engage residents, tourism and new investment.</b>  A. Boost the image of LA cultural resources through coordinated marketing and promotion.  B. Cultivate a creative identity and a meaningful sense of place.</p>	<p><i>As Maine’s second largest urban area, LA is poised to position itself as a hub for cultural and creative activity by supporting existing assets and defining new and exciting opportunities for cultural engagement.</i></p>



## Implementing the Plan

### **WHO WILL LEAD THE PLAN'S IMPLEMENTATION?**

L/A Arts will serve as a guide and facilitator for Cultural Plan LA implementation in cooperation with ACLA and the municipalities. More partners from the nonprofit, public and private sectors will be engaged to assist with and support next steps. L/A Arts has been awarded \$50,000 from the National Endowment for the Arts as an "Our Town" grant to launch an initiative titled: Lewiston Auburn - A Place for Makers: Past, Present, and Future. Transformation through Artisan-Based Manufacturing. This project will help kick off Cultural Plan LA implementation with funding slated for makerspaces, popup exhibition and retail spaces, artisan maker professional development, branding and marketing centered on LA's rich history of makers.

### **HOW WILL PLAN IMPLEMENTATION BE FINANCED?**

As a result of completing the Cultural Plan, LA is the only community eligible for a three-year \$75,000 implementation grant from the Maine Arts Commission. This application has been submitted accompanied by letters of support from the mayors of both municipalities and a letter signed by the 19 organizations that participated in the Cultural Planning process. L/A Arts is also leading an active campaign for funding that will match and exceed the amount of the implementation grant, supporting ongoing Cultural Plan implementation.

### **PLAN IMPLEMENTATION**

As lead organization, L/A Arts will strive to connect cultural development to regional development goals. With dedicated partners such as the municipalities, ACLA, Androscoggin Valley Council of Governments (AVCOG), Bates College, Lewiston Auburn Economic Growth Council (LAEGC), Maine College of Art (MECA) and USM's Lewiston-Auburn College, L/A Arts will facilitate the cultural sector's role in broader agendas essential to regional progress and quality of life. As overseer of Cultural Plan LA, L/A Arts will measure and report progress annually.

**DRIIFT**  
**STREET**



**MAY 13th & 14th, 2017**  
**LEWISTON, ME**

# Proposal Contents

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Proposal details

Event logistics

Drift competition course and event layout

Details of Simard-Payne Park for vendors etc

Car show prize categories

List of interested parties

Course barriers and barricade details

# Drift Car Event

## Downtown Lewiston 5/13/17 - 5/14/17

Don't Panic Consulting, LLC, (Don't Panic) is a Lewiston based technology, business and digital marketing, managed services provider with our own software stack. Don't Panic provides public relations, reputation management, social and digital media management, event management and planning.

Don't Panic Consulting is organizing the first legal tandem street drift competition in the US, in conjunction with the largest car meet in New England on May 13th and 14th 2017 in downtown Lewiston, Maine. This event will attract multiple companies and drift car teams, thousands of spectators, and repeat online and media views from all across the US and Canada.

This event is pitched as a family friendly event, and will raise awareness of the growing sport of Drift Racing, which has its roots in New Hampshire. Drifting is a stylistic sport where 2 cars travel together through a closed off track, with one car leading, and the other car following. As they enter into a corner, the drivers enter into a controlled "skid" (drift) with the lead car dictating how the car following must also drift. Both cars must stay together during the drift to earn points (similar to synchronized swimming). Once into the course corners, the cars will usually stay close to each other and will remain in this drift formation for the length of the corner and some distance after. Judges allocate points based upon the style and smoothness of the drift, and the ability of the second car to mimic the lead vehicle.

This type of event is not about speed, but rather about precision control driving. Don't Panic is inviting only the top 32 professional drivers in the world for controlled driving and has secured many of these drivers already.

The second element of the event will be a mixed car meet and show for three categories of vehicles: Maine based 4x4 vehicles hosted by the '207 Diesels' club, Street cars - these are regular vehicles with tuned engines, custom paint jobs etc, and 'Exotic cars' - These are split into two groups, 'supercars' and high-end 'sports' cars.

### Goals for the event

Our biggest motivator to do this event is to help bring people into the downtown region of Lewiston and Auburn, and to increase traffic and profit for businesses in this area. This event also exposes a lot of new people to the growing world of 'Drifting' that has roots in Maine and New Hampshire. We plan to also support local businesses around the greater Lewiston area by partnering with as many of the small and larger businesses as possible. These businesses can of course remain open during this time to foot traffic, but vehicle access to these establishments would be blocked on Sunday due to the drift event and car show.

### **How will it be funded?**

Don't Panic Consulting will be charging a nominal fee of \$10 for adults if they pre-order for this two day event (which allows us to gauge demand and plan for any additional staff and security etc), and \$15 on the day of the event. Tickets will be free to those 12 year and under to encourage family attendance at the event as this is pitched as a family friendly event. We want to keep the total cost for attendees down as much as possible to attract people into downtown Lewiston for both days. Sponsors will be charged a fee for setting up a booth or exhibit based on the location they choose and it is these sponsors which essentially cover the cost of the event. The sponsors will also help pay for the prizes for the drifting event, and door prizes for attendees.

### **Sponsors**

Don't Panic will set-up and manage all of the sponsor requests, using the money raised to pay for the majority of the event enabling us to keep the cost for attendees to a minimum.

Don't panic consulting is working with local car dealers to donate at least one, if not two, brand new sports coupe vehicles. One of these vehicles will be the grand prize for the driver with the most points earned from the drift event. The second vehicle will be given away on Sunday afternoon as a door prize to one lucky attendee (we will need to ensure that we obtain the correct paperwork to complete title exchange etc).

Don't panic Consulting currently sponsors a small but growing drifting team that participates in events all along the east coast. The team we sponsor has agreed to help us set this up and coordinate sponsors, along with commitments from nearly all of their other sponsors to attend the event and donate manpower to keep the event fun and safe. Sponsors will participate in a tier system to allow for differing businesses. The tiers will allow smaller businesses access to the event with very minimal buy in, but won't have a premier location in the paddock (Simard-Payne Park). The top tier allows a vendor/company exclusive access to the VIP area and premium advertising, as well as per-event advertising.

## Sponsorship Tiers

Don't Panic has structured a tiered system to allow for different levels of sponsorship:

- **Major Sponsors:** *This is limited to no more than eight sponsor opportunities.* This level of sponsorship allows sponsors to meet the drivers, gives the company exclusive access to the high exposure VIP and media area in a 20ft x 20ft exhibit space, and an additional exclusive 20ft x 20ft exhibit space in a premier location at the center of the auto show event space next to DaVinci's Restaurant. Plus, all pre-event advertising and promotions, and select event merchandise will include the company's name and logo. Placement for the companies major banner advertising for four locations measuring 10ft by 20ft on one of the two garage structures, plus eight high visibility 3ft by 6ft premium banner advertising slots on the track.
- **Premium Vendor Area in Simard-Payne Park:** This 20ft by 20ft vendor booth space places companies a booth in the center of the event paddock. Package also includes some pre-event advertising and promotions (including company's name/logo).
- **Car Exhibit Vendor Area:** This premier 10ft by 10ft vendor opportunity allows company to be placed directly inside the high exposure auto show in the Chestnut Street garage, and includes some pre-event advertising and promotions (including company's name/logo).
- **High Visibility Extra Large Premium Banner Sponsors:** Choice location on the side of one of the two parking structures for maximum visibility, plus some advertising and promotion prior to the event. **10ft by 20ft banner.**
- **High visibility Premium Banner Sponsors:** Choice location at high traffic areas near food booths, on the track, and near the car exhibits for maximum foot traffic, plus some advertising and promotion prior to the event. **3ft by 6ft banner.**
- **Regular Banner Sponsors:** Choice of regular banner locations within vendor and exhibit space and advertising on the race track. **3ft by 6ft banner.**

## Vendor Booths - Simard-Payne Park:

- 10ft by 10ft Food Vendor Booth Space in Paddock (Simard-Payne Park).
- 10ft by 10ft Vendor Booth Space in Paddock.

## Events and time

### Saturday

- 8am Drivers and drift teams arrive and set up.
- 8am Sponsors and vendors arrive and can set up in the Paddock (Simard-Payne Park)
- 12pm Public can enter Paddock (Simard-Payne Park).
- 12am - 8pm Food, drinks, music and access to sponsors in the park for attendees
- 3pm Walk through the course for drivers and drift crew.
- 6pm Downtown Lewiston 'Bourbon Street' activities begin.
- 8pm Vendors close up and event closes
- 8pm Proposed fireworks display.
- 10am - 10pm Police and other security and event staff provided for events in the paddock
- 10pm - 6am Police and other security provided at the park for the drivers cars and equipment.

### Sunday

- 6am - 10am Set-up track, banners etc
- 8am Cars for car show arrive
- 9am Drift cars drive through the track for slow test run
- 10am - 4pm Car show held with trophies for different classes.
- 10am - 4:30 Drift competition
- 10am - 4pm RC (radio controlled cars for children) car races/demos. - 2 classes (under/over 12).
- 5:00pm Giveaway prizes for best driver.
- 5pm - 6pm Drift Car ride-alongs with professional driver, (only available with pre-purchased tickets, plus additional \$15 which goes directly to the drift driver to cover costs).
- 7:30pm After event party held at agora with live band/DJ. Time(s) are to be determined.  
Est 8pm - midnight - Staff, VIP ticket holders, and drivers only.
- 8pm - 12pm. Clean up crew

**Car Show and Drift Event  
Lewiston, ME  
May 13th and 14th 2017**

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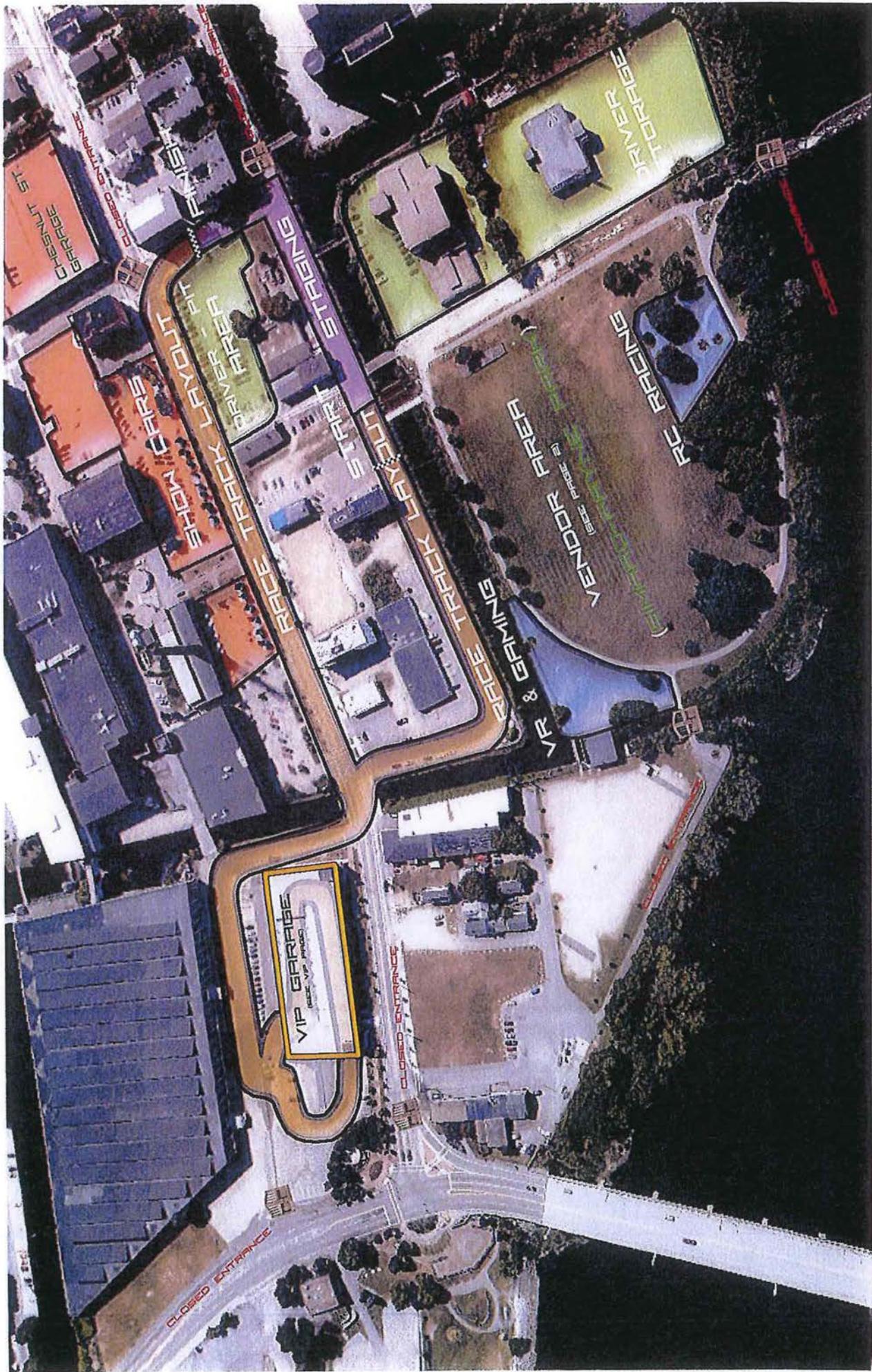
Logistics for City	Notes
DP Event Booths	(one 20x20, one 10x10, canopy tent and chairs)
Software for event	(build time)
Hardware for event	
Apple computers	(50 iPad mini's + 2 MacBook Pro)
WiFi	(2 days, downtown)
Track safety barriers, barricades and tape	See quote
Jumbotrons	
Insurance	
City fees	<i>(Likely no expense here/fees waived?)</i>
Port-a-potties	(400 regular, 50 disabled)
Fireworks on Saturday night	Looking for co-sponsor
Clean up post event	Additional 50 staff for 4 hours post event x 2 days
Judges for drift event	<i>(May be provided free of charge)</i>
Event staff Saturday x 100	<i>Estimated high - Hope to secure for free with volunteers given meal ticket and free admission into event</i>
Event Staff Sunday x 100	<i>Estimated high - Hope to secure for free with volunteers given meal ticket and free admission into event</i>
Event staff lunches Saturday and Sunday	(100 event staff x 2 days)
T-shirts for event staff	200 staff
Pit crew breakfast	(based on 5 pit crew)
Pit crew lunch	(based on 5 pit crew)
Hotel for drivers on Saturday night	
VIP food - Sunday Only (inc food, 2 beer tickets, soft drinks)	<i>(Estimated High)</i>
VIP Merchandise	1x t-shirt, 1x cap, 1x water bottle x 800 people
Post party (Sunday)	<i>(Estimated High)</i>
DJ for Saturday afternoon	
Bouncy Houses x 2	
Road cleaning	
Bio-degradable road cleaner	4 x 5 gallon containers
Trash Cans & Dumpsters	200 x trash cans, plus one 30ft dumpster
Trash bags	200 bags x 8 loads
Push Brooms	20 brooms
Zip ties for banners	
Wristbands for event	
EMS for Saturday	4 personnel x 12 hours
EMS for Sunday	4 personnel x 12 hours
Fire Trucks for Drift Event	4 personnel x 6 hours
Polaris Ranger/Jump Truck	2 x Polaris ranger type vehicles
Jaws of life	x 2
Fire suppression systems/extinguishers	x 4 fire suppression systems
Police presence during events <u>Saturday</u> 10am - 10pm (12hrs)	10 x Personnel (Actual cost, number of personnel estimated high)
Overnight Police - <u>Saturday</u> 10pm - 8am (10hrs)	4 x Personnel (Actual cost, number of personnel estimated high)
Police presence during events <u>Sunday</u> 8am - 8pm (12hrs)	10 x Personnel (Actual cost, number of personnel estimated high)
Overnight Police - <u>Sunday</u> 8pm - 6am (10hrs)	2 x Personnel (Actual cost, number of personnel estimated high)
Police cruiser (\$15 per hr)	4 x cars x 12 hrs (Actual cost)
Security costs during events <u>Saturday</u> 10am - 10pm (12hrs) - Supervisors	10 x personnel (Actual cost, number of personnel estimated high)
Security costs during events <u>Saturday</u> 10am - 10pm (12hrs) - Reg security	100 x personnel (Actual cost, number of personnel estimated high)
Overnight Security - <u>Saturday</u> 10pm - 8am (10hrs) - Supervisor	1 x personnel (Actual cost, number of personnel estimated high)
Overnight Security - <u>Saturday</u> 10pm - 8am (10hrs) - Reg security	8 x personnel (Actual cost, number of personnel estimated high)
Security costs during events <u>Sunday</u> 8am - 8pm (12hrs) - Supervisors	10 x personnel (Actual cost, number of personnel estimated high)
Security costs during events <u>Sunday</u> 8am - 8pm (12hrs) - Reg security	100 x personnel (Actual cost, number of personnel estimated high)
Overnight Security - <u>Sunday</u> 8pm - 6am (10hrs) - Supervisor	1 x personnel (Actual cost, number of personnel estimated high)
Overnight Security - <u>Sunday</u> 8pm - 6am (10hrs) - Reg security	4 x personnel (Actual cost, number of personnel estimated high)
Cars (One for door prize, one for 1st place driver)	Looking for both to be donated
Excise taxes paid for winners of cars	
Door prize Motorcycle for Saturday	(Seeking a sponsor to donate)
Excise taxes paid for winner of motorcycle	
Mothers day gifts	(1 x diamond earrings and diamond pendant from Tiffany's, plus 25x\$100, 50x\$50, 100x\$25 gift cards)
Radio controlled cars	(no 4 giveaway RC cars as prizes)
Trophies for Drift Racers	(Trophy Warehouse)
Trophies/prizes for car show	<i>(cost offset by entrance fees)</i>
Merchandise - T-Shirts	<i>(Actual cost)</i>
Merchandise - Caps	<i>(Actual cost)</i>
Merchandise - Water Bottles	<i>(Actual cost)</i>
Merchandise - Cars	<i>(Actual cost)</i>
Lanyards	<i>(Actual cost)</i>

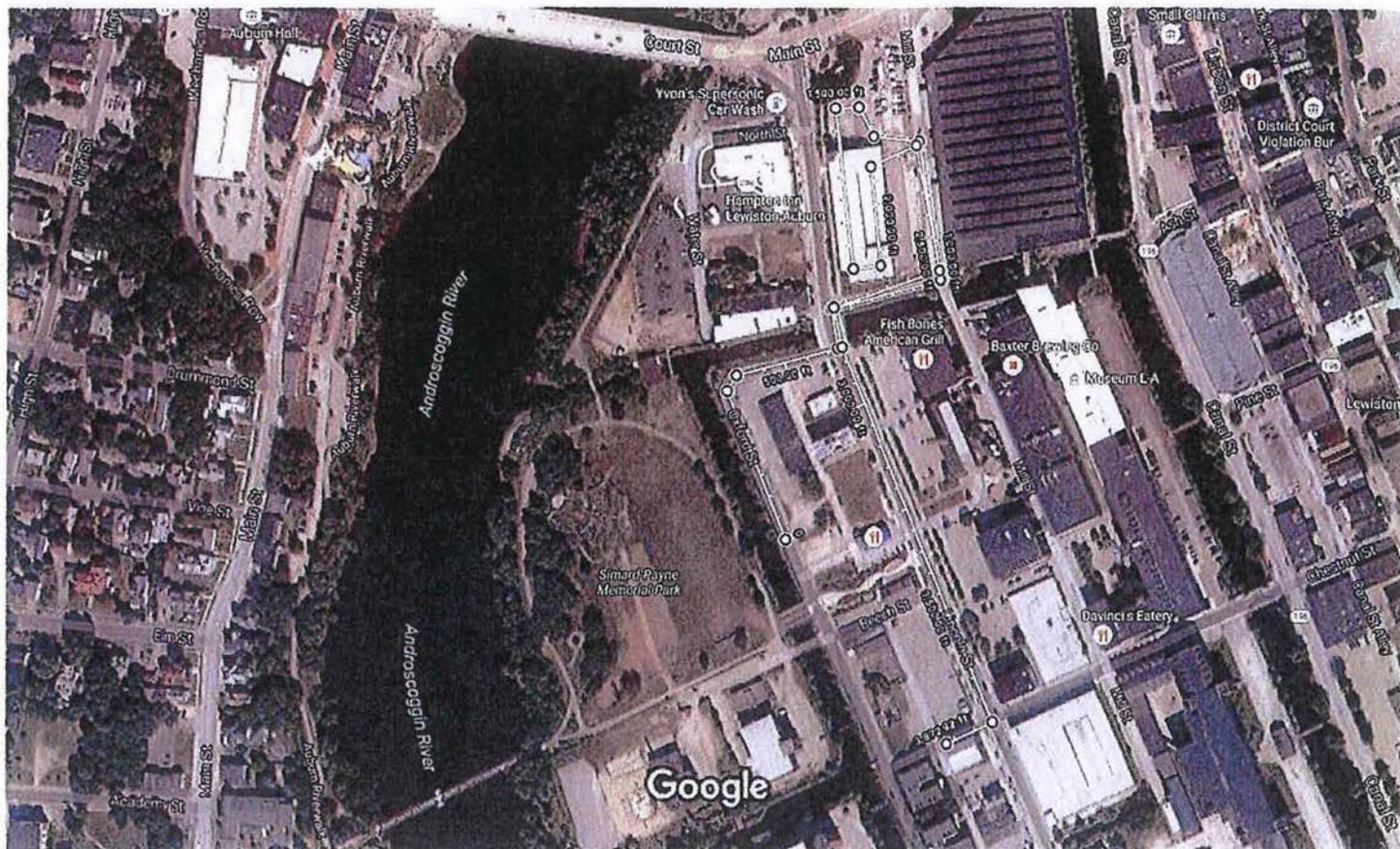
Event Revenue	Multiplier	Notes
Driver Entry Fee	30	(DP will sponsor two of the 32 drivers)
Car meet/show entrance fee for owners	750	(much lower than other events, to attract as many as possible to attend)
Pre-sold Tickets for event	50,000	(Estimated on initial reachable audience, could be a lot more)
Tickets sold on the day		
VIP Tickets Advance purchase only	1,000	(Maximum capacity for venues)
VIP Parking		(based on spaces available)
VIP Post Party	500	(500 max occupancy, 400 tickets being sold)
Major Sponsors - Viewing Area - Top tier 20x20 plus major and high visibility banners	8	(Maximum capacity for venues)
Premium Vendors 20x20 (premium central location in Paddock)	48	(Maximum capacity for venues)
Chestnut St car event vendors 10x10	64	(Maximum capacity for venues)
10x10 Food Vendors	20	
10x10 vendors - Paddock	30	(targeting small local vendors and food trucks)
High visibility 10x20ft sponsor/Banners	144	
High visibility 10x20ft Banner production fees	14	
High visibility 3x6ft sponsor/Banners	500	
Reg 3x6ft Banner Sponsors	1000	(targeting small local vendors)
Reg 3x6ft Banner production fees	150	
Merchandise - T-Shirts	6500	
Merchandise - Caps	3000	
Merchandise - Water Bottles	2000	
Merchandise - Cars	1000	

**Car Show and Drift Event  
Lewiston, ME  
May 13th and 14th 2017**

# Page Divide







Imagery ©2016 DigitalGlobe, Maine GeoLibrary, USDA Farm Service Agency, Map data ©2016 Google 200 ft

Measure distance  
Total distance: 3,872.92 ft (1.18 km)

**Car Show and Drift Event**  
**Lewiston, ME**  
**May 13th and 14th 2017**

# Page Divide



**VR & GAMING**

PREMIUM VENDOR  
AREA 20 x 20

SMALL VENDOR WALK AROUND AREA 10 X 10 BOOTHS

PREMIUM VENDOR  
AREA 20 x 20

SMALL VENDOR AREA 10 x 10 Booth

FOOD VENDOR

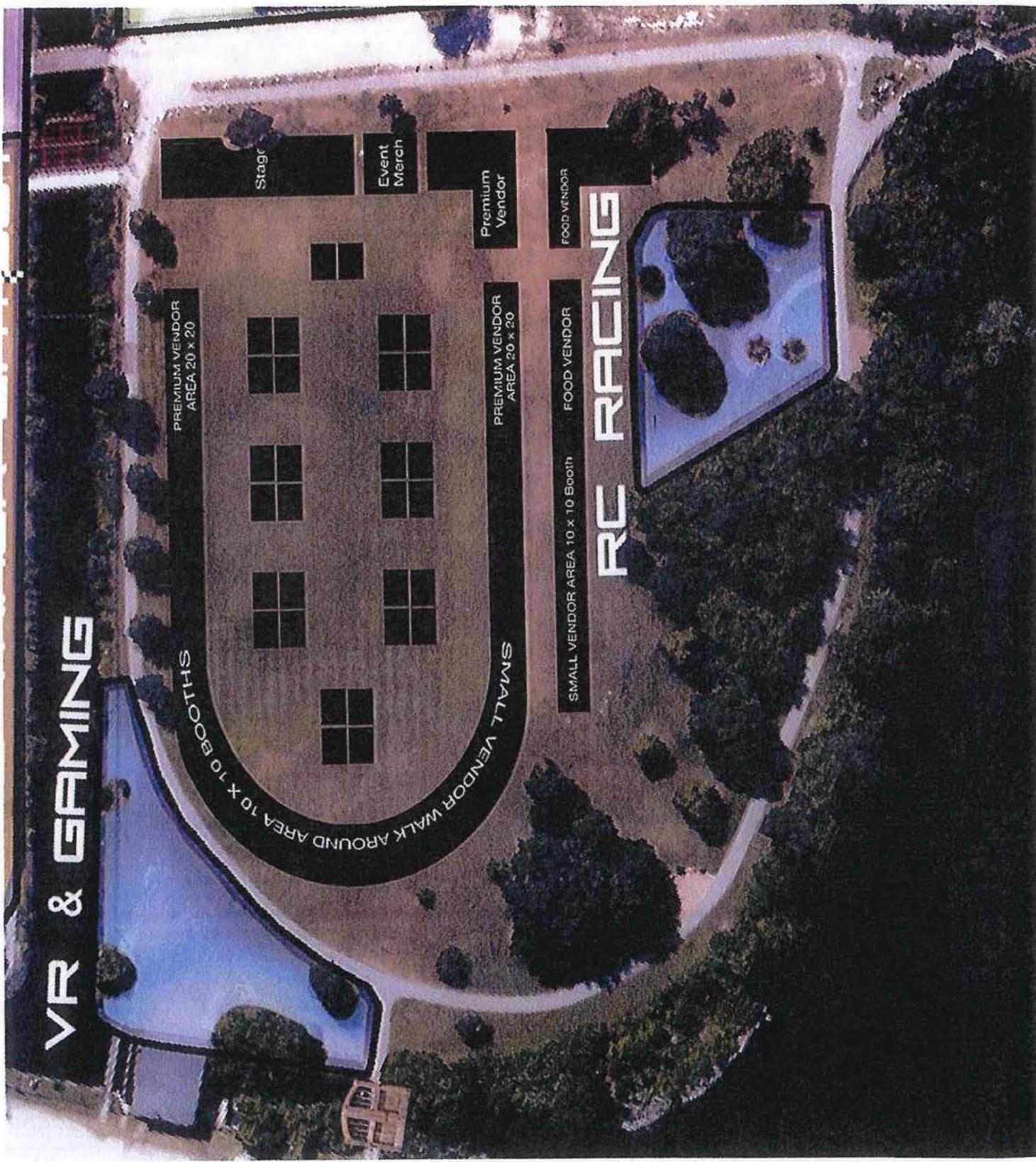
**RC RACING**

FOOD VENDOR

Stage

Event  
Merch

Premium  
Vendor



**Car Show and Drift Event**  
**Lewiston, ME**  
**May 13th and 14th 2017**

# Page Divide



## **TOP 3**

- A. Honda-Civic
- B. Honda-Other
- C. Acura-All
- D. VW-Jetta/Golf
- E. VW- Other
- F. Audi
- G. BMW
- H. European-Other
- I. Subaru-Pre 2008
- J. Subaru-2008 and up
- K. Mitsubishi
- L. Toyota/Lexus
- M. Scion
- N. Nissan/Infiniti
- O. Mazda
- P. LEGIT JDM (RHD ONLY)
- Q. KDM
- R. Domestic Tuner
- S. Modified Domestic- NON TUNER
- T. Modern Muscle/Sport
- U. Trucks/SUV 2WD
- V. Trucks/SUV 4WD
- W. Exotics
- X. Lowrider (Air/Hydro)
- Y. Motorcycles
- Z. Scooter/Ruckus
- AA. VIP
- BB. Old School Custom Foreign (pre 1990)
- CC. Old School Custom Domestic (Pre 1990)
- DD. Antiques Stock (pre 1990)

## **BEST OF**

- Engine Bay
- Paint
- Stance (Static)
- Interior/ICE
- Club Participation
- Show

**Car Show and Drift Event**  
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# Page Divide

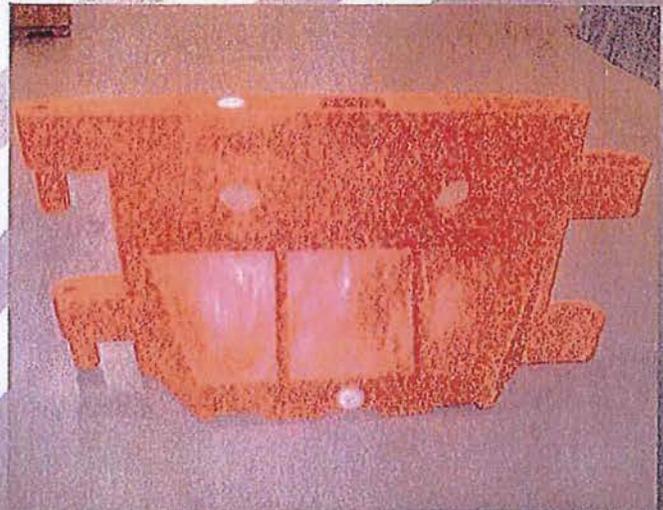


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NCHRP 350  
Requirements!

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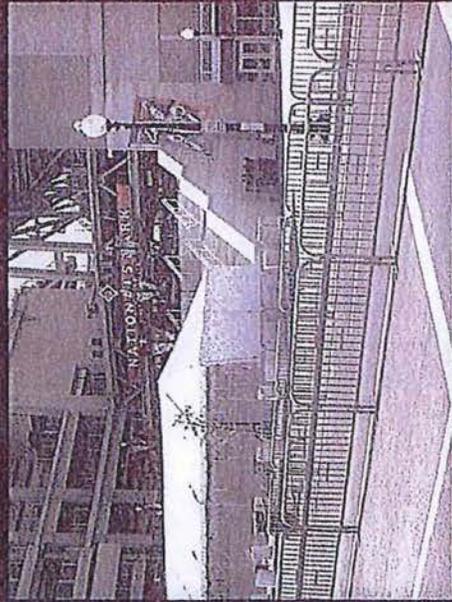
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[www.rentaguard.com](http://www.rentaguard.com)

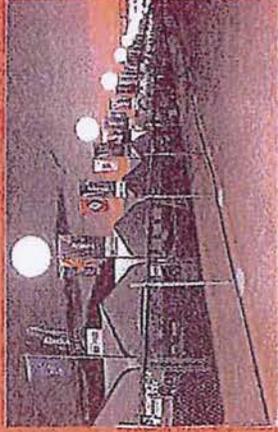
Temporary Fence & Barricades

**Rent-A-Guard does it all!**

- Charge admission to events in open areas both big and small
- Keep your events safe and secure with a defined perimeter
- Install yourself or rely on our quick & courteous installation crews to get the job done!

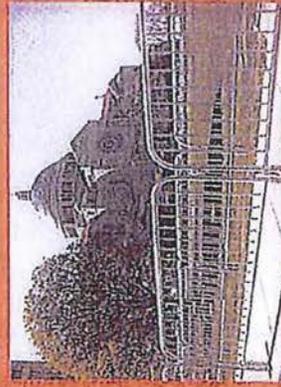


6' x 12' & 8' x 10' Panels



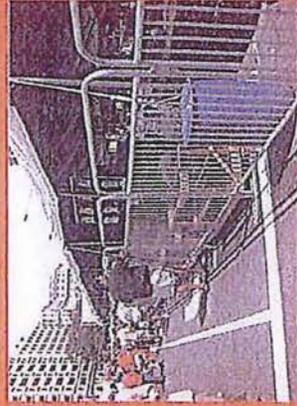
- Choose 6' or 8' high fence panels
- 6' panels come with blocks
- 8' panels come with metal stands
- Secure your site today!

42" High Pedestrian Barricades



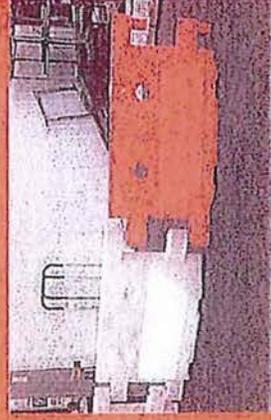
- Your choice of galvanized or vinyl
- For redirecting foot traffic
- Create lines to route attendees
- Separate VIP from general admission

6' High Barricades



- For a higher level of security
- Difficult to climb, easy to maneuver
- Great for onsite storage & backstage

Water-filled & Concrete Barriers



- Protect attendees where a roadway leads straight into your event site
- Ultimate security for roadways
- Order with or without fence

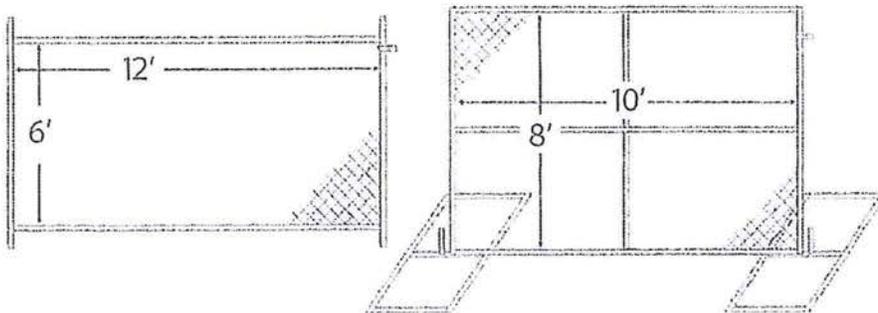
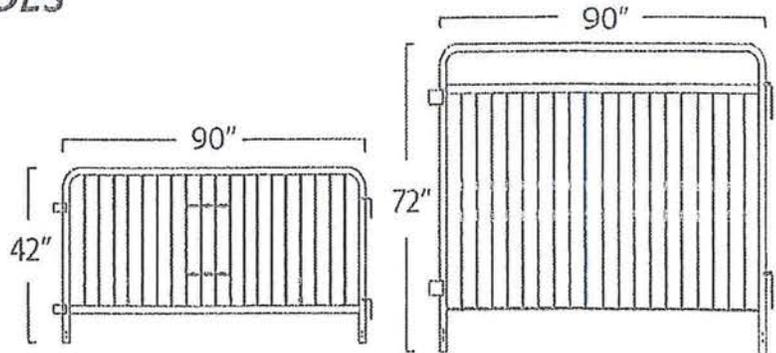
# RENTAGUARD

## TEMPORARY FENCE & BARRICADES



### Steel Pedestrian Barricades

- Crowd Control barriers allow you to redirect foot traffic.
- Barricades are 42" high x 90" wide or 72" high x 90" wide.
- Made of lightweight galvanized steel, our barricades are easy to place & relocate. Use for any event, big or small.
- Each unit has a two-piece connector which allows you to lock barricades together. No tools are required.

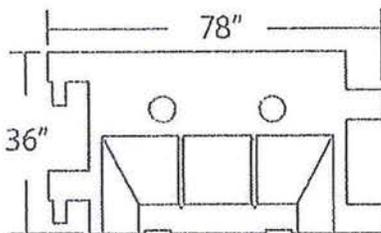
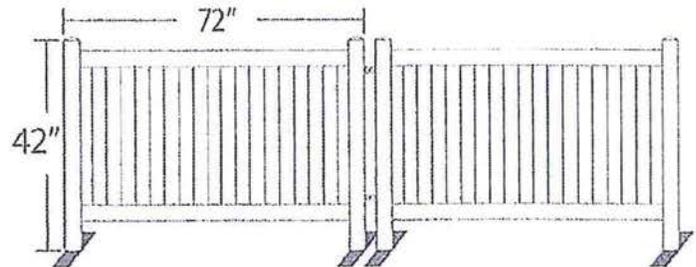


### Rent-A-Guard Fence Panels

- Great for paid admission events & VIP areas.
- Chain link fence panels are 6' high x 12' wide or 8' high x 10' wide.
- 6' high panels come with concrete blocks.
- 8' high panels rest on metal stands.
- Add screen for privacy.

### Vinyl Event Fence

- Vinyl Event Panels are 42" high x 72" wide.
- Available in white with a flat top and spaced pickets.
- Use as an attractive alternative to steel barricades & fence.



### Water-filled Barriers

- Water-filled Barriers are 36" high x 78" wide.
- Larger units available upon request.
- Add fence to top of barriers for greater security.
- Available in orange and white.

### We Do It All For You...

- Festivals & Fairs
- Sporting Events
- Running & Biking Events
- Carnivals
- Concert Venues
- Air Shows

Please contact us for all of your rental needs!



U.S. Department of Transportation  
**Federal Highway Administration**  
1200 New Jersey Avenue, SE  
Washington, DC 20590  
202-366-4000

## Safety

### **NCHRP Report 350: Devices in Work Zones - Category 3**

#### **Barriers, crash cushions, TMAs**

- Water filled longitudinal channelizing barricades and barriers
- Portable concrete "Jersey" barriers
- Crash cushions and TMAs
- This category also includes ground-mounted signs
- Full NCHRP Report 350 testing applies
- Category 3 devices are subject to the full crash testing requirements of NCHRP Report 350. For Test Level 3 this means a 25 degree hit at 100 kmh with a 4400 pound pickup, and a 20 degree hit with an 1800 pound car.
- Breakaway sign posts are tested with an 1800 pound car at 35 kmh and 100 kmh

#### **Barrier or Barricade?**

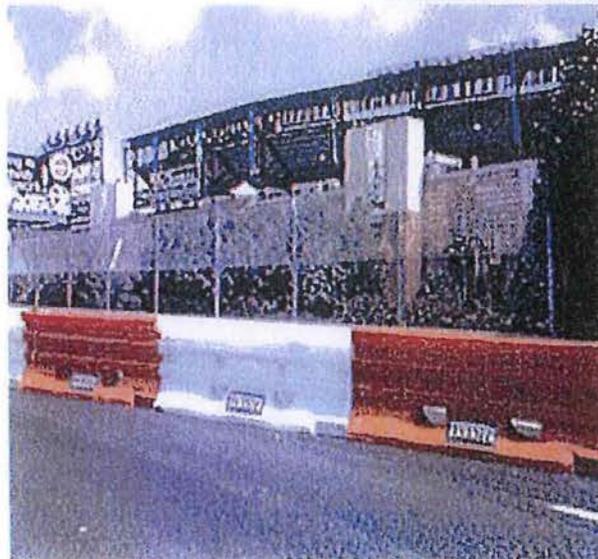
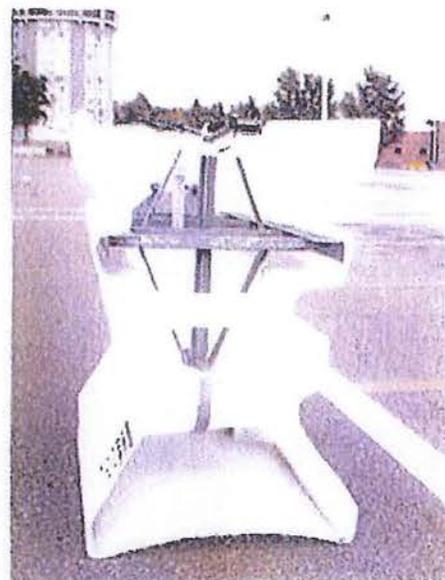
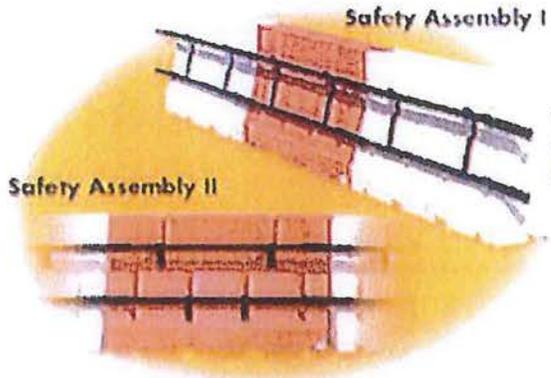
- A "Barrier" is a longitudinal device that has met the Report 350 criteria for a redirective barrier at TL-2 or above.
- A "Longitudinal Channelizing Barricade" does NOT redirect a vehicle. It is tested at the same speeds and angles, but the vehicle penetrates the barrier without severe forces on the occupant.

#### **Water Filled Longitudinal Channelizing Barricade**

Yodock Wall – Yodock units have been crash tested in three ways: as stand alone barricade units, as longitudinal channelizers, as shown here, and with the addition of a steel box beam rail, as barriers. When deployed like this, water filled units are a good substitute for a line of drums. They are not redirective vehicle barriers, as the vehicle may penetrate a longitudinal channelizing barricade. Forces on the vehicle occupants must be below the limits acceptable for a barrier impact.



## Water Filled Barriers



Roadguard (left) with highway kit and Triton barrier (middle, and right) internally reinforced. Both of these

proprietary systems have been accepted as BARRIERS. For water filled units to actually perform as a barrier, you must have a steel framework, internal or external.

### Temporary Concrete Barrier

The typical pin and loop design that has been in use for years needs to be beefed up in order to meet current crash test criteria. Failures of pin and loop designs have been caused by thin pins pulling out of the loops, loops breaking, or concrete fracturing due to lack of reinforcement. There are nearly a dozen successfully crash tested designs of portable concrete barriers, and they are posted on our web site.



### Temporary Barriers

- barrier joints must provide tensile & moment capacity after Oct. 1, 2000
- new units must meet NCHRP 350 after Oct. 1, 2002
- used where vehicle entry to the work zone must be avoided

### Temporary Barricades

- Longitudinal Channelizing Barricades
  - Must be tested using same NCHRP Report 350 tests as for a Barrier, but the test vehicle may penetrate the device. The vehicle may not roll over, nor can the device cause excessive forces on the vehicle occupants.
  - Used where vehicle entry behind the line of devices is acceptable.

### Work Zone Crash Cushions

Energite III and Quadguard CZ Sand barrel attenuators are initially low-cost but they need nearly total replacement after a hit. More sophisticated attenuators like the Quadguard CZ are quite expensive, but can be

# LEWISTON CITY COUNCIL

## MEETING OF NOVEMBER 15, 2016

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 1**

**SUBJECT:**

Amendment to the Traffic Schedule to add a stop sign at Church Street.

**INFORMATION:**

At the request of a resident and at the recommendation of the Police Department, it is recommended that a stop sign be installed on Church Street at the corner of School Street. The Police Department believes this will assist with traffic safety.

Passage is recommended.

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

The City Administrator recommends approval of the requested action.

*EAB/KMM*

**REQUESTED ACTION:**

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

To approve amendments to the Traffic Schedule to add a stop sign on Church Street at the intersection with School Street.



## POLICE DEPARTMENT

Sgt. Robert Ullrich  
Administrative Sergeant



---

DATE: November 1, 2016  
TO: Traffic Schedule Review  
FROM: Sgt. Robert Ullrich

Subject: Traffic Schedule Amendment request

### Traffic Schedule Changes:

A resident of Church St contacted Lewiston Public Works and me requesting a stop sign be placed at the intersection of Church St and School St (north end). I drove Church St and School St and found that the northerly intersection of Church St and School St. was the only intersection not to have a stop sign in this neighborhood. This intersection meets the standard to have a stop sign installed. I recommend a stop sign be added on Church St at School St (north end).

Add:

Traffic Section 38:                      Stop Signs

Church St                                      1 sign at School St. (north end)

If this amendment is approved, this would require Public Works Department to erect sign(s) and/or marking(s) designating the above change.

Respectfully Submitted,

Sgt. Robert P. Ullrich



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Google Maps

Class St

Stop sign to be added at Church St & School St Intersection



Image capture: Apr 2012 © 2016 Google

Lewiston, Maine

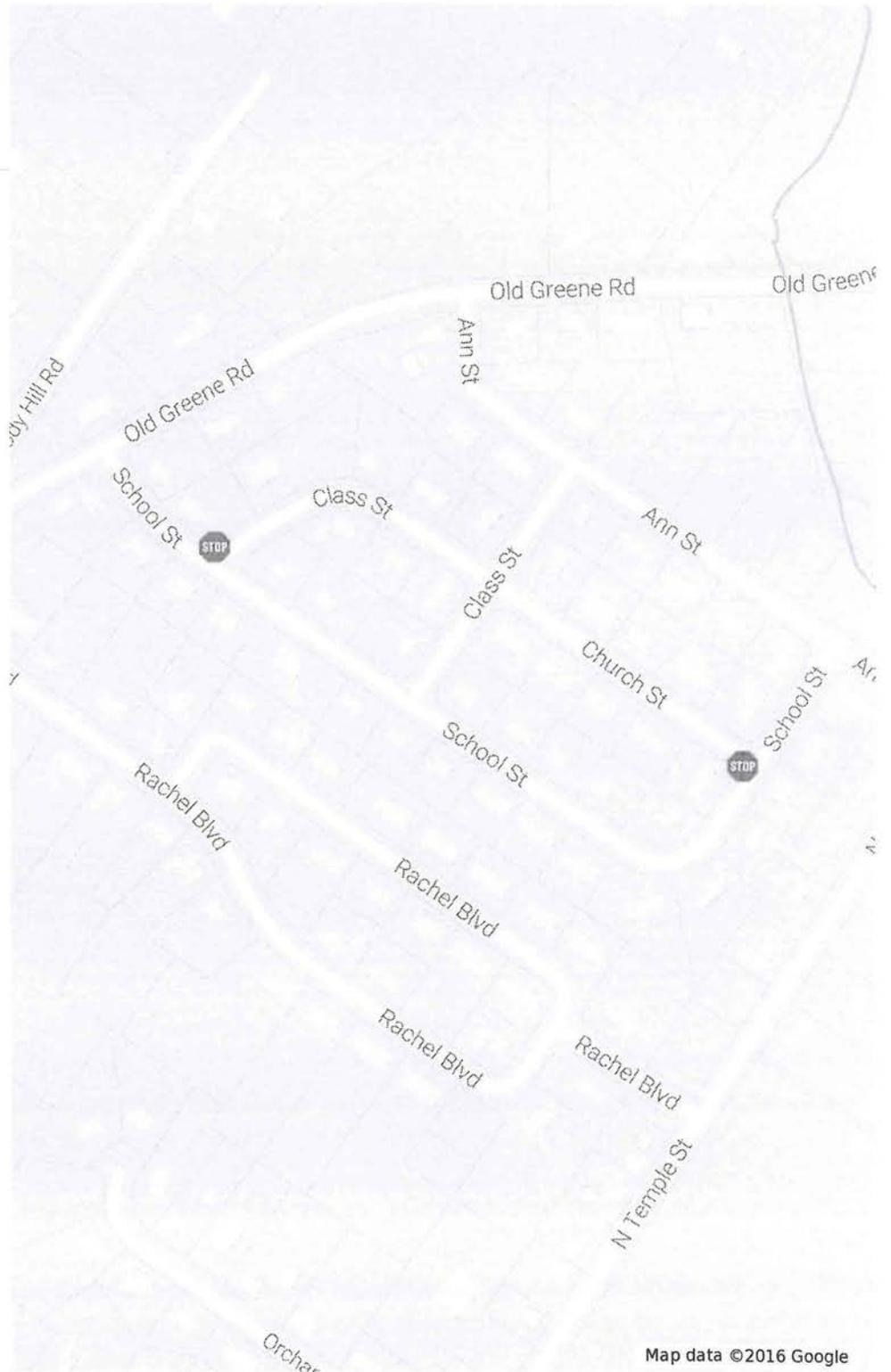
Street View - Apr 2012



# Church St (north end) Stop Sign

Untitled layer

-  New Stop Sign North end
-  Existing Stop Sign south end



# LEWISTON CITY COUNCIL

## MEETING OF NOVEMBER 15, 2016

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 2**

**SUBJECT:**

Amendment to the Traffic Schedule regarding a winter parking ban for a portion of the even numbered side of White Street.

**INFORMATION:**

The Public Works Department is requesting this change due to issues with snow removal on this street. The road becomes quite narrow with vehicles on both sides of the street and makes it difficult to plow.

The Police Department is recommending that parking be prohibited on a portion of the even numbered side of White Street during the winter months.

**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 adopt the proposed amendments to the Traffic Schedule for White Street to prohibit parking on the even numbered side of the street, between College Street and Oak Street.



## POLICE DEPARTMENT

Sgt. Robert Ullrich  
Administrative Sergeant



---

DATE: November 1, 2016  
TO: Traffic Schedule Review  
FROM: Sgt. Robert Ullrich

Subject: Traffic Schedule Amendment request

### Traffic Schedule Changes:

Public works plow crews requested that White St be posted for winter no parking on the even side of the street to assist with plowing. Plow operators reported that White St was difficult to plow with parking allowed on both sides of the street during the winter. Upon driving through the area and reviewing the traffic schedule I found that the streets parallel to White are all posted winter no parking. I recommend that the even side of White Street be posted for winter no parking.

### Add:

Traffic Section 16: Parking Prohibited - Even Numbered Sides - Winter

White Street Between College & Oak

If this amendment is approved, this would require Public Works Department to erect sign(s) and/or marking(s) designating the above change.

Respectfully Submitted,

Sgt. Robert P. Ullrich



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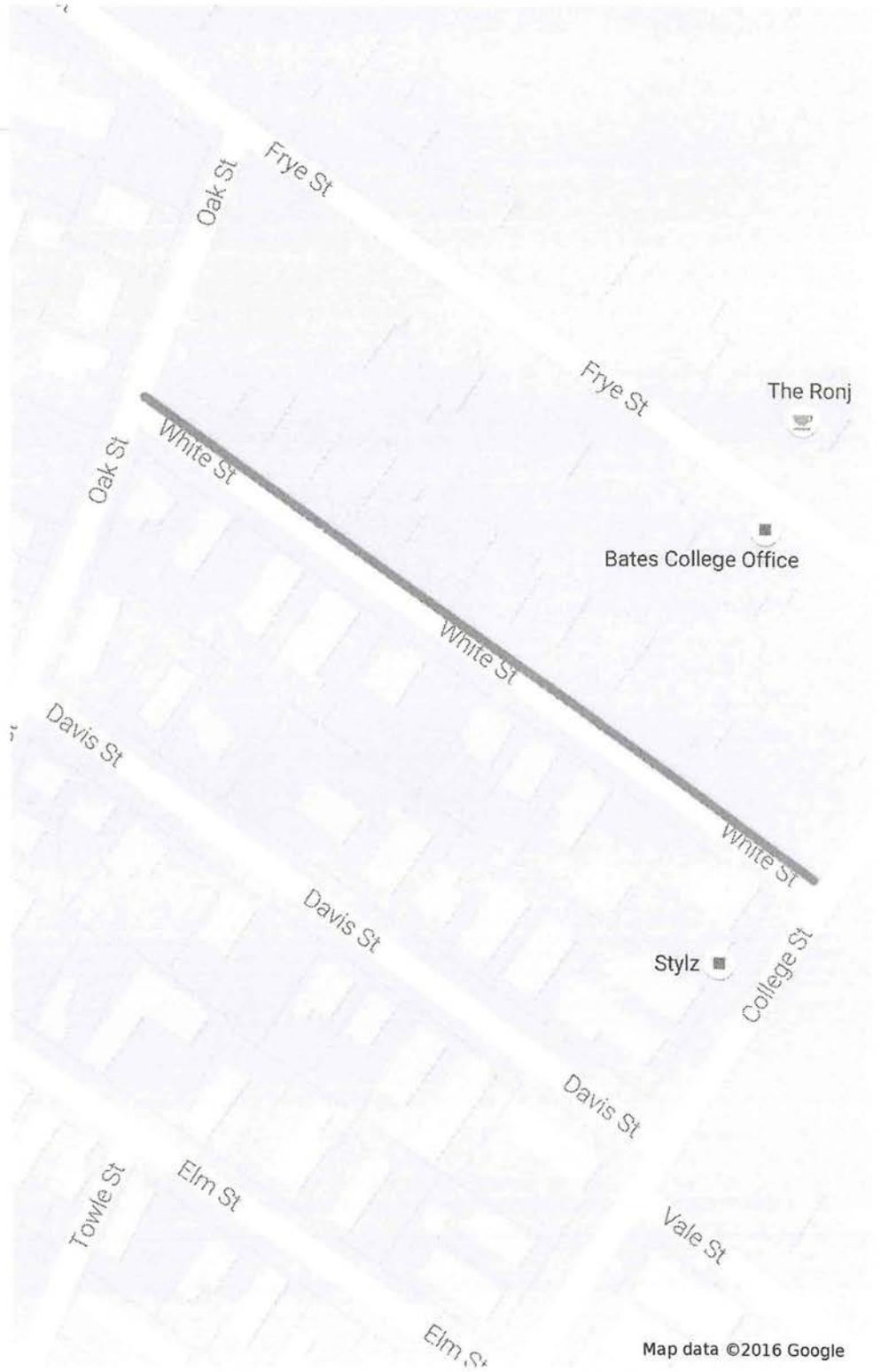
Pride

Dependability

# White Street Winter No Parking-Even Side

Untitled layer

Winter no Parking-Even side



**LEWISTON CITY COUNCIL**  
**MEETING OF NOVEMBER 15, 2016**

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 3**

**SUBJECT:**

Public Hearing on the renewal application for a Special Amusement Permit for Live Entertainment for LBK Events, 1 Bates Street.

**INFORMATION:**

We have received a renewal application for a Special Amusement Permit for Live Entertainment from LBK Events, 1 Bates 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.

*EAAB/KMM*

**REQUESTED ACTION:**

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

To grant a Special Amusement Permit for Live Entertainment to LBK Events, 1 Bates Street.

**CITY OF LEWISTON  
APPLICATION FOR SPECIAL AMUSEMENT PERMIT**

Date of Application: 11/4/16

Expiration Date: 11/7/17

- 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:** LBK Events **Business Phone:** 333-3242

**Location Address:** 1 Bates Street Lewiston

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

**Mailing Address:** Po Box 1478 Scarborough ME 04070

**Email address:** lkibort@gmail.com

**Contact Person:** Laura Kibort **Phone:** 646-732-7374

**Owner of Business:** Laura Kibort **Date of Birth:** 3-8-81

**Address of Owner:** 5 Meadowood Dr Scarborough ME 04074

**Manager of Establishment:** Wayne Day **Date of Birth:** \_\_\_\_\_

**Owner of Premises (landlord):** Robert Roy Jr

**Address of Premises Owner:** Po Box 2315 Lewiston

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): Special Amusement

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

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

Corporation Name: \_\_\_\_\_

Corporation Mailing Address: \_\_\_\_\_

Contact Person: \_\_\_\_\_ Phone: \_\_\_\_\_

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

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

Please describe the type of proposed entertainment:

- dancing                                       stand up comedian                                       piano player
- music by DJ                                       karaoke                                       other, please list \_\_\_\_\_
- live band/singers                                       magician                                       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: Laura B Kibort Title: owner Date 11/4/16

Printed Name: Laura B. Kibort

\*\*\*\*\*

Hearing Date: 11-15-16



## ***POLICE DEPARTMENT***

Brian O'Malley  
Chief of Police (Interim)



TO: Kelly Brooks, Deputy City Clerk

FR: Lt. Adam D. Higgins, Support Services

DT: October 6, 2016

RE: Liquor License/Special Amusement Permit – **LBK Events**

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

**LBK Events**  
**1 Bates St.**



---

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# LEWISTON CITY COUNCIL

## MEETING OF NOVEMBER 15, 2016

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 4**

**SUBJECT:**

Public Hearing on the renewal application for a Special Amusement Permit for Live Entertainment for Rails, 103 Lincoln Street.

**INFORMATION:**

We have received a renewal application for a Special Amusement Permit for Live Entertainment from Rails, 103 Lincoln 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.

*EPAB/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 Rails, 103 Lincoln Street. Rails, 103 Lincoln Street.

**CITY OF LEWISTON  
APPLICATION FOR SPECIAL AMUSEMENT PERMIT**

Date of Application: Nov 4, 2016

Expiration Date: 11-30-2017

- 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:** RAILS **Business Phone:** 207-333-3070

**Location Address:** 103 Lincoln St, Lewiston, Maine

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

**Mailing Address:** 103 Lincoln St, Lewiston, Maine

**Email address:** ileshea1@gmail.com

**Contact Person:** Ileshea Stowe **Phone:** 207-330-0518

**Owner of Business:** Stephen Dick Claire Dick **Date of Birth:** 6-20-49, 7-4-49

**Address of Owner:** 495 Empire Rd, Poland, Maine

**Manager of Establishment:** Ileshea Stowe **Date of Birth:** 12-4-13

**Owner of Premises (landlord):** LAEGIC

**Address of Premises Owner:** City of Lewiston

Does the issuance of this license directly or indirectly benefit any City employee(s)?  Yes  No

If yes, list the name(s) of employee(s) and department(s): \_\_\_\_\_

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

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

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

Corporation Name: \_\_\_\_\_

Corporation Mailing Address: \_\_\_\_\_

Contact Person: \_\_\_\_\_ Phone: \_\_\_\_\_

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

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

Please describe the type of proposed entertainment:

- dancing
- stand up comedian
- piano player
- music by DJ
- karaoke
- other, please list \_\_\_\_\_
- live band/singers
- magician
- 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: *Tlesha Stowe* Title: *Director of Cps* Date: *Nov 4, 2016*

Printed Name: *Tlesha Stowe*

\*\*\*\*\*

Hearing Date: *11-15-16*



## ***POLICE DEPARTMENT***

Brian O'Malley  
Chief of Police (Interim)



TO: Kelly Brooks, Deputy City Clerk

FR: Lt. Adam D. Higgins, Support Services

DT: October 6, 2016

RE: Liquor License/Special Amusement Permit – **Rails**

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

**Rails**  
**103 Lincoln St.**



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# LEWISTON CITY COUNCIL

## MEETING OF NOVEMBER 15, 2016

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 5**

**SUBJECT:**

Public Hearing and Final Passage for amendments to the Solid Waste Ordinance regarding the ePass Program and Clean-Up Assistance Week.

**INFORMATION:**

The Public Works Committee has recommended certain changes in the City's current ePass program for solid waste disposal. The current ePass program allows owners of residential properties to purchase a \$20 pass permitting them to dispose of certain wastes at our landfill. If necessary, these owners can then purchase a second pass, for \$40. As proposed, residential property owners would receive 1 ePass at no charge after they have paid their March property tax bill. The allowable amount of waste, however, would be reduced to 1,000 lbs. Any materials in excess of the ePass authorized amounts would be paid for at the established landfill rate of \$93 per ton. Tenants are now able to purchase one "abbreviated" ePass for \$10 which would be increased to \$20, again with a lower amount of waste accepted.

Landlords who pay for City waste collection are currently eligible to receive one free ePass for every 3 dwelling units. This would change to eligibility to purchase 1 ePass per year for every 3 non-owner occupied units, again with a 1,000 lbs limit per ePass. The cost of this ePass would be \$20.

The City's current spring clean-up assistance week, allowing for free disposal of material at the landfill by homeowners, would no longer be offered since homeowner/taxpayers would receive a free ePass that could be used at any time throughout the year.

The current once annual collection of brush (limited to no more than 1 standard pick-up load per residence) would continue without change.

**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

That the proposed amendments to the City Code of Ordinances, Chapter 62 "Solid Waste", Section 62-11 "Definitions"; Section 62-12 "Waste Disposal Permits"; Section 62-22 "Recycling Agreement"; Section 62-24 "ePass Program"; Section 62-31 "License or authorization required"; Section 62-32 "Duration of license; revocation" and Section 62-33 "Voluntary Relinquishment of license", receive final passage by a roll call vote.



**CITY OF LEWISTON, MAINE**

**November 1, 2016**

**COUNCIL ORDINANCE**

Ordinance, Amending Chapter 62 of the Code of Ordinances – Solid Waste – ePass Program and Clean-Up Assistance Week.

Whereas, the Public Works Committee has spent significant time reviewing the City's overall solid waste management programs and has recommended certain changes to the ePass and clean-up assistance week programs; and

Whereas, these changes are intended to address a number of issues posed by the current structure of these programs; and

Whereas, the City Council has previously reviewed and accepted the most recent report of the Public Works Committee;

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

Chapter 62 of the Code of Ordinances, Solid Waste, is hereby amended as shown in the attached revision wherein additions are underlined and deletions are struck through.

## Chapter 62

### SOLID WASTE\*

#### Article I. In General

- Sec. 62-1. Depositing solid waste in public places or in sources of water.
- Sec. 62-2. Reserved.
- Sec. 62-3. Containers required; permitting unauthorized collections.
- Sec. 62-4. Duty of citizens to deliver to collectors.
- Sec. 62-5. Conveyance regulated.
- Sec. 62-6. Municipal collection from certain establishments.
- Sec. 62-7. Reserved.
- Sec. 62-8. Reserved.
- Sec. 62-9. Reserved.
- Sec. 62-10. Dumping of certain waste prohibited.
- Sec. 62-11. Definitions.
- Sec. 62-12. Waste disposal permits.
- Sec. 62-13. Municipal collection of solid waste and recyclable materials.
- Sec. 62-14. Fee schedule.
- Sec. 62-15. Payments.
- Sec. 62-16. Penalties and enforcement.
- Sec. 62-17. Special waste.
- Sec. 62-18. Solid wastes not accepted for disposal at the facility.
- Sec. 62-19. Demolition debris.
- Sec. 62-20. Covering of loads.
- Sec. 62-21. Dump picking prohibited.
- Sec. 62-22. Recycling agreement.
- Sec. 62-23. Spring cleanup assistance event.
- Sec. 62-24. ePass program.
- Secs. 62-25--62-30. Reserved.

#### Article II. Private Collectors

- Sec. 62-31. License or authorization required.
- Sec. 62-32. Duration of license; revocation.
- Sec. 62-33. Voluntary relinquishment of license.
- Secs. 62-34--62-55. Reserved.

#### Article III. Hazardous Materials

- Sec. 62-56. Definitions.
- Sec. 62-57. Disposal and storage of hazardous waste.
- Sec. 62-58. Waste oil.
- Sec. 62-59. Penalty for violation of article.
- Secs. 62-60--62-69. Reserved.

\*Cross references: Littering prohibited, § 6-2; buildings and building regulations, ch. 18.

State law references: Maine Litter Control Act, 17 M.R.S.A. § 2261 et seq.

## SOLID WASTE

### **Sec. 62-7. Reserved.**

**Editor's note:** Ord. No. 03-10, effective Aug. 1, 2003, repealed § 62-7 in its entirety. Formerly, said section pertained to authority to designate public solid waste facility; duty to use as enacted by Code 1982, § 29-7.

### **Sec. 62-8. Reserved.**

**Editor's note:** Ord. No. 03-10, effective Aug. 1, 2003, repealed § 62-8 in its entirety. Formerly, said section pertained to removal of materials from solid waste facilities as enacted by Code 1982, § 29-8.

### **Sec. 62-9. Reserved.**

**Editor's note:** Ord. No. 03-10, effective Aug. 1, 2003, repealed § 62-9 in its entirety. Formerly, said section pertained to duties of police chief pertaining to solid waste facilities; abatement of violations as enacted by Code 1982, § 29-9.

### **Sec. 62-10. Dumping of certain waste prohibited.**

No person shall dump solid waste on any public or private land in the city.

(Code 1982, § 29-10)

### **Sec. 62-11. Definitions.**

The following words and terms as used in sections 62-12 through 62-24 of this article will have the meanings ascribed thereto, unless the context otherwise indicates:

~~*Abbreviated ePass:* An ePass (as defined) issued to a tenant of a residential property (as defined) or multiple unit apartment building (as defined).~~

*Authorized collector:* Employees or contractors of the city or a private collector employed by the owner, occupant, agent or other person having custody of a building, for the purpose of hauling solid waste to the facility or other location for waste disposal as designated by the city.

~~*Asphalt shingles:* Asphalt roofing shingles and tar paper and shall be devoid of any other solid waste.~~

*Batteries:* Wet cell (lead-acid) batteries collected for recycling and alkaline batteries. This definition will not include rechargeable batteries defined as universal waste.

*Building:* Any structure or vessel, whether public or private, that is adapted to or used for: dwelling occupancy; the transaction of business; the rendering of professional services; amusement; the display, or sale, or storage of goods, waste, merchandise, articles or equipment; the performance of work or labor; office buildings, stores, theaters, markets, restaurants, warehouses, day care facilities, hotels, motels, bed and breakfast facilities, worship, garages, bakeries; structures where domestic or other animals or fowl are kept; or sheds, barns, outbuildings, or other structures or premises used as accessory to any such use.

*Bulky waste:* Any items whose large size or weight precludes or complicates their handling by normal collection, processing or disposal methods (includes old furniture; carpeting; appliances such as stoves, dryers, washing machines, etc., but does not include universal waste or refrigerant containing appliances) or as further defined by the rules and regulations of public

## SOLID WASTE

works.

*City:* The City of Lewiston, Maine, a municipality organized and regulated by the laws of the state.

*Commercial waste:* Solid waste generated by a commercial property or as a result of commercial activity.

*Commercial activity:* Any property or service provider, which has received a license from the City of Lewiston to conduct business and/or a structure used for commercial or business purposes including, but not limited to, the following:

- (1) Hotels, motels, bed and breakfast facilities, restaurants, warehouses;
- (2) Markets, bakeries, grocery stores, food vendors;
- (3) Manufacturing or industrial facilities;
- (4) Business offices;
- (5) Any business establishment adjoining a residential structure;
- (6) Trailer parks and manufactured home parks, and;
- (7) Condominiums.

*Construction and demolition debris:* Solid waste generated through construction, remodeling, repair or demolition of structures. This includes but is not limited to: building materials such as plaster and lath, plumbing fixtures, insulation, asphalt, wall board, pipes, treated wood (wood products, which have been treated with copper, chromium, arsenic and/or creosote), asphalt shingles, roofing felt, sheetrock and metal conduits. It excludes: partially filled containers of any kind, friable asbestos and other special waste.

*ePass:* A voucher, distributed by the city annually, for the purpose of disposing of specific types of solid one thousand (1,000) pounds of waste material at the facility. The ePass is nontransferable and is invalid if used by anyone other than the authorized user.

*Facility:* The city's solid waste and recycling facility, located on 424 River Road, which is a division within the city's department of public works.

*Inert fill:* Clean soil material including soil from road ditching and sand from winter sand cleanup. Inert fill can also include crushed clean glass and porcelain (not included in recycled glass) as well as bricks, rocks and cured concrete (that does not contain rebar or wire mesh).

*MEDEP:* The Maine Department of Environmental Protection.

*Multiple unit apartment building:* An apartment building or complex of buildings, which contain a total of four or more dwelling units per parcel of property or three or more dwelling units per parcel of property, which are not owner occupied.

*Occupant:* The person that has the use of or occupancy of any building or a portion thereof, whether the actual owner or tenant. In the case of vacant buildings or any vacant portion of a building, the owner, agent or other person having custody of the building will have the responsibility of an occupant of the building or portion thereof.

*Owner:* The actual owner of the building, whether individual, partnership or corporation, or the agent of the building, or other person having custody of the building or to whom the rent is

## SOLID WASTE

~~*Sheetrock:* Clean and dry sheetrock, which is devoid of paint, wall paper and other solid waste.~~

*Solid waste:* Municipal solid waste as defined by Maine's Solid Waste Regulations (MEDEP Reg. Ch. 400), which states "solid waste emanating from household and normal commercial sources". This waste will include, but is not limited to garbage, trash, rubbish, paper, plastics, metal cans, glass, crockery, cold ashes and refuse.

*Special waste:* Any solid waste generated by sources other than residential and commercial establishments that exists in such an unusual quantity or in such a chemical or physical state, or any combination thereof, that it may disrupt or impair effective waste management or threaten public health, human safety or the environment and requires special handling, transportation and disposal procedures. Special waste includes, but is not limited to; ash, industrial and industrial process waste, sludge and dewatered septage, nonfriable asbestos and asbestos containing materials and all other solid wastes designated special waste as defined in Maine's Solid Waste Regulations.

*Suitable container:* For solid waste generated at a residential property, including recyclable material, means a suitable plastic container, which is covered and watertight and prevents the attraction of vectors (such as birds, rodents, insects, etc.). The container shall be no larger than 36 gallons and shall be covered. The weight of the solid waste/recyclable material placed in the container shall not exceed 30 pounds. Plastic bags, in and of themselves, shall not be considered a suitable container, for the purposes of this definition. For solid waste generated through commercial activities or at multiple unit apartment buildings, suitable containers may include metal dumpsters or plastic totes, specifically designed and manufactured for the storage of solid waste/recyclable material and which prevent the attraction of vectors (such as birds, rodents, insects, etc.) Suitable containers, which contain recyclable material shall have a "RECYCLING" sticker (distributed by the City) affixed to the container.

*Superintendent:* That person appointed by the director of public works as the city's superintendent of the division of solid waste management.

*Tenant:* A person, group of individuals or family that pays rent to the owner of a residential property or multi-unit apartment building for use of that building's dwelling unit(s). Use of the buildings by the tenant shall not include use for Commercial Activities, as defined in this section.

~~*Tires:* Tires (with and without rims) from all commercial and residential vehicles (refer to fee schedule provided for under section 62-14 to determine charges).~~

*Universal waste* includes the following:

- (1) Rechargeable batteries, which contain lead, cadmium and/or mercury. Rechargeable batteries, do not include wet-cell (lead acid) batteries.
- (2) Lamps, which contain mercury (include fluorescent lamps, mercury vapor lamps, high pressure sodium lamps, and all other mercury containing lamps as defined by MEDEP Hazardous Waste Regulations, Chapter 850).
- (3) Mercury containing switches, thermostats, manometers and thermometers.
- (4) Polychlorinated biphenyl (PCB) ballasts, which are totally enclosed and nonleaking.

## SOLID WASTE

- (5) Cathode ray tubes, including video display components of televisions, computer monitors (includes flat screen monitors) and other video display devices.
- (6) Computer central processing unit.
- (7) Desk-top printer.
- (8) Architectural paint, as defined in 38 MRSA 2144, Maine's product stewardship law for paint.

*Waste material:* Any waste materials, including, but not limited to, solid waste, recyclable material, bulky waste, commercial waste, construction and demolition debris, inert fill, scrap metal, special waste, universal waste refrigerant containing appliances, waste oil, asphalt shingles, batteries, tires, special waste, wood and sheetrock.

*Waste oil:* Used motor oil delivered to the facility in clear plastic containers in order to facilitate inspection. Waste oil does not include; synthetic motor oil, hydraulic fluid or any other lubricants or liquids of any kind.

*Wood* includes all wood including demolition wood (free of metal, sheetrock, insulation, and other solid waste), brush and tree waste (does not include stumps). Does not include treated wood (refer to construction and demolition debris).

*Yard debris:* Brush (low trees, bushes & shrubs) and tree limbs less than twelve (12) inches in diameter. Yard debris does not include stumps from trees, bushes and/or shrubs.

(Ord. No. 03-10, 8-1-03; Ord. No. 04-13, 7-1-04; Ord. No. 06-11, 7-27-06; Ord. No. 12-11, 10-18-12; Ord. No. 13-09, 10-17-13; Ord. No. 15-01, 02-19-15)

### **Sec. 62-12. Reserved. ~~Waste disposal permits.~~**

~~Any vehicle engaged in a commercial activity, which requests the services of the facility shall have a permit issued by the city. There will be a charge for each permit issued in accordance with the city's policy manual as approved by the city council.~~

- ~~(1) *Commercial permit.* Issued to any Lewiston business that generates commercial waste (excluding recyclable material and scrap metal) and does not have waste collected by a waste hauler and brings their waste to the facility for disposal. Any and all solid waste brought to the facility in a vehicle which has been issued a commercial permit will be charged for the disposal of that waste in accordance with the current fee schedule. Commercial permits are renewable each October.~~
- ~~(2) *Contractor permit.* Issued to any contractor hauling construction or demolition debris from a job site located within Lewiston. Evidence of job location shall be presented prior to entry into the facility. A contractor can be issued either an annual permit or a permit for an individual project. Any and all solid waste brought to the facility by a vehicle which has been issued a contractor permit will be charged for the disposal of that waste in accordance with the current fee schedule. Contractor permits (annual) are renewable each October.~~
- ~~(3) *Waste hauler permit.* Issued to all authorized collectors engaged in solid waste collection. All applicants for a waste hauler permit shall provide the superintendent with an updated list of customers they are servicing with an estimated annual tonnage for each customer. In addition, haulers will provide an~~

## SOLID WASTE

~~annual estimated tonnage of recyclable material diverted for each customer.  
Waste hauler permits are renewable each October.~~

~~(Ord. No. 03-10, 8-1-03; Ord. No. 06-11, 7-27-06; Ord. No. 08-06h, 8-14-08)~~

### **Sec. 62-13. Municipal collection of solid waste and recyclable materials.**

- (a) *Collection of solid waste and recyclable materials from residential properties.* Public works will provide for the collection of solid waste and recyclable material from all residential properties receiving waste collection provided by the city, in accordance with this chapter.

Occupants of residential properties that receive city waste collection in accordance with section 62-4 of this chapter shall utilize suitable containers for the storage, transportation and disposal of solid waste. This includes all solid waste placed curbside for disposal. The weight of solid waste placed in each suitable container shall not exceed 30 pounds.

All residents who live in residential structures receiving city waste collection shall separate recyclable material from their rubbish. Recyclable material must either be transported to the facility or be placed in suitable containers, which have a city issued "RECYCLING" sticker affixed to the container, for curbside collection.

Recyclable material and solid waste are to be set curbside no earlier than 6:00 p.m. of the day preceding regularly scheduled waste collection and no later than 7:00 a.m. of the day of waste collection as established by public works.

- (b) *Collection of solid waste and recycling materials from commercial properties and multiple unit apartment buildings.* Solid waste and recyclable material will not be collected by the city from any commercial activity or property engaged in a commercial activity, as defined in section 62-11 of this chapter.

Private vendors providing curbside solid waste and recyclable material collection service to commercial properties and multiple unit apartment buildings not receiving this service from the city shall schedule their collection to occur on the same day as the city-provided service for the geographic area of the city where the property is located.

Recyclable material and solid waste are to be set curbside no earlier than 6:00 p.m. of the day preceding regularly scheduled trash collection and no later than 7:00 a.m. of the day of waste collection. All solid waste and recyclable material must be removed by the end of the scheduled day of collection. This applies to all curbside collection, whether it is provided by the city or through a private vendor.

The city will collect solid waste and recyclable material from multiple unit apartment buildings for only those buildings who:

- (1) Received solid waste and recyclable material collection from the city on May 6, 2003; and
- (2) Complete and submit an application fee to continue this service and receive approval from the city to continue this service.

The city will provide service to these limited multiple unit apartment buildings on a fee-for-service basis. The amount of the fee will be reviewed and adjusted

## SOLID WASTE

material.

(Ord. No. 03-10, 8-1-03)

### **Sec. 62-21. Dump picking prohibited.**

No person, resident, business or city employee shall enter the facility without authorization or remove waste material or recyclable materials from the facility without specific authorization from the superintendent. Violation of this may result in the immediate revocation of the disposal privileges by the superintendent. (Ord. No. 03-10, 8-1-03)

### **Sec. 62-22. Reserved Recycling agreement.**

~~Any municipality or quasi-municipal organization requesting disposal and/or transfer services of recyclable material shall be required to enter into a formal agreement for use of the facility which is approved by the Lewiston City Council. (Ord. No. 03-10, 8-1-03; Ord. No. 13-09, 10-17-13)~~

### **Sec. 62-23. Spring clean-up assistance event.**

The Solid Waste Policy (ref. Spring Cleanup Assistance Event) describes a limited service to residential property owners, by the City, for the collection of woody yard debris ~~solid waste materials~~, which ~~is~~ are not typically collected curbside and for which the City charges a fee for disposal. This policy and any modifications to this policy shall be filed with the city clerk. (Ord. No. 03-10, 8-1-03; Ord. No. 13-09, 10-17-13)

### **Sec. 62-24. ePass program.**

~~The city issues an ePass and an abbreviated ePass through the treasurer's office and the Seale House at the Solid Waste Facility for a fee, as described in the solid waste fee schedule (section 62-14). ePasses are sold at these locations, only, and cannot be obtained at any other location. ePasses will be sold to:~~

- ~~(1) Owners of residential properties, as defined in section 62-11 of this chapter. Limit, two ePasses, per property owner, per year.~~
- ~~(2) Owners of multi-unit apartment buildings, as defined, who are eligible and have paid for trash collection services provided by the city will be eligible to receive ePasses based on the following—One ePass per three dwelling units (i.e. a five unit building will be eligible for two ePasses), per year. The ePass will only be valid for the fiscal year in which it was issued. The City's fiscal year is from July 1 through June 30.~~
- ~~(3) Tenants of residential properties and multiple unit apartment buildings are eligible to purchase abbreviated ePasses.~~

~~The ePass is good for one year from the day of issue. If a second ePass is purchased by the owner of a residential property, as defined, it will expire on the expiration date listed on the first pass. The abbreviated ePass is good for 30 days from date of issue. Only one abbreviated ePass shall be issued per tenant, per year, from date of issue.~~

~~The ePass will allow the holder to dispose of waste material at the facility at no charge. Types and quantities of materials, which can be disposed at no charge for each ePass~~

## SOLID WASTE

shall be:

- ~~(1) Six items of bulky waste (includes one universal waste item and one freon-containing appliance);~~
- ~~(2) Three tons (6,000 pounds) of solid waste (may include construction and demolition debris); and~~
- ~~(3) Two tires (16 inches or less) without rims.~~

~~The ePass will allow Lewiston residents free disposal of items listed above at the facility. The city will not be responsible for hauling these waste items. Waste hauling is the responsibility of the ePass holder. Only items listed in sec. 62-24 will be accepted at no charge. The ePass holder will present the pass(their driver's license) at the time he/she enters the facility in order to receive this service and the items to be disposed of will be recorded on the city's computer system at that time. Once the item is recorded, that item will be excluded from further disposal at no charge. Expired ePasses will not be accepted at the solid waste facility.~~

~~The abbreviated ePass will allow the holder to dispose of waste material at the facility at no charge. Types and quantities of materials, which can be disposed at no charge for each abbreviated ePass shall be:~~

- ~~(1) Six items of bulky waste (includes one universal waste item and one Freon-containing appliance);~~
- ~~(2) 800 pounds of solid waste (shall not include construction and demolition debris); and~~
- ~~(3) Two tires (16 inches or less) without rims.~~

~~The ePass service is not transferrable. Individuals eligible to receive this service included:~~

- ~~(1) The purchaser of the ePass.~~
- ~~(2) A member of the purchaser's household (as determined by reviewing the address on the driver's license of the individual wishing to use this service) is eligible to use the service described in Sec. 62-24 ePass Program.~~
- ~~(3) Individuals wishing to use this service will be asked to present their driver's license to the Scale House attendant when entering the solid waste facility, to determine their eligibility to receive this service. Failure to present a driver's license or meet the eligibility requirements listed in this ordinance may disqualify the individual from receiving the services listed in this ordinance.~~

~~The city issues one (1) ePass, at no cost, annually to the following:~~

- ~~(1) Owners of residential properties as defined in Sec. 62-11 of this chapter) who live in one of the dwelling units of that property, year round. The ePass will be issued to property owners who are current on all outstanding debts to the City.~~
- ~~(2) Owners of multiple unit apartment building (as defined in Sec. 62-11 of this chapter) who live in one of the dwelling units of that property, year round. The ePass is issued for the dwelling unit in which they reside. The ePass will be issued to property owners who are current on all outstanding debts to the City and~~

## SOLID WASTE

who have paid the City for curbside trash collection services in accordance with Sec. 62-13 of this chapter.

The following individuals are eligible to purchase an ePass from the City –

- (1) Owners of multiple unit apartment buildings (as defined in Sec. 62-11 of this chapter) and who have paid the City for curbside trash collection services in accordance with Sec. 62-13 of this chapter may purchase one (1) ePass per year for every three (3) dwelling units, which they own (i.e. a five (5) unit building would be eligible for two (2) ePasses). The owner will be eligible to purchase the ePass(es) if they are current on all outstanding debts to the City.
- (2) Tenants (as defined in Sec. 62-11 of this chapter) who reside in the City of Lewiston.

The ePass is issued through the Treasurer's office when the property owner pays their property tax bill in full for the given year or when the tenant purchases the ePass. The price of the ePass shall be established as provided in Sec. 62-14 – Fee Schedule – of this chapter.

The ePass service is not transferable and is limited to only one (1) ePass per year. Individuals eligible to receive this service include:

- (1) The holder of the ePass.
- (2) A member of the holder's household (as determined by reviewing the address on the driver's license of the individual wishing to use this service) is eligible to use the service described in Sec. 62-24 – ePass Program.
- (3) Individuals wishing to use this service will be asked to present their driver's license to the Scale House attendant when entering the solid waste facility, to determine their eligibility to receive this service. Failure to present a driver's license or meet the eligibility requirements listed in this ordinance may disqualify the individual from receiving the services listed in this ordinance.

(Ord. No. 03-10, 8-1-03; Ord. No. 06-11, 7-27-06; Ord. No. 12-11, 10-18-12; Ord. No. 13-09, 10-17-13)

**Secs. 62-25--62-30. Reserved.**

## ARTICLE II. PRIVATE COLLECTORS

### **Sec. 62-31. ~~Reserved License or authorization required.~~**

~~No person shall collect any house offal, swill or garbage, or carry the same through any of the streets or sidewalks of the city, except such person as may be authorized or licensed by the department of public works.~~

~~(Code 1982, § 29-20)~~

### **Sec. 62-32. ~~Reserved Duration of license; revocation.~~**

~~(a) The department of public works shall determine the length of time for which any license under this article shall issue, and all such licenses for the collection of garbage shall be~~

## SOLID WASTE

~~granted subject to revocation by the department.~~

- (b) ~~The department of public works may at any time revoke any or all licenses granted, in whole or in part, upon failure of any licensee to comply with the provisions of this article. Upon revocation of any license, the department shall send a notice thereof by registered mail to the licensee at least 15 days before the date such revocation shall become effective.~~

~~(Code 1982, § 29-21)~~

### **Sec. 62-33. Reserved Voluntary relinquishment of license.**

~~Any licensee wishing to discontinue the collection of garbage, in whole or in part, shall notify the department of public works in writing of his intention to do so, at least 15 days prior to the date of such discontinuance, and shall return his license to the department.~~

~~(Code 1982, § 29-22)~~

**Secs. 62-34--62-55. Reserved.**

## ARTICLE III. HAZARDOUS MATERIALS\*

\*Cross references: Fire prevention and protection, ch. 38.

### **Sec. 62-56. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Disposal* means the discharge, deposit, injection, dumping, spilling, leaking or placing of any hazardous or solid waste, sludge or septage into or on any land, water, sanitary or storm drainage system so that the hazardous or solid waste, sludge or sewage or any constituent thereof may enter the environment or be emitted into the air, or discharged into any waters, including groundwater.

*Generator* means a person whose activity results in the generation of waste which is or may be hazardous.

*Hazardous waste* means any chemical substances or materials, gas, solid or liquid, designated as hazardous by the United States Environmental Protection Agency pursuant to the United States Resource Recovery and Conservation Act, Public Law 94-580, and amendments to the act or designated hazardous by the act or its amendments.

*Oil* means any of a class of substances typically unctuous, viscous, combustible, liquid at 60 degrees Fahrenheit and soluble in ether or alcohol but not in water.

*Storage* means the placement of materials in drums, tanks or other structures intended to retain the materials for subsequent use or disposal.

*Waste oil* means discarded oil generated by residential, institutional, commercial, industrial or agricultural sources or oil recovered from spills.



## EXECUTIVE DEPARTMENT

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

October 18, 2016

To: Honorable Mayor and Members of the City Council  
Fr: Edward A. Barrett  
Su: Proposed Changes to ePass Program

The Public Works Committee has recommended certain changes in the City's current ePass program for our solid waste landfill. This recommendation has previously been reviewed by the Council at the time the Public Works Committee's report was accepted.

### SUMMARY OF PROPOSED CHANGES

#### RESIDENTS

Current: The ePass program allows owners of residential properties to purchase a \$20 pass permitting them to dispose of certain wastes<sup>1</sup> at our landfill. If necessary, these owners can then purchase a second pass, for \$40, which will allow them to dispose of a second, equal amount of waste.

Proposed: Residential property owners would receive 1 ePass at no charge after they have paid their March property tax bill. The amount of waste, however, would be reduced to 1,000 lbs. Any materials in excess of the ePass authorized amounts would be paid for at the established landfill rate of \$93 per ton.

#### TENANTS

Current: Tenants are now able to purchase one "abbreviated" ePass for \$10.<sup>2</sup>

Proposed: Tenants could obtain an ePass for \$20, limited to 1 ePass per year and 1,000 lbs of waste.

#### LANDLORDS

Current: Landlords who pay for City waste collection are currently eligible to receive one free ePass for every 3 dwelling units.

<sup>1</sup> Currently, allowed for disposal are: 6 bulky waste items including 1 universal waste item and 1 freon containing appliance; 6,000 lbs of solid waste, and 2 tires (16 inches or less) without rims.

<sup>2</sup> Tenant ePasses allow for the same disposals with the exception of solid waste which is limit to 800 lbs.

Proposed: Landlords who pay for City waste collection would be eligible to purchase 1 ePass per year for every 3 non-owner occupied units, again with a 1,000 lbs limit per ePass. The cost of this ePass would be \$20. Note that a landlord who is an owner occupant would be eligible for one free ePass when they pay their March property taxes.

#### CLEAN-UP ASSISTANCE WEEK

The City's current spring clean up assistance week, allowing for free disposal of material at the landfill by homeowners, would no longer be offered given that all homeowner/taxpayers would receive a free ePass that could be used at any time throughout the year.

#### SPRING BRUSH COLLECTION

The current once annual collection of brush (limited to no more than 1 standard pick-up load per residence) would continue without change.

Explanations for these proposed changes can be found in the Public Works Committee Report.



## PUBLIC WORKS DEPARTMENT

David A. Jones, P.E., Director

October 18, 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.

**Status:** The Council approved the Solid Waste Policy Fee Schedule changes at their September 6 meeting and our consultant is finalizing changes to the Scale Management Software to implement the change.

The following recommendations are what we are workshopping here tonight:

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.

**Status:** City Staff has identified the needed changes to Chapter 62 Solid Waste Ordinance and the Solid Waste Policy Fee Schedule and they are attached for the City Council's Consideration. Before we officially presented these, we thought it would be helpful to workshop the issue to ensure everyone understands the changes being considered and the potential impact. Our plan is as follows:

- October 25<sup>th</sup> - Workshop with the City Council to get them familiar with the issue,
- November 1<sup>st</sup> - Council would have a first reading of the Ordinance Change,
- November 15<sup>th</sup>- 2<sup>nd</sup> Workshop (only if necessary), then 2<sup>nd</sup> Reading of the Ordinance Change and approval and approval of the Solid Waste Policy Fee Schedule Changes

City Staff will be sending out letters explaining the changes to Landlords with their ePass information reminders on Oct 31<sup>st</sup> or November 1<sup>st</sup>. We will also include an item in the Landlord Notify–Me part of the city’s website to ensure they are made aware of the potential changes. City Staff will also include information about the changes as part of the tax bills which will be mailed later in November.

Attachment (1) is a brief summary comparing the services before and after the proposed changes. Attachment (2) is the draft changes to Chapter 62 Solid Waste Ordinance needed to implement the proposed changes.

Attachment (3) is the draft changes to the Solid Waste Policy Fee Schedule needed to implement the proposed changes.

We will be happy to respond to any questions, comments or suggestions the Council may have.

Sincerely,

David A. Jones, P.E.

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

EXERPTS FROM FEBRUARY 4, 2016 MEMO FROM ED BARRETT RE: CITY SOLID WAST SYSTEM DISCUSSING THE CURRENT EPASS PROGRAM.

**ePass Program**

The City sells ePasses (formerly known as "Punch Passes") to Lewiston residents at the Treasurer's Office and at the Scale House at the Solid Waste Facility. These passes allow individuals to deliver certain wastes to our Facility at a significantly discounted rate. ePasses are good for one year from the date of purchase. The cost of the first pass is \$20. If necessary, a resident may purchase a second pass during the year for \$40.

The ePass allows the holder to dispose of the following:

- o 2 - tires (off the rim)
- o 1 - television or computer monitor
- o 1 - refrigerated appliance
- o 6 - Bulk Waste items (i.e. furniture, rolls of carpet, etc.)
- o 6,000 lbs. of trash/construction and demolition debris/yard debris

The retail value of an ePass, assuming all materials are actually disposed of, is about \$350. A \$20 price represents over a 90% discount. In FY 15, the City sold 2,348 ePasses. Only 110 of these were the higher priced second passes. This produced \$47,740 in revenue.

The City also offers an abbreviated ePass program for renters. This pass costs \$10 and allows the resident to dispose of similar quantities of material except for a reduction in the weight of trash/construction/yard debris from 6,000 lbs. to 800 lbs. During FY 15, 71 of these passes were sold for \$710 in total revenue.

A final element of the ePass program relates to landlords with a large number of properties. They are eligible to receive, free of charge, one ePass for every 3 units enrolled in the City's fee collection system. Given the significant discount associated with this program, it is possible that large property owners can manage their properties in such a way as to minimize their overall costs by balancing the number of units for which they pay the city fee against the number that they service on their own using the ePass' allowance for solid waste (6,000 lbs). The average residence produces about 2,600 lbs. of solid waste per year. Given this, every no charge ePass provided to a property owner allows that owner to deliver waste generated from an estimated 2.3 units to the City's solid waste facility and incur no disposal costs.

**PUBLIC WORKS COMMITTEE EPASS RECOMMENDATIONS**

**VI. ePass and Ordinance Changes**

- At the January 27<sup>th</sup> meeting, Ed Barrett, with assistance from staff gave a brief summary of the solid waste program and informed the Committee a City Council workshop on PAYT (Pay As You Throw) was scheduled for February 9th. The Committee requested data regarding:

- How many punch passes / e-passes are sold each year
- How many punch passes / e-passes are given to multi-unit apartment bldg. landlords
- Cost - Value of punch passes / e-passes
- Cost to dispose of materials at the landfill compared with MMWAC

- How much of an increase in recycling it would take to make the cost per ton the same as for solid waste
  - How much would Re-Energy charge for CD wood and brush brought directly to them
- At the February 17<sup>th</sup> Committee meeting, Ed Barrett presented a good summary of the Solid Waste Program including:
- Solid Waste Collection
  - Incineration in Maine and the City's relationship with MMWAC
  - Recycling collection and the City's relationship with Casella's MRF (Materials Recovery Facility) – current recycling rate is ~8.6% with State Goal of 50%
  - The City's ePass Program
  - A summary memo dated February 4, 2016 was included in the Agenda material.
- A discussion followed including:
    - Suggestions to change the ePass program to:
      - Reduce the epass disposal to 1,000 lbs. of waste materials (regardless of waste type);
      - Homeowners would be eligible to receive a free pass when they paid their March property tax bill (No additional pass would be available);
      - A renter could obtain the new epass for \$20 and would be limited to 1 pass per year;
      - A landlord who is an owner occupant would be eligible for 1 free epass for the unit they occupy when they pay their taxes and would be eligible to purchase 1 pass for every 3 additional units for \$20 per epass, as would non-owner occupant landlords.
      - Staff will evaluate the feasibility and impacts of these suggestions
    - Suggestion that the City go to a fee of \$93 per ton of waste material to simplify the fee schedule and to help automate the scale house operations. (This amount is \$5/ton more than MMWAC charges)

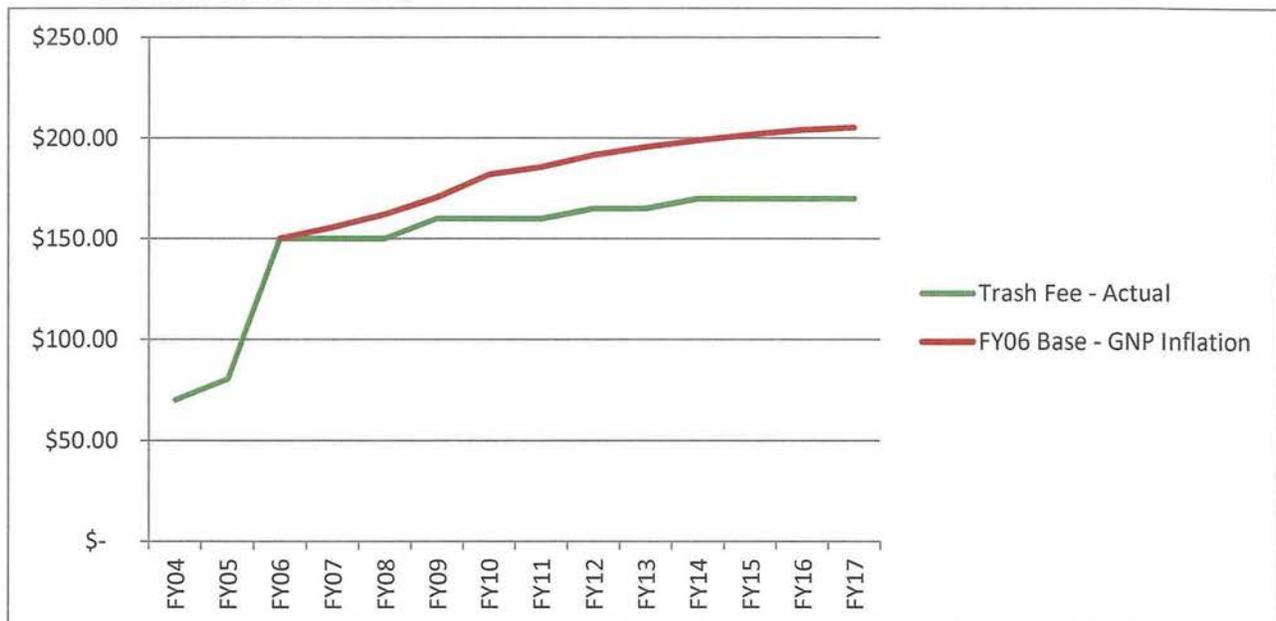
## Summary of Changes Proposed for Solid Waste

<u>Current</u>	<u>Proposed</u>
<p>Each ePass allowed disposal of: 6                      bulky waste items (included 1 universal waste item and                      1 freon containing appliance);                      three tons (6,000 lbs.) of solid waste;                      2 tires (16 inches or less) without rims</p>	<p>Recommendation 2.a. Reduce ePass to disposal of 1,000 lbs of waste material (regardless of waste type): Each ePass will allow disposal of 1,000 lbs of waste material (regardless of waste typ)</p>
<p>Owners of residential properties are limited to two ePasses per year with the first ePass costing \$20 and the second ePass consting \$40.</p>	<p>Recommendation 2.b. Homeowners would be eligible to receive a free pass once they paid their March property tax bill (No additional pass would be available)</p>
<p>Tenants of residential properties were able to purchase "abbreviated ePases" for \$10 (abbreviated ePasses allowed disposal of: 6                      bulky waste items (included 1 universal waste item and 800                      1 freon containing appliance); lbs. of solid waste; 2                      tires (16 inches or less) without rims</p>	<p>Recommendation 2.c. A renter could obtainin a new ePass for \$20 (limited to 1 ePass per year.</p>
<p>The current code does not provide an allowance for an owner occupied apartment.</p>	<p>Recommendation 2.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</p>
<p>Owners of multi-unit apartment buildings, who are eligible and have paid for trash collection services provided by the City is eligible to receive one ePass per 3 dwelling units.</p>	<p>Recommendation 2.e. 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.</p>
<p>The Solid Waste Policy described Cleanup Assistance Event (if funded) as beginning the third Saturday in April and concluding on the fourth Saturday in April when:</p> <ol style="list-style-type: none"> <li>1. Solid Waste Facility is open 8:00AM to 4:00PM (closed on Sunday)</li> <li>2. Tip fees and use of ePass was waived for residents only (proof of residency must be provided) Commercial customers and multi-unit apartment buildings not allowed)</li> <li>3. Acceptable Waste Materials brought to the Facility would be accepted with no tip fee.</li> <li>4. LPW would 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.</li> </ol>	<p>Recommendation 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.</p>

## Information about Collection of Solid Waste from Multi-Unit Apartment Properties

### History

1. Section 62-13 (b) deals with the collection of solid waste and recyclable material from multiple unit apartment buildings for properties who were receiving this service from the City in May 2003.
2. The current program of charging these properties for the service began in August of 2003 (FY2004) with the initial bills being \$70.20 per living unit per year. (Not \$35 per unit per year quoted at the workshop)
3. The bills had a small increase in FY2005, but in FY2006 the bills were increased to \$150 per living unit per year to more accurately reflect the actual cost to the City for the services rendered.
4. Since 2006, there have been modest rate increases with the totals falling below the GNP inflation line (see chart)



Multi-Unit Apartment Bldg Solid Waste Collection Cost (\$ per unit per year)

### Comparison Information

#### Other Cities/Towns

Portland – Provides collection services for up to nineteen (19) units per building under a pay-per-bag system. Most large apartment buildings are not participating in the City collection service as they prefer other services.

Bangor – Collection limited to private residences or apartment buildings of four (4) units or less.

Augusta - Collection limited to private residences or apartment buildings of four (4) units or less.

Waterville – Collection limited to private residences or apartment buildings of four (4) units or less. Also have pay-per-bag for all.

## Information about Collection of Solid Waste from Multi-Unit Apartment Properties

South Portland - Collection limited to private residences or apartment buildings of four (4) units or less. There are a few properties with more than 4 units and dumpsters meeting City requirements that were grandfathered and still get collected.

### Commercial Haulers

We asked commercial haulers providing solid waste disposal services in the area what their rates were. For comparison purposes, we assumed a four unit building would generate ~ 2 cubic yards (~200 lbs) of trash per week and would need a 2 yard dumpster to be hauled once per week. The following are the quotes we received for comparison purposes:

Waste Management	\$1,272 per year
Pine Tree Waste	\$1,560 per year
Andy Valley Refuse	\$ 972 per year
Troiano	\$1,152 per year
Almighty Waste	\$2,700 per year
City of Lewiston	\$ 680 per year

# LEWISTON CITY COUNCIL

## MEETING OF NOVEMBER 15, 2016

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 6

### SUBJECT:

Public Hearing and Final Passage for Land Use Code Amendments regarding stormwater management.

### INFORMATION:

The Planning Board voted 6-0 at their October 24, 2016 meeting to recommend that the Council amend the Land Use Code regarding stormwater management. These amendments are to update the city's ordinance to be consistent with the Maine Stormwater Management Law. Please see the attached memorandum from City Planner David Hediger for additional information.

Passage is recommended.

### 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 amendments to Appendix A, Article XIII . "Development Review and Standards", Section 4. "Approval Criteria" of the City Zoning and Land Use Code, concerning stormwater management, receive final passage by a roll call vote.

**AN ORDINANCE PERTAINING TO STORMWATER MANAGEMENT FOR  
DEVELOPMENT REVIEW**

**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 XIII. DEVELOPMENT REVIEW  
AND STANDARDS**

Sec. 4. Approval criteria.

(f) *Stormwater management.* Adequate provisions shall be made for the disposal of all stormwater collected on streets, parking areas, roofs or other impervious surfaces through a stormwater drainage system which will not have adverse impacts on abutting or downstream properties. All projects disturbing less than one acre shall be designed to meet the requirements of this subsection 4(f). All projects including one acre or more of disturbed land shall meet the requirements of this subsection 4(f) and the requirements of the Site Location of Development Law, 38 MRSA, 481--490, the Maine Stormwater Management Law, 38 M.R.S.A. Section 420- D, and regulations promulgated there under, specifically Rules 500, 501, and 502, ~~having an effective date of December 31, 1997, repealed and replaced on November 16, 2005, and further as amended on December 21, 2006 August 12, 2015.~~ At the discretion of the director of public works or his/her designee he/she may waive the above requirements, based on a finding that a particular site will have no significant runoff.

- (1) ~~To the extent possible, the~~ The plan will demonstrate the disposal ~~dispose~~ of stormwater on the land at the site of development, and do so through the wise use of the natural features of the site. Stormwater runoff systems will infiltrate, detain or retain water falling on the site such that the rate of flow from the site does not exceed that which would occur in the predevelopment undeveloped state for a storm of intensity equal to at least a 2-, 10-, and 25-year storm, with a duration equal to the time of concentration. The stormwater quantity calculations must be in accordance with acceptable engineering practice. Acceptable stormwater methodologies and models include but are not limited to TR-20-Computer Program for Project Formulation--Hydrology, Second Edition, U.S. Department of Agriculture, Soil Conservation Service (May 1983); TR-55-Urban Hydrology for Small Watersheds, Second Edition, U.S. Department of Agriculture, Soil Conservation Service (June 1986); TR-55 Microcomputer Program, Version 2.0, (January 15, 1990); and HEC-1 Flood Hydrology Package, U.S. Army Corps of Engineers. Any methodology other than those listed must have prior approval from the director of public works or his/her designee ~~city~~. Use of the 25-year, 24-hour storm as a design standard in this chapter is not intended to prohibit appropriate use of

the rational method. The outlet structures of each detention basin must be designed to control 24-hour storms of 2-, 10-, and 25-year frequencies. Each detention basin must be constructed with an emergency spillway designed to independently convey the unrouted runoff from a 25- year, 24-hour storm event. ~~At his discretion, the director of public services may waive the above requirements, based on a finding that a particular site will have no significant runoff.~~ Additionally, a waiver from these standards may be granted by the ~~City of Lewiston~~ the director of public works or his/her designee in the cases specifically identified below:

- a. *Discharge to the Androscoggin River.* A project conveys stormwater exclusively in a manmade piped or open drainage system directly into the Androscoggin River. Areas of the project or adjoining properties to be flooded during the 2-, 10-, and 25-year, 24-hour storms must be identified and easements secured, if necessary. A project that changes the flow-type (example: sheet to shallow concentrated), changes the flow channel, or increases the stormwater discharge must secure easements on the intervening property that meet the easement and covenant requirements following in this section. The discharge may not result in erosion of any upland or freshwater wetlands. ~~The director of public works or his/her designee~~ The City of Lewiston Public Works may allow a waiver if it is determined ~~they determine~~ that the increase in peak flow from the site will not significantly affect the peak flow of the receiving waters or result in unreasonable adverse impact on the river.
  - b. Public stormwater system. A project discharges its stormwater flow into the City of Lewiston Stormwater System, when the applicant has adequately demonstrated to ~~the public services department of the city~~ the director of public works or his/her designee that it has the capacity to accommodate increases in flow. ~~The~~ the director of public works or his/her designee ~~city~~ may allow an insignificant increase in the peak flow from the site or in the peak flow of the receiving waters, if it is determined ~~they determine~~ that the increase cannot be avoided by reasonable changes in project design or density and does not significantly impact abutters or city property.
- (2) If the outflow volume is greater than that for the undeveloped site, the developer will demonstrate that downstream channel or system capacity is sufficient to carry the flow without adverse effects, or will be responsible for the improvements to provide the required increase in capacity.
  - (3) All natural drainage ways will be preserved at their natural gradients and will not be filled or converted to a closed system except as approved by the director of public works or his /her designee and/or by the planning board ~~and~~ appropriate state agencies.
  - (4) The design of stormwater drainage systems will insure the

- acceptance and disposal of stormwater runoff based on quantities calculated per subsection 4(f)(1) above, without damage to streets, adjacent properties or downstream properties.
- (5) The design of the storm drainage systems will be fully cognizant of upstream runoff which must pass over or through the site to be developed. The system will be designed to pass upstream flows, based on quantities calculated per subsection 4(f)(1) above, from the land, as fully developed, without surcharging the system.
  - (6) The maximum length for carrying open stormwater in a street gutter prior to intake at a catch basin will be three hundred feet. No stormwater will be permitted to drain on the surface across a street or across an intersection.
  - (7) The storm drainage system to serve a proposed development will be designed and installed in accordance with the plans and specifications prepared by a professional engineer, unless waived at the discretion of the director of public works or his/her designee.
  - (8) The developer will maintain and inspect all components of the stormwater runoff system unless the system is formally accepted by the city, or is placed under the jurisdiction of legally created property owners association whose charter and powers require maintenance of the system, with adequate financing to carry out this responsibility. Any approved plans must include a statement as to who will be responsible for said maintenance and inspections. The components of the stormwater run-off system shall include, but not be limited to, detention ponds, level spreaders, inlet and outlet protection and structures, swales, etc., and the piping unless the piping is under an accepted city street. For piping under accepted city streets, at the time of street acceptance, the piping shall become the property and maintenance responsibility of the city. An easement shall be provided to the city for the maintenance of this piping. In addition, a separate access easement for all other stormwater runoff components shall be provided to the city for emergency purposes.
  - (9) The biological and chemical properties of the receiving waters will not be degraded by the stormwater runoff from the development site. The use of oil and grease traps in manholes, the use of on-site vegetated waterways, and the reduction in use of deicing salts and fertilizers may be required, especially where the development stormwater discharges into a gravel aquifer area or other water supply source.
  - (10) The filling of wetlands on-site will be conducted only in accordance with applicable federal and state law and regulations, including the Natural Resources Protection Act.

### **REASONS FOR PROPOSED AMENDMENT**

On August 12, 2015 an amendment to Maine DEP's Stormwater Management Rule (also known as Chapter 500 Rules) became effective. The changes include, but are not limited to, providing additional options for when treatment is required of stormwater, providing credits for Low Impact Development (LID), establishing new standards for

the redevelopment of existing sites, and providing updates to best management practices associated with stormwater management.

DEP has granted delegated review authority to the City for reviewing projects subject to the Site Location of Development Act (Site Law; essentially projects involving 3 to 7 acres of development activity) and capacity for reviewing and issuing permits subject to state Stormwater Management Rules. With the new rule changes adopted by the State, the city must amend the applicable sections of the Zoning and Land Use Code referencing these new provisions. Failure to do so puts the City at risk of losing its delegated review authority and capacity for review certain sized projects. Maintaining this authority from DEP is welcomed by property owners and developers, as the City is able to provide an expedited and less costly review of projects.

#### **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 reason:

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).

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. Improve stormwater management: Implement plans, programs, policies, and projects to meet the City's requirements under the Municipal Separate Storm Sewer Systems (MS4) Phase II Permit and Clean Water Act Master Plan (p. 218).
2. Protect Lewiston's natural resources: Consider amending local land use ordinances, as applicable, to incorporate low impact development standards and Ensure that land use ordinances are consistent with applicable state law regarding critical natural resources (p. 24 for Lewiston Comprehensive Plan Implementation Matrix).



## CITY OF LEWISTON

### Department of Planning & Code Enforcement

**TO: Planning Board**  
**FROM: David Hediger, City Planner**  
**DATE: October 21, 2016**  
**RE: October 24, 2016 Planning Board Agenda Item IV(c)**

**A proposed amendment to Appendix A, Article XIII, Section 4(f) of the Zoning and Land Use Code to amend the city's development review stormwater provisions to be consistent with the Maine Stormwater Management Law.**

On August 22, 2016, upon a presentation by staff, the Planning Board voted unanimously pursuant to Article XVII, Section 5 of the Zoning and Land Use Code to prepare an amendment for the Planning Board's recommendation to the City Council to amend the city's development review stormwater provisions to be consistent with the Maine Stormwater Management Law.

On August 12, 2015 an amendment to Maine DEP's Stormwater Management Rules (also known as Chapter 500) became effective. The changes include, but are not limited to, providing additional options for when treatment is required of stormwater, providing credits for Low Impact Development (LID), establishing new standards for the redevelopment of existing sites, and providing updates to best management practices associated with stormwater management.

DEP has granted delegated review authority to the City for reviewing projects subject to the Site Location of Development Act (referred to as Site Law; essentially projects involving 3 to 7 acres of development activity) and capacity for reviewing and issuing permits subject to state Stormwater Management Rules. With the new rule changes adopted by the State, the city must amend the applicable sections of the Zoning and Land Use Code referencing these new provisions. Failure to do so puts the City at risk of losing its delegated review authority and capacity for review certain sized projects. Maintaining this authority from DEP is welcomed by property owners and developers, as the City is able to provide an expedited and less costly review of projects.

#### **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 to the City Council to amend to Appendix A, Article XIII, Section 4(f) of the Zoning and Land Use Code amending the city's development review stormwater provisions to be consistent with the Maine Stormwater Management Law, 38 M.R.S. Section 420- D, and regulations promulgated there under, specifically Rules 500, 501, and 502, as amended on August 12, 2015.



## 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:** October 26, 2016

**Subject:** Planning Board Action

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The Planning Board took the following action at its meeting held October 24, 2016 regarding a proposed amendment to development review stormwater regulation.

The following motion was made:

**MOTION:**

by **Pauline Gudas** pursuant to Article VII, Section 4 and Article XVII, Section 5 of the Zoning and Land Use Code to send a favorable recommendation to the City Council to amend to Appendix A, Article XIII, Section 4(f) of the Zoning and Land Use Code amending the city's development review stormwater provisions to be consistent with the Maine Stormwater Management Law, 38 M.R.S. Section 420- D, and regulations promulgated there under, specifically Rules 500, 501, and 502, as amended on August 12, 2015.

Second by **Zach Pettingill**.

**VOTED: 6-0 (Passed)**

# What are the 2015 Changes to Maine's Stormwater Management Laws?

## ***In a Nutshell: What is New in Chapter 500?***

*For each bullet point, the related Chapter 500 rule section is cited in parentheses:*

### ***General Standards:***

- The Department provides for reduced stormwater treatment levels if the remaining land is set aside from development. (4(C)(2)(a)(iii))
- The redevelopment standards were revised to provide greater clarification and as a way to incentivize redeveloping existing properties. (4(C)(2)(d))
- The storage volume requirement for wetponds was increased by 33%. (4(C)(3)(a))
- Innovative stormwater treatment measures are allowed provided that they perform at least as well as conventional measures. (4(C)(3)(e))
- A new low impact development (LID) credit is introduced. Eligible projects can use the credit to reduce the developed area requiring treatment by up to 20%. (4(C)(4))
- The portion of a road crossing a wetland is not required to meet the general standards provided its design allows wetland flow under the road. (4(C)(5)(e))
- Runoff from sloped, non-asphalt roofs of non-industrial facilities needs to be treated for thermal impact and for channel protection only. (4(C)(5)(f))

### ***Phosphorus Standard:***

- If an applicant can demonstrate that a project meets the site allocation contrary to the standard phosphorus export calculation results, the Department may decide that the phosphorus standard is met. (4(D)(3))

The Maine Department of Environmental Protection's Chapter 500 Stormwater Management rules underwent a revision in 2015, its first revision in four years. The changes are intended to provide greater flexibility while encouraging the use of innovation stormwater design and low impact development techniques to help address climate change. One notable change was that the "Compensation and Mitigation Credit" section was removed from Chapter 500, and released as a new stand-alone chapter, Chapter 501.

### ***Sensitive Watersheds:***

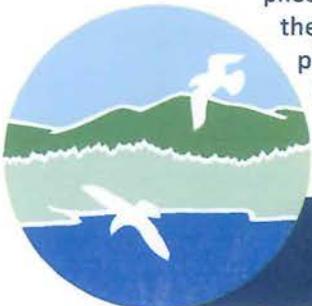
- Permittees may be required to hire a Department-approved inspector to oversee construction projects in the watersheds of lakes most at risk or urban impaired streams. (10(A))

### ***Inspection, Maintenance and Housekeeping:***

- Permittees are asked to retain their stormwater inspection and maintenance logs for a minimum of five years after the completion of permanent stabilization. (Appendix B(2)(d))
- Authorized and unauthorized non-stormwater discharges were identified to more closely align with federal stormwater regulations. (Appendix C(6 & 7))

### ***Infiltration Systems:***

- The infiltration basins must be designed to drain completely within a 24 to 48-hour period. (Appendix D(4)(a))
- In certain cases, the Department may require:
  - \* Groundwater quality monitoring to determine the effectiveness of any infiltration system. (Appendix D(4)(a))
  - \* A "mounding analysis" demonstrating that the water table will be below the bottom of an infiltration system within 48 hours after the end of a storm event. (Appendix D(4)(d))



### ***Vegetated Soil Filters:***

- Liners are required on all vegetated soil filters unless certain site conditions are met. (Appendix E(4)(a)(iii))

### ***Buffers:***

- An alternative buffer design is provided for residential subdivision lots to meet either the general standards or the phosphorus standard using compensation. (Appendix F(7))

The full text of the current Chapter 500 Rules can be accessed at: <http://www.maine.gov/dep/land/stormwater/storm.html>

### ***In a Nutshell: What is New in Chapter 501?***

For each bullet point, the related Chapter 501 rule section is cited in parentheses:

#### ***Urban Impaired Streams:***

- The compensation fees were increased to more closely reflect the actual cost of mitigation projects. (3(A)(1))
  - \* Non-roof impervious area: \$12,500 per acre
  - \* Roof: \$5,000 per acre
  - \* Landscaped area: \$2,500 per acre
- Mitigation credits are defined for an expanded group of developments, including different parking lot types. (3(A)(3))

#### ***Phosphorus Standards:***

- A project can earn credits by treating the following off-site phosphorus sources if they are determined to be significant by the Department: (3(C)(2))
  - \* Roads: Credits can be earned by paving them
  - \* Chronic erosion sites: Credits can be earned by repairing them

Credits that can be earned by treating other phosphorus sources are decided on a case-by-case basis.

- An applicant can pay a compensation fee in lieu of reducing phosphorous export beyond a project's allotment provided that the phosphorous export from the proposed development site has already been reduced by at least 60%. The maximum compensation fee is \$25,000 per pound of

phosphorus export. Compensation fees are prorated such that less compensation fee is paid for projects achieving a higher reduction in phosphorus export. The compensation fee option is unavailable: (3(C)(3))

- \* For projects or portions of projects that are residential subdivisions or roads within residential subdivisions, unless the project is using only wooded or meadow buffers and associated level spreaders and ditch turnouts to address the remaining phosphorus export reduction required to meet the projects phosphorus allocation.
- \* Unless a mitigation project is identified and approved by the Department in the same watershed.

The full text of the current Chapter 501 Rules can be accessed at: <http://www.maine.gov/dep/land/stormwater/storm.html>

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For more information on Maine's stormwater management rules, please contact staff in one of our four regional offices:

Augusta, Main Office and Central Maine Regional Office  
(Mail) 17 State House Station, Augusta, Maine 04333-0017

(Physical) 28 Tyson Drive, Augusta, Maine 04333-0017  
(207)287-7688 • (800)452-1942 • FAX (207)287-7826

Bangor, Eastern Maine Regional Office  
106 Hogan Road, Bangor, Maine 04401  
(207)941-4570 • (888)769-1137 • FAX (207)941-4584

Portland, Southern Maine Regional Office  
312 Canco Road, Portland, Maine 04103  
(207)822-6300 • (888)769-1036 • FAX (207)822-6303

Presque Isle, Northern Maine Regional Office  
1235 Central Drive, Presque Isle, Maine 04769  
(207)764-0477 • (888)769-1053 • FAX (207)760-3143

# LEWISTON CITY COUNCIL

## MEETING OF NOVEMBER 15, 2016

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 7

### SUBJECT:

Public Hearing & Final Passage for re-zoning the even-numbered addressed properties from 10 King Avenue to 108 King Avenue from the Community Business (CB) District to the Neighborhood Conservation "A" (NCA) District.

### INFORMATION:

The property owner of 18 King Avenue would like to convert the building from a three unit building to a single-family home. However the current zoning district does not permit single family homes int this area.

On October 24, 2016 the Planning Board voted unanimously (6-0) to send a favorable recommendation to the City Council to rezone the above referenced portion of King Avenue, pursuant to Appendix A, Article VII, Section 4 and Article XVII, Section 5 of the Zoning and Land Use Code of the City of Lewiston.

The attached memorandum from City Planner David Hediger offers additional information regarding this item.

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

The City Administrator recommends approval of the requested action.

*EAB/KMM*

### REQUESTED ACTION:

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That the proposed amendment to re-zone the even-numbered addressed properties from 10 King Avenue to 108 King Avenue from the Community Business (CB) District to the Neighborhood Conservation "A" (NCA) District, receive final passage by a roll call vote.



## 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:** October 26, 2016

**Subject:** Planning Board Action

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The Planning Board took the following action at its meeting held October 24, 2016 regarding a proposed amendment to the zoning on King Avenue.

The following motion was made:

**MOTION:**

by **Pauline Gudas** pursuant to Article VII, Section 4 and Article XVII, Section 5 of the Zoning and Land Use Code to send a favorable recommendation to the City Council to rezone the even-numbered addressed properties on the north side of King Avenue, 10 King Avenue to 108 King Avenue, from the Community Business (CB) district to the Neighborhood Conservation "A" (NCA) district.

Second by **Norm Anctil**.

**VOTED: 6-0 (Passed)**



## CITY OF LEWISTON

### Department of Planning & Code Enforcement

**TO: Mayor and City Council**  
**FROM: David Hediger, City Planner**  
**DATE: October 25, 2016**  
**RE: King Avenue Rezoning**

On October 25, 2016 the Planning Board voted unanimously pursuant to Article VII, Section 4 and Article XVII, Section 5 of the Zoning and Land Use Code to send a favorable recommendation to the City Council to rezone the even-numbered addressed properties on the north side of King Avenue, 10 King Avenue to 108 King Avenue, from the Community Business (CB) district to the Neighborhood Conservation "A" (NCA) district. This amendment was initiated by the Planning Board at staff's request.

Staff has been approached by the owner of 18 King Avenue to convert an abandoned three-family dwelling into a single family dwelling. This property is located in the Community Business (CB) district in which multifamily dwellings are a permitted use, but single-family dwellings are not. The options currently available for the owner of this property are to either reestablish the use of the property as a three-family structure or to pursue some other use allowed in the CB district.

The property owner inquired about rezoning the property to Neighborhood Conservation "A" (NCA) district which permits single family dwellings. The NCA district is located directly across the street. Rather than having that single property rezoned, staff believes there is good reason to consider rezoning other properties on the northerly side King Avenue from CB to NCA. In 1953, all of the properties on the north side were zoned Residential to the rear property line abutting the Fairgrounds, today known as Sparetime Business Park. That changed in 1958 with properties on the northerly side of King Ave rezoned to Commercial. It has remained a nonresidential district ever since. Nearly all of the 21 impacted properties on the northerly side are residential: one-three family dwelling; four-two family structures; 15 single family structures; and, one vacant lot. With the exception of one-three family dwelling, all the uses on this side of the road are legally nonconforming. The likelihood of these small sized lots being combined and utilized for commercial purposes is slim; nothing has occurred in 58 years.

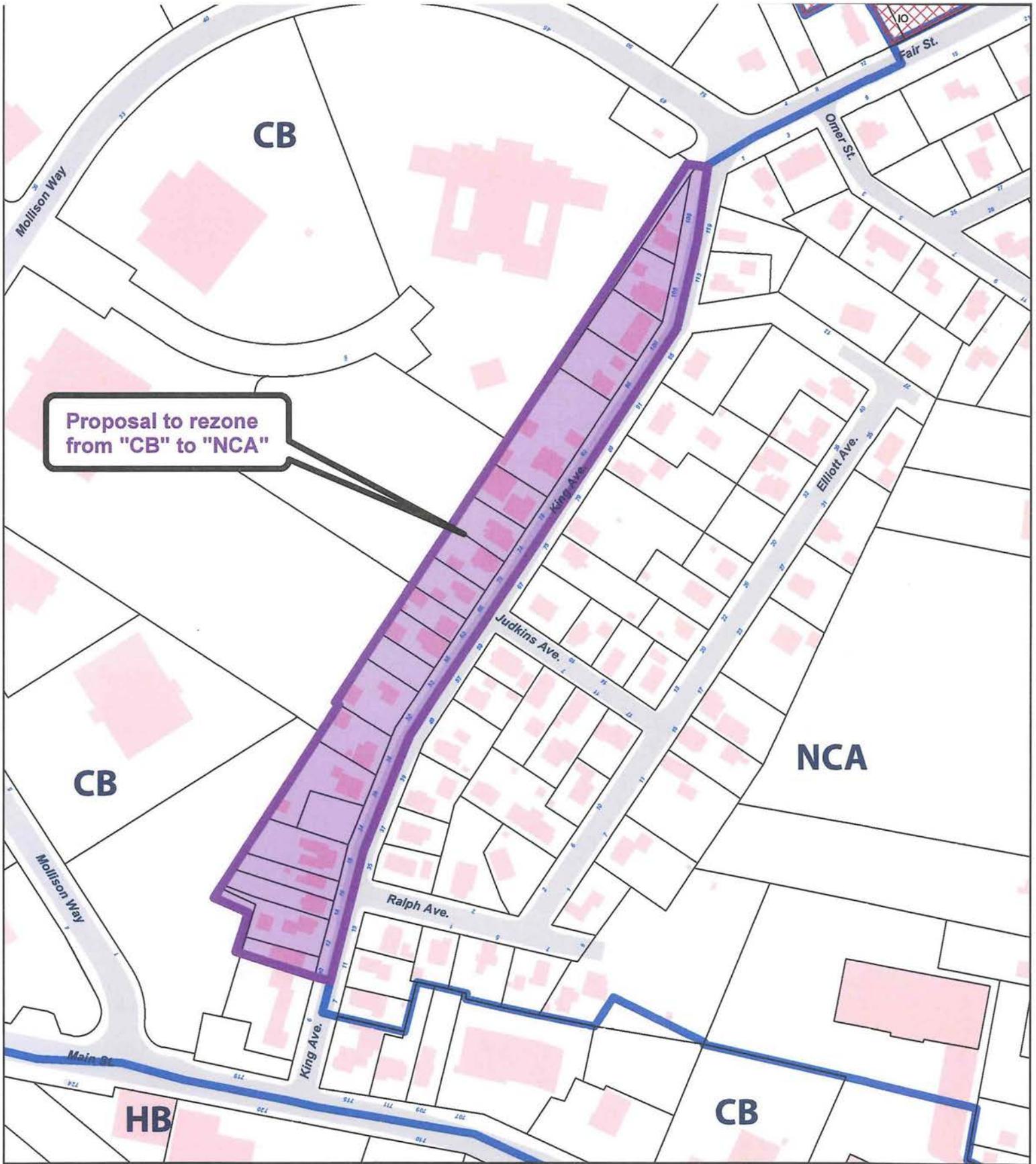
Given the exiting pattern of residential development, the highest and best use in this neighborhood is residential. Rezoning these properties to NCA supports that development pattern, results in more properties becoming conforming uses, allows for new or reconstruction of single-family dwellings as a matter of right, reduces side and rear building setback requirements allowing greater use of lot area for residential use, and prevents commercial development from occurring on a busy residential street.

A neighborhood meeting was held on October 17, 2016 at which only five property owners attended (one was an Elliot Avenue resident). Upon explaining the reason for the proposed amendment, most seemed to understand and were supportive of the change. There was a question if the rezoning would change property values for tax purposes. I have since confirmed

with City Assessor Bill Healey that changing the zoning on the north side of King Avenue from CB to NCA will have no impact on property assessments and that the assessed values of the land is consistent on both sides of King Avenue. This information has since been provided to those in attendance at that meeting.

At the Planning Board meeting, a representative of 92 King Avenue questioned whether a nonconforming use would be allowed to continue with the proposed rezoning. The answer is yes, with specific limitations. This property contains a two-family dwelling and a separate building historically used for retail (i.e. Pete's Lunch 40+ years ago and most recently, a consignment shop). Article VI, Section 4 of the Zoning and Land Use Code allows for the use of land, buildings, structures, lawful at the time of adoption or subsequent amendment of this Code, may continue, although such use does not conform to the provisions of this Code. If any nonconforming use of a building, structure or land is discontinued for a period of 12 consecutive months or more, abandonment, except as provided below, is conclusively presumed and such use shall not be resumed, and only a use conforming with the provisions of the district in which the property is located shall be made of such building, structure or land. Nonconforming uses presumed abandoned may be reestablished during the 12-month period immediately following the date of presumed abandonment as long as a completed application for the conditional use permit is submitted to the office of the director of code enforcement within this period, and the permit is subsequently granted by the board of appeals.

Staff will be available at the meeting for any questions.



Proposal to rezone from "CB" to "NCA"



# Proposed King Avenue Rezoning

October 2016

# LEWISTON CITY COUNCIL

## MEETING OF NOVEMBER 15, 2016

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 8

**SUBJECT:**

Amendments to the Solid Waste Policy regarding fee schedule changes regarding the ePass System.

**INFORMATION:**

This agenda item is connected with Item 5 regarding the proposed amendments to the Solid Waste ordinance. The proposed amendments are connected to the fee schedule for the ePass system.

The proposed changes are supported by the Director of Public Works and passage is recommended.

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

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

The City Administrator recommends approval of the requested action.

*EAB/Kmm*

**REQUESTED ACTION:**

1	2	3	4	5	6	7	M
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To approve the proposed amendments to Policy Manual # 62, the Solid Waste Policy, as recommended by the Director of Public Works.

(Note - Full copy of the amendment is attached. Underlines are additions and strikeouts are deletions.)



## PUBLIC WORKS DEPARTMENT

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David A. Jones, P.E., Director

November 4, 2016

Mayor and Members of the City Council,

Re: Solid Waste Policy – Fee Schedule Changes to revise the ePass System

I will not repeat the information provided in my separate memo regarding the Solid Waste Ordinance Changes here. However, there will be two separate votes the Council will take on November 15<sup>th</sup>. The first will be the 2<sup>nd</sup> Reading / Public Hearing and approval of the proposed Solid Waste Ordinance changes required to implement the proposed changes to the ePass system (addressed separately). The 2<sup>nd</sup> vote that this memo is about, are the changes required to the Solid Waste Policy – Fee Schedule to implement the changes proposed.

These two actions go hand-in-hand and will allow implementation of the changes recommended by the Public Works Committee. We recommend approval of the proposed changes to the Solid Waste Policy – Fee Schedule. We will be happy to respond to any questions, comments or suggestions the Council may have.

Sincerely,

David A. Jones, P.E.

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

## SOLID WASTE POLICY

### *Solid Waste - Fee Schedule*

Field Code Changed

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. ~~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 as described in Sec. 62.4 ePass Program. 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 waste 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 the quantity of waste material being disposed.~~ Once one thousand (1,000) pounds of waste material has been disposed or if the ePass has reached its expiration date ~~all items of a particular type on the "ePass" or an "abbreviated ePass" have been used, any additional~~ the waste material brought to the Facility will be paid for at the current disposal rate. 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~~

(1) Owners of Residential properties & Multi Unit Apartment Buildings, which are owner occupied, as described in Sec. 62-24 ePass program - No Charge for the dwelling unit, which they occupy year-round

(2) Dwelling Units of Multi Unit Apartment Buildings, which meet the criteria described in Sec. 62-24 ePass program - \$20 per ePass

(3) Tenants, which meet the criteria described in Sec. 62-24 ePass program - \$20 per ePass

The ePass will be issued to property owners who are current on all outstanding debts to the City

- B. All vehicles, which do not have a valid ePass for the type of materials to be disposed and compaction vehicles shall be weighed and charged a unit price of: \$9593.00/Ton

The minimum disposal charge shall be: \$7.00

- C. All vehicles with special waste shall be weighed and charged (in addition to the \$93.00/ton disposal fee) a State surcharge of: \$2.00/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

## SOLID WASTE POLICY

F. 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.

G. 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.

H. 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

### *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 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~~~~

## SOLID WASTE POLICY

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 (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 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.
  - d. Curbside collection is restricted to woody yard debris 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.

# LEWISTON CITY COUNCIL

MEETING OF NOVEMBER 15, 2016

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 9

## SUBJECT:

Resolve authorizing the City Administrator to Approve the Drift Competition scheduled on May 13 and 14, 2017.

## INFORMATION:

The Council will be receiving information regarding this topic during the workshop session. "Drifting" is a driving style involving uses of the clutch, gears, brakes and other factors simultaneously. There are competitions that take place which attract thousands of spectators. There is a proposal to host a competition in Lewiston in May 2017.

The Council is asked to approve a Resolve authorizing the event and directing city staff to coordinate all event permits and requirements.

## 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 authorizing the City Administrator to approve the Drift Competition scheduled on May 13 and 14, 2017.



COUNCIL RESOLVE

**Resolve,** Authorizing the City Administrator to Approve the Drift Competition scheduled on May 13 and May 14, 2017.

Whereas, Lewiston special event staff has developed expertise in working with a wide variety of successful large outdoor special events; and

Whereas, the unanimous consensus of the special event public safety's group confirms that drift competition participants and spectator safety can be achieved to their satisfaction conditioned upon a final detailed review of the course setup; and

Whereas, the City's Special Event Policy requires City Council approval for all events on public land which exceed 1,000 participants or spectators; and

Whereas, event organizers have accepted the responsibility to ensure that matters associated with all city outdoor event permitting and requirements, impacted business owners, and liability/property damage coverage will be addressed to comply with the City Administrator's requirements;

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

The City Council approves the scheduling of the May 13 and May 14, 2017 Drift Competition event subject to the City Administrator's final approval which shall be conditioned upon meeting all City Administrator requirements associated with public safety, insurance, business impact, and city logistic, permitting and event requirements.



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

TO: Mayor and City Council

FR: Phil Nadeau

CC:

RE: Drift Competition in downtown Lewiston

DT: 11.15.16

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## **BACKGROUND**

Over the last four weeks, I have been working with Sgt. Robert Ullrich and other staff from Public Works and Fire to review the details of a proposed “drifting” competition for the last that would take place on a section of Lincoln and Oxford Streets (between Main and Chestnut Streets).

“Drifting is a driving style in which the driver uses the throttle, brakes, clutch, gear shifting and steering input to keep the car in a state of oversteer while (maneuvering) from turn to turn. Drifters (emphasize) car control by coordinating the amount of countersteer (or opposite lock) with the simultaneous modulation of the throttle and brakes to shift the weight balance of the car back and forth through the turns” (<http://www.driftworks.com/blog/drifting/>).

This competition would feature the first legal tandem street drift competition (only two cars on the course at any one time) in the US involving pro-level drivers. The organizers are looking for attendance figures on Sunday to exceed 20,000 or more people.

The event is being organized and sponsored by the Lewiston based company “Don’t Panic Consulting, LLC.” This company, located in the Business Service Center building at 415 Lisbon Street, identifies itself as a “technology, business and digital marketing, managed services provider.” According to the information provided in the attached document to your Council packet, the event would be a “family friendly” two-day event beginning Saturday, May 13, 2017 (no competition that day and no road closures) with music, food, displays and other activities in Simard-Payne Memorial Park. In addition to the Sunday drift competition, other activities would feature a very large car show (they are hoping to exhibit some 700 cars), a radio controlled car competition area for children, a variety of food vendors, an after event party and more (see event document).

We will have some drift tandem competition video (featuring some competitions in Karpacz, Poland) and other power point material to view at the meeting. All event support and city costs related to the event will be paid by Don’t Panic.

The document provided by Don’t Panic provides significant event details so I will not elaborate on organizer’s outline for sponsorships, ticket sales, etc.

Tuesday night’s discussion will be focused on the following:

- Track set up (“Jersey” barriers, spectator fencing, viewing areas, etc.)
- Use of Lincoln Street and Chestnut Street city garages
- Road closure logistics and set-up for barriers and fencing
- Spectator management and flow logistics
- Main gate areas and crowd stack-back
- Business impacts
- All required liability insurance and damage coverage

Representatives of the company will be on hand to answer questions.

## **RECOMMENDED ACTION**

To authorize the City Administrator to have final approval for the event after all course, spectator, insurance, damage coverage and business impacts have been reviewed and approved by the City Administrator.