

LEWISTON CITY COUNCIL AGENDA
CITY COUNCIL CHAMBERS
JANUARY 9, 2018

* Amended 1/8/2018

- 6:00 p.m. Joint Workshop with Finance Committee and Planning Board** – Presentation of the FY2019 Lewiston Capital Improvement Plan
- 6:45 p.m. Executive Session** – To discuss a personnel matter regarding appointments
- 7:00 p.m. Regular Meeting**

Pledge of Allegiance to the Flag

Acceptance of the minutes of the December 19, 2017 meeting.

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

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

REGULAR BUSINESS:

1. Adoption of the Rules to Govern the City Council for the ensuing Council year.
2. Public Hearing on the renewal application for a Special Amusement Permit for Live Entertainment for the Fraternal Order of Eagles, 1327 Sabattus Street.
3. Resolve, Ratifying the appointments of Mark Cayer and Alicia Rea to the Lewiston School Committee.
4. Authorization for the City Clerk and/or Deputy City Clerk to approve and sign all applications to operate beano, bingo or other games of chance, on behalf of the Municipal Officers.
5. Authorization for the City Clerk and/or Deputy City Clerk to approve and sign all permits for circuses and carnivals, on behalf of the Municipal Officers.
6. Authorization for the City Clerk and/or Deputy City Clerk to sign all liquor license applications on behalf of the Municipal Officers.
7. Authorization for the City Clerk and/or Deputy City Clerk to approve and sign all applications for utility pole permits, on behalf of the Municipal Officers.
8. Authorization for the City Clerk and/or Deputy City Clerk to approve and sign all licenses for close out sale permits, on behalf of the Municipal Officers.
9. Authorization for the Finance Director, Tax Collector and Deputy Treasurer to act on behalf of the Municipal Officers regarding deeds, liens and municipal investments.
10. Authorization for City Administration to approve or deny all requests to hang banners, post community event signs on municipal property, and place temporary signs, flags and decorations in the public right of way, on behalf of the Municipal Officers.
11. Authorization for Deputy City Administrator and/or Finance Director to have signatory authority for the City Administrator when the Administrator is unavailable.
12. Order, Authorizing the City Administrator to execute a Declaration of Environmental Covenant on the city –owned property located at 180 Bartlett Street.
13. Amendment to the Traffic Schedule regarding a prohibition of winter parking for a portion of the odd numbered side of Cloutier Street.
14. Authorization to accept transfer of forfeiture funds.
15. Appointments to various City boards and committees.
16. Reports and Updates.
17. Any other City Business Councilors or others may have relating to Lewiston City Government.
- *18. Executive Session pursuant to MSRA Title 1, section 405(6)(E) to discuss a legal matter with the City Attorney.

LEWISTON CITY COUNCIL
MEETING OF JANUARY 9, 2018

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. ES-1

SUBJECT:

Executive Session pursuant to MRSA Title 1, section 405(6)(A) to discuss a personnel matter regarding appointments.

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.

EVABkmm

REQUESTED ACTION:

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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 appointments.

LEWISTON CITY COUNCIL

MEETING OF JANUARY 9, 2018

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 1

SUBJECT:

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

INFORMATION:

The City Council, at the beginning of each new biennial Council year, is required to adopt rules to govern the Board for the ensuing year. The City Council operates by Robert's Rules of Order, but must adopt rules to govern those issues not covered by Robert's Rules. These Rules can be amended throughout the year by a vote of the Council. These Rules are the same as in previous years with the exception of one change to the standard order of business for regular City Council meetings. Mayor Bouchard has asked to have the Moment of Silence held at his discretion rather than at every meeting. This is designed to increase the efficiency of the meeting and to allow the Council to start the meeting right after the Pledge of Allegiance.

Passage is recommended.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

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

EAB/ckm

REQUESTED ACTION:

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To adopt the Rules to Govern the City Council for the period of January 9, 2018 to January 7, 2020 as presented.

**RULES GOVERNING THE CITY COUNCIL
FOR PERIOD ~~1/05/2016~~ 1/09/2018 ~~-1/09/2018~~ 1/07/2020**

Sec. 1. Regular meetings

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

Pledge of Allegiance to the Flag

Moment of Silence - to be held at the discretion of the Mayor

Ceremonial Presentations and Recognitions

Acceptance of meeting minutes

Public Comment period - any member of the public may offer comments regarding issues pertaining to Lewiston City Government; maximum time limit for the full comment period shall be 15 minutes

Consent Agenda

Public Hearings (licenses, ordinance adoptions or amendments, other)

Policy Manual adoptions or amendments

Items requiring adoption or approval

Discussion items (no action required)

Reports and Updates

Any other city business Councilors, staff or members of the public may have relating to Lewiston City Government

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

Sec. 2. Special meetings

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

Sec. 3. Agenda

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

**RULES GOVERNING THE CITY COUNCIL
FOR PERIOD ~~1/05/2016~~ 1/09/2018 -~~1/09/2018~~ 1/07/2020**

Sec. 4. Presiding officer - call to order

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

Sec. 5. Parliamentary Procedure

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

Sec. 6. City Council Teleconference/Video Conference Rules

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

RULES GOVERNING THE CITY COUNCIL
FOR PERIOD ~~1/05/2016~~ 1/09/2018 ~~-1/09/2018~~ 1/07/2020

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

Sec. 7. Action on Ordinances

- (a) All ordinances shall be submitted in accordance with Article II, Section 2.11 of the City Charter.

RULES GOVERNING THE CITY COUNCIL
FOR PERIOD ~~1/05/2016~~ 1/09/2018 -~~1/09/2018~~ 1/07/2020

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

Sec. 8. Action on budget

I. Community-Shared Assumptions and Principles

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

**RULES GOVERNING THE CITY COUNCIL
FOR PERIOD ~~1/05/2016~~ 1/09/2018 -~~1/09/2018~~ 1/07/2020**

II. The Superintendent and the City Administrator

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

III. City Council and School Committee

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

Sec. 9. Travel by Council Members

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

Sec. 10. Action by Councilors

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

Sec. 11. Suspension of rules

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

Sec. 12. Institutional Cooperation

It is the policy of the City to work in close cooperation with the Council and staff of the City of Auburn and to continue to explore ways Lewiston and Auburn can work together to promote economic growth in the L/A region, reduce municipal operating and capital costs, and improve service to the public. To encourage such efforts, periodic joint meetings may be held between the City Councils. In addition, the City Administrator should make every effort to meet at least quarterly with the City Manager of Auburn to discuss issues of mutual concern and explore areas of further cooperation

**RULES GOVERNING THE CITY COUNCIL
FOR PERIOD ~~1/05/2016~~ 1/09/2018 ~~-1/09/2018~~ 1/07/2020**

Sec. 13. Workshops

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

Sec. 14. Rules of Decorum

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

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

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

LEWISTON CITY COUNCIL
MEETING OF JANUARY 9, 2018

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 2

SUBJECT:

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

INFORMATION:

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

The Police Department has reviewed and approved the application.

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

The business 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:

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

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

Date of Application: 12-18-17

Expiration Date: 1-4-19

- 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: Eagles For Aeris #618 Business Phone: 7866837

Location Address: 1327 Sabattus St. Lew. Me 04240

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

Mailing Address: Same

Email address: _____

Contact Person: Theresa R. Giacometti Phone: 207 7869618

Owner of Business: NA Date of Birth: _____

Address of Owner: _____

Manager of Establishment: _____ Date of Birth: _____

Owner of Premises (landlord): _____

Address of Premises Owner: _____

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

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

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

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

Corporation Name: _____

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

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

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

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

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

Signature: Theresa R Marcelli Title: Secretary Date: 12/18/17

Printed Name: Theresa R Marcelli

Hearing Date: 1/9/18



POLICE DEPARTMENT

Brian O'Malley
Chief of Police



TO: Kelly Brooks, Deputy City Clerk

FR: Lt. David St.Pierre, Support Services

DT: December 28, 2017

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

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

**2018 Renewal

Eagles, 1327 Sabattus St.



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



Professionalism

Integrity

Compassion

Dedication

Pride

Dependability

LEWISTON CITY COUNCIL
MEETING OF JANUARY 9, 2018

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 3

SUBJECT: Resolve, Ratifying the Appointments of Mark Cayer and Alicia Rea to the Lewiston School Committee.

INFORMATION:

On January 2nd, Mayor Bouchard nominated Mark Cayer to fill the Ward 6 School Committee seat for which there were no candidates in November. That same evening, he nominated Alicia Rea as the Council representative to the School Committee. Inadvertently, the City Council voted on these nominations prior to the new Councilors taking the oath of office. To avoid any legal issues, the attached Resolve would simply ratify these selections.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAB/kmm

REQUESTED ACTION:

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To approve the Resolve, Ratifying the Appointments of Mark Cayer and Alicia Rea to the Lewiston School Committee.



CITY OF LEWISTON, MAINE

January 9, 2018

COUNCIL RESOLVE

Resolve, Ratifying the Appointments of Mark Cayer and Alicia Rea to the Lewiston School Committee.

Whereas, on January 2nd, Mayor Bouchard nominated Mark Cayer to fill the Ward 6 School Committee position for which there were no candidates in the November election; and

Whereas, that same day, the Mayor nominated Alicia Rea to fill the City Council seat on the School Committee; and

Whereas, inadvertently, the City Council voted to approved these nominations prior to the newly elected Councilors taking the oath of office; and

Whereas, in order to avoid any questions regarding these appointments, this resolve will ratify them;

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

The Mayoral nominations of Mark Cayer to fill the vacant Ward 6 seat on the School Committee and of Alicia Rea as the Council representative to the School Committee are hereby ratified.

LEWISTON CITY COUNCIL
MEETING OF JANUARY 9, 2018

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 4

SUBJECT:

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

INFORMATION:

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

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAB/kmm

REQUESTED ACTION:

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ORDERED, That the City Council hereby authorizes the City Clerk and/or Deputy City Clerk to approve and sign all applications to operate beano, bingo or other games of chance on behalf of the Municipal Officers, during the period January 9, 2018 through January 7, 2020.

LEWISTON CITY COUNCIL
MEETING OF JANUARY 9, 2018

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 5

SUBJECT:

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

INFORMATION:

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

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EATB/kmm

REQUESTED ACTION:

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ORDERED, That the City Council hereby authorizes the City Clerk and/or Deputy City Clerk to approve and sign all permits for a circus or carnival on behalf of the Municipal Officers, during the period January 9, 2018 through January 7, 2020.

LEWISTON CITY COUNCIL

MEETING OF JANUARY 9, 2018

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 6

SUBJECT:

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

INFORMATION:

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

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

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EATB/kmm

REQUESTED ACTION:

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ORDERED, That the City Council hereby authorizes the City Clerk and/or Deputy City Clerk to sign all liquor license applications on behalf of the Municipal Officers, during the period January 9, 2018 through January 7, 2020.

LEWISTON CITY COUNCIL
MEETING OF JANUARY 9, 2018

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 7

SUBJECT:

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

INFORMATION:

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

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

SATSI/mmm

REQUESTED ACTION:

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ORDERED, That the City Council hereby authorizes the City Clerk and/or Deputy City Clerk to approve and sign all applications for utility pole permits on behalf of the Municipal Officers, during the period January 9, 2018 through January 7, 2020.

LEWISTON CITY COUNCIL
MEETING OF JANUARY 9, 2018

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 8

SUBJECT:

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

INFORMATION:

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

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

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAB/1cm

REQUESTED ACTION:

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ORDERED, That the City Council hereby authorizes the City Clerk and/or Deputy City Clerk to approve and sign all licenses for close out sale permits on behalf of the Municipal Officers, during the period January 9, 2018 through January 7, 2020.

LEWISTON CITY COUNCIL
MEETING OF JANUARY 9, 2018

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 9

SUBJECT:

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

INFORMATION:

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

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAB/kmm

REQUESTED ACTION:

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ORDERED, That the City Council hereby authorizes the Finance Director, Tax Collector or Deputy Treasurer to withhold monies payable by the City of Lewiston to cover taxes due pursuant to MRSA Title 30-A, section 905; to sign on behalf of the City, the necessary deeds and liens and tax settlements; and to invest funds in accordance with Maine Revised Statutes Annotated, Title 30-A, Section 5706, during the period January 9, 2018 through January 7, 2020.

**LEWISTON CITY COUNCIL
MEETING OF JANUARY 9, 2018**

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 10

SUBJECT:

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

INFORMATION:

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

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

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAB/kmm

REQUESTED ACTION:

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ORDERED, That the City Council hereby authorizes the City Administrator or Deputy City Administrator to review and approve or deny all requests to hang banners, post community event signs on city property, and place temporary signs, flags and decorations in the public right of way, on behalf of the Municipal Officers, during the period of January 9, 2018 through January 7, 2020.

LEWISTON CITY COUNCIL

MEETING OF JANUARY 9, 2018

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 11

SUBJECT:

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

INFORMATION:

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

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

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EATBKmm

REQUESTED ACTION:

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ORDERED, That the City Council hereby authorizes the Deputy City Administrator, or in the absence of the Deputy City Administrator, the Finance Director, to have signatory authority for the City Administrator, when the Administrator is unavailable, during the period of January 9, 2018 through January 7, 2020.

LEWISTON CITY COUNCIL

MEETING OF JANUARY 9, 2018

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 12

SUBJECT: Order, Authorizing the City Administrator to Execute a Declaration of Environmental Covenant on the City-owned Property Located at 180 Bartlett Street.

INFORMATION: The City acquired the property at 180 Bartlett Street, the former location of Hudson Bus, for the purposes of replacing property elsewhere in Franklin Pasture that was restricted for open space and recreation due to a Federal Land and Water Conservation Grant and is now the location where our newest elementary school is under construction. Since the prior conserved land is being converted for educational purposes, it must be replaced under the terms and conditions of the initial federal grant that was made to support development of the athletic field complex associated with the Lewiston High School.

The Bartlett Street property was used by Hudson Bus and successor operators for the repair and storage of buses. A number of underground petroleum tanks were also located at the site, either at the time the City purchased the property or historically. The City intends to redevelop this property with a variety of athletic fields. This required that various environmental studies be completed and a Voluntary Response Action Program (VRAP) be approved for the site outlining the environmental work/monitoring the City must do going forward to allow for the intended new use of the property. The attached Declaration of Environmental Covenant outlines the requirements that we must meet and has been approved by the Maine Department of Environmental Protection. It must be recorded at the County Registry of Deeds to ensure that it is on record and runs with the property.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAB/kmm

REQUESTED ACTION:

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To approve the Order, Authorizing the City Administrator to Execute a Declaration of Environmental Covenant on the City-owned Property Located at 180 Bartlett Street.



COUNCIL ORDER

Order, Authorizing the City Administrator to Execute a Declaration of Environmental Covenant on the City-owned Property Located at 180 Bartlett Street.

Whereas, the City acquired the property at 180 Bartlett Street, the former Hudson Bus location, for the purpose of replacing property elsewhere in Franklin Pasture where our newest elementary school is under construction; and

Whereas, the new school site is subject to the conditions of a federal Land and Water Conservation Fund grant received to support development of the athletic field complex associated with the Lewiston High School; and

Whereas, the terms of that grant required the athletic field complex to be maintained in perpetuity as open and recreational space; and

Whereas, to meet the requirements of the original grant, this property must be replaced with other properties of a similar or greater value and recreational benefit; and

Whereas, the Bartlett Street property, which was used by Hudson Bus and successor operators for the repair and storage of buses, is one of several replacement properties; and

Whereas, a number of underground petroleum tanks were located at this site, either at the time the City purchased the property or historically; and

Whereas, the City intends to redevelop this property with a variety of athletic fields; and

Whereas, such reuse required various environmental studies to be completed and a Voluntary Response Action Program (VRAP) for the site to be approved outlining the environmental work/monitoring the City must do going forward to allow for the intended new use of the property; and

Whereas, these studies have been completed and a revised VRAP has been approved by the State; and

Whereas, the State requires that a Declaration of Environmental Covenant outlining the requirements that must be recorded at the County Registry of Deeds; and

Whereas, a Declaration acceptable to all parties has been developed and is ready to be filed, subject to approval of the City Council;

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

The City administrator is hereby authorized to execute the attached Declaration of Environmental Covenant covering the property located at 180 Bartlett Street and to record such Declaration at the County Registry of Deeds.

DECLARATION OF ENVIRONMENTAL COVENANT

This DECLARATION OF ENVIRONMENTAL COVENANT ("Environmental Covenant") is hereby declared and granted as of this ____ day of _____, 20__, by the **CITY OF LEWISTON**, a municipality organized and existing under the laws of the State of Maine and having its principal place of business at 27 Pine Street, Lewiston, Androscoggin County, State of Maine ("Grantor"), to the **MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION** ("DEP" or "Holder") on property located in Lewiston, Androscoggin County, Maine, as more fully described below.

WHEREAS, Grantor is the owner in fee simple of a certain property of approximately 2.56 acres in size located in **Lewiston, Androscoggin County**, Maine, and described in a deed recorded in the Androscoggin County Registry of Deeds in **Book 9555, Page 224** ("Property");

WHEREAS, Grantor applied for liability protection under the Voluntary Response Action Program, 38 M.R.S. § 343-E;

WHEREAS, the DEP's Bureau of Remediation and Waste Management has issued to Grantor a Voluntary Response Action Program ("VRAP") Certificate of Completion, which requires that Grantor prepare and record a Declaration of Environmental Covenant consistent with the VRAP Certificate of Completion and the Maine Uniform Environmental Covenants Act ("UECA"), 38 M.R.S. § 3001 et seq.;

WHEREAS, the environmental response project related to this Environmental Covenant is the voluntary response action plan approved by the DEP and the response actions performed under the law governing the Voluntary Response Action Program, 38 M.R.S. § 343-E;

WHEREAS, Grantor has agreed to activity and use restrictions on the Property; and

WHEREAS, Grantor intends to create and grant an Environmental Covenant pursuant to the Uniform Environmental Covenants Act, 38 M.R.S. sections *et seq.*("UECA");

NOW, THEREFORE, Grantor **CITY OF LEWISTON**, for and in consideration of the facts above recited and the covenants herein contained, and intending to create and be legally bound by a perpetual covenant running with the land, subject to the terms hereof, hereby declares, covenants and agrees as follows:

1. Declaration of Environmental Covenant. This instrument is an Environmental Covenant executed pursuant to the UECA.
2. Property. This Environmental Covenant concerns the Property as described herein.
3. Activity and Use Limitations. The following covenants, conditions and restrictions shall run with the land, and shall be binding in perpetuity on the Property and the Grantor, its successors and assigns, during their respective periods of ownership:

- a. The installation of groundwater extraction wells at the Property is prohibited except by the express written permission of the DEP.
 - b. The use of the Property is acceptable for recreational use (i.e. recreational sports fields); however, the use of the Property for residential, schools, childcare facilities, or long-term care facilities is prohibited without the express written permission of the DEP.
 - c. An Environmental Media Management Plan (“EMMP”) must be submitted to the DEP for review and approval prior to redevelopment of the Property to prevent direct contact exposure to the contaminated groundwater and soils that remain in situ beneath a DEP approved cover system. The EMMP shall include a permanent Cover System design plan and a long-term Post-Closure Cover System Maintenance Plan, both of which must be submitted to the DEP for review and approval prior to redevelopment of the Property as recreational fields. Upon installation of the DEP approved cover system, a final completion letter and as-built drawing showing the final cover system must be submitted to the DEP.
4. Agency and Holder. DEP is an environmental agency with enforcement authority pursuant to the UECA and is the only Holder of this Environmental Covenant.
 5. Perpetuity of Covenant. This Environmental Covenant and each and every covenant herein shall be a covenant running with the land in perpetuity and shall be binding on Grantor and any future owner of any portion of, or interest in, the Property during their respective periods of ownership until amended or terminated in accordance with the UECA.
 6. Representation of Ownership and Encumbrances. By its execution hereof, Grantor hereby represents that it is the sole owner of the Property and that there are no mortgages, easements or other encumbrances on the Property that would materially adversely affect the effectiveness or enforceability of this Environmental Covenant.
 7. Access. In addition to any rights already possessed by DEP, this Environmental Covenant grants to DEP, including its authorized employees, agents, representatives and independent contractors and subcontractors, a right of access to the Property, without cost and upon presentation of credentials, for the purposes of monitoring and enforcing this Environmental Covenant.
 8. Notice to Tenants and Others. Grantor and all subsequent owners of the Property, during the period of their respective ownership of the Property, shall provide notice of this Environmental Covenant to any tenants or lessees thereof and to any other person conducting any activity on the Property that is restricted by this Environmental Covenant, which notice shall be provided prior to such occupancy or activity.
 9. Notice upon Conveyance. Each instrument hereafter conveying any interest in the Property or any portion thereof including but not limited to deeds, leases and mortgages, shall contain a notice that is in substantially the following form:

NOTICE: THE INTEREST CONVEYED HEREBY IS SUBJECT TO A DECLARATION OF ENVIRONMENTAL COVENANT, RECORDED IN THE ANDROSCOGGIN COUNTY REGISTRY OF DEEDS ON _____, 20__, IN BOOK _____, PAGE _____, IN FAVOR OF AND ENFORCEABLE BY THE STATE OF MAINE.

10. Notice of Noncompliance. Grantor and all subsequent owners of the Property, during the period of their respective ownership of the Property, shall provide written notice to DEP within ten (10) working days of discovery of any noncompliance with this Environmental Covenant.

11. Notice Pursuant to Covenant. Any notice or other communication required pursuant to this instrument shall be in writing and shall be sent by certified mail, return receipt requested, or by any commercial carrier as provides proof of delivery, addressed as follows, or to such other address as each entity may designate from time to time by written notice to the other entities:

To Grantor:

Administrator
City of Lewiston
27 Pine Street
Lewiston, ME 04240

To DEP:

VRAP Program Manager
Department of Environmental Protection
Bureau of Remediation and Waste Management
17 State House Station
Augusta, Maine 04333

12. Inspection and Reporting. The Grantor and any subsequent owners of the Property, during the period of their respective ownership of the Property, shall conduct inspections of the Property in any year that there is substantial construction activity on the Property, for compliance with the terms of this Environmental Covenant, and shall report the results to the Holder in writing by June 30th of each year.

13. Enforcement. This Environmental Covenant shall be enforceable as authorized by the UECA. Any forbearance as to enforcement of any of the terms hereof shall not be deemed a waiver of the right to seek and obtain enforcement at any time thereafter as to the same violation or as to any other violations.

14. Amendment or Termination. The terms and conditions herein may not be amended or terminated except in accordance with the UECA. Grantor waives its right to consent to amendment or termination of this Environmental Covenant in the event that the Grantor no longer owns the Property.

15. Petition to Amend. Grantor or current owner of the Property may petition the DEP to amend (including, without limitation to, remove) some or all of the covenants, restrictions, agreements and obligations herein. The burden is upon the party seeking DEP approval of the amendment or removal of a restriction to show that the restriction is no longer necessary to protect the public health and safety and the environment. The DEP may agree to remove or amend restrictions that in the exercise of its sole discretion, the DEP determines to be no longer necessary to protect the public health and safety and the environment. Any such amendment or termination of the Environmental Covenant must comply with the UECA and the provisions of this Environmental Covenant.
16. Administrative Record. The administrative record for the environmental response project related to this Environmental Covenant is located at the main office of DEP, whose mailing address is 17 State House Station, Augusta, ME 04333-0017, with a street address of Ray Building, 28 Tyson Drive, Augusta, Maine. The administrative record may be found under the name "Hudson Bus."
17. Governing Law. This Environmental Covenant shall be governed and interpreted in accordance with the laws of the State of Maine.
18. Liberal Construction. It is intended that this Environmental Covenant be construed liberally to protect the health and welfare of the public and the quality of the environment from the risk of adverse effects of exposure to contaminants.
19. Effect of Failure to Provide Notice. The validity of this Environmental Covenant is not affected by any failure of Grantor or subsequent owners to provide notice as required in this Environmental Covenant.
20. Invalidity. If any part of this Environmental Covenant shall be decreed to be invalid by any court of competent jurisdiction, all of the other provisions hereof shall not be affected thereby and shall remain in full force and effect.
21. Recording. Grantor shall cause this Environmental Covenant to be duly recorded in the Androscoggin County Registry of Deeds within thirty (30) days after the date of the last required signature.
22. Notice of Environmental Covenant. Grantor shall, within thirty (30) days of recording, provide DEP with a copy of such recorded Environmental Covenant, duly certified by the Register of Deeds. Within ninety (90) days of recording the Grantor shall also provide a copy of this Environmental Covenant to each person who signed the covenant, each person holding a recorded interest in the Property, each person in possession of the Property, and each municipality or other unit of local government in which the Property is located.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed by its duly authorized representative as of the day and year first above written.

CITY OF LEWISTON

By: _____
Name: Edward A. Barrett
Title: City Administrator

STATE OF MAINE
ANDROSCOGGIN COUNTY, ss.

The above-named Edward A. Barrett personally appeared before me this ___ day of _____, 20__ in his capacity as City Administrator and acknowledged the foregoing to be his free act and deed in his said capacity and the free act and deed of the City of Lewiston.

Notary Public

Printed Name
My Commission Expires: _____

ACKNOWLEDGED AND AGREED TO BY:
MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION

By: _____
Name: _____
Title: _____

Dated: _____

STATE OF MAINE
KENNEBEC COUNTY, ss.

The above-named _____ personally appeared before me this ___
day of _____, 20__ in his/her capacity as _____ and acknowledged
the foregoing to be his/her free act and deed in his/her said capacity and the free act and deed of
the Maine Department of Environmental Protection.

Notary Public

Printed Name

My Commission Expires: _____

LEWISTON CITY COUNCIL

MEETING OF JANUARY 9, 2018

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 13

SUBJECT:

Amendment to the Traffic Schedule regarding a prohibition on winter parking for a portion of the odd numbered side of Cloutier 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 odd numbered side of Cloutier Street during the winter months.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.



REQUESTED ACTION:

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To adopt the proposed amendments to the Traffic Schedule for Cloutier Street to prohibit parking on the odd numbered side of the street.



POLICE DEPARTMENT

Sgt. Derrick St. Laurent
Administration / Accreditation



TO: Traffic Schedule Review
FROM: Sgt. Derrick St. Laurent
DATE: December 5, 2017
Subject: Traffic Schedule Amendment Request

Due to snow plowing concerns, Public Works requests Cloutier St. (Odd numbered side) be posted with "No Winter Parking" signs.

I have viewed the area in question and found the street to be narrow in spots. I agree with this request and favor the request move forward to City Council approval.

ADD:
Section 17- Parking Prohibited (Winter)
Odd numbered – winter
Cloutier St: odd numbered side. Entire length, 287'

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,

Derrick St. Laurent



**LEWISTON CITY COUNCIL
MEETING OF JANUARY 9, 2018**

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 14

SUBJECT:

Authorization to accept transfer of forfeiture funds.

INFORMATION:

The Lewiston Police Department is requesting that the City Council authorize the acceptance of funds, in the amounts outlined below, as reimbursement for costs associated with assisting in a criminal investigation. The funds are available to the Lewiston Police Department due to its substantial contribution to the investigation of this or a related criminal case.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAB/kmm

REQUESTED ACTION:

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That pursuant to Title 15, Maine Revised Statutes Annotated, Section 5824(3) and Section 5822(4)(A), the City Council hereby acknowledges and approves of the transfer of \$1,506.00, or any portion thereof, in the case of the State of Maine vs. Tarik Vincent Rankins, CR-17-3824 Court Records, the transfer of \$688.00, or any portion thereof, in the case of the State of Maine vs. Haji Haji, CR-17-3242 Court Records, transfer of \$3,331.00, or any portion thereof, in the case of the State of Maine vs. Rasheem Johnson, CR-17-1654 Court Records, and the transfer of \$10,300.00, or any portion thereof, and proceeds from the sale of firearms and ammunition, or any portion thereof, in the case of the State of Maine vs. Jennifer Dionne, CR-16-3291 Court Records, being funds forfeited pursuant to the court process. It is further acknowledged that these funds shall be credited to the 'City of Lewiston Drug Enforcement Program' account.

STATE OF MAINE
Androscoggin, ss

UNIFIED CRIMINAL COURT
Docket No. CR-17-3824

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| State of Maine | } | |
| | } | |
| v. | } | Municipality of Lewiston |
| | } | Approval of Transfer |
| Tarik Vincent Rankins | } | 15 M.R.S.A. §5824(3) & §5822(4)(A) |
| Defendant; | } | |
| | } | |
| And | } | |
| | } | |
| \$1,506.00 U.S. Currency | } | |
| Defendant(s) In Rem | } | |

NOW COMES the municipality of Lewiston, Maine, by and through its municipal officers, and does hereby grant approval pursuant to 15 M.R.S.A. § 5824(3) & §5826(6) to the transfer of the above captioned Defendant(s) in Rem, or any portion thereof, on the grounds that the Lewiston Police Department did make a substantial contribution to the investigation of this or a related criminal case.

WHEREFORE, the municipality of Lewiston, Maine does hereby approve of the transfer of the Defendant(s) In Rem, or any portion thereof, pursuant to 15 M.R.S.A. § 5824(3) & §5826(6) by vote of the Lewiston municipal legislative body on or about

Dated: January 9, 2018

Municipal Officer
Lewiston, Maine
(Impress municipal legislative body seal here)

STATE OF MAINE
Androscoggin, ss

UNIFIED CRIMINAL COURT
Docket No. CR-17-3242

| | | |
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| State of Maine | } | |
| | } | |
| v. | } | Municipality of Lewiston |
| | } | Approval of Transfer |
| Haji Haji | } | 15 M.R.S.A. §5824(3) & §5822(4)(A) |
| Defendant; | } | |
| | } | |
| And | } | |
| | } | |
| \$688.00 U.S. Currency | } | |
| Defendant(s) In Rem | } | |

NOW COMES the municipality of Lewiston, Maine, by and through its municipal officers, and does hereby grant approval pursuant to 15 M.R.S.A. § 5824(3) & §5826(6) to the transfer of the above captioned Defendant(s) in Rem, or any portion thereof, on the grounds that the Lewiston Police Department did make a substantial contribution to the investigation of this or a related criminal case.

WHEREFORE, the municipality of Lewiston, Maine does hereby approve of the transfer of the Defendant(s) In Rem, or any portion thereof, pursuant to 15 M.R.S.A. § 5824(3) & §5826(6) by vote of the Lewiston municipal legislative body on or about

Dated: January 9, 2018

Municipal Officer
Lewiston, Maine
(Impress municipal legislative body seal here)

STATE OF MAINE
Androscoggin, ss

UNIFIED CRIMINAL COURT
Docket No. CR-17-1654

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| State of Maine | } | |
| | } | Municipality of Lewiston |
| v. | } | Approval of Transfer |
| | } | 15 M.R.S.A. §5824(3) & §5822(4)(A) |
| Rasheem Johnson | } | |
| Defendant; | } | |
| | } | |
| And | } | |
| | } | |
| \$3,331.00 U.S. Currency | } | |
| Defendant(s) In Rem | } | |

NOW COMES the municipality of Lewiston, Maine, by and through its municipal officers, and does hereby grant approval pursuant to 15 M.R.S.A. § 5824(3) & §5826(6) to the transfer of the above captioned Defendant(s) in Rem (\$1,665.50 in U.S. Currency) or any portion thereof, on the grounds that the Lewiston Police Department did make a substantial contribution to the investigation of this or a related criminal case.

WHEREFORE, the municipality of Lewiston, Maine does hereby approve of the transfer of the Defendant(s) In Rem, or any portion thereof, pursuant to 15 M.R.S.A. § 5824(3) & §5826(6) by vote of the Lewiston municipal legislative body on or about

Dated: January 9, 2018

Municipal Officer
Lewiston, Maine
(Impress municipal legislative body seal here)

STATE OF MAINE
Androscoggin, ss

UNIFIED CRIMINAL COURT
Docket No. CR-16-3291

| | | |
|----------------------------------|---|------------------------------------|
| State of Maine | } | |
| | } | |
| v. | } | Municipality of Lewiston |
| | } | Approval of Transfer |
| Jennifer Dionne | } | 15 M.R.S.A. §5824(3) & §5822(4)(A) |
| Defendant; | } | |
| | } | |
| And | } | |
| | } | |
| \$10,300.00 U.S. Currency | } | |
| Defendant(s) In Rem #1 | } | |
| | } | |
| One Taurus 9mm firearm | } | |
| Serial # TJU4406; | } | |
| One Taurus 9mm firearm | } | |
| Serial # TJU37100 and ammunition | } | |
| Defendant(s) In Rem #2 | } | |

NOW COMES the municipality of Lewiston, Maine, by and through its municipal officers, and does hereby grant approval pursuant to 15 M.R.S.A. § 5824(3) & §5826(6) to the transfer of the above captioned Defendant(s) in Rem #1 and #2, or any portion thereof, on the grounds that the Lewiston Police Department did make a substantial contribution to the investigation of this or a related criminal case.

WHEREFORE, the municipality of Lewiston, Maine does hereby approve of the transfer of the Defendant(s) In Rem #1 and #2, or any portion thereof, pursuant to 15 M.R.S.A. § 5824(3) & §5826(6) by vote of the Lewiston municipal legislative body on or about

Dated: January 9, 2018

Municipal Officer
Lewiston, Maine
(Impress municipal legislative body seal here)

LEWISTON CITY COUNCIL

MEETING OF JANUARY 9, 2018

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 15

SUBJECT:

Appointments to various City boards and committees.

INFORMATION:

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

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

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

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

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

SABkmm

REQUESTED ACTION:

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- 1) To receive the Mayor's appointments to various city boards and committees (no Council action required)
- 2) To approve the Mayor's nominations regarding his appointments to the Cable Television Committee and the Library Board of Trustees (Council vote required)
- 3) To review applications and to consider making appointments to the Airport Board of Directors and the Lake Auburn Watershed Commission.
- 3) To review and approve the City Council's representative to various boards and committees (please see attached sheet for full listing - Council vote required)
- 4) To receive the City Council President's appointments (please see attached list - no Council action required)

CITIZEN OPENINGS ON CITY BOARDS AND COMMITTEES JANUARY 2018

MAYOR APPOINTMENTS - No City Council Confirmation Required

Assessment Review Board –

- 2 full member positions – 3 year terms – Gary Savard, Noel Madore
- 1 full member position – 2 year opening/filling a vacancy – N. Joel Moser

Board of Appeals –

- 1 full member position – 5 year term – Leslie Dubois
- 2 associate member position – 1 year opening/filling a vacancy – Alexander Willette, Phyllis Rand

Finance Committee –

- 1 full member position – 3 year term – Michael Lachance

Historical Preservation Review Board –

- 2 full member positions- 3 year terms – Gerard Raymond, Kevin Morin
- 2 full member position – 1 year term to fill a vacancy – Christopher Beam
- 1 associate member position – 3 year term – Steve Dayton

L/A Community Forestry Board –

- 1 full member position – 3 year term – Richard Shea
- 1 full member position – 2 year opening/filling a vacancy – Dustin Carrier

Planning Board –

- 1 full member position – five year term – Benjamin Martin
- 1 associate member position – 3 year opening/filling a vacancy – Emily Darby
- 1 associate member position – 1 year opening/filling a vacancy – Lucy Bisson

MAYOR Nomination – City Council Confirmation is Required

Cable TV Committee -

- 2 full member positions – 2 year terms – TBD

Library Board of Trustees -

- 3 full member positions – 3 year terms – Edward Walworth, Sara Gillespie, Julia Gordon
- 1 full member position – 1 year opening/filling a vacancy – Safiya Khalid

CITY COUNCIL APPOINTMENTS – Mayor nomination not required

Airport Committee -

1 full member position – 3 year term

Applications have been submitted by:

Marc Blais, 353 Randall Road

Tom Olko, 200 Old Webster Road

Lake Auburn Watershed -

1 full member position – 3 year term

Application has been submitted by:

Joseph Grube, 74 Brooks Avenue

**LEWISTON CITY COUNCIL REPRESENTATIVES TO
VARIOUS CITY BOARDS AND COMMITTEES
January 2018 - December 2019**

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

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

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

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

| | |
|-------------------|-------------------------------|
| Finance Committee | Councilors Lysen and Marcotte |
|-------------------|-------------------------------|

City of Lewiston

Application for Appointment to City Board/Commission/Committee

Full Name: MARE BIAIS

Street Address: 353 Randall Rd

Mailing Address (if different): _____

Telephone Number: 207 576 0649 (daytime) same (evening)

Email Address: Mare@mbmeta/fab.com

Length of time as a Lewiston Resident: 56 Council Ward: 6

I wish to be considered for appointment to the:

Auburn-Lewiston Airport
(Name of Board/Commission/Committee)

Check one or both: Full Membership Status Associate Membership Status

Educational Background: Lewiston Hgn/CMCC Trades

Employment History: 35 yrs President MBGC, Lewiston Me

Community Service: Hockey Coach/PALS/Pilot

Please note any prior experience, knowledge or abilities that you have which would contribute to the activities of the Board/Commission/Committee:

Pilot, Business 35 yrs 8-10 Employees, 35 yrs Construction Exp., Extensive U.P.S., Project Manager, sales, ect.

Date: 12-28-2011 Signature: [Signature]

Thank you for your interest in serving the City of Lewiston.
Please return form to: City Clerk's Office, 27 Pine Street, Lewiston, ME 04240-7297

City of Lewiston

Application for Appointment to City Board/Commission/Committee

Full Name: Tom Olho

Street Address: 200 Old Webster Rd

Mailing Address (if different): _____

Telephone Number: 557-8021 (daytime) Same (evening)

Email Address: TOLHO@WDMATTHEWS.COM

Length of time as a Lewiston Resident: 49 Council Ward: _____

I wish to be considered for appointment to the:

Auburn Lewiston Municipal Airport
(Name of Board/Commission/Committee)

Check one or both: Full Membership Status Associate Membership Status

Educational Background: High School Diploma

Employment History: 25 years @ WDMATTHEWS
35 years @ Tommy's Body Shop

Community Service: _____

Please note any prior experience, knowledge or abilities that you have which would contribute to the activities of the Board/Commission/Committee:

Business Sense + large Customer Service
+ Marketing skills

Date: 12-28-17 Signature: Tom Olho

Thank you for your interest in serving the City of Lewiston.
Please return form to: City Clerk's Office, 27 Pine Street, Lewiston, ME 04240-7297

DEC 18 2017

City of Lewiston

Application for Appointment to City Board/Commission/Committee

Full Name: JOSEPH GRUBE

Street Address: 74 BROOKS AVE

Mailing Address (if different):

Telephone Number: 240-2245 (daytime) 782-2651 (evening)

Email Address: jsskr grube @ yahoo.com
joe.grube @ AOL.COM

Length of time as a Lewiston Resident: 44 YEARS Council Ward: 1

I wish to be considered for appointment to the:

LAKE AUBURN WATERSHED PROTECTION COMMISSION
(Name of Board/Commission/Committee)

Check one or both: Full Membership Status Associate Membership Status

Educational Background: BA BATES COLLEGE

CMA STATE OF MAINE

Employment History: CITY OF LEWISTON HOUSING INSPECTION 1976-1978
SELF EMPLOYED APPRAISER 1986-1990
ASSESSING 1979-1986, 1990-2015 - CHIEF ASSESSOR 1991-2015

Community Service: LAKE AUBURN WATERSHED PROTECTION COMMISSION

CURRENTLY SERVING AS CHAIR, VOLUNTEER ELECTIONS
MEMBER ANDROSCOGGIN COUNTY BUDGET COMMITTEE

Please note any prior experience, knowledge or abilities that you have which would contribute to the activities of the Board/Commission/Committee:

I have 20+ years of experience and knowledge of the activities of the WATERSHED PROTECTION COMMISSION

Date: 12-18-17 Signature: Joseph Grube

Thank you for your interest in serving the City of Lewiston.
Please return form to: City Clerk's Office, 27 Pine Street, Lewiston, ME 04240-7297

LEWISTON CITY COUNCIL
MEETING OF JANUARY 9, 2018

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 18

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.

EA B/kmm

REQUESTED ACTION:

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

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