

**LEWISTON CITY COUNCIL AGENDA
CITY COUNCIL CHAMBERS
DECEMBER 5, 2017**

- 6:00 p.m. Executive Session** – Regarding consultation with the City Attorney.
6:30 p.m. Executive Session – Regarding consultation with the City Attorney.
7:00 p.m. Regular Meeting

Pledge of Allegiance to the Flag
Moment of Silence

Mayor's Presentation – staff recognition

Acceptance of the minutes of the June 6, June 20, July 18 and August 15, 2017 meetings.

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

ALL ROLL CALL VOTES FOR THIS MEETING WILL BEGIN WITH THE COUNCILOR OF WARD 1.

REGULAR BUSINESS:

1. Public Hearing on the renewal application for a Special Amusement Permit for Live Entertainment for Big Mike's Smoke House, 838 Lisbon Street.
2. Public Hearing and Final Passage regarding amendments to the General Assistance Ordinance regarding eligibility.
3. Public Hearing and Final Passage regarding an amendment to the Offenses and Miscellaneous Provisions Ordinance regarding Tobacco Use Prohibited in Designated Hospital Areas.
4. Public Hearing and Final Passage regarding an amendment to the Code of Ordinances regarding establishing an Excise Tax Exemption for Maine Residents on Active Military Duty with the Armed Forces who are stationed outside of the State of Maine or who are deployed for military service for more than one hundred eighty days.
5. Resolve, Approving changes to the personnel policies for nonunion employees.
6. Order authorizing the City Administrator to execute a new collective bargaining agreement between the City of Lewiston and the American Federation of State, County and Municipal Employees (AFSCME) Local 1458 on behalf of the Lewiston Public Works Unit.
7. Order authorizing the City Administrator to execute a new collective bargaining agreement between the City of Lewiston and the Maine State Employees Association (MSEA) Local 1989 on behalf of the Lewiston General Government Unit.
8. Order authorizing the City Administrator to execute a new collective bargaining agreement between the City of Lewiston and the American Federation of State, County and Municipal Employees (AFSCME) Local 3855 on behalf of the Lewiston Professional Technical Unit.
9. Order authorizing the acceptance of Matobian Way as a City Street.
10. Order authorizing execution of a Municipal Quitclaim Deed for Real Estate located at 38 Larrabee Road.
11. Resolve, Designating an Individual to cast the City of Lewiston's votes at the annual meeting of the Lewiston Auburn Railroad Company.
12. Adoption of City Council meeting schedule for January 2018.
13. Update from the Lewiston School Committee Representative.
14. Reports and Updates.

15. Any other City Business Councilors or others may have relating to Lewiston City Government.
16. Executive Session to discuss Disposition of Property of which the premature disclosure of the information would prejudice the competitive bargaining position of the City.
17. Executive Session pursuant to MSRA Title 1, section 405(6)(A) to discuss a personnel matter regarding the annual evaluation of the City Administrator.

LEWISTON CITY COUNCIL
MEETING OF DECEMBER 5, 2017

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 6:00pm

SUBJECT:

Executive Session regarding consultation with the City Attorney.

INFORMATION:

The Maine State Statutes, Title 1, section 405, define the permissible grounds and subject matters of executive sessions for public meetings. Discussing a legal matter with the City Attorney is a topic permitted under the statutes.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The state statutes outline the issues that will be discussed in executive session.

EATSKMM

REQUESTED ACTION:

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To enter into an Executive Session pursuant to MRSA Title 1, section 405(6)(E) to discuss a legal matter with the City Attorney.

LEWISTON CITY COUNCIL
MEETING OF DECEMBER 5, 2017

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 6:30pm

SUBJECT:

Executive Session regarding consultation with the City Attorney.

INFORMATION:

The Maine State Statutes, Title 1, section 405, define the permissible grounds and subject matters of executive sessions for public meetings. Discussing a legal matter with the City Attorney is a topic permitted under the statutes.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The state statutes outline the issues that will be discussed in executive session.

ETB/kmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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To enter into an Executive Session pursuant to MRSA Title 1, section 405(6)(E) to discuss a legal matter with the City Attorney.

LEWISTON CITY COUNCIL

MEETING OF DECEMBER 5, 2017

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 1

SUBJECT:

Public Hearing on the renewal application for a Special Amusement Permit for Live Entertainment for Big Mike's Smoke House, 838 Lisbon Street.

INFORMATION:

We have received a renewal application for a Special Amusement Permit for Live Entertainment from Big Mike's Smoke House, 838 Lisbon 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 owners have 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.

EAB | 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 Big Mike's Smoke House, 838 Lisbon Street.

CITY OF LEWISTON
APPLICATION FOR SPECIAL AMUSEMENT PERMIT

Date of Application: 11/13/17

Expiration Date: 11/30/2018

- 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: BIG MIKE'S Smoke House (DBA) The BBQ PIT Business Phone: 240-8334

Location Address: 838 Lisbon Street Lewiston Maine 04240

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

Mailing Address: 60 Vickery Rd Auburn Maine 04210

Email address: mbhockeyone@gmail.com

Contact Person: Michael Bembie Phone: (207) 240-8334

Owner of Business: Michael Bembie Date of Birth: 2/18/63

Address of Owner: 60 Vickery Rd Auburn ME 04210

Manager of Establishment: Michael Bembie Date of Birth: 2

Owner of Premises (landlord): Sonlee Lewiston LLC

Address of Premises Owner: 5050 Belmont Avenue, Youngstown OH 44505

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: B&G Mike's Smoke House LLC

Corporation Mailing Address: 60 Vicker rd Auburn Me 04210

Contact Person: Michael Benche Phone: (207) 240-8333

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? 1/4 mile

Please describe the type of proposed entertainment:

- | | | |
|---|---|---|
| <input type="checkbox"/> dancing | <input checked="" type="checkbox"/> stand up comedian | <input checked="" type="checkbox"/> piano player |
| <input checked="" type="checkbox"/> music by DJ | <input checked="" type="checkbox"/> karaoke | <input type="checkbox"/> other, please list _____ |
| <input checked="" type="checkbox"/> live band/singers | <input checked="" type="checkbox"/> magician | <input type="checkbox"/> other, please list _____ |

If new applicant, what is your opening date?: _____

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

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

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

Signature: Michael Benche Title: President Date: 11/13/17

Printed Name: Michael Benche

Hearing Date: 12-5-17



POLICE DEPARTMENT

Brian O'Malley
Chief of Police



TO: Kelly Brooks, Deputy City Clerk

FR: Lt. David St.Pierre, Support Services

DT: October 03, 2017

RE: Liquor License/Special Amusement Permit –**Big Mike's Smoke House**

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

Big Mike's Smoke House

838 Lisbon St., Lewiston, Maine



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



Professionalism

Integrity

Compassion

Dedication

Pride

Dependability

LEWISTON CITY COUNCIL

MEETING OF DECEMBER 5, 2017

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 2

SUBJECT:

Public Hearing and Final Passage regarding amendments to the General Assistance Ordinance regarding eligibility.

INFORMATION:

In October, the City Council approved amendments to the General Assistance ordinance which pertained to disqualification for 120 days for acts of fraud as well as a requirement for the applicant to reimburse the city for GA funds if these had been issued to the applicant.

The State DHHS Office is required to review these changes and amendments before they become effective, and they are now requiring the City to amend the ordinance again to incorporate language to allow a client to regain their eligibility in the program if they enter into a reasonable written payment reimbursement arrangement with the City.

Please see the attached memorandum from Sue Charron, General Assistance Director, for additional information.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

Erin Skinn

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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That the proposed amendments to the City Code of Ordinances, Chapter 46 "General Assistance" receive final passage by a roll call vote.

AN ORDINANCE PERTAINING TO GENERAL ASSISTANCE

THE CITY OF LEWISTON HEREBY ORDAINS:

Chapter 46 of the Code of Ordinances of the City of Lewiston, Maine is hereby amended as follows:

CHAPTER 46

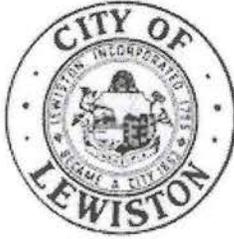
GENERAL ASSISTANCE

ARTICLE IV. DETERMINATION OF ELIGIBILITY

Sec. 46-94. Fraud.

- (b) *Period of ineligibility.* When the general assistance administrator finds that a person has knowingly and willfully misrepresented material facts for the purpose of making himself eligible for general assistance, the administrator shall notify the applicant in writing that he has been disqualified from receiving assistance and is required to reimburse the municipality for any assistance rendered for which he was ineligible and is ineligible from receiving further assistance for 120 days and until that reimbursement is made, or the person enters into a written agreement, which must be reasonable under the circumstances. For the purpose of this section, a "material misrepresentation" is a false statement about an eligibility factor in the absence of which some or all of the assistance would not be or would not have been granted. The notification of disqualification issued by the administrator shall inform the applicant of his right to appeal the administrator's decision to the fair hearing authority within five working days of receipt. Unless modified by the fair hearing authority, the period of ineligibility shall commence on the day following the end of the period covered by the grant of assistance fraudulently received or upon the date of notification of disqualification, whichever is later.

Note: Additions are underlined; deletions are ~~struck-out~~.



**SOCIAL SERVICES DEPARTMENT
GENERAL ASSISTANCE DIVISION
SUE CHARRON**

MEMORANDUM

TO: Mayor Macdonald and Members of the City Council

FR: Sue Charron, Social Services Director

RE: G.A. Fraud Ordinance Changes

DT: November 21, 2017

On October 17, 2017, the council voted (6-1) to approve the General Assistance Ordinance changes. DHHS has reviewed the adopted fraud language and is requiring that language be added to the ordinance regarding a reasonable written payment arrangement.

In addition to persons being disqualified for fraud for 120 days, they are also responsible for reimbursing the municipality. The penalty is the longer of 120 days and until the reimbursement is made — Article III. Sec. 46-69 Period of disqualification (c) Fraud; and Article IV. Sec. 46-94 Fraud (b) Period of ineligibility.

The additional language only needs to be included in section 46-94. The revised language is bolded and underlined below:

... and until that reimbursement is made, **or the person enters into a written agreement, which must be reasonable under the circumstances.**

LEWISTON CITY COUNCIL
MEETING OF DECEMBER 5, 2017

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 3

SUBJECT:

Public Hearing and Final Passage regarding an amendment to the Offenses and Miscellaneous Provisions Ordinance regarding Tobacco Use Prohibited in Designated Hospital Areas.

INFORMATION:

The City has received a request from St. Mary's Hospital to designate the Section of Campus Avenue from Sabattus Street to Central Street as no smoking in support of their efforts to have the entire St. Mary's campus a no smoking area. This would include both the street and sidewalk area. This section of the street has no private residences or commercial properties, just frontage for the hospital, Bates College, and Lewiston Middle School. The hospital has spoken with school and college representatives who have indicated they are not opposed to the request. Staff has consulted with the City Attorney who has indicated that the City has the authority to adopt such regulations.

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 the City Code of Ordinances, Chapter 50 "Offenses and Miscellaneous Provisions", Sections 50-19 and 50-20, "Prohibiting Tobacco Use in Designated Hospital Areas", receive final passage by a roll call vote.



COUNCIL ORDINANCE

Ordinance, Amending the Code of Ordinances to Adopt New Sections 50-19 and 50-20, Prohibiting Tobacco Use in Designated Hospital Areas.

Whereas, representatives of St. Mary's Hospital have requested that the use of tobacco products be prohibited in areas near and adjacent to its facility; and

Whereas, this is an element of the hospitals effort to create a tobacco free zone in and near its facility; and

Whereas, individuals seeking services from the hospital may experience negative health effects if exposed to second hand smoke; and

Whereas, reducing or eliminating tobacco use is an appropriate goal for health care facilities given the known negative health impacts of such products;

Now, therefore, the City of Lewiston hereby ordains that

The following sections are hereby added to the Lewiston Code of Ordinances.

Sec. 50-19. Prohibiting Tobacco Use in Designated Hospital Areas.

The use of tobacco products is prohibited in the following public rights of way, including public streets and sidewalks, with the exception of the use of such products by occupants of motorized vehicles traveling through the designated area:

- (a) Campus Avenue from Sabattus Street to Central Street, both sides.

Sec. 50-20. Penalty.

A violation of section 50-19 shall be subject to minimum fines as established by a policy adopted by the City Council.



St. Mary's Health System has been running a yearlong campaign to build awareness of a significant policy change that will be put in place on November 16, 2017 -

100% Smoke and Tobacco-Free Campuses at all properties owned by St. Mary's Health System.

The campaign launched on November 17, 2016 as we celebrated the nationally recognized Great American Smokeout (GASO), an effort spearheaded by the American Cancer Society. It was on that day we began our awareness campaign here at St. Mary's.

The following examples are components of the campaign to make St. Mary's Health System 100% Smoke & Tobacco-Free by November 16, 2017, this year's GASO.

Signs Displayed Around St. Mary's, Including the Current Outdoor Locations Designated for Smoking

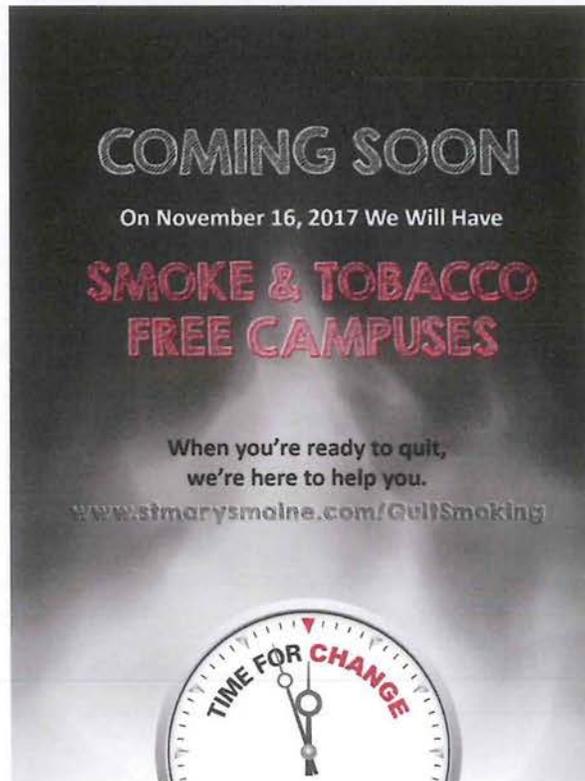


Digital Signs Displayed Around St. Mary's



 **COMING SOON**
On November 16, 2017, St. Mary's will have
SMOKE & TOBACCO FREE CAMPUSES

When you're ready to quit,
we're here to help you.
[www.stmarysmaine.com/
QuitSmoking](http://www.stmarysmaine.com/QuitSmoking)
Helpline
1-800-207-1230



COMING SOON
On November 16, 2017 We Will Have
**SMOKE & TOBACCO
FREE CAMPUSES**

When you're ready to quit,
we're here to help you.
www.stmarysmaine.com/QuitSmoking



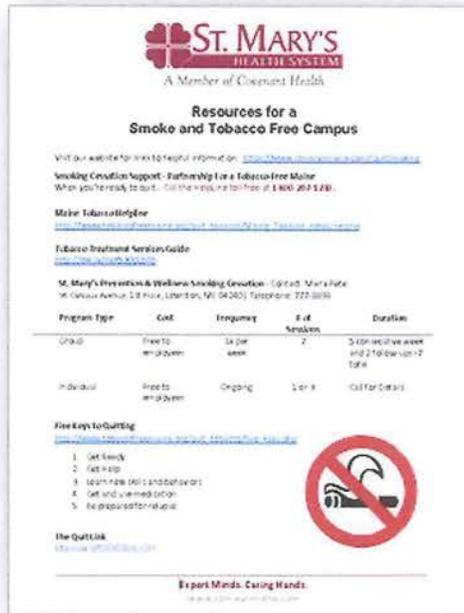
Homepage Banner Image Rotating on the St. Mary's Website



Cover Image Rotating on the St. Mary's Facebook Page



Resource Sheet to Hand Out to Employees and Guests at St. Mary's



ST. MARY'S HEALTH SYSTEM
A Member of Covenant Health

Resources for a Smoke and Tobacco Free Campus

Visit our website for links to helpful information: <http://www.stmarysmaine.com/quit-smoking>

Smoking Cessation Support - Partnership for a Tobacco-Free Maine
When you're ready to quit, call the helpline toll-free at 1-800-207-1230.

Maine Tobacco Helpline
<http://www.maine.gov/health/quit-smoking/>

Tobacco Treatment Services Guide
<http://www.maine.gov/health/>

St. Mary's Prevention & Wellness Smoking Cessation - Group Maine Helpline
16 Columbia Avenue, 18 Floor, Lewiston, ME 04203 | Telephone: 777-3030

Program Type	Cost	Frequency	# of Sessions	Duration
Group	Free to employees	1x per week	7	3 (on-site) or 6 (off-site) 2-7 PM
Individual	Free to employees	Ongoing	1 or 8	Call for Details

Five Keys to Quitting
<http://www.maine.gov/health/quit-smoking/>

1. Get ready
2. Get help
3. Learn new skills and behaviors
4. Get and use medication
5. Be prepared for relapse



The QuitLine
<http://www.quitline.org/>

Expert Minds. Caring Hands.
www.stmarysmaine.com/

Business Cards to Hand Out to Employees and Guests Seen Smoking on Premises After 11/16



Front



Back

Table Tents on Display Around St. Mary's Health System



Smoking Cessation Support Resources on the St. Mary's Website

The screenshot shows the St. Mary's Health System website. The header includes the logo, navigation links (ABOUT US, BLOG, CONTACT US, LOCATIONS, CAREERS, PRIVING), and the Covenant Health logo. A red navigation bar contains links for FIND A PROVIDER, PRIMARY CARE, SPECIALISTS, DEPARTMENTS & HEALTH SERVICES, SENIOR HEALTH & HOUSING, PATIENT & VISITOR INFORMATION, and SUPPORT ST. MARY'S.

The main content area is titled "Smoking Cessation Support" and includes the following sections:

- Partnership For a Tobacco-Free Maine:** When you're ready to quit... Call the Helpline toll free. It's free, confidential, and it really works. **1-800-207-1230**. The Helpline provides free, intensive behavioral counseling for people who are thinking about quitting or who are ready to quit smoking, for friends or family members of tobacco users who want to quit, and for professionals who want to help a patient or client quit. Learn more at Maine Tobacco Helpline.
- St. Mary's Prevention & Wellness - Smoking Cessation Meetings:** Location: 96 Campus Avenue, 1st Floor, Lewiston, ME 04240. For More Information, Please contact Maria Fehn at 207-777-8998.
- Group sessions:** are free to employees and occur once weekly. An individual may attend up to 7 sessions at no charge over a five week period (consecutive weeks) with two follow-up sessions.
- Individual sessions:** are free to employees for one to 3 sessions. Please call for details, 207-777-8894.
- 5 Keys to Quitting:**
 - Get Ready
 - Get Help
 - Learn new skills and behaviors
 - Get and use medication
 - Be prepared for relapse
- Tobacco Treatment Services Guide**

On the right side of the page, there is a sidebar with the following links:

- PREVENTION AND WELLNESS
 - Focus on Employee Health
 - Health Calculator
 - HealthSteps Fitness Program
 - WorkMed Occupational Health
 - Smoke & Tobacco Free Campuses
 - Smoking Cessation Support
 - Target Heart Rate Zone Calculator
- Find A Provider
- Pay My Bill
- New Patient Appointment Request
- Patient Portal Secure



Phone Message While on Hold on a St. Mary's Phone Line – Currently Running

Health and wellbeing is at the center of everything we do. Beginning November 16, 2017, St. Mary's will be a smoke and tobacco-free organization, this includes all St. Mary's parking lots.

The St. Mary's Smoke and Tobacco-Free Policy Committee is made up of employees from across the system, with representatives from Prevention and Wellness, WorkMed, Behavioral Services, Oncology, Marketing, Pharmacy and more.

The purpose of this new policy is to eliminate involuntary exposure to secondhand smoke by patients, staff, and visitors at all St. Mary's locations.

Currently, 37 of 39 hospitals in the State of Maine are smoke-free and tobacco-free. According to the U.S. Surgeon General, there is no risk-free level of exposure to secondhand smoke and tobacco use, in any form, active or passive, it is a serious health hazard.

The new policy will focus on refraining from smoke and tobacco use on the property for the protection and integrity of the environment and the health of all who enter our campuses.

While the purpose of the policy is not to force smokers to quit, a smoke and tobacco-free policy will offer support to current smokers who desire to quit, encouraging them to seek treatment for their smoke and/or tobacco use.

Remember, beginning November 16, 2017, St. Mary's will be a smoke and tobacco-free organization.

got public health?

Lewiston Area Public Health Committee

Ronnie Paradis, Chair
Retired Public Health Nurse
rparadisrn@roadrunner.com

Erin Guay, Vice Chair
Healthy Androscoggin Executive Director
guayER@cmhc.org

www.lewistonmaine.gov/publichealth - (207) 513-3018

August 15, 2017

Dear Members of the Lewiston City Council:

We wish to endorse the efforts of St. Mary's Health System as they work toward having 100% smoke and tobacco-free campuses for all employees, patients, and guests beginning November 16, 2017.

Representatives of the Smoke and Tobacco-Free Committee of St. Mary's Health System attended the July 13, 2017, meeting of the Lewiston Area Public Health Committee. While our discussion included details of their efforts, they were keenly interested in what the process would entail having an ordinance put in place to create a no-smoking zone on the sidewalks running the length of Campus Avenue from Sabattus Street to Central Avenue.

St. Mary's is proving their commitment to this effort in many ways. The initiative is being led by staff from across the health system. Resources are being made available for smoking cessation support. Staff has run a year-long awareness campaign leading up to November 16, marketing collateral has been developed to support a culture change and build awareness, banner signs are being produced for light poles on campus, signs will be hung at all St. Mary's owned properties, and outreach to neighboring property owners has occurred. The staff at St. Mary's understands that while this effort will pose many challenges, it is a valuable effort in their promotion of good health and providing a healthy environment on their properties.

Our hope is that the Lewiston City Council will strongly consider this request and pass a no-smoking ordinance on the designated section of sidewalks.

Sincerely,



Ronnie Paradis, RN, Chair

On Behalf of the Lewiston Area Public Health Committee

LEWISTON PUBLIC SCHOOLS



36 Oak Street
Lewiston, ME 04240
www.lewistonpublicschools.org
TDD: 207-795-4100
FAX: 207-795-4177

Administration: 207-795-4100
Business: 207-795-4104
Curriculum: 207-795-4103
ELL Program: 207-795-4105
Maintenance: 207-795-4107
Nutrition: 207-795-4106
Payroll: 207-795-4109
Special Education: 207-795-4108
Technology: 207-753-6416

August 15, 2017

Dear City Councilors,

I wish to endorse the efforts of St. Mary's Health System, as they work towards having 100% smoke and tobacco-free campuses for all employees, patients, and guests beginning November 16, 2017.

In a discussion I had with Dawn Gilbert, Director of St. Mary's Prevention and Wellness she shared details of St. Mary's efforts toward having smoke and tobacco-free campuses and their interest in the potential of having an ordinance put in place to create a no smoking zone on the sidewalks running the length of Campus Avenue, from Sabattus Street to Central Avenue.

While promoting good health and providing a healthy environment is a valuable ideal, the staff understands that by having smoke and tobacco-free campuses some smokers will simply go to the sidewalk in front of the hospital or adjacent to Lewiston Middle School and Bates College. St. Mary's is being proactive in trying to avoid this migration, and I support their effort.

The hope is that the Lewiston City Council will strongly consider St. Mary's request and pass a no-smoking ordinance on the designated section of sidewalks.

Sincerely,

William Webster, Jr.
Superintendent of Schools

WW/spt

Twitter: @LewistonSuper
Facebook: Lewiston Public Schools Superintendent

LEWISTON CITY COUNCIL

MEETING OF DECEMBER 5, 2017

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 4

SUBJECT: Public Hearing and Final Passage Regarding an Amendment to the Code of Ordinances Establishing an Excise Tax Exemption for Maine Residents on Active Duty with the Armed Forces Who are Stationed Outside of the State of Maine or who are Deployed for Military Service for More than One Hundred Eighty Days.

INFORMATION: Members of the Military stationed in the State of Maine have been exempt under state law from the automobile excise tax for some time. Subsequent to various military base closings, very few active military are now stationed in Maine. In 2011, the legislature adopted a statute to allow local governments the option, at their discretion, to adopt an ordinance to provide this exemption to residents who are on active duty and are either permanently stationed at a military base outside of the state or who are deployed for military service for a period of more than 180 days, including those in the National Guard or Reserves. A copy of that law is attached. We have been contacted by the spouse of a resident on active military duty who is stationed at Fort Devens in Massachusetts, who indicated a desire to have the City Council adopt this local option for Lewiston residents. Councilor Lysen has requested that the Council consider this request. A copy of the email from the resident requesting this change is attached.

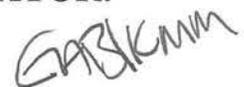
Some communities have adopted such an ordinance including Bangor, Portland, and Biddeford. Others have not, including Auburn, South Portland, and Lisbon. Historically, Maine communities have been opposed to the extension of exemptions to taxes given the relatively limited revenue sources available to us. This concern was expressed by representatives of the Maine Municipal Association during the legislative hearings on this legislation, as was the concern that the law was not clear on whether the exemption would apply to all vehicles owned by the eligible applicant or just one.

The primary impact of adopting such an ordinance would be the loss of excise tax on exempt vehicles. Since we do not know the number of individuals who might be eligible, it is impossible to estimate the impact; however, in talking to other communities, it seems unlikely that there are significant numbers of eligible individuals. As a result, the revenue loss is likely to be fairly small.

Please note that alternate versions of the proposed ordinance are attached.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.



REQUESTED ACTION:

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That the proposed amendment to the City Code of Ordinances, Chapter 70 "Traffic and Vehicles", Sections 70 - 300 through 70-303 "Vehicle Registration and Excise Tax Exemption" receive final passage by a roll call vote.



COUNCIL ORDINANCE

Ordinance, Establishing an Excise Tax Exemption for Maine Residents on Active Duty with the Armed Forces Who are Stationed Outside of the State of Maine or who are Deployed for Military Service for More than One Hundred Eighty Days.

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

Chapter 70, Traffic and Vehicles, is hereby amended in the Code or Ordinances as follows:

Chapter 70: Traffic and Vehicles

Article VII: Vehicle Registration and Excise Tax Exemption

Sec. 70-300. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

Deployed for military service is defined by Title 26, § 814, Subsection 1, Paragraph A, of the Maine Revised Statutes, active military duty with the state military forces, as defined in Title 37-B, § 102, of the Maine Revised Statutes, or the United States Armed Forces, including the National Guard and Reserves, whether pursuant to the order of the Governor or the President of the United States, when the duty assignment is in combat theatre or in an area where armed conflict is taking place.

Vehicle means a motor vehicle, mobile home, camper trailer, heavier-than-air aircraft or lighter-than-air aircraft. "Vehicle" does not include any snowmobiles as defined in Maine Revised Statutes, Title 36, Section 13001.

Sec. 70-301. Exemption granted.

Pursuant to Title 36, § 1483-A, of the Maine Revised Statutes, the City shall exempt from the annual excise tax imposed pursuant to Title 36, Section 1482, of the Maine Revised Statutes vehicles owned by a Maine resident who is on active duty serving in the Armed Forces of the United States as defined by Title 36, § 1483-A, of the Maine Revised Statutes and who is permanently stationed at a military or naval post, station or base outside of the State of Maine or who is deployed for military service for more than 180 days. To apply for the exemption the resident must provide documentation as required pursuant to Title 36, § 1483-A, of the Maine Revised Statutes to the Tax Collector or his/her designee and comply with any policies or rules imposed by the Maine Bureau of Motor Vehicles or Maine Revenue Services in relation to registration procedures or the collection of excise tax.

[Type text]

Sec. 70-302. Application

To apply for the exemption, the resident must present to the Tax Collector or such other officials as the Finance Director may designate an official certification from the commander of the residents post, station, or base, or from the commander's designated agent, that the resident is permanently stationed at that post, station, or base or is deployed for military service for a period of more than 180 days. Such certifications must be renewed on an annual basis.

Sec. 70-303. Effective Date.

This exemption shall be effective for excise taxes due and payable as of the month following the effective date of this ordinance.

Maine Revised Statutes

Title 36: TAXATION

Part 2: PROPERTY TAXES

Chapter 111: AIRCRAFT, HOUSE TRAILERS AND MOTOR VEHICLES

§1483-A. Local option exemption for residents permanently stationed or deployed for military service outside of the State

A municipality may by ordinance exempt from the annual excise tax imposed pursuant to section 1482 vehicles owned by a resident who is on active duty serving in the United States Armed Forces and who is either permanently stationed at a military or naval post, station or base outside this State or deployed for military service for a period of more than 180 days who desires to register that resident's vehicle in this State. To apply for the exemption, the resident must present to a designated municipal official certification from the commander of the resident's post, station or base, or from the commander's designated agent, that the resident is permanently stationed at that post, station or base or is deployed for military service for a period of more than 180 days. For purposes of this section, "United States Armed Forces" includes the National Guard and the Reserves of the United States Armed Forces. For purposes of this section, "deployed for military service" has the same meaning as in Title 26, section 814, subsection 1, paragraph A. [2011, c. 313, §1 (NEW); 2011, c. 313, §2 (AFF).]

SECTION HISTORY

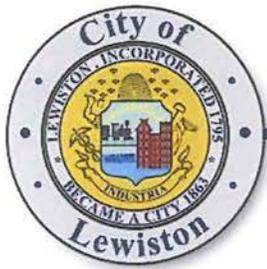
2011, c. 313, §1 (NEW). 2011, c. 313, §2 (AFF).

The Revisor's Office cannot provide legal advice or interpretation of Maine law to the public.

If you need legal advice, please consult a qualified attorney.

[Office of the Revisor of Statutes \(mailto:webmaster_ros@legislature.maine.gov\)](mailto:webmaster_ros@legislature.maine.gov) • 7 State House Station • State House Room 108 • Augusta, Maine 04333-0007

Page composed on 01/05/2017 10:46:57.



EXECUTIVE DEPARTMENT

Edward A. Barrett, City Administrator
Denis D'Auteuil, Deputy City Administrator

November 30, 2017

To: Honorable Mayor and Members of the City Council
Fr: Edward A. Barrett
Su: Exemption of Certain Vehicles Owned by Members of the Military

At the last Council meeting, the City Council approved first reading of an ordinance establishing an excise tax exemption for Maine residents on active duty with the Armed Forces who are stationed outside of the State of Maine or who are deployed for military service for more than one hundred eighty days. The initial ordinance provided a broad exemption for a wide variety of vehicles and did not limit the number of vehicle exemptions for which an individual could qualify.

During the discussion, members of the Council appeared to favor a more limited exemption that would exclude items like mobile homes, camper trailers, and aircraft. An amended version of the ordinance is attached that limits the definition of motor vehicles by excluding such items.

In addition, there was discussion of potentially limiting the number of vehicles that could be claimed under the exemption to one vehicle for the military member and, perhaps, a second vehicle for the military member's spouse. Note that the state law that authorized us to adopt this exemption is limited to vehicles owned by the eligible military member. The attached amended version, therefore, authorizes one exemption for the military member and for two vehicles in instances where the spouse of the qualified military member is a joint owner of one or both vehicles. Clarifying language is also included that specifies that the military member and spouse are eligible for no more than two exemptions in a given year and that the exemption may be transferred to another vehicle should one of the exempt vehicles be sold. There appeared to be different views about extending the exemption to a military spouse. Included in your packet is a second amended version which would limit the exemption to one vehicle for the military member only.

Finally, the attached clarifies the application process be reproducing in the ordinance, rather than simply referencing by statute number, the process required for applying for an exemption.

Procedurally, the Council should first amend the initial ordinance by substituting one of the two versions provided. If that version is not approved, the Council might consider substituting the second version.



COUNCIL ORDINANCE

VERSION A: MEMBER AND SPOUSAL EXEMPTION.

Ordinance, Establishing an Excise Tax Exemption for Maine Residents on Active Duty with the Armed Forces Who are Stationed Outside of the State of Maine or who are Deployed for Military Service for More than One Hundred Eighty Days.

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

Chapter 70, Traffic and Vehicles, is hereby amended in the Code or Ordinances as follows:

Chapter 70: Traffic and Vehicles

Article VII: Vehicle Registration and Excise Tax Exemption

Sec. 70-300. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

Deployed for military service is defined by Title 26, § 814, Subsection 1, Paragraph A, of the Maine Revised Statutes, active military duty with the state military forces, as defined in Title 37-B, § 102, of the Maine Revised Statutes, or the United States Armed Forces, including the National Guard and Reserves, whether pursuant to the order of the Governor or the President of the United States, when the duty assignment is in combat theatre or in an area where armed conflict is taking place.

Motor ~~vehicle~~ means any self-propelled vehicle not operated exclusively on tracks, including motorcycles, but excluding the following: a motor vehicle, mobile homes, camper trailers, heavier-than-air aircraft or lighter-than-air aircraft, vehicles designed for the conveyance of passengers with a seating capacity of more than 14 persons, and. "Vehicle" does not include any snowmobiles ~~as~~ defined in Maine Revised Statutes, Title 36, Section 13001.

Sec. 70-301. Exemption granted.

Pursuant to Title 36, § 1483-A, of the Maine Revised Statutes, the City shall exempt from the annual excise tax imposed pursuant to Title 36, Section 1482, of the Maine Revised Statutes one motor vehicles owned by a Maine resident who is on active duty serving in the Armed Forces of the United States ~~as defined by Title 36, § 1483 A, of the Maine Revised Statutes~~ and who is permanently stationed at a military or naval post, station or base outside of the State of Maine or who is deployed for military service for more than 180 days. This

[Type text]

exemption shall extend to two vehicles in instances of joint ownership where the spouse of the qualified military member is a joint owner of one or both vehicles. To apply for the exemption the resident must provide documentation as required pursuant to Title 36, § 1483-A, of the Maine Revised Statutes to the Tax Collector or his/her designee and comply with any policies or rules imposed by the Maine Bureau of Motor Vehicles or Maine Revenue Services in relation to registration procedures or the collection of excise tax. A qualified resident and spouse shall be eligible for exempting no more than two motor vehicles in any given year. In the case of a sale of one or more exempt vehicles, the exemption may be transferred to the replacement vehicles.

Sec. 70-302. Application

A member of the Armed Forces of the United States who qualifies for this exemption, or a person authorized as a representative of such member, or that member's spouse who desires to register that member's vehicle pursuant to this subsection, shall present certification from the commander of the member's post, station or base, or from the commander's designated agent, that the member is permanently stationed at that post, station, or base.

Sec. 70-303. Effective Date.

This exemption shall be effective for excise taxes due and payable as of the month following the effective date of this ordinance.



COUNCIL ORDINANCE

VERSION B: MEMBER EXEMPTION ONLY.

Ordinance, Establishing an Excise Tax Exemption for Maine Residents on Active Duty with the Armed Forces Who are Stationed Outside of the State of Maine or who are Deployed for Military Service for More than One Hundred Eighty Days.

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

Chapter 70, Traffic and Vehicles, is hereby amended in the Code or Ordinances as follows:

Chapter 70: Traffic and Vehicles

Article VII: Vehicle Registration and Excise Tax Exemption

Sec. 70-300. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

Deployed for military service is defined by Title 26, § 814, Subsection 1, Paragraph A, of the Maine Revised Statutes, active military duty with the state military forces, as defined in Title 37-B, § 102, of the Maine Revised Statutes, or the United States Armed Forces, including the National Guard and Reserves, whether pursuant to the order of the Governor or the President of the United States, when the duty assignment is in combat theatre or in an area where armed conflict is taking place.

Motor ~~vehicle~~ means any self-propelled vehicle not operated exclusively on tracks, including motorcycles, but excluding the following: a motor vehicle, mobile homes, camper trailers, heavier-than-air aircraft or lighter-than-air aircraft, vehicles designed for the conveyance of passengers with a seating capacity of more than 14 persons, and. "Vehicle" does not include any snowmobiles as defined in Maine Revised Statutes, Title 36, Section 13001.

Sec. 70-301. Exemption granted.

Pursuant to Title 36, § 1483-A, of the Maine Revised Statutes, the City shall exempt from the annual excise tax imposed pursuant to Title 36, Section 1482, of the Maine Revised Statutes one motor vehicles owned by a Maine resident who is on active duty serving in the Armed Forces of the United States as defined by Title 36, § 1483 A, of the Maine Revised Statutes and who is permanently stationed at a military or naval post, station or base outside of the State of Maine or who is deployed for military service for more than 180 days. To apply for

[Type text]

~~the exemption the resident must provide documentation as required pursuant to Title 36, § 1483-A, of the Maine Revised Statutes to the Tax Collector or his/her designee and comply with any policies or rules imposed by the Maine Bureau of Motor Vehicles or Maine Revenue Services in relation to registration procedures or the collection of excise tax. A qualified resident shall be eligible for exempting no more than one motor vehicle in any given year. In the case of a sale of the exempt vehicle, the exemption may be transferred to the replacement vehicle.~~

Sec. 70-302. Application

A member of the Armed Forces of the United States who qualifies for this exemption, or a person authorized as a representative of such member, shall present certification from the commander of the member's post, station or base, or from the commander's designated agent, that the member is permanently stationed at that post, station, or base.

Sec. 70-303. Effective Date.

This exemption shall be effective for excise taxes due and payable as of the month following the effective date of this ordinance.

LEWISTON CITY COUNCIL
MEETING OF DECEMBER 5, 2017

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 5

SUBJECT: Resolve, Approving Changes to the Personnel Policies for Nonunion Employees.

INFORMATION:

The City is near to concluding the most recent round of negotiations with our various bargaining units. Three other items appear on tonight's agenda authorizing the City Administrator to approve the final outstanding agreements.

As part of this last round of negotiations, the City has adjusted a number of personnel policies and benefits for its unionized employees. Providing similar benefits to our non-union employees is appropriate and also simplifies the City's overall personnel management systems, controlling administrative costs.

The attached resolve with authorize changes to the City's personnel policies to ensure our non-union employees are treated on an equitable basis.

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, Approving Changes to the Personnel Policies for Nonunion Employees.



COUNCIL ORDER

Resolve, Approving Changes to the Personnel Policies for Nonunion Employees.

Whereas, the City recognizes and values the important role employees play in serving the public; and

Whereas, providing consistent benefits to both union and nonunion employees is appropriate and simplifies overall city-wide personnel management and administrative costs; and

Whereas, a number of policies affecting non-union employees have not been adjusted to reflect changes made for other City employees;

Now, therefore, be it Resolved by the City Council of the City of Lewiston that the Council hereby formally appropriates a 2% cost of living adjustment effective on the payroll check dated July 3, 2018 and a 2% cost of living adjustment effective on the payroll check dated July 3, 2019, and directs the Finance Director to make the necessary adjustments to the nonunion salary schedule; and

Be It Further Resolved by the City Council of the City of Lewiston that the Council hereby approves an increase to the City's contribution to the Health Reimbursement Account for nonunion employees to \$1,200 for single coverage and \$2,400 for family and employee/child coverage effective January 1, 2018; and

Be It Further Resolved by the City Council of the City of Lewiston that the Council hereby increases the nonunion employees' sick balance maximum to 180 days effective January 1, 2018, with one half of the balance up to 90 days paid out upon retirement; and

Be It Further Resolved by the City Council of the City of Lewiston that the Council hereby eliminates the second vacation tiered accrual for nonunion employees effective January 1, 2018; and

Be It Further Resolved by the City Council of the City of Lewiston that the Council hereby adds a 28 year anniversary step to the nonunion employees' pay scale effective on the payroll check dated July 3, 2018 and directs the Finance Director to make the necessary adjustments to nonunion salary schedule.

LEWISTON CITY COUNCIL

MEETING OF DECEMBER 5, 2017

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 6

SUBJECT: Order authorizing the City Administrator to execute a New Collective Bargaining Agreement between the City of Lewiston and the American Federation of State, County and Municipal Employees (AFSCME) Local 1458 on behalf of the Lewiston Public Works Unit.

INFORMATION:

The City Council is requested to ratify a three year agreement with AFSCME Local 1458 representing the Lewiston Public Works Unit. This agreement is for the period of July 1, 2017 to June 30, 2020.

Please see the attached memorandum from Denis D'Auteuil, Deputy City Administrator regarding the highlights of the new agreement.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAB/ikmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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To approve the order authorizing the City Administrator to Execute a New Collective Bargaining Agreement between the City of Lewiston and the American Federation of State, County and Municipal Employees (AFSCME) Local 1458 on behalf of the Lewiston Public Works Unit.



COUNCIL ORDER

Order, Authorizing the City Administrator to Execute a New Collective Bargaining Agreement between the City of Lewiston and the American Federation of State, County and Municipal Employees (AFSCME) Local 1458 on behalf of the Lewiston Public Works Unit.

Whereas, the City and Local 1458 Unit representatives have worked diligently over the last several months to develop a new collective bargaining agreement; and

Whereas, all who participated in the development of the Local 1458 Collective Bargaining Agreement believe that negotiations have produced a contract which is sensitive to the current economic climate and reflects the organizational goals and objectives of both the city and Local 1458;

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

The City Administrator is authorized to execute the new FY 2017-2020 American Federation of State, County, and Municipal Employees, Local 1458 Collective Bargaining Agreement and is authorized to approve any final administrative, non-monetary, and non-substantive amendments as needed.



EXECUTIVE DEPARTMENT

Edward A. Barrett, City Administrator
Denis D'Auteuil, Deputy City Administrator

To: Mayor and City Councilors
From: Denis D'Auteuil, Deputy City Administrator
Date: December 5, 2017
Re: Proposed AFSCME Local 1458 contract

The City has been working with the American Federation of State, County and Municipal Employees (AFSCME) Local 1458 to develop a new collective bargaining agreement to replace the agreement that expired on June 30, 2017. We are asking the City Council to take action on a New Collective Bargaining Agreement between the City and AFSCME Local 1458 for a term of July 1, 2017 to June 30, 2020.

Notable features of the two new contracts are:

- COLA Adjustment: 7/1/17 - 2.1%
1/1/18 - 0.5%
7/1/18 – 2%
7/1/19 – 2%
- Meal allowance increase
- Adjustment to flexible benefits plan
- Multiple training stipend adjustments
- Language updates regarding emergency operations related to rest periods
- New sick leave accumulation language related to employee's separating from duty.
- Adjustment to Health Reimbursement Arrangement
- Adjustment to Health Insurance Premium Caps
- New Health Insurance Bridge for retiring employees
- Adjustment to annual OSHA approved footwear stipend
- Adjustment to tool allowance
- Adjustment to shift differential pay
- Combined two vacation accrual charts into one

Recommended action: To approve the proposed contracts.

LEWISTON CITY COUNCIL

MEETING OF DECEMBER 5, 2017

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 7

SUBJECT: Order, Authorizing the City Administrator to Execute a New Collective Bargaining Agreement between the City of Lewiston and the Maine State Employees Association (MSEA) Local 1989 on behalf of the Lewiston General Government Unit.

INFORMATION:

The City Council is requested to ratify a three year agreement with MSEA Local 1989 representing the Lewiston General Government Unit. This agreement is for the period of July 1, 2017 to June 30, 2020.

Please see the attached memorandum from Denis D’Auteuil, Deputy City Administrator regarding the highlights of the new agreement.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EA3/kmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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To approve the Order Authorizing the City Administrator to Execute a New Collective Bargaining Agreement between the City of Lewiston and the Maine State Employees Association (MSEA) Local 1989 on behalf of the Lewiston General Government Unit.



COUNCIL ORDER

Order, Authorizing the City Administrator to Execute a New Collective Bargaining Agreement between the City of Lewiston and the Maine State Employees Association (MSEA) Local 1989 on behalf of the Lewiston General Government Unit.

Whereas, the City and Local 1989 Unit representatives have worked diligently over the last several months to develop a new collective bargaining agreement; and

Whereas, all who participated in the development of the Local 1989 Collective Bargaining Agreement believe that negotiations have produced a contract which is sensitive to the current economic climate and reflects the organizational goals and objectives of both the city and Local 1989;

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

The City Administrator is authorized to execute the new FY 2017-2020 Maine State Employees Association, Local 1989 Collective Bargaining Agreement and to approve any final administrative, non-monetary, and non-substantive amendments as needed.



EXECUTIVE DEPARTMENT

Edward A. Barrett, City Administrator
Denis D'Auteuil, Deputy City Administrator

To: Mayor and City Councilors

From: Denis D'Auteuil, Deputy City Administrator

Date: December 5, 2017

Re: Proposed MSEA Local 1989 contract

The City has been working with the Maine State Employees Association (MSEA) Local 1989 to develop a new collective bargaining agreement to replace the agreement that expired on June 30, 2017. We are asking the City Council to take action on a New Collective Bargaining Agreement between the City and MSEA Local 1989 for a term of July 1, 2017 to June 30, 2020. Notable features of the two new contracts are:

- COLA Adjustment: 7/1/17 - 2.1%
1/1/18 - 0.5%
7/1/18 – 0%¹
7/1/19 – 2%
- New sick leave accumulation language related to employee's separating from duty.
- Adjustment to Health Reimbursement Arrangement
- Adjustment to Health Insurance Premium Caps
- New In-Service Drop Program
- Adjustment to wage scale steps²
- Adjustment to tool allowance
- Updates to language for dispute resolution and union activities
- Retirement Health Savings contribution adjustment
- Language changes to new employee hiring and wage scale matriculation
- Adjustment to footwear allowance
- Adjustment to shift differential pay
- Combined two vacation accrual charts into one
- Stand by duty pay adjustment
- Annual compensation time adjustment
- Updates to Reclassification procedures

Recommended action: To approve the proposed contracts.

¹ The unit agreed to forego a cost of living increase on 7/1/18 in return for scale adjustments under which the enter level step was eliminated and a new top step was added to the unit's pay scale.

² See note 1 above.

LEWISTON CITY COUNCIL

MEETING OF DECEMBER 5, 2017

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 8

SUBJECT: Order, Authorizing the City Administrator to Execute a New Collective Bargaining Agreement between the City of Lewiston and the American Federation of State, County and Municipal Employees (AFSCME) Local 3855 on behalf of the Lewiston Professional Technical Unit.

INFORMATION:

The City Council is requested to ratify a three year agreement with AFSCME Local 3855 representing the Lewiston Professional Technical Unit. This agreement is for the period of July 1, 2017 to June 30, 2020.

Please see the attached memorandum from Denis D'Auteuil, Deputy City Administrator regarding the highlights of the new agreement

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAB/kmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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To approve the order, Authorizing the City Administrator to Execute a New Collective Bargaining Agreement between the City of Lewiston and the American Federation of State, County and Municipal Employees (AFSCME) Local 3855 on behalf of the Lewiston Professional Technical Unit.



COUNCIL ORDER

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

Whereas, the City and Local 3855 Unit representatives have worked diligently over the last several months to develop a new collective bargaining agreement; and

Whereas, all who participated in the development of the Local 3855 Collective Bargaining Agreement believe that negotiations have produced a contract which is sensitive to the current economic climate and reflects the organizational goals and objectives of both the city and Local 3855;

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

The City Administrator is authorized to execute the new FY 2017-2020 American Federation of State, County, and Municipal Employees, Local 3855 Collective Bargaining Agreement and to approve any final administrative, non-monetary, and non-substantive amendments as needed.



EXECUTIVE DEPARTMENT

Edward A. Barrett, City Administrator
Denis D'Auteuil, Deputy City Administrator

To: Mayor and City Councilors
From: Denis D'Auteuil, Deputy City Administrator
Date: December 5, 2017
Re: Proposed AFSCME (Pro-Tech) Local 3588 contract

The City has been working with the American Federation of State, County, and Municipal Employees (AFSCME) Professional Technical Unit Local 3588 to develop a new collective bargaining agreement to replace the agreement that expired on June 30, 2017. We are asking the City Council to take action on a New Collective Bargaining Agreement between the City and AFSCME Local 3588 for a term of July 1, 2017 to June 30, 2020. Notable features of the two new contracts are:

- COLA Adjustment: 7/1/17 - 2.1%
1/1/18 - 0.5%
7/1/18 - 2%
7/1/19 - 2%
- New sick leave accumulation language related to employee's separating from duty.
- Adjustment to Health Reimbursement Arrangement
- Adjustment to Health Insurance Premium Caps
- New Health Insurance Bridge for retiring employees
- Adjustment to tool allowance
- Adjustment to shift differential pay
- Combined two vacation accrual charts into one
- Stand by duty pay adjustment
- Annual compensation time adjustment

Recommended action: To approve the proposed contracts.

LEWISTON CITY COUNCIL
MEETING OF DECEMBER 5, 2017

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 9

SUBJECT:

Order Authorizing the Acceptance of Matobian Way as a City Street.

INFORMATION:

The Public Works Department is recommending the acceptance of Matobian Way as a city street. This road meets all design, width and construction standards as required by City Code. The Public Works Department has approved the legal description for this road layout. Attached is a map along with additional information on this item.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EARB/kmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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To adopt the Order authorizing the Acceptance of Matobian Way as a City Street.

CITY OF LEWISTON

Name of Streets: **Matobian Way**

The City Council has determined and adjudged that public convenience and necessities of the City, require that the following streets, as presently laid out, be accepted, allowed and established as a public street or public way for the use of the City of Lewiston:

A certain parcel of land situated southeasterly of Old Greene Road and being Matobian Avenue, in the City of Lewiston, County of Androscoggin, State of Maine, bounded and described as follows to wit:

Beginning at a found 5/8" rebar capped PLS 1134 on the southerly sideline of the Matobian Avenue, said rebar being at the northeasterly corner of land of Lisa E. Hilton and Michael S. Hilton as recorded at the Androscoggin County Registry of Deeds in Book 9225, Page 325;

Thence North 72 degrees 27 minutes 03 seconds West along land now or formerly of Lisa E. Hilton and Michael S. Hilton, a distance of 250.00 feet to a found 5/8" rebar capped PLS 1134 on the apparent southeasterly sideline of the Old Greene Road;

Thence northeasterly along the apparent southeasterly curved sideline of the Old Greene Road having a curve radius to the right of 995.92 feet, and a curve length of 78.34 feet (the curve having a chord bearing of North 22 degrees 18 minutes 05 seconds East and a distance of 78.32 feet), to a found 5/8" rebar capped PLS 1134;

Thence southeasterly along land now or formerly of Matthew LaChapelle having a curve radius to the left of 25.00 feet, and a curve length of 42.33 feet (the curve having a chord bearing of South 23 degrees 56 minutes 53 seconds East and a distance of 37.45 feet), to a found 5/8" rebar capped PLS 1134;

Thence South 72 degrees 27 minutes 03 seconds East along land now or formerly of said LaChapelle and land now or formerly of Ronald Leblanc and Ginette Leblanc, a distance of 903.86 feet, to a set rebar;

Thence South 36 degrees 46 minutes 51 seconds East along land now or formerly of said Leblanc, a distance of 491.63 feet, to a set rebar;

Thence easterly along lot 7, having a curve radius to the left of 199.10 feet, and a curve length of 108.17 feet, to a set rebar;

Thence easterly along lot 7, lot 8, and lot 9, having a curve radius to the right of 250.00 feet, and a curve length of 375.81 feet, to a set rebar;

Thence South 18 degrees 13 minutes 15 seconds West along lot 9 and through land of M&B LLC, a distance of 289.00 feet, to a set rebar;

Thence North 71 degrees 46 minutes 45 seconds West through land of M&B LLC, a distance of 50.00 feet, to a set rebar;

Thence North 18 degrees 13 minutes 15 seconds East through land of M&B LLC, a distance of 25.00 feet, to a set rebar;

Thence northwesterly through land of M&B LLC, having a curve radius to the left of 25.00 feet, and a curve length of 39.27 feet, to a set rebar;

Thence North 71 degrees 46 minutes 45 seconds West through land of M&B LLC, a distance of 25.00 feet, to a set rebar;

Thence North 18 degrees 13 minutes 15 seconds East through land of M&B LLC, a distance of 50.00 feet, to a set rebar;

Thence South 71 degrees 46 minutes 45 seconds East along lot 10, a distance of 25.00 feet, to a set rebar;

Thence easterly along lot 10, having a curve radius to the left of 25.00 feet, and a curve length of 39.27 feet, to a set rebar;

Thence North 18 degrees 13 minutes 15 seconds East along lot 10, a distance of 164.00 feet, to a set rebar;

Thence northerly along lot 10, having a curve radius to the left of 200.00 feet, and a curve length of 300.65 feet, to a set rebar;

Thence northwesterly along lot 10, having a curve radius to the right of 249.10 feet, and a curve length of 135.33 feet, to a set rebar;

Thence North 36 degrees 46 minutes 51 seconds West along land now or formerly of James S. Theriault and Denise Theriault and lot 6, a distance of 346.85 feet, to a set rebar;

Thence westerly along lot 6 and lot 5, having a curve radius to the left of 400.00 feet, and a curve length of 249.03 feet, to a set rebar;

Thence North 72 degrees 27 minutes 03 seconds West along lot 5, lot 4, and land now or formerly of Brian LaChapelle and Meredith LaChapelle, a distance of 540.38 feet, to the first mentioned found 5/8" rebar capped PLS 1134, being the point of beginning.

Dated at Lewiston, Maine

December 5, 2017

James J. Lysen

Kristen S. Cloutier

Timothy J. Lajoie

Joline Landry Beam

Isobel C. Golden

Michael R. Lachance

Shane D. Bouchard

IN CITY COUNCIL

December 5, 2017

The foregoing Report was read and accepted, and thereupon

ORDERED,

That Matobian Way, with the boundaries and admeasurements of the same, as laid out and reported in the above description, be and the same is hereby accepted, allowed and established as a public street or public way for the use of the City of Lewiston.

PASSED

ATTEST: _____
Kathleen M. Montejo, MMC
City Clerk

CITY CLERK'S OFFICE

December 5, 2017

Received and filed,

Kathleen M. Montejo, MMC
City Clerk



PUBLIC WORKS DEPARTMENT

David A. Jones, P.E., Director

DATE: November 17, 2017
TO: Edward A. Barrett, City Administrator
FROM: David A. Jones, P.E., Director
SUBJECT: Acceptance of Matobian Way

The Department of Public Works is recommending that the proposed Matobian Way, from Old Greene Road to Dead End, approximately eleven hundred fifty (1150) feet in a Southeasterly direction, including a proposed permanent turnaround, be accepted as a City street.

The Department of Public Works has coordinated with the Developer to insure awareness of construction and acceptance requirements, conformance to City standards for street construction, and conformance to City Codes for street acceptance.

Attached is a map showing the general location of the street, a written and electronic legal description of the street, a Quit Claim Deed to the City for the street, and a Real Estate Transfer Tax form.

If you have questions, please contact me or Richard C. Burnham, City Engineer.

c: Richard Burnham

encs.

Matobian Avenue Description & Grading Easements

City of Lewiston, Grantees

M & B LLC, Brian & Meredith Lachapelle, Ronald & Ginette Leblanc, Grantors

A certain parcel of land situated southeasterly of Old Greene Road and being Matobian Avenue, in the City of Lewiston, County of Androscoggin, State of Maine, bounded and described as follows to wit:

Beginning at a found 5/8" rebar capped PLS 1134 on the southerly sideline of the Matobian Avenue, said rebar being at the northeasterly corner of land of Lisa E. Hilton and Michael S. Hilton as recorded at the Androscoggin County Registry of Deeds in Book 9225, Page 325;

Thence North 72 degrees 27 minutes 03 seconds West along land now or formerly of Lisa E. Hilton and Michael S. Hilton, a distance of 250.00 feet to a found 5/8" rebar capped PLS 1134 on the apparent southeasterly sideline of the Old Greene Road;

Thence northeasterly along the apparent southeasterly curved sideline of the Old Greene Road having a curve radius to the right of 995.92 feet, and a curve length of 78.34 feet (the curve having a chord bearing of North 22 degrees 18 minutes 05 seconds East and a distance of 78.32 feet), to a found 5/8" rebar capped PLS 1134;

Thence southeasterly along land now or formerly of Matthew Lachapelle having a curve radius to the left of 25.00 feet, and a curve length of 42.33 feet (the curve having a chord bearing of South 23 degrees 56 minutes 53 seconds East and a distance of 37.45 feet), to a found 5/8" rebar capped PLS 1134;

Thence South 72 degrees 27 minutes 03 seconds East along land now or formerly of said Lachapelle and land now or formerly of Ronald Leblanc and Ginette Leblanc, a distance of 903.86 feet, to a set rebar;

Thence South 36 degrees 46 minutes 51 seconds East along land now or formerly of said Leblanc, a distance of 491.63 feet, to a set rebar;

Thence easterly along lot 7, having a curve radius to the left of 199.10 feet, and a curve length of 108.17 feet, to a set rebar;

Thence easterly along lot 7, lot 8, and lot 9, having a curve radius to the right of 250.00 feet, and a curve length of 375.81 feet, to a set rebar;

Thence South 18 degrees 13 minutes 15 seconds West along lot 9 and through land of M&B LLC, a distance of 289.00 feet, to a set rebar;

Thence North 71 degrees 46 minutes 45 seconds West through land of M&B LLC, a distance of 50.00 feet, to a set rebar;

Thence North 18 degrees 13 minutes 15 seconds East through land of M&B LLC, a distance of 25.00 feet, to a set rebar;

Thence northwesterly through land of M&B LLC, having a curve radius to the left of 25.00 feet, and a curve length of 39.27 feet, to a set rebar;

Thence North 71 degrees 46 minutes 45 seconds West through land of M&B LLC, a distance of 25.00 feet, to a set rebar;

Thence North 18 degrees 13 minutes 15 seconds East through land of M&B LLC, a distance of 50.00 feet, to a set rebar;

Thence South 71 degrees 46 minutes 45 seconds East along lot 10, a distance of 25.00 feet, to a set rebar;

Thence easterly along lot 10, having a curve radius to the left of 25.00 feet, and a curve length of 39.27 feet, to a set rebar;

Thence North 18 degrees 13 minutes 15 seconds East along lot 10, a distance of 164.00 feet, to a set rebar;

Thence northerly along lot 10, having a curve radius to the left of 200.00 feet, and a curve length of 300.65 feet, to a set rebar;

Thence northwesterly along lot 10, having a curve radius to the right of 249.10 feet, and a curve length of 135.33 feet, to a set rebar;

Thence North 36 degrees 46 minutes 51 seconds West along land now or formerly of James S. Theriault and Denise Theriault and lot 6, a distance of 346.85 feet, to a set rebar;

Thence westerly along lot 6 and lot 5, having a curve radius to the left of 400.00 feet, and a curve length of 249.03 feet, to a set rebar;

Thence North 72 degrees 27 minutes 03 seconds West along lot 5, lot 4, and land now or formerly of Brian Lachapelle and Meredith Lachapelle, a distance of 540.38 feet, to the first mentioned found 5/8" rebar capped PLS 1134, being the point of beginning.

Also conveying to the City of Lewiston the following Grading easements described as follows:

Grading Easement 1

Beginning at a found 5/8" rebar capped PLS 1134 at the most westerly corner of land now or formerly of Ronald Leblanc and Ginette Leblanc as recorded at the Androscoggin County Registry of Deeds in Book 7206, Page 79;

Thence North 46 degrees 36 minutes 13 seconds East along land now or formerly of Matthew Lachapelle, a distance of 5.72 feet, to a point;

Thence South 73 degrees 58 minutes 34 seconds East through land of Ronald Leblanc and Ginette Leblanc, a distance of 386.24 feet, to a point;

Thence South 71 degrees 25 minutes 21 seconds East through land of said Leblanc, a distance of 298.41 feet, to a point;

Thence South 36 degrees 02 minutes 24 seconds West through land of said Leblanc, a distance of 10.47 feet, to a set rebar on the northerly sideline of Matobian Avenue;

Thence North 72 degrees 27 minutes 03 seconds West along said Avenue, a distance of 701.07 feet, to the first mentioned found 5/8" rebar capped PLS 1134, being the point of beginning.

Grading Easement 2

Beginning at a found 5/8" rebar capped PLS 1134 at the northeast corner of land now or formerly of Lisa E. Hilton and Michael S. Hilton as recorded at the Androscoggin County Registry of Deeds in Book 9225, Page 325;

Thence South 72 degrees 27 minutes 03 seconds East along the southerly sideline of Matobian Avenue, a distance of 540.38 feet, to a set rebar;

Thence southeasterly along the northeasterly curved sideline of said Avenue having a curve radius to the right of 400.00 feet, and a curve length of 89.50 feet, to a point;

Thence North 72 degrees 57 minutes 39 seconds West through lot 5, a distance of 224.80 feet, to a point;

Thence North 71 degrees 53 minutes 09 seconds West through lot 4, a distance of 202.88 feet, to a point;

Thence North 71 degrees 01 minutes 35 seconds West through land of Brian Lachapelle and Meredith Lachapelle, a distance of 201.08 feet, to a point;

Thence North 12 degrees 17 minutes 35 seconds East along land now or formerly of Lisa E. Hilton and Michael S. Hilton, a distance of 5.02 feet, to the first mentioned found 5/8" rebar capped PLS 1134, being the point of beginning.

Grading Easement 3

Beginning at a set rebar at the most northerly corner of Lot 6 and being on the southerly sideline of Matobian Avenue;

Thence southeasterly along the northeasterly curved sideline of said Avenue, having a curve radius to the right of 400.00 feet, and a curve length of 59.08 feet, to a set rebar;

Thence South 36 degrees 46 minutes 51 seconds East along said Avenue, a distance of 293.64 feet, to a set rebar;

Thence North 86 degrees 15 minutes 30 seconds West along land now or formerly James S. Theriault and Denise Theriault, a distance of 13.31 feet, to a point;

Thence North 35 degrees 49 minutes 15 seconds West through lot 6, a distance of 343.90 feet, to the first mentioned set rebar, being the point of beginning.

Grading Easement 4

Beginning at a set rebar at the most northerly corner of Lot 10 and being on the southerly sideline of Matobian Avenue;

Thence southeasterly along the northerly curved sideline of said Avenue, having a curve radius to the left of 249.10 feet, and a curve length of 135.33 feet, to a set rebar;

Thence southeasterly along the northerly curved sideline of said Avenue, having a curve radius to the right of 200.00 feet, and a curve length of 85.22 feet, to a point;

Thence South 85 degrees 52 minutes 01 seconds West through lot 10, a distance of 40.86 feet, to a point;

Thence North 38 degrees 29 minutes 48 seconds West through lot 10, a distance of 52.82 feet, to a point;

Thence northwesterly along a curve having a curve radius to the right of 259.10 feet, and a curve length of 140.77 feet, to a point;

Thence North 51 degrees 23 minutes 09 seconds East along land now or formerly of James S. Theriault and Denise Theriault, a distance of 10.00 feet, to the first mentioned set rebar, being the point of beginning.

Grading Easement 5

Beginning at a set rebar at the northwest corner of the temporary turnaround and being on the southerly line of lot 10;

Thence North 83 degrees 29 minutes 49 seconds East through lot 10, a distance of 45.28 feet, to a point;

Thence North 25 degrees 52 minutes 05 seconds East through lot 10, a distance of 66.66 feet, to a point on the westerly sideline of Matobian Avenue;

Thence South 18 degrees 13 minutes 15 seconds West along the westerly sideline of said Avenue, a distance of 60.01 feet, to a set rebar;

Thence southwesterly along the curved sideline of a temporary turn-around, having a curve radius to the right of 25.00 feet, and a curve length of 39.27 feet, to a set rebar;

Thence North 71 degrees 46 minutes 45 seconds West along said temporary turn-around, a distance of 25.00 feet, to the first mentioned set rebar, being the point of beginning.

Grading Easement 6

Beginning at a set rebar at the southwest corner of the temporary turn-around and being 50 feet south of the southerly line of lot 10;

Thence South 71 degrees 46 minutes 45 seconds East along the temporary turn-around, a distance of 25.00 feet, to a set rebar;

Thence southeasterly along the temporary turn-around, having a curve radius to the right of 25.00 feet, and a curve length of 39.27 feet, to a set rebar;

Thence South 18 degrees 13 minutes 15 seconds West along the westerly sideline of Matobian Avenue, a distance of 25.00 feet, to a set rebar;

Thence North 26 degrees 46 minutes 45 seconds West through land of M & B, LLC, a distance of 70.71 feet, to the first mentioned set rebar, being the point of beginning.

Bearings are referenced to magnetic north, 2003.

All set rebar are 5/8 inch in diameter and topped with a plastic cap stamped PLS 2395.

For source of title see the following deeds:

Deed conveyed from Rick Lachapelle and Monique Lachapelle to Ronald Leblanc and Ginette Leblanc dated July 17, 2007 and recorded at the Androscoggin County Registry of Deeds in Book 7206, Pages 79-81.

Deed conveyed from Rick Lachapelle and Monique Lachapelle to Brian Lachapelle and Meredith Lachapelle dated December 19, 2012 and recorded at the Androscoggin County Registry of Deeds in Book 8565, Pages 140-141.

Deed conveyed from Ricky Lachapelle and Monique Lachapelle to M & B, LLC by a deed dated December 16, 2016 and recorded in the Androscoggin County Registry of Deeds in Book 9278, Pages 255-257.

Bearings, distances, and lot numbers was taken from a Subdivision plan entitled "L & L Estates - Phase 2" dated February 2016 and recorded at the Androscoggin County Registry of Deeds dated February 11, 2016 in Plan Book 51, Page 82, compiled by Kachnovich Land Surveying, Inc.

Prepared by:
Kachnovich Land Surveying, Inc.
328 Main Street
Jay, Maine 04239
(207) 897-2748
www.mainesurveying.com

LEWISTON CITY COUNCIL

MEETING OF DECEMBER 5, 2017

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 10

SUBJECT:

Order Authorizing execution of a Municipal Quitclaim Deed for Real Estate located at 38 Larrabee Road.

INFORMATION:

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

At this time, the Finance Director is asking the Council to approve a municipal quitclaim deed for the property located at 38 Larrabee Road. The quitclaim deed will release any interest the City may have by virtue of undischarged real estate tax liens or utility liens on this property. Payments due for this property have all been received in full. Should the Council approve this Order, the quitclaim will be issued to the owners.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAB/kmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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To approve the Order authorizing execution of a municipal quitclaim deed for real estate located at 38 Larrabee Road.



COUNCIL ORDER

Order, Authorizing Execution of a Municipal Quitclaim Deed – Real Estate Located at 38 Larrabee Road.

WHEREAS, the owners, Ronald and Amy Chartier, failed to pay their bills on a timely basis for 38 Larrabee Road (Tax Map 139, Lot 19, Parcel 00-013472); and

WHEREAS, a storm water lien was filed on December 6, 2013 (Book 8830 Page 180) and matured on June 6, 2015 in the amount of \$104.78; and

WHEREAS, a storm water lien was filed on December 28, 2015 (Book 9282 Page 137) and matured on June 28, 2017 in the amount of \$92.52; and

WHEREAS, a storm water lien was filed on April 5, 2016 (Book 9337 Page 150) and matured on October 5, 2017 in the amount of \$92.86; and

WHEREAS, payment has been received in full;

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

That a quitclaim deed is hereby authorized to release the City's interest in the property located at 38 Larrabee Road to the owners.

LEWISTON CITY COUNCIL

MEETING OF DECEMBER 5, 2017

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 11

SUBJECT: Resolve, Designating an Individual to Cast the City of Lewiston's Votes at the Annual Meeting of the Lewiston Auburn Railroad Company

INFORMATION: The Lewiston Auburn Railroad Company has scheduled its Annual Shareholders and Directors Meeting to be held in the Council Chambers of Auburn Hall at 7:30 am on December 12, 2017. The primary purpose of the meeting is to elect three directors, two from Lewiston and 1 from Auburn. Per the organization's by laws, we have three options with regard to electing the Directors: (1) the existing Lewiston Directors have the automatic right to elect the Lewiston Directors at the meeting; or (2) the City Council can provide a proxy to any person to cast our votes to elect the Lewiston Directors; or (3) the Council can provide a proxy to any member of the City Council to elect our directors. If either of the Proxy options are chosen, a resolution of the Council must be filed with the Clerk of the Railroad Corporation.

Richard Trafton, the Chair of the corporation, has recommended that one of the proxy options be used to keep the Council aware that LARC exists; that the City is the majority shareholder, and that the Council has the power to determine the City's 6 Directors. He also noted that in the past, one of the shareholders had an internal issue over whether its directors were properly appointed and sitting.

The two Lewiston Directors whose terms are currently up are Jeffrey Gosselin and Lucien Gosselin. Jeffrey Gosselin has indicated a willingness to be reappointed and we are in the process of contacting Lucien Gosselin to determine his willingness.

Should the Council wish to exercise the Proxy option, the attached Resolve should be adopted and the appropriate name entered.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

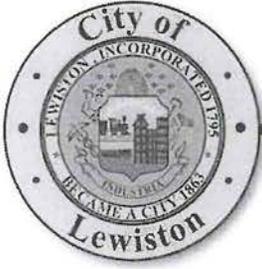
The City Administrator recommends approval of the requested action.

EARL KMM

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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To approve the **Resolve,** Designating an Individual to Cast the City of Lewiston's Votes at the Annual Meeting of the Lewiston Auburn Railroad Company



CITY OF LEWISTON, MAINE

December 5, 2017

COUNCIL RESOLVE

Resolve, Designating an Individual to Cast the City of Lewiston's Votes at the Annual Meeting of the Lewiston Auburn Railroad Company

Whereas, the City of Lewiston is the majority owner of the Lewiston Auburn Railroad Company; and

Whereas, the Company is required to hold an annual meeting of the Shareholders for the purpose of electing directors to represent the City; and

Whereas, the terms of two of Lewiston's current directors are expiring; and

Whereas, the Chair of the Directors has requested that the City designate a Proxy for purposes of casting its votes;

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

_____ is hereby vested with the City of Lewiston's Proxy and is authorized to cast the City's votes for the purpose of electing individuals to fill the expiring terms of the current City of Lewiston Directors.

LEWISTON AND AUBURN RAILROAD COMPANY

Notice of Annual Meetings of Shareholders & Directors

December 12, 2017

The 2017 Annual Shareholders & Directors Meetings of Lewiston and Auburn Railroad Company shall take place as follows:

DATE: Tuesday, December 12, 2017

TIME: 7:30 AM

PLACE: Auburn Hall, 60 Court Street, Auburn, Maine, in the Council Chambers on the 2nd floor. (Parking is available in the adjacent parking garage with an elevated walkway to the 2nd floor.)

AGENDA:

Shareholders Meeting

- 1) Determination of Shareholders' Voting Proxy
- 2) Election of Three (3) Directors: Auburn (1) & Lewiston (2)
- 3) Other Business
- 4) Adjournment

Directors Meeting

- 1) Introduction of New or Reappointed Directors
- 2) Election of Officers: President, Vice President, Treasurer, and Secretary
- 3) Brief Discussion of Financial Statement and Independent Accountant's Compilation Report (to be distributed at meeting)
- 4) Other Business
- 5) Adjournment

LEWISTON CITY COUNCIL

MEETING OF DECEMBER 5, 2017

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 12

SUBJECT:

Adoption of City Council meeting schedule for January 2018.

INFORMATION:

Since there are five Tuesdays in January 2018, the City Administrator is recommending that the City Council meet on the second and fourth Tuesday of January. The Inaugural Ceremony will occur on Tuesday, January 2, 2018 by City Charter. By meeting on the second and fourth Tuesday, the meeting schedule will be in sync with the first February meeting and with the pattern of meeting every other week.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EATB/kmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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To suspend Section 1,(a) of the Rules Governing the City Council and to hold the regular Council meetings for January 2018 on Tuesday, January 9 and Tuesday, January 23.

LEWISTON CITY COUNCIL
MEETING OF DECEMBER 5, 2017

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 16

SUBJECT:

Executive Session to discuss Disposition of Property of which the premature disclosure of the information would prejudice the competitive bargaining position of the City.

INFORMATION:

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

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAB/kmm

REQUESTED ACTION:

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

LEWISTON CITY COUNCIL
MEETING OF DECEMBER 5, 2017

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 17

SUBJECT:

Executive Session pursuant to MRSA Title 1, section 405(6)(A) to discuss a personnel matter regarding the annual evaluation of the City Administrator.

INFORMATION:

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

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

Entering into executive session is permitted and defined under Maine State Statutes.



REQUESTED ACTION:

1	2	3	4	5	6	7	M
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To enter into an Executive Session pursuant to MRSA Title 1, section 405(6)(A) to discuss a personnel matter regarding the annual evaluation of the City Administrator.