

**CITY OF LEWISTON**

**CITY COUNCIL**

**MAY 9, 2017**

**SPECIAL MEETING HELD IN THE COUNCIL ROOM AT 6:00 P.M.**

THE HONORABLE ROBERT E. MACDONALD, MAYOR, PRESIDING.

PRESENT: Mayor Macdonald, Councilors Lysen, Lajoie, Golden, Bouchard, Cloutier, Beam and Lachance, City Administrator Edward Barrett and City Clerk Kathleen Montejo.

**EXECUTIVE SESSION**

**VOTE (112-2017)**

Motion by Councilor Lysen, seconded by Councilor Cloutier:

To enter into an Executive Session pursuant to MRSA Title 1, Section 405 (6) (D) to discuss Labor Negotiations regarding the International Association of Firefighters, Local 785.

Passed - Vote 7-0

Executive Session began at 6:03pm and ended at 6:48pm.

The regular City Council meeting began at 7pm.

THE HONORABLE ROBERT E. MACDONALD, MAYOR, PRESIDING.

PRESENT: Mayor Macdonald, Councilors Lysen, Lajoie, Golden, Bouchard, Cloutier, Beam and Lachance, City Administrator Edward Barrett and City Clerk Kathleen Montejo.

Pledge of Allegiance to the Flag.

Moment of Silence.

**PRESENTATION OF THE LEWISTON FIRE ASSOCIATION SCHOLARSHIP**

Rick Callier, president of the Association, presented this year's scholarship to Deni Federico.

**RESOLVE APPROVING THE FINAL ADJUSTMENTS TO THE FISCAL YEAR  
2018 MUNICIPAL BUDGET**

The City Administrator outlined some of the items in the final adjustments, such as costs for street lights and painting crosswalks for improved pedestrian safety measures, retaining a position in the library budget, and the contract costs for the collective bargaining unions. Councilor Golden stated she was very disappointed the City could not fully fund the Growth Council. Resident Darby Ray, 15 Bearce Avenue, thanked the Council for incorporating the library employee position into the budget. Councilor Lachance commented on the mil rate increase of 2.1%, noting that if the property owner has maintained their homestead exemption, then properties with a value of \$200,000 or less will see a decrease in taxes and properties with value over \$200,000 will see a slight increase.

**VOTE (113-2017)**

Motion by Councilor Bouchard, seconded by Councilor Lysen:

To adopt the Resolve approving the final adjustments to the Fiscal Year 2018 Municipal Budget:

Whereas, in accordance with the Charter, the City Administrator presented his proposed Fiscal Year 2018 budget to the City Council on March 21, 2017; and

Whereas, since then, the City Council has met on numerous occasions to review the various departmental budgets and to discuss changes to the Administrator’s proposal; and

Whereas, throughout this process, the City Council has shown support for certain changes and adjustments affecting both the general fund and tax increment financing fund expenditure budgets; and

Whereas, the overall goals of this effort were to maintain essential public services while reducing the impact of the budget on the taxpayers of the City of Lewiston; and

Whereas, the following summary represents the results of this effort;

Now, therefore, be It Resolved by the City Council of the City of Lewiston that the following Final Budget Adjustments Summary for Fiscal Year 2018, is hereby approved:

<b>Adj. #</b>	<b>Org.</b>	<b>Object</b>	<b>Description</b>	<b>Amount</b>
1	4211	428806	Promotional Exams	3,500
2	4222	426500	Repairs to Vehicles	25,000
3	4331	427210	Street Line Painting	(43,000)
4	4332	439800	Other Supplies – Salt	14,000
5	4351	427600	Repairs to Grounds	10,505
6	4361	428816	Canal Maintenance	64,400
7	4381	428800	Misc. Service	9,666
8	4381	432000	Gas – Unleaded	102,200
9	4391	427500	Repairs to Buildings	(4,500)
10	4391	427500	Repairs to Building	4,500
11	4421	411000	Social Services Salaries	58,500
12	4519	427000	Repairs to Equipment	10,700
13	4552	412502	Temp Wages	(13,710)
14	4552	438202	Nonfiction Books	3,900
15	4552	438203	Fiction Books	3,250
16	4552	438204	Children’s Books	3,025
17	4552	438206	Paperback Books	1,190
18	4552	439051	Children's Audio/visual	1,100
19	4552	439052	Adult Audio/visual	1,400
20	4721	449000	Interest	10,000
21	4811	449000	Airport Fixed Charges	60,600
22	4931	417003	FICA	(1,050)
23	4941	417400	W.C Liability Deficit	46,629

24	4951	443000	Donations	(1,400)
25	4991	428800	Misc. Service	1,000
26	Various	Capital		24,185
FB	4981	449000	<i>Fixed Charges</i>	<u>(272,185)</u>
<b>Total General Fund Adjustments</b>				<b>123,405</b>
TIF Adjustments:				
27	1110	443000	Donations – LAEGC	40,610
28	1110	443000	<i>Donations – LAEGC</i>	120,000
29	1110	411000	<i>Salaries</i>	(47,775)
30	1110	417100	<i>Health Insurance</i>	(17,443)
31	1110	417003	<i>FICA</i>	(3,655)
32	1110	417400	<i>Workers Compensation</i>	(2,943)
33	1110	417250	<i>Health Reimb. Arrange.</i>	(1,433)
34	1110	417001	<i>MEPERS</i>	(4,586)
35	1110	422000	<i>Telephone</i>	(415)
36	1110	431000	<i>Printing</i>	(50)
37	1110	421500	<i>Postage</i>	(500)
38	1110	423000	<i>Travel</i>	(8,150)
39	1110	428800	<i>Misc. Ser. – Collateral</i>	(8,000)
40	1110	421000	<i>Advertising &amp; Marketing</i>	(10,000)
41	1110	428800	<i>Misc. Ser. – Top Gun</i>	(15,400)
42	1110	443000	<i>Donations - LA Arts</i>	(5,000)
43	1110	423000	<i>Travel</i>	<u>(1,000)</u>
<b>Total TIF Fund Adjustments</b>				<b>34,260</b>
<b>Total Adjustments</b>				<b><u>157,665</u></b>

Passed - Vote 7-0

**ADOPTION OF MUNICIPAL BUDGET APPROPRIATION RESOLVE FOR FISCAL YEAR 2018**

The City Administrator commented on the uncertainties in the state budget and it is unknown at this time what impact the state budget will have on the city budget. Resident Ron Potvin of 291 Pond Road stated that expenses always go up and the city keeps seeing higher school budgets. He noted the ratio of taxation to valuation is 2.7% which is more than double the national rate. He said this pace is not sustainable in the long term. Councilor Lachance noted that given all of the mechanisms involved with the budget, this is the best budget the Council could set.

**VOTE (114-2017)**

Motion by Councilor Cloutier, seconded by Councilor Bouchard:

To approve the Municipal Budget Appropriation Resolve for Fiscal Year 2018:

Be It Resolved by the City Council of the City of Lewiston that the sum of \$45,158,480 is hereby appropriated in the General Fund for the municipal year 2018 in accordance with the schedule of appropriations; and

Be It Further Resolved by the City Council of the City of Lewiston that, in addition to such other revenues as are estimated to be available to meet the above appropriations including the Homestead and Business Equipment Tax Exemption reimbursement, the sum of \$33,302,408 be raised by assessment upon the estates of the inhabitants of the City of Lewiston and upon the estates of non-resident proprietors within said City for the present municipal year; and

Be It Further Resolved by the City Council of the City of Lewiston that the sum of \$11,583,887 be appropriated as non-tax revenues in the General Fund for the municipal year 2018 in accordance with the schedule of appropriations; and

Be It Further Resolved by the City Council of the City of Lewiston that the list of tax assessments upon the estates in Lewiston for all city taxes, together with all assessments and charges made under the provisions of the Maine Revised Statutes annotated, Title 30A, Section 3406 and 3442 to 3445 inclusive, and the City's due proportion of the County Tax in the amount of \$2,589,393 for the period of July 1, 2017 through June 30, 2018 shall be committed by the Assessor to the Finance Director, and one-half of said taxes shall be due and payable on the 15th day of September 2017 with the remaining one-half of said taxes due and payable on the 15th day of March 2018; and

Be It Further Resolved by the City Council of the City of Lewiston that interest at the maximum State approved rate of 7% per annum for fiscal year 2018 shall be collected on the first half of said taxes from September 16, 2017, if not voluntarily paid to the Finance Director on or before September 15, 2017 and on the second half of said taxes from March 16, 2018, if not voluntarily paid to the Finance Director on or before March 15, 2018; and

Be It Further Resolved by the City Council of the City of Lewiston that in each case, said interest shall be added to and become a part of said taxes; and

Be It Further Resolved by the City Council of the City of Lewiston that the Treasury Manager/Tax Collector is authorized to accept payments of uncommitted taxes and to pay to the taxpayer interest from the date of payment to the commitment date at a rate of 0% and that refunds for overpayments or abatements shall be paid to the taxpayer with interest from the date of payment to the date of abatement or refund, whichever is earlier, at an interest rate of 2.00%; and

Be It Further Resolved by the City Council of the City of Lewiston that the Treasury Manager/Tax Collector shall apply all payments to the oldest balance due to the City on that account regardless of any instructions the customer/taxpayer may give. If, however, a lien has matured, the Treasury Manager/Tax Collector may not accept payment on that account unless a workout agreement is in place or approval has been granted by the Finance Director to accept payment. If a customer/taxpayer has more than one account, any payment shall be applied to the oldest balance due; and

Be It Further Resolved by the City Council of the City of Lewiston that the Council hereby formally accepts and appropriates any cash contributions received during this budget year to the appropriate department and purpose for which such contribution has been made and where such contribution is equal to or less than \$10,000; and

Be It Further Resolved by the City Council of the City of Lewiston that the Council hereby formally appropriates any grants from the State of Maine, the Government of the United States of America, or any other organization received during this budget year where such grant is equal to or less than \$25,000, such appropriation to become effective upon formal Council action to accept such grant; and

Be It Further Resolved by the City Council of the City of Lewiston that the Council hereby formally appropriates any insurance proceeds received during this budget year to the appropriate department for the purpose of repairing or replacing the damaged property where such amount is equal to or less than \$50,000, such appropriation to become effective upon receipt of funds; and

Be It Further Resolved by the City Council of the City of Lewiston that the Council hereby formally appropriates any Municipal Garage revenues in excess of the amount expended at the end of the fiscal year to be included in the General Fund Municipal Garage Vehicle Reserve Account; and

Be It Further Resolved by the City Council of the City of Lewiston that the Council hereby formally appropriates a 2.1% cost of living adjustment for nonunion personnel effective on the payroll check dated July 5, 2017 and a .5% cost of living adjustment for nonunion personnel effective on the payroll check dated January 3, 2018 and directs the Finance Director to make the necessary adjustments to non-union salary schedules; and

Be It Further Resolved by the City Council of the City of Lewiston that an appropriation is authorized from the library's permanent endowment fund in accordance with the recommendation of the Library Board of Trustees and to the extent that the City Administrator determines that such an appropriation is in accordance with existing City and Library policies; and

Be It Further Resolved by the City Council of the City of Lewiston that an appropriation is authorized to transfer the amount of \$6.62 or the current State reimbursement rate per snowmobile registration to the Hillside Snowmobile Club. Payment will be made annually to the Hillside Snowmobile Club by June 30, 2018; and

Be It Further Resolved by the City Council of the City of Lewiston that an appropriation is authorized to transfer the amount of 20% of net timber harvesting revenue, if any, to the Community Forestry Fund in accordance with City Ordinance 78-45. Payment will be made annually to the Community Forestry Fund by June 30, 2018; and

Be It Further Resolved by the City Council of the City of Lewiston that the appropriation for municipal year 2018 for the following Special Revenue Funds is hereby authorized and approved: the Tax Increment Financing Fund in the amount of \$360,560; and

Be It Further Resolved by the City Council of the City of Lewiston that the Finance Director be authorized to implement the finance department reorganization as presented and appoint a Deputy Finance Director, at an estimated overall savings of \$32,578; and

Be It Further Resolved by the City Council of the City of Lewiston that the fiscal year 2018 budget be formally dedicated to Norman J. Beauparlant, Director of Budget and Purchasing, who

is retiring after over 43 years of dedicated public service. Norm is to be commended on his professionalism, enthusiasm for the job, and jovial interaction with others. Norm's institutional knowledge, stellar work ethic, and sound judgement will surely be missed by the Finance Director and his municipal family; and

Be It Further Resolved by the City Council of the City of Lewiston that this budget reflects anticipated intergovernmental revenues from the State of Maine in accordance with existing law and that the budget proposed by the Governor recommends various changes to municipal support programs and the homestead exemption program that may negatively affect this budget and require additional appropriations or budget adjustments. In the event that the final adopted state budget affects municipal revenues or expenditures, the total Fiscal Year 2018 tax commitment is hereby additionally increased in an amount equal to the reductions in such state revenues or the required increase in municipal expenditures. If necessary and within sixty (60) days of the adoption of the state budget, the City Council shall determine the proportion of this additional tax commitment that shall be offset by reductions in the various General Fund expenditure accounts; and

Be It Further Resolved by the City Council of the City of Lewiston that the City Council deems it necessary to adopt a budget which exceeds the percent increase of the Gross National Product-Implicit Price Deflator and hereby waives the provisions of Section 6.07(h) of the City Charter.

Passed - Vote 7-0

**RESOLVE APPROVING THE LEWISTON-AUBURN 911 COMMITTEE'S GENERAL FUND – FUND BALANCE POLICY**

**VOTE (115-2017)**

Motion by Councilor Lysen, seconded by Councilor Lachance:

To approve the Resolve approving the Lewiston-Auburn 911 Committee's General Fund – Fund Balance Policy:

Whereas, the 911 Committee is a joint agency of the cities of Lewiston and Auburn and has an oversight board presiding over operational and fiscal policy; and

Whereas, concern has been expressed over the appropriate level of unassigned fund balance the agency should maintain and the level of governance authorized to appropriate funds from this balance; and

Whereas, a Lewiston-Auburn 911 Committee General Fund - Fund Balance Policy was approved by the 911 Committee at its February 23, 2017 meeting; and

Whereas, the policy prescribes a minimum unassigned fund balance of 6% of general fund expenditures (the Floor) measured on a General Accepted Accounting Principles (GAAP) basis and a directive on action items to be taken if the percentage falls below the 6% threshold; and

Whereas, the policy prescribes a maximum unassigned fund balance in the general fund of 10%

of general fund expenditures (the Ceiling) measured on a General Accepted Accounting Principles (GAAP) basis; and

Whereas, the policy dictates that amounts in excess of the targeted maximum of 10% of general fund expenditures shall be used for capital improvements or other one-time expenditures as identified by the City Councils; and

Whereas, the policy indicates that amounts in between the floor of 6% and the ceiling of 10% shall be used for capital improvements or other one-time expenditures as identified by the 911 Committee; and

Whereas, the policy outlines that if one or both City Councils take action, through appropriation resolve, to reduce the Committee's unassigned fund balance level to below 6% floor, the Committee understands that the City Councils will take the necessary steps to incorporate a city-level contingency to provide for emergency funding needs.

Now, therefore, be It Resolved by the City Council of the City of Lewiston that the attached Lewiston-Auburn 911 Committee's General Fund - Fund Balance Policy is hereby approved.

Passed - Vote 7-0

**VOTE (116-2017)**

Motion by Councilor Lysen, seconded by Councilor Cloutier:

To adjourn at 7:25 P.M. Passed - Vote 7-0

A true record, Attest:

Kathleen M. Montejo, MMC  
City Clerk  
Lewiston, Maine