

**LEWISTON CITY COUNCIL AGENDA  
CITY COUNCIL CHAMBERS  
JANAURY 23, 2018**

**6:00 p.m. Executive Session** – Regarding consultation with the City Attorney.

**6:15 p.m. Workshops** – A. Discussion of Winter Sidewalk Maintenance  
B. Discussion of Public Works/Recycling Committee

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

Pledge of Allegiance to the Flag  
Lewiston Youth Advisory Council Update

Acceptance of the minutes of the January 9, 2018 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 2.

**CONSENT AGENDA:** All items with an asterisk (\*) are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council member or a citizen so requests, in which event, the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda

- \* 1. Resolve, Accepting the City of Lewiston’s Comprehensive Annual Financial Report for the Year Ended June 30, 2017.
- \* 2. Order Authorizing execution of a Municipal Quitclaim Deed for real estate located at 3 Mill Street Rear and 3 Moody Street.
- \* 3. Appointment to the Lewiston Area Public Health Committee.
- \* 4. Appointments to the Lewiston Auburn Transit Committee.
- \* 5. Authorization to accept transfer of forfeiture funds.
- \* 6. Amendment to the Traffic Schedule to create a fifteen (15) minute parking designation on a portion of Pine Street and Jefferson Street.

**REGULAR BUSINESS:**

- 7. Public Hearing and First Passage on amendments to the Business Licensing ordinance and the Vehicles for Hire ordinance to eliminate the Taxi & Tattoo Artist Appeals Committee.
- 8. Amendments to the City Policy Manual for City Business License Applications regarding Lodging Place.
- 9. Resolve, Authorizing the issuance of Quit Claim Deed for the property located at 8 South Temple Street.
- 10. Resolve, Accepting the final report of the Immigrant and Refugee Integration and Policy Development Working Group.
- 11. Resolve, Calling upon the Maine State Legislature to adopt LD 1492, An Act to Attract, Educate and Retain New Mainers to Strengthen the Workforce.
- 12. Annual Appointment to various city boards and committees.
- 13. Reports and Updates.
- 14. Any other City Business Councilors or others may have relating to Lewiston City Government.
- 15. Executive Session 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 JANUARY 23, 2018**

**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.

*EAB/KMM*

**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  
WORKSHOP AGENDA  
TUESDAY, JANUARY 23, 2018  
6:00 PM

1. Executive Session – Legal Issue – 15 minutes
2. Discussion of Winter Sidewalk Maintenance – 30 minutes

Over the last several snow storms, issues have arisen from Council and the public regarding winter sidewalk maintenance including the length of time required to plow both our priority and non-priority sidewalks and requests that additional sidewalks be added to our plowing list or moved from lower to higher priority. We would like to discuss this issue with the Council. Please see the attached information from David Jones.

3. Discussion of Public Works/Recycling Committee.

A number of years ago, the City Council established an ad-hoc committee to review the operations of the Public Works Committee. Over its tenure, that Committee presented a number of recommendations to the Council, some of which have been implemented and others which have not. Prior to the Committee sunsetting, it had established a subcommittee to work to improve the City's recycling percentage. That subcommittee never completed its work. Councilor Beam has requested that the Council discuss and consider whether additional efforts in this area might be useful.



## PUBLIC WORKS DEPARTMENT

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David A. Jones, P.E., Director

January 17, 2018

Mayor and Members of the City Council

Re: Sidewalk Plowing

The Council expressed an interest in having a workshop addressing sidewalk plowing. I have pulled together some information to help identify what the Public Works Department is currently doing to address clearing snow from sidewalks.

It may help to have a little history. Until about 10-12 years ago, the City ordinance stated clearing snow & ice from sidewalk was a responsibility of abutting property owners. The City Council recognized this wasn't always possible and, long before I arrived (1999), the Council approved the Department clearing snow from specific sidewalks that were approved by the City Council. I have attached a copy of the currently approved sidewalk plowing map.

There are more than 80 miles of sidewalks in the City. The Council approved clearing snow from ~50 miles of sidewalks with priorities assigned to areas around schools and in the downtown area where we have significant pedestrian activity. The priority sidewalks are highlighted in yellow on the attached map. The priority routes total more than 33 miles. The secondary routes are addressed after all the priority areas are completed. They total ~17 miles.

We have 3 primary sidewalk machines (#146, #813 & #817) that do most of the sidewalk plowing. We have a fourth machine (#809) that is a 1995 model and is used only as a backup as it is down most of the time and parts are difficult to obtain. The Department supplements the three primary machines by outfitting the #804 ToolCat with a blower. This does a very nice job on the wider sidewalks in the downtown area. Unfortunately, this machine is too wide to use on most of our sidewalks; however, it does free up our other machines since they do not have to do the areas assigned to #804. I have included photos of the sidewalk machines, including the #809 backup machine that has not been available at all this season.

We have 1 operator assigned to each sidewalk machine. These operators have no back-up operators to relieve them when they finish their shift. When a sidewalk plow is down for mechanical reasons, the Department has used the operator of the broken machine to provide relief to another operator. We have also used others from the Highway crew (when they are available) to keep the machines running as much as possible.

A list of the sidewalks and areas assigned to each sidewalk plow is also provided. This list identifies each sidewalk in the current order that the operator is to address snow removal.

During the recent storms, we kept track of what each machine accomplished. If a machine was up and running, it averaged completing ~3.4 miles of sidewalk during each 12 hour shift. Recognize that this was after a pretty large storm. During a smaller storm, we may find production to be a bit higher. But, this is the average we have from the most recent data.

With 33 miles of priority sidewalks, that means it will take ~10 - 12 hour shifts to complete only the priority sidewalks and a total of about 15 - 12 hour shifts to complete all the currently approved sidewalks.

A note on sidewalk plow reliability. Based on our recent experience, we can generally anticipate that a sidewalk plow unit will be available about 66% of the time, which might be somewhat generous given the wear and tear they experience, damage when hidden objects are ingested into the snowblower, and delays in receiving parts. Assuming, therefore, that we have three viable machines (excluding the 1995 unit which is rarely available), we can generally anticipate having only 2 machines available at any given time. Note further that this will also vary. Recently, we have had situation where only 1 machine was running and a period when none were available.

Assuming we had 2 machines working one 12 hour shift each 24 hours<sup>1</sup>, it would take us 5 days to complete the priority routes. If we add the secondary routes, it will take us 7-8 days. If we find volunteers within the Highway Division to work additional hours on the sidewalks (meaning they aren't already assigned to other snow removal efforts), we may be able to reduce the time for the priority routes to 3 days and for all routes to perhaps 5 days. If the Council wishes to add areas we are currently not providing these services, the amount of time it takes to complete will increase unless more resources are provided.

Should the Council wish to see a higher level of service, additional equipment will be needed as well as some additional staff to ensure available operators.

I hope you find this information helpful and we will be happy to answer any concerns or address any changes the Council would like to make.

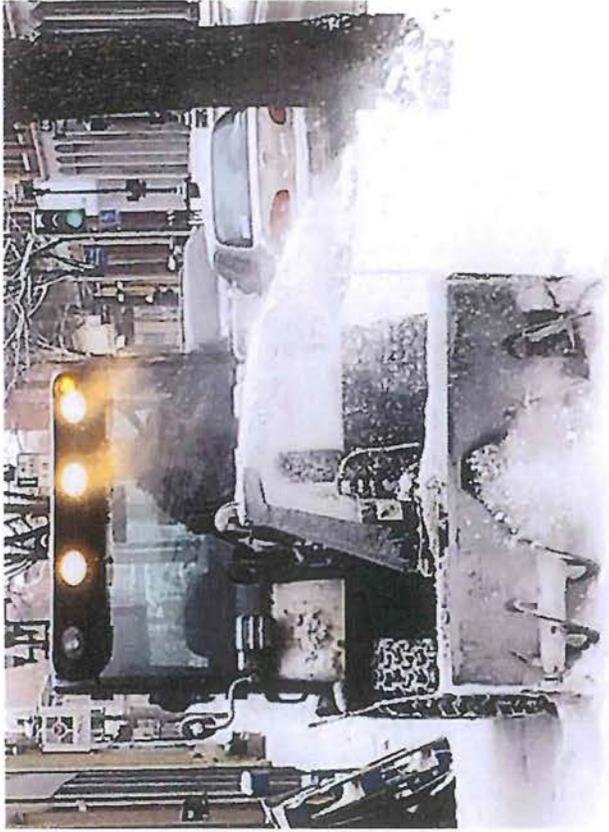
David A. Jones, P.E.

Cc: E. Barrett, M. Bates, J. Elie, M. Bernier

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<sup>1</sup> To operate these machines for two twelve hour shifts within 24 hours would require other staff in addition to assigned snowplow operators to be available for this duty. This is often not the case given other department responsibilities such as snow removal, water main breaks, and deicing and other after storm activities.

Sidewalk Plowing Machines



#146

#804 ToolCat



#813



#817



#809



\* Routes highlighted in YELLOW are considered Priority; PRIMARY Runs.  
Runs shown without highlighting are Secondary.

### City of Lewiston Sidewalk Plowing Map 2015 - 2016 Season

Unit 813 Sidewalk Plow Run	Time Out	Time Back	
<b>Priority Run;</b>	<b>Length (Ft)</b>	<b>Done</b>	<b>Needs another pass</b>
Scribner Blvd, right side- from Pleasant St. to Lisbon St. NOTE: PULL OFF SIDEWALK AND GO AROUND ROCK WALL AT 46 SCRIBNER BLVD	1,325		
Lisbon St.; right side - from Scribner Blvd. to Adams Ave.	6,330		
Lisbon St., right side - from East Ave. to Martin Drive.	3,435		
East Ave., right side – from Lisbon St. to Harkins Dr., open Harkins Dr. and back to East Ave to Montello St.	12,305		
East Ave., right side – from Lafayette St. onto Russell St. to Bartlett St. NOTE: OPEN SECTION OF SIDEWALK ON EAST AVE. IN FRONT OF YWCA.	6,070		
LHS sidewalk, left side - from first entrance nearest Pleasant St. to Football field parking lot.	920		
Farwell St., both sides- from Sabattus St. to Webster St.	6,320		
Open sidewalk from Farwell St. to Grants Bakery.	1,400		
Blanchette St. to Brault St., right side – to Central Ave.,	2,685		
Montello St., right side – from Central Ave. to East Ave.	2,690		
Russell St, right side- from East Ave. to College St.	3,685		
College St., right side- from Russell St. to Fair St.	4,015		
Sabattus St., right side- from Farwell St. to Grove St.	7,120		
Sabattus St., right side- from Grove St. to North Temple St.	1,775		
North Temple St., right side – from Sabattus St. to Old Greene Rd.	3,410		
North Temple St., Connector to Gerry Ave.	600		
Old Greene Rd., left side- from Elaine Ave. to Peter Blvd.	1,200		
Sabattus St. right side from North Temple to Russell St.	5,750		
End of Priority Run, Notify Supervisor.			
total	71,035	13.5 miles	
<b>Secondary Run;</b>			
Lisbon St., right side. – from Strawberry Patch St. to Olive St	7,270		
Lisbon St., right side – from Pleasant St. to Scribner Blvd.	1,560		
South Ave. left side – from Lisbon St. to Sunset St.	1,520		
St. Croix St., right side – from Biron Ave. to Lisbon St.	625		
Pleasant St., right side – from East Ave. to Foch St.	5,920		
Bartlett St., right side – from Adams Ave to East Ave.	2,380		
Bartlett St., right side – foot path through Ricker Park	300		
Spofford St., right side- from Sabattus St to Dead end.	305		
Rideout Ave., right side – from Sabattus St. to Fisher Ave.	1,480		
Montello St., right side - from Highland Spring Rd. to Old Greene Rd to Sabattus St.	1,700		
total	23,060	4.4 miles	

<b>Unit 817 Sidewalk Plow Run</b>	<b>Time Out</b>	<b>Time Back</b>	
<b>Priority Run;</b>	<b>Length</b>	<b>Done</b>	<b>Needs another pass</b>
Central Ave., both sides – from Sabattus St. to Campus Ave.	2,980		
Campus Ave., right side – from Central Ave to Sabattus St.	1,625		
Sabattus St., both sides – from Main St. to Farwell St..	15,200		
Main St., right side – from the Auburn side of bridge to Mollison Way.	12,175		
Main St., right side – from Switzerland Rd. to Auburn side of bridge.	14,820		
NOTE- On Main St. at Elm St., at Pops Diner, do not plow in front of diner			
College St., both sides - from Campus Ave. to Sabattus St.	4,930		
Notify Supervisor that Priority Route is done.			
total	51,730	9.8 miles	
<b>Secondary Run;</b>			
Oak St., right side – from Sabattus St. to Frye St.	2,350		
Webster St., right side from Pine St. to Sabattus St.	550		
Webster St., right side – from Sabattus St. to East Ave.	2,550		
Webster St., left side – from East Ave. to Shank St.	4,610		
Campus Ave., both sides – from Sabattus St. to College St. (NOTE: Contractors open the majority of these sidewalks due to Bates College and St. Mary's being on this stretch.)	6,100		
Union St., right side – from Main St. to College St.	680		
Prescott St., left side – from Main St. to Dead end.	430		
Frye St., right side- from Main St. to College St.	1,000		
Pettingill St., left side- from Main St to College St.	1,640		
Russell St., right side- from College St to Main St.	1,650		
Russell St., right side- from Main St. to College St.	1,480		
Whipple St., right side- from RR Tracks to Main St.	670		
Holland St., right side -from RR Tracks to Main St.	650		
Hammond St., right side – from Main St. to High St.	730		
Bridge St., right side- High St. to Rancourt Business Driveway	415		
Lowell St., right side – from Hammond St. to Chapel St.	950		
	26,455	5.0 miles	

Unit 146 Sidewalk Plow Run	Time Out	Time Back	
<b>Priority Run;</b>	<b>Length</b>	<b>Done</b>	<b>Needs another pass</b>
Chestnut St., right side- Canal St. to Lincoln St.	690		
Lincoln St., both sides- Cedar St. to Main St. OPEN CROSSWALK TO VETERANS PARK	4,300		
North St. Plow this sidewalk while crossing it when doing Lincoln St.	230		
Cedar St., both sides- Lisbon St. to Lown Bridge, New Auburn.	4,940		
Canal St., both sides- Cedar St. to Locust St., Continue up right side of Lisbon St to Strawberry Patch.	2,240		
Birch St., both sides- Park St. on to Jefferson St. to Walnut St., MUST BE OPEN BEFORE 7AM.	7,050		
Park St., both sides- Main St. to Pine St.	2,860		
Middle St., both sides- Oak St. to Main St.	940		
Ash St., both sides- Sabattus St. to Canal St.	7,060		
Pine St. both sides- Canal St. to Webster St., continue up right side of Pine St. to Sabattus St.	8,720		
Walnut St., both sides- Webster St. to Bates St.	6,000		
Bartlett St., both sides - Adams Ave. to Sabattus St.	7,130		
End Priority Route. Notify Supervisor. Start Secondary Route			
total	52,160	9.9 miles	
<b>Secondary Run;</b>			
Jefferson St., right side- Sabattus St. Baron Ave.	1,350		
Bradley St., right side- Walnut St. to Sabattus St.	1,140		
Howard St, left side- Sabattus St, to Walnut St.	1,270		
Shawmut St, right side- Walnut St .to SabattusSt.	1,320		
Howe St., right side- Sabattus St. to Birch St.	2,270		
Horton St., right side- Birch St. to Sabattus St.	2,350		
Pierce St., left side- Ash St. to Dead end.	1,800		
Blake St., left side- Maple St. to Ash St.	2,300		
Bates St., left side- Ash St. to Maple St.	2,315		
Knox St., right- side from Adams Ave to Birch St.	1,050		
Park St., right side- Adams Ave. to Spruce St.	1,610		
Park St., left side- Spruce St. to Pine St.	780		
Spruce St, - left side from Lisbon St. to Park St.	240		
Spruce St.- right side from Park St. to Bates St.	480		
Bates St.- right side from Spruce St. to Birch St.	430		
Maple St., both sides – from Canal St. to Blake St.	2,560		
Bates St., right side Maple St. to Oak St.	2,875		
Oak St., both sides- Sabattus St. to Park St.	1,660		
Bates St., right side- Oak St. to Main St.	560		

Blake St., left side- Main St. to College St.	800		
College St., right side- Sabattus St. to Bates St. B/S	2,200		
Lincoln St., both sides- Cedar St to Locust St.	2,980		
Chestnut St., both sides- Oxford St. to Park St.	3,040		
Oxford St., left side- Chestnut St. to River St. on to Lincoln St.	1,835		
Route complete, Notify Supervisor.			
total	39,215	7.4	miles

## Unit 804 Sidewalk

### Priority Run;

Lisbon St. sidewalks and crosswalks both sides Adams Ave to Main St  
Dufresne Plaza  
Walkway between Park St Alley and Lisbon St  
Ash St crosswalk openings at Post Office parking lot entrances (3 locations)  
Walkway from Canal St to staircase leading to Lisbon St (along Rainbow Bike Shop)

### Secondary Run;

Lewiston Armory ramps leading to garage area  
front entrance  
rear entrance  
parking spaces near Armory property on left side of building (shared with #8, #64, & #63)

Central Ave Pump Station  
LHS Walkway Caron St to Upper Franklin access road  
Simard-Payne Park Gateway entrance (Lincoln St to Oxford St)  
Simard-Payne Park pedestrian foot bridge  
Simard-Payne Park entrance over trestle to Auburn, around entire park loop, over foot bridge and walkway leading to Yvon's carwash

Paradis Park (Pierce St Park) walkway that starts on Bartlett St entrance to the bottom of the staircase on the Blake St side

# LEWISTON CITY COUNCIL

## MEETING OF JANUARY 23, 2018

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 1**

**SUBJECT:** Resolve, Accepting the City of Lewiston's Comprehensive Annual Financial Report for the Year Ended June 30, 2017

**INFORMATION:**

The City's Comprehensive Annual Financial Report as prepared by the City Finance Director, and the Independent Auditor's report prepared by RHR Smith & Company were recently presented to the City Council at a workshop. In the audit firm's opinion, the City's financial statements present fairly, in all material respects, the City's financial position. The attached Resolve will accept the report. Please note that the complete report, along with those of prior years, can be found on the City's web site at <http://www.ci.lewiston.me.us/133/Financial-Reports>.

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

The City Administrator recommends approval of the requested action. Special thanks and appreciation to Finance Director Heather Hunter and her staff for their hard work in managing and reporting the City's finances.



**REQUESTED ACTION:**

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To approve the Resolve, Accepting the City of Lewiston's Comprehensive Annual Financial Report for the Year Ended June 30, 2017



CITY OF LEWISTON, MAINE

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January 23, 2018

**COUNCIL RESOLVE**

**Resolve,** Accepting the City of Lewiston's Comprehensive Annual Financial Report for the Year Ended June 30, 2017.

**Be It Resolved by the City Council of the City of Lewiston**

that the City of Lewiston's Comprehensive Annual Financial Report, including its General Purpose Financial Statements for the year ended June 30, 2017 as prepared by the City Finance Director and the Independent Auditor's Report thereon prepared by RHR Smith & Company, is hereby accepted in its entirety.

# LEWISTON CITY COUNCIL

## MEETING OF JANUARY 23, 2017

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 2**

**SUBJECT:**

Order Authorizing execution of a Municipal Quitclaim Deed for Real Estate located at 3 Mill Street Rear and 3 Moody Street.

**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 3 Mill Street Rear and 3 Moody Street. The quitclaim deed will release any interest the City may have by virtue of undischarged real estate tax liens or utility liens on this property. 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:**

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To approve the Orders authorizing execution of a municipal quitclaim deed for real estate located at 3 Mill Street Rear and 3 Moody Street.



COUNCIL ORDER

**Order,** Authorizing Execution of a Municipal Quitclaim Deed – Real Estate Located at 3 Mill Street Rear (Cowen Mill).

**WHEREAS,** the owner, Martin Finley Sr., failed to pay his special tax bill on a timely basis for 3 Mill Street Rear (Tax Map 207, Lot 10, Parcel 00-009241); and

**WHEREAS,** a special tax lien was filed on June 16, 2010 (Book 7952 Page 194) and matured on December 16, 2011 in the amount of \$82,735.98; and

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

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

That a quitclaim deed is hereby authorized to release the City's interest in the property located at 3 Mill Street Rear (Cowen Mill) to the owner.



COUNCIL ORDER

**Order**, Authorizing Execution of a Municipal Quitclaim Deed – Real Estate Located at 3 Moody Street.

**WHEREAS**, the owner, Tamara L. Hull, failed to pay her bills on a timely basis for 3 Moody Street (Tax Map 175, Lot 72, Parcel 00-002360); and

**WHEREAS**, a stormwater lien was filed on April 5, 2016 (Book 9337 Page 126) and matured on September 25, 2017 in the amount of \$92.18; and

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

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

That a quitclaim deed is hereby authorized to release the City's interest in the property located at 3 Moody Street to the owner.

**LEWISTON CITY COUNCIL**  
**MEETING OF JANUARY 23, 2018**

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 3**

**SUBJECT:**

Appointment to the Lewiston Area Public Health Committee.

**INFORMATION:**

Under the procedures for appointments of members to the Lewiston Area Public Health Committee, the Committee nominates members to serve and the City Council makes the formal appointments of the members. The Committee has nominated William Wallace of Minot to serve as an area resident on the Committee. The Council is asked to approve the nomination of Mr. Wallace and make the formal appointment.

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

Appointments to Boards and Committees are a policy decision of the Council.

*EAB/klmm*

**REQUESTED ACTION:**

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To appoint the following nominee to the Lewiston Area Public Health Committee:

Area Resident - William J. Wallace, Jr., 108 Jackson Hill Road, Minot



# Lewiston Area Public Health Committee



January 11, 2018

Kathleen Montejo  
City Clerk  
Lewiston City Hall  
27 Pine Street  
Lewiston, ME 04240

Dear Kathy:

On behalf of the Lewiston Area Public Health Committee, we have approved the membership of Bates Professor William Wallace. Upon City Council confirmation, he will serve as an "Area Resident" on the committee. As such, we herewith ask that his membership be placed on the January 23, 2018, City Council agenda. Thank you.

Sincerely,

Ronnie Paradis, Chair

**City of Lewiston**

Application for Appointment to City Board/Commission/Committee

DEC 18 2017

Full Name: WILLIAM JAMES WALLACE, JR

Street Address: 108 JACKSON HILL ROAD, Minot

Mailing Address (if different): SAME

Telephone Number: ~~207-452-7100~~ (daytime) \_\_\_\_\_ (evening)

Email Address: WWALLACE@BATES.EDU

Length of time as a Lewiston Resident: NOT A RESIDENT Council Ward: n/a

I wish to be considered for appointment to the:  
LA PUBLIC HEALTH COMMITTEE  
(Name of Board/Commission/Committee)

Check one or both:  Full Membership Status  Associate Membership Status

Educational Background: B.S. UNIVERSITY OF MAINE - ORONO  
MALS. UNIVERSITY OF DELAWARE

Employment History: LECTURER IN EDUCATION, BATES COLLEGE  
TEACHER, ST. ANDREW'S SCHOOL, MIDDLETOWN, DE

Community Service: TUTOR, LEWISTON PUBLIC LIBRARY  
TUTOR, AUBURN PUBLIC LIBRARY

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

FOR THE PAST 2 YEARS MY CLASSES @ BATES HAVE  
PARTNERED W HEALTHY ANDROSCOGGIN & THE AUBURN PUBLIC LIBRARY  
→ PAL CENTER TO CREATE LEAD AWARENESS / COLLECT INFORMATION

Date: 12/14/2017 Signature: William T. Wallace, Jr.

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 23, 2018

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 4**

**SUBJECT:**

Appointments to the Lewiston Auburn Transit Committee.

**INFORMATION:**

The Deputy City Administrator serves as the city staff representative to the Lewiston Auburn Transit Committee (LATC). His seat on the Committee expired June 30, 2017 and the position is a three year term. This new appointment is also for a three year term with a term expiration date of June 30, 2020.

In addition, the seat held by Lewiston resident Lucy Bisson expired in June 2016 and it is also a three year term. The Council is asked to re-appoint Lucy Bisson, 1026 Sabattus Street, to another three year term with an expiration date of June 30, 2019.

The LATC supports these appointments and Council confirmation is requested.

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

The City Administrator recommends approval of the requested action.

*EATB/kmm*

**REQUESTED ACTION:**

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To appoint Deputy City Administrator Denis D'Auteuil to serve as a member of the Lewiston Auburn Transit Committee for a three year term, said term to expire June 30, 2020 and said appointment to be retroactive to June 30, 2017; and to appoint Lucy Bisson as a member of the Lewiston Auburn Transit Committee for a three year term, said term to expire June 30, 2019 and said appointment to be retroactive to June 30, 2016.

**LEWISTON CITY COUNCIL**  
**MEETING OF JANUARY 23, 2018**

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 5**

**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.

*EATB/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 \$500.00, or any portion thereof, in the case of the State of Maine vs. Damien Brown, CR-17-3230 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-17-3230

State of Maine	}	
	}	Municipality of Lewiston
v.	}	Approval of Transfer
	}	15 M.R.S.A. §5824(3) & §5822(4)(A)
Damien Brown	}	
Defendant;	}	
	}	
And	}	
	}	
\$500.00 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: \_\_\_\_\_

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

**LEWISTON CITY COUNCIL**  
**MEETING OF JANUARY 23, 2018**

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 6**

**SUBJECT:**

Amendment to the Traffic Schedule to create a fifteen (15) minute parking designation on a portion of Pine Street and Jefferson Street.

**INFORMATION:**

Ward's Neighborhood Market (formerly Bourques Market), a business located on Pine Street, has requested the designation of seven on-street, 15 minute parking spaces near their market to better accommodate the customer turnover given the nature of their business. The Police Department supports this requested action.

**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 amendments to the Traffic Schedule regarding the creation of seven fifteen (15) minute parking spaces on Pine Street and Jefferson, as proposed on the attached vote sheet.



# POLICE DEPARTMENT

Sgt. Derrick St. Laurent  
Administration / Accreditation



DATE: January 8, 2018  
TO: Traffic Schedule Review  
FROM: Sgt. Derrick St. Laurent  
Subject: Traffic Schedule Amendment – Wards Market, 208 Pine St.

Leon Ward, the owner of Wards Neighborhood Market (the former Bourques Market) located at 208 Pine St. is requesting posting “15 Minute Parking – 9:00a.m. to 9:00p.m.” be posted in front of (Pine St.), and along the side of (Jefferson St.) his store.

Ward states that many neighborhood tenants are taking up the spaces in front of his store causing customers to park a distance away, or continue driving to other stores. Ward stated this is especially frustrating during the winter months when parking is limited. He stated he spends thousands of dollars every winter in snow removal fees, to remove the snowbanks in front of his store and allow customers easy access. Neighborhood tenants are taking advantage of the easy access and are taking up the spots for extended periods of time.

While looking into this complaint, I can confirm that neighboring tenants are parking in front of Wards Market for extended periods of time, and I am in favor of this amendment.

### ADD

**Traffic Section 23**

**Fifteen (15) Minute Parking - 9:00 a.m. to 9:00 p.m**

Pine St. From the end of yellow curbing on Pine/Jefferson west 75’ (on Pine) storefront side.

Jefferson St. From the end of yellow curbing on Jefferson/Pine north 55’ (on Jefferson) side of store.

This amendment would designate approximately 7 parking spots around Ward’s Market to “15 Minute Parking 9am – 9pm.”

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

Respectfully Submitted,

Sgt. Derrick St. Laurent  
Lewiston Police Department



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



Professionalism Integrity Compassion Dedication Pride Dependability



**POLICE DEPARTMENT**  
Sgt. Derrick St. Laurent  
Administration / Accreditation



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# LEWISTON CITY COUNCIL

## MEETING OF JANUARY 23, 2018

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 7**

**SUBJECT:**

Public Hearing and First Passage on amendments to the Business Licensing ordinance and the Vehicles for Hire ordinance to eliminate the Taxi & Tattoo Artist Appeals Committee.

**INFORMATION:**

In 2000, the City created a Taxi Appeals Board to hear the appeals from drivers whose application to operate a taxi in the City was denied most likely due to prior criminal convictions. Prior to the establishment of the Appeals Board, the appeals hearings were conducted by the City Council during a public meeting that was televised. During an appeal of a taxi driver's license, background information regarding the applicant is discussed to allow the Council to make an informed decision. The nature of the background information tends to be of a personal nature regarding driving history, any potential criminal history, and so forth. In 2014, the City Council added appeals of Tattoo Artist permits to this Appeals Board for the same reason - personal background information regarding the application needs to be presented during the hearing, and for privacy purposes, these hearings should not be conducted during City Council meetings and therefore televised.

Mayor Bouchard has suggested since this Appeals Committee only meets on an as-needed basis, and has not meet for over two years, that these appeals now be heard by the City's Board of Appeals. This agenda item is to eliminate the Taxi & Tattoo Appeals Committee and designate the Board of Appeals at the entity to conduct these appeal hearings and make a determination on the issuance of these licenses.

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

The City Administrator recommends approval of the requested action.

*EAB/Kmm*

**REQUESTED ACTION:**

1	2	3	4	5	6	7	M
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That the proposed amendments to the City Code of Ordinances, Chapter 22 "Businesses", Article II, "Tattooing", Section 22-364 "Right to Appeal", and Chapter 82 "Vehicles for Hire", Article II "Taxicab", Section 82-54 "Right to Appeal" receive first passage by a roll call vote and that the public hearing on said ordinance amendments be continued to the next regularly scheduled City Council meeting.

**ORDINANCES PERTAINING TO BUSINESSES AND VEHICLES FOR HIRE**

**THE CITY OF LEWISTON HEREBY ORDAINS:**

Chapter 22 and Chapter 82 of the Code of Ordinances of the City of Lewiston, Maine are hereby amended as follows:

**CHAPTER 22**

**BUSINESSES**

**ARTICLE II. TATTOOING**

**DIVISION 2. LICENSE**

**Sec. 22-364. Right to appeal from suspension or denial; procedure.**

Any applicant or licensee under this article aggrieved by an order of suspension or denial shall have the right to appeal, provided such applicant or licensee shall submits an application to the board of appeals file in writing with the city clerk a request for a hearing. A hearing shall be held within 15 days from the date of request and shall be conducted by an appeals committee comprised of the deputy city administrator and two city councilors, and notice of such hearing shall be posted in the city clerk's office at least 48 hours prior to the date of the meeting. The board of appeals committee shall have the power to temporarily suspend, revoke or deny a tattooing license when operation by the applicant or license holder presents a danger to the health, safety or general welfare of the public. After such hearing, the board of appeals committee may affirm, modify or vacate the order of suspension or denial appealed from.

**CHAPTER 82**

**VEHICLES FOR HIRE**

**ARTICLE II. TAXICAB**

**DIVISION 2. LICENSES**

**Sec. 82-54. Right to appeal from suspension or denial; procedure.**

Any applicant or licensee under this division aggrieved by an order of suspension or denial shall have the right to appeal, provided such applicant or licensee shall submits an application to the board of appeals file in writing with the city clerk a request for a hearing. A hearing shall be held within 15 days from the date of request and shall be conducted by an appeals committee comprised of the deputy city administrator and two city councilors, and notice of such hearing shall be posted in the city clerk's office at least 48 hours prior to the date of the meeting. The board of appeals committee shall have the power to temporarily suspend, revoke or deny a taxicab driver's license when ~~continued~~ operation by the license holder presents a danger to the health, safety or general welfare of the public. After such hearing, the board of appeals committee may affirm, modify or vacate the order of suspension appealed from.

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

# LEWISTON CITY COUNCIL

## MEETING OF JANUARY 23, 2018

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 8**

**SUBJECT:**

Amendments to the City Policy Manual for City Business License Applications regarding Lodging Place.

**INFORMATION:**

During the past few months, the City Council approved amendments to the City's Code of Ordinances and Land Use Code regarding the definition of Lodging Place. These definitions were adjusted and updated to reflect recent state law changes as well as to address some issues regarding housing options for college students. Now that the terminology and applicable license definitions are finalized, the city's business licensing fee schedule needs to be adjusted to reflect these different category titles.

The attached material is an update to the Business License Fee schedule. Please note that this is merely a housekeeping item to reflect the new license title changes already approved. No changes to fee amounts are being proposed. Only the naming of the licenses so it coincides with the license definition within the City Code.

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

The City Administrator recommends approval of the requested action.

*ERB/kmm*

**REQUESTED ACTION:**

1	2	3	4	5	6	7	M
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To approve the proposed amendments to City Policy Manual Number 7 - City Business License Applications Fees, Penalties and Inspection & Approval Schedule - regarding the fees for Lodging Place.

# CITY BUSINESS LICENSE APPLICATIONS

## FEES, PENALTIES AND INSPECTION & APPROVAL SCHEDULE

(18)	<del>Innkeeper:</del>	
	a. <del>Not offering for sale spirituous, vinous and malt liquor</del> . . . . .	117.00
	b. <del>Offering for sale spirituous, vinous and/or malt liquor</del> . . . . .	575.00
(18)	Junk collector . . . . .	44.00
(19)	Liquor service approval:	
	a. Catering permit for off premise liquor service . . . . .	17.00
	b. Application for license for incorporated civic organization . . . . .	17.00
	c. Permit to serve alcohol outside the establishment . . . . .	25.00
(20)	<del>Lodging-house place:</del>	
	a. <u>hotel, motel, inn</u>	
	1. <u>Not offering for sale spirituous, vinous and malt liquor</u> . . . . .	117.00
	2. <u>Offering for sale spirituous, vinous and/or malt liquor</u> . . . . .	575.00
	b. <u>lodging house, tourist home</u>	
	1. <u>Ten rooms or less</u> . . . . .	56.00
	2. <u>Over ten rooms</u> . . . . .	84.00
(21)	Massage establishment and therapists:	
	a. Application fee . . . . .	110.00
	b. License fee . . . . .	195.00
(22)	Medical Marijuana	
	a. Non-refundable application fee for Registered Primary Caregiver Operation	550.00
	b. Non-refundable application fee for Registered Dispensary . . . . .	550.00
(23)	Mobile home park:	
	a. Per park . . . . .	110.00
	b. Per space over 20 . . . . .	6.00
(24)	Motion picture theater . . . . .	300.00
	Special 30-day license . . . . .	56.00
(25)	Outdoor entertainment event . . . . .	50.00
(26)	Outpatient Addiction Treatment Clinic:	
	a. Non-refundable application fee . . . . .	550.00
(27)	Pawnbroker . . . . .	88.00
(28)	Peddler:	
	a. In State . . . . .	56.00
	b. Out of State . . . . .	110.00
	c. Special Event License . . . . .	39.00
(29)	Racetrack . . . . .	117.00
(30)	Roller skating rink . . . . .	61.00
(31)	Roving diner . . . . .	100.00
(32)	Secondhand dealer . . . . .	88.00
(33)	Shelter . . . . .	90.00
(34)	Sound amplification, per day . . . . .	17.00

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

# CITY BUSINESS LICENSE APPLICATIONS

## FEES, PENALTIES AND INSPECTION & APPROVAL SCHEDULE

CATEGORY	POLICE	FIRE	CODE ENFORCEMENT
Adult Amusement Devices	X	X	X
Adult Entertainment License	X	X	X
After Hours Entertainment Events	X	X	X
Auto Graveyard/Junkyards	X	X	X
Billiard & Pool Halls	X	X	X
Bowling Alley	X	X	X
Carnivals & Circuses	NOTIFY	X	X
Class "A" Lounge		X	X
Closing Out Sales	X	NOTIFY	
Coin Operated Amusement Devices		NOTIFY	X
Flammable Liquid (storage)		X	
Flea Market	NOTIFY	X	X
Food Service Establishment			
Class A (spirituous, vinous & malt)		X	X
Class B (malt, vinous)			
Class C (malt)		X	X
Class D (no liquor)			
Class E (i.e. bottle clubs)		X	X
Class F (30-day)			
Class G (3 days)		X	X
Group Care Facility		X	X
<del>Inn Keeper</del>			
<del>    (a) no liquor 10 rooms or less</del>		<del>X</del>	<del>X</del>
<del>    over 10 rooms</del>		<del>X</del>	<del>X</del>
<del>    (b) liquor 10 rooms or less</del>		<del>X</del>	<del>X</del>
<del>    over 10 rooms</del>		<del>X</del>	<del>X</del>
Junk Collector	X	NOTIFY	X



# LEWISTON CITY COUNCIL

## MEETING OF JANUARY 23, 2018

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 9**

**SUBJECT:** Resolve, Authorizing the Issuance of a Quit Claim Deed for the Property Located at 8 South Temple Street.

**INFORMATION:**

Some time ago, the Council authorized the sale of a parcel of property located at 8 South Temple Street to the abutting property owner in return for paying \$1,173.51 in back taxes. As the City Attorney reviewed the situation, he determined that the property to be transferred was designated in the original 1919 subdivision as an extension of Cram Avenue that was never completed. Given that this was, at one point, a paper street that was never constructed or recognized by the City, it is almost certain that the fee ownership of the property is held by the abutting lot owners, not the City. The owner of 6 South Temple, to whom we anticipated transferring ownership, has apparently maintained this property for many years under the assumption of ownership, which may also provide that owner with a claim of adverse possession against any other party with a potential interest in the property. Given all of this, our current recommendation is that we quit claim any City claim to this property to the owner of 6 South Temple.

**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 approve the Resolve, Authorizing the Issuance of a Quit Claim Deed for the Property Located at 8 South Temple Street.



COUNCIL RESOLVE

**Resolve,** Authorizing the Issuance of a Quit Claim Deed for the Property Located at 8 South Temple Street.

Whereas, the City acquired an interest in the property at 8 South Temple Street as a result of matured tax liens; and

Whereas, early in calendar year 2017, the City Council authorized the sale of the property located at 8 South Temple Street to the owner of the adjacent property at 6 South Temple Street in return for a payment of \$1,173.51 in back taxes; and

Whereas, as the City Attorney prepared for the transfer of this property, he determined that the property in question was initially designated as an extension of Cram Avenue in the approved 1919 subdivision plan for Sabattus Road Gardens; and

Whereas, that section of Cram Avenue was never constructed; and

Whereas, the practice in such older subdivisions was to provide the City with an easement for street construction and not to provide the City with actual title to the property; and

Whereas, it is likely, therefore, that the City does not own this property; and

Whereas, the adjacent property owner believed for many years that this parcel was a part of the parcel at 8 South Temple and has maintained and used it as if it were under the same ownership; and

Whereas, since the City has levied taxes against the property for a number of years and that various tax liens have matured has the practical effect of clouding actual title to the property;

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

A quitclaim of any City of Lewiston interest in the property at 8 South Temple Street is hereby authorized to be issued to Carlene R. Boucher, the owner of the adjacent property at 6 South Temple Street.

**CITY OF LEWISTON, MAINE  
PLANNING BOARD**

THIS PLAN HAS BEEN REVIEWED AND FOUND TO BE IN ACCORDANCE WITH TITLE 30 MRSA ss 4956 OF THE STATE OF MAINE PUBLIC LAWS 1971.

*Thomas O. Moore* DATE Oct 23 1972  
Chairman

Planning Board approval of this plan under 30 MRSA 4956 does not supersede the minimum lot area requirement of the municipal zoning ordinance.

*Robert O. Johnson*  
at N. H. 7 M. 23rd  
Sept 27, 1919

*Albert O. Johnson*  
at N. H. 7 M. 23rd  
Sept 27, 1919

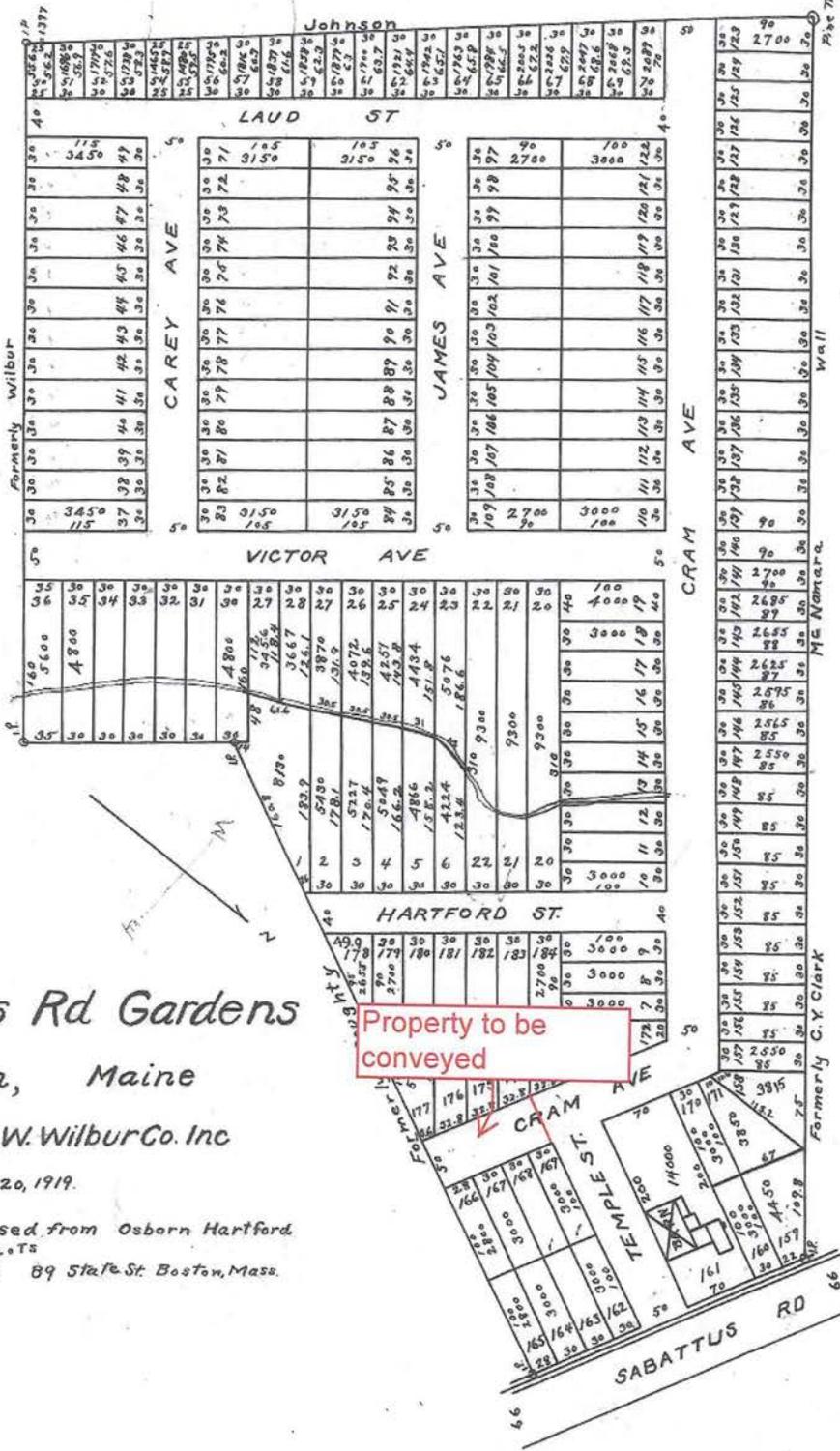
**Sabattus Rd Gardens**  
Lewiston, Maine

Owned by J.W. Wilbur Co. Inc

Sept 20, 1919.

18 acres purchased from Osborn Hartford  
184 L.T.s

A.L. Eliot CE. 89 State St. Boston, Mass.



# LEWISTON CITY COUNCIL

## MEETING OF JANUARY 23, 2018

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 10**

**SUBJECT:** Resolve, Accepting the Final Report of the Immigrant and Refugee Integration and Policy Development Working Group.

**INFORMATION:**

This working group was established in the summer of 2016 by then Mayor Robert Macdonald and charged with identifying and inventorying: available immigrant and refugee services; the needs of the immigrant and refugee community that are not being met; possible funding streams from Federal and State agencies to meet unmet needs; local resources to encourage employment/entrepreneurship within the immigrant and refugee community; and making recommendations to the City Council. Mayor Macdonald appointed the members of the group, which was representative of the various stakeholders involved in immigrant and refugee issues.

The Committee completed and submitted its report in December 2017 and a workshop was held with the City Council on January 16, 2018 to review the report, which was well received. A copy of the Report is available on the City's website at this link:

<http://www.lewistonmaine.gov/752/Immigrant-Refugee-Integration-Policy-Dev>

The Committee advanced five recommendations:

- Establishing a staff position to manage and coordinate city, state, federal, and nonprofit agency programs that service the immigrant and refugee populations in the greater Lewiston and Auburn area;
- Having the City join Welcoming America;
- Creating better access to safe and affordable housing and supporting stricter code enforcement efforts;
- Attracting and creating more good-paying full-time jobs in Lewiston;
- Considering a more holistic approach to recruiting immigrants and refugees for positions on city boards and committees.

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

The City Administrator recommends approval of the requested action. *BAR/Kmm*

**REQUESTED ACTION:**

1	2	3	4	5	6	7	M
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To approve the Resolve, Accepting the Final Report of the Immigrant and Refugee Integration and Policy Development Working Group.



COUNCIL RESOLVE

**Resolve,** Accepting the Final Report of the Immigrant and Refugee Integration and Policy Development Working Group.

Whereas, Mayor Robert Macdonald established the Immigrant and Refugee Integration and Policy Development Working Group in the summer of 2016 and appointed a widely representative membership; and

Whereas, the Group was charged with identifying and inventorying: available immigrant and refugee services; the needs of the immigrant and refugee community that are not being met; possible funding streams from Federal and State agencies that could meet unmet needs; local resources available to encourage employment/entrepreneurship within the immigrant and refugee community; and making recommendations to the City Council; and

Whereas, the Committee completed and submitted its final report in December 2017; and

Whereas, a workshop was held with the City Council on January 16, 2018 to review the report, which was well received;

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

The Final Report of the Immigrant and Refugee Integration and Policy Development Working Group is hereby accepted with thanks and appreciation to the stakeholders who participated in this effort.

# LEWISTON CITY COUNCIL

## MEETING OF JANUARY 23, 2018

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 11**

**SUBJECT:** Resolve, Calling Upon the Maine State Legislature to Adopt LD 1492, An Act to Attract, Educate and Retain New Mainers to Strengthen the Workforce.

**INFORMATION:**

The final report of the Immigrant and Refugee Integration and Policy Development Working Group recommended the need for a centralized office where all information related to immigrant and refugee services could be maintained and updated and where individuals could receive a centralized referral to various other agencies providing direct services to this community. The recommendation noted that LD 1492, An Act to Attract, Educate and Retain New Mainers to Strengthen the Workforce, is currently before the legislature and that, if approved, it would provide funding for a welcome center in Lewiston that could fill this need.

During a recent workshop discussion of the report, the City Council expressed an interest in supporting this legislation and asked that a Resolve to that effect be prepared for consideration.

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

The City Administrator recommends approval of the requested action.

*EA/BK/mm*

**REQUESTED ACTION:**

1	2	3	4	5	6	7	M
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To approve the Resolve, Calling Upon the Maine State Legislature to Adopt LD 1492, An Act to Attract, Educate and Retain New Mainers to Strengthen the Workforce.



COUNCIL RESOLVE

**Resolve,** Calling Upon the Maine State Legislature to Adopt LD 1492, An Act to Attract, Educate and Retain New Mainers to Strengthen the Workforce

Whereas, the City of Lewiston has experienced an increase in the number of New Mainers locating in the City; and

Whereas, these New Mainers have become important members of our community and will be one essential element of addressing the current and future labor shortage projected for the Lewiston economic region and Maine as a whole due the aging of our population; and

Whereas, while these New Mainers can contribute significantly to our community and our economy, they face a number of challenges in becoming full participants in our economic life; and

Whereas, among these obstacles are fluency in English; industry specific skill training to match their willingness to work with the skills required in available employment opportunities; general job readiness; food and income security; and other challenges; and

Whereas, the Final Report of the Immigrant and Refugee Integration and Policy Development Working Group, submitted to the Lewiston City Council in December 2017, recommended that a central office be established in Lewiston where information on services and training for the immigrant and refugee community be maintained and updated and to serve as a central point of referral to services designed to support immigrant and refugee integration; and

Whereas, among other things, LD 1492 proposes to fund a Welcome Center in Lewiston that could take on these responsibilities; and

Whereas, in addition, the bill would fund additional grant opportunities to support industry specific training and English Language Learning, two of the major requirements for immigrant and refugee economic integration;

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

The City Council hereby calls upon the Maine State Legislature to adopt LD 1492, An Act to Attract, Educate and Retain New Mainers to Strengthen the Workforce.



# 128th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2017

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Legislative Document

No. 1492

S.P. 521

In Senate, April 19, 2017

**An Act To Attract, Educate and Retain New Mainers To Strengthen  
the Workforce**

---

Reference to the Committee on State and Local Government suggested and ordered printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST  
Secretary of the Senate

Presented by Senator KATZ of Kennebec.  
Cosponsored by Representative STEWART of Presque Isle and  
Senators: HILL of York, LANGLEY of Hancock, MAKER of Washington, Representative:  
MASTRACCIO of Sanford.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 5 MRSA §12004-I, sub-§18-F** is enacted to read:

3 **18-F.**

4 Education                      Office of New                      Not Authorized                      5 MRSA §25002  
5    Mainers Advisory  
6    Committee

7 **Sec. 2. 5 MRSA Pt. 31** is enacted to read:

8 **PART 31**  
9 **IMMIGRANTS AND IMMIGRATION**  
10 **CHAPTER 631**  
11 **OFFICE OF NEW MAINERS**

12 **§25001. Office of New Mainers**

13 **1. Office established.** The Office of New Mainers, referred to in this chapter as "the  
14 office," is established in the Executive Department to carry out responsibilities of the  
15 State relating to immigrants in and immigration into the State. The office is directly  
16 responsible to the Governor.

17 **2. Director.** The office is under the control and supervision of the Director of the  
18 Office of New Mainers, referred to in this chapter as "the director." The director is  
19 appointed by the Governor and serves at the pleasure of the Governor.

20 **3. Duties.** The director is responsible for the execution of the duties of the office.  
21 The duties include:

22 A. Coordinating state strategies and programs to attract, educate, integrate and retain  
23 immigrants into the State's workforce, economy and communities;

24 B. Developing and periodically updating a comprehensive plan to establish goals and  
25 steps to carry out the purposes of paragraph A;

26 C. Coordinating with existing state agencies and programs and with other  
27 governmental units and subdivisions and nonprofit, public and private organizations  
28 in the State to implement the comprehensive plan under paragraph B, including:

29 (1) The Department of Labor to identify business employment needs and  
30 mobilize public sector resources to support immigrant workforce training and job  
31 placement;

32 (2) The Department of Education and other public and private educational  
33 institutions to develop an educated and trained immigrant workforce;

1                   (3) The Department of Health and Human Services and other public and private  
2                   social service and affordable housing agencies to provide necessary support to  
3                   immigrants to prepare for, seek and enter employment in the State;

4                   (4) The Department of Economic and Community Development to identify  
5                   municipal, community and business needs that may be met by or matched to an  
6                   educated or trained immigrant workforce; and

7                   (5) The Department of Professional and Financial Regulation, Office of  
8                   Professional and Occupational Regulation to provide assistance in licensing and  
9                   credentialing immigrants in trades and occupations;

10                  D. Administer programs, projects and grants that have the purpose of attracting,  
11                  educating, integrating and retaining immigrants into the State's workforce, economy  
12                  and communities; and

13                  E. Convene and support the Office of New Mainers Advisory Committee under  
14                  section 25002.

15                  4. Evaluation. The office shall develop common metrics to be used by all state  
16                  agencies and programs to evaluate outcomes to create an integrated support system for  
17                  immigrants in the State under subsection 3. By December 1st of each year, the office  
18                  shall submit a report on progress and outcomes of the implementation of the  
19                  comprehensive plan under subsection 3, paragraph B to the joint standing committee of  
20                  the Legislature having jurisdiction over education and cultural affairs and the joint  
21                  standing committee of the Legislature having jurisdiction over labor, commerce, research  
22                  and economic development matters.

23                  §25002. Office of New Mainers Advisory Committee

24                  1. Committee established. The Office of New Mainers Advisory Committee,  
25                  referred to in this section as "the committee," is established in accordance with Title 5,  
26                  section 12004-I, subsection 18-F to advise the office regarding immigrants in and  
27                  immigration into the State. The committee shall provide input to guide the development,  
28                  periodic updating and implementation of the comprehensive plan in section 25001,  
29                  subsection 3, paragraph B and any other initiative or activity related to immigrants in or  
30                  immigration into the State as directed by the office.

31                  2. Membership. The membership of the committee must include, but is not limited  
32                  to, the following:

33                  A. The Commissioner of Labor or the commissioner's designee;

34                  B. The Commissioner of Education or the commissioner's designee;

35                  C. The Commissioner of Health and Human Services or the commissioner's  
36                  designee;

37                  D. The Commissioner of Economic and Community Development or the  
38                  commissioner's designee;

39                  E. The Commissioner of Professional and Financial Regulation or the  
40                  commissioner's designee;

- 1 F. Three representatives from separate chambers of commerce, one appointed by the  
2 Governor, one appointed by the President of the Senate and one appointed by the  
3 Speaker of the House of Representatives;
- 4 G. Three representatives from separate organizations that serve immigrants, one  
5 appointed by the Governor, one appointed by the President of the Senate and one  
6 appointed by the Speaker of the House of Representatives;
- 7 H. A representative from the State Workforce Investment Board established in Title  
8 26, section 2006 appointed by the Governor;
- 9 I. A representative from a postsecondary educational institution appointed by the  
10 Governor;
- 11 J. A representative from a school administrative unit who has extensive experience  
12 in providing educational instruction to immigrant children and English-language  
13 learners from kindergarten to grade 12 appointed by the President of the Senate;
- 14 K. A representative from a school administrative unit who has extensive experience  
15 in providing educational instruction to adult English-language learners appointed by  
16 the President of the Senate;
- 17 L. An immigration lawyer or a representative of an organization that provides legal  
18 aid to immigrants in the State appointed by the Speaker of the House of  
19 Representatives; and
- 20 M. A representative of an economic development organization operating in the State.

21 **3. Terms, vacancies and committee chair.** A member of the committee appointed  
22 pursuant to subsection 2, paragraphs F to M serves for a term of 3 years. If a member is  
23 unable to complete the term, the original appointing authority for that member shall  
24 appoint a member from the same category of members listed in subsection 2, paragraphs  
25 F to M as the member who vacated the committee to serve out the unexpired portion of  
26 the term. The director shall determine how the committee is to choose a chair and for  
27 how long the chair is to serve.

28 **Sec. 3. 20-A MRS §8613** is enacted to read:

29 **§8613. Welcome Center Initiative**

30 The Welcome Center Initiative, referred to in this section as "the initiative," is  
31 established and administered by the department's office of adult education and family  
32 literacy in collaboration with the Office of New Mainers established in Title 5, section  
33 25001, referred to in this section as "the office."

34 **1. Welcome centers.** The initiative operates through a welcome center created  
35 within the adult education program of participating school administrative units in  
36 municipalities or regions in the State that have immigrant populations or industries that  
37 are experiencing a shortage of trained workers. A welcome center educates and provides  
38 vocational training for foreign-trained workers, including foreign-trained professionals,  
39 and matches those workers with employers in the State, focusing on employers in  
40 industries that are experiencing a shortage of trained workers.

1           2. Coordinator. Each welcome center must employ a full-time coordinator. The  
2 coordinator shall:

3           A. Administer the center;

4           B. Collaborate and work in conjunction with the department and the office to carry  
5 out the purposes of this section, including developing a program or series of  
6 programs designed to serve the needs of foreign-trained workers participating in the  
7 initiative; and

8           C. Secure additional funding from public and private sources, including donations,  
9 grants or public-private partnerships, to provide ongoing funding of the welcome  
10 center.

11          3. Functions of a welcome center. The functions of a welcome center include:

12          A. Providing services and training to prepare initiative participants for entry into  
13 gainful employment in the State within a period of 6 to 18 months;

14          B. Providing education and career planning case management;

15          C. Providing English-language acquisition instruction;

16          D. Creating partnerships with employers in the State that may employ initiative  
17 participants;

18          E. Identifying employment skills, academic skills and English-language skills  
19 needed for available positions with employers in the State in general or with  
20 employers in paragraph D;

21          F. Collaborating with state and local organizations that provide employment and  
22 workforce services and support;

23          G. Referring initiative participants to legal aid services; and

24          H. Collecting and analyzing data about the foreign-trained workers served by the  
25 center.

26          4. Rules. The department may adopt routine technical rules as defined by Title 5,  
27 chapter 375, subchapter 2-A to carry out the purposes of this section, including the  
28 placement of a welcome center under subsection 1.

29          **Sec. 4. Department of Education to establish a welcome center in the City**  
30 **of Lewiston under the Welcome Center Initiative.** The Department of Education  
31 shall establish a welcome center within the City of Lewiston adult education program  
32 pursuant to the Welcome Center Initiative under the Maine Revised Statutes, Title 20-A,  
33 section 8613.

34          **Sec. 5. Vocation-specific English-language acquisition and workforce**  
35 **training program.** A vocation-specific English-language acquisition and workforce  
36 training program for immigrants in the State, referred to in this section as "the program,"  
37 is established.

1           **1. Program requirements.** The Department of Education's office of adult education  
2 and family literacy, referred to in this section as "the office," shall administer the program  
3 in collaboration with the Office of New Mainers established in the Maine Revised  
4 Statutes, Title 5, section 25001. The program must prepare immigrants for identified  
5 workforce needs of employers in the State to accelerate entry into livable wage  
6 employment for the immigrants and enhance employer retention of the immigrants by  
7 combining vocation-specific English-language acquisition with training in the specific  
8 vocational areas required by the employers. Training must be conducted pursuant to a  
9 grant process under subsection 2.

10           **2. Training grants.** The office shall establish a statewide competitive grant process  
11 to carry out the purposes of subsection 1. The amount of a grant under this subsection is  
12 determined by the office based upon the needs of the area to be served and the availability  
13 of funding. The office shall consider grants to cover all areas of the State with emphasis  
14 on areas with large immigrant populations or where there is a need for skilled workers  
15 that training under this section may provide. A proposal for a grant under this subsection  
16 must include:

- 17           A. Intensive vocation-specific English-language and vocabulary classes;
- 18           B. Intensive workforce training classes that include soft skills and acquaint  
19 immigrants with the culture of the workplace in the State. For purposes of this  
20 paragraph, "soft skills" means those basic skills necessary to obtain and maintain  
21 employment, such as interviewing and communications skills;
- 22           C. Interviewing immigrant participants and identifying the education level,  
23 English-language ability, skill set, work experience, qualifications and credentials of  
24 each immigrant participant;
- 25           D. Collaboration with participating employers to:
  - 26               (1) Identify the employers' specific workforce needs;
  - 27               (2) Identify skills needed for positions required by the employers; and
  - 28               (3) Receive input from the employers for the design of the training, including  
29 information on required English-language proficiency, workplace culture, on-site  
30 space or other vocational training elements such as tools, manuals or site tours;
- 31           E. One or more training courses to prepare the immigrant participants as potential  
32 workers to enter into and retain livable wage employment within 6 to 18 months of  
33 the beginning of the training; and
- 34           F. Collection and reporting of data including outcomes of employment and job  
35 retention.

36           The office shall give special consideration to proposals for grants under this  
37 subsection that provide incentives for immigrants to participate in the training, such as  
38 agreements with employers to provide time and space for on-site training or to pay an  
39 employee the employee's hourly rate to attend the training.

40           **3. Criteria for applicants.** An applicant for a training grant under subsection 2  
41 must have demonstrated expertise and experience in the following:

- 1 A. Providing English-language acquisition training, including the administration of
- 2 appropriate academic and vocational assessments and research-based instructional
- 3 approaches appropriate for English-language learners;
- 4 B. Working with employers to develop relevant employee training; and
- 5 C. Working with partners in the state workforce and state agencies with expertise in
- 6 serving and preparing immigrants for employment through a case management
- 7 approach.

8 **4. Rules.** The office shall adopt routine technical rules as defined by Title 5, chapter  
9 375, subchapter 2-A to carry out the purposes of this section.

10 **5. Report.** The office shall prepare a report on the training that includes:

- 11 A. The number and amount of grants awarded under this section;
- 12 B. The training and services provided by the grant recipients;
- 13 C. Aggregate demographic information about immigrant participants in the training,
- 14 participating employers, employment opportunities, employment placements and
- 15 retention by employers of immigrant participants placed under this section; and
- 16 D. An evaluation of programs and services most effective in carrying out the
- 17 purposes of this section.

18 By November 4, 2020, the office shall submit the report along with any  
19 recommended legislation to the joint standing committee of the Legislature having  
20 jurisdiction over education and cultural affairs. The joint standing committee may report  
21 out a bill based upon the report to the 129th Legislature.

22 **Sec. 6. Department of Education to provide grants for English-language**  
23 **acquisition instruction for adult education programs.** The Department of  
24 Education's office of adult education and family literacy shall develop and implement a  
25 grant process to provide funding on a competitive basis to adult education programs in  
26 communities experiencing an increase in immigrant populations to reduce the waiting list  
27 for English-language acquisition classes and to increase the level of English-language  
28 acquisition instruction offered as needed by the communities receiving the grants. The  
29 department shall award grants under this section to eligible communities in a number and  
30 amount determined by available funding. The department shall adopt routine technical  
31 rules as defined by the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A to  
32 carry out the purposes of this section.

33 **Sec. 7. Local community planning support program.** The Department of  
34 Education's office of adult education and family literacy, referred to in this section as "the  
35 office," shall establish a local community planning support program, referred to in this  
36 section as "the program."

37 **1. Local community planning support program.** The office in collaboration with  
38 the Office of New Mainers established in the Maine Revised Statutes, Title 5, section  
39 25001 shall implement the program to assist communities within the State to manage new

1 immigrant populations that have settled in the communities or to attract immigrant  
2 populations to address depopulation or workforce shortages in the communities.

3 **2. Program elements.** The office shall establish by rule the elements of the  
4 program. The program must provide a planning process for communities to provide  
5 English-language acquisition and training in vocational skills, identify employers or areas  
6 that would benefit from immigrant residency or employment and cultivate community  
7 support to integrate immigrants into the communities and local workforce.

8 **3. Funding.** The office shall consider applications from governmental entities  
9 located in or containing communities that are affected by or wish to attract immigrant  
10 populations and provide grants to those communities in a number and amount determined  
11 by available funding. An application for funding under this subsection may be made by  
12 one governmental entity or a combination of 2 or more governmental entities and may  
13 include a partnership by the governmental entity with a private or nonprofit organization.  
14 For purposes of this subsection, "governmental entity" includes a county, municipality or  
15 school administrative unit.

16 **4. Rules.** The office shall adopt routine technical rules as defined by Title 5, chapter  
17 375, subchapter 2-A to carry out the purposes of this section.

18 **5. Report.** The office shall prepare a report on the program that includes every  
19 governmental entity receiving a grant, the amount of the grant and an evaluation of the  
20 outcomes and effectiveness of the grant on the target communities. By December 5, 2018,  
21 the department shall submit the report along with any recommended legislation to the  
22 joint standing committee of the Legislature having jurisdiction over education and  
23 cultural affairs. The joint standing committee may report out a bill based upon the report  
24 to the 129th Legislature.

25 **Sec. 8. Appropriations and allocations.** The following appropriations and  
26 allocations are made.

27 **EDUCATION, DEPARTMENT OF**

28 **Adult Education**

29 Initiative: Provides funds for expansion of the Welcome Center Initiative within the City  
30 of Lewiston's adult education program to attract, educate and retain foreign-trained  
31 workers residing in Androscoggin County.

32

33	<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
34	All Other	\$75,000	\$75,000
35			
36	<b>GENERAL FUND TOTAL</b>	<b>\$75,000</b>	<b>\$75,000</b>

37 **Vocation-specific English-language acquisition and workforce training program**

38 Initiative: Provides funds for grants to service providers to provide English-language  
39 instruction, vocational training and placement of immigrant populations in the State with

1 employers of the State, serving 400 participants in fiscal year 2017-18 and 500  
2 participants in fiscal year 2018-19.

3

4	<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
5	All Other	\$320,000	\$400,000
6			
7	<b>GENERAL FUND TOTAL</b>	<u>\$320,000</u>	<u>\$400,000</u>

8 **Adult Education**

9 Initiative: Provides funds for grants to adult education programs to increase  
10 English-language acquisition instruction in communities experiencing an increase in  
11 immigrant populations, serving 400 participants in both fiscal years of the biennium.

12

13	<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
14	All Other	\$200,000	\$200,000
15			
16	<b>GENERAL FUND TOTAL</b>	<u>\$200,000</u>	<u>\$200,000</u>

17 **Local community planning support program**

18 Initiative: Provides funds to provide to counties, municipalities and school administrative  
19 units to manage new immigrant populations who have settled within the counties,  
20 municipalities and school administrative units or to attract immigrant populations to  
21 address depopulation or workforce shortages within the counties, municipalities and  
22 school administrative units.

23

24	<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
25	All Other	\$150,000	\$150,000
26			
27	<b>GENERAL FUND TOTAL</b>	<u>\$150,000</u>	<u>\$150,000</u>

28

29	<b>EDUCATION, DEPARTMENT OF</b>		
30	<b>DEPARTMENT TOTALS</b>	<b>2017-18</b>	<b>2018-19</b>
31			
32	<b>GENERAL FUND</b>	<b>\$745,000</b>	<b>\$825,000</b>
33			
34	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<u><b>\$745,000</b></u>	<u><b>\$825,000</b></u>

35 **SUMMARY**

36 This bill creates various programs to attract, educate and retain in the State's  
37 workforce immigrant populations in the following ways:

1           1. It creates the Office of New Mainers and the Office of New Mainers Advisory  
2 Committee to coordinate among various departments by developing a comprehensive  
3 plan to educate and train immigrant populations to fill needed positions of employers  
4 throughout the State;

5           2. It establishes the Welcome Center Initiative to operate welcome centers in adult  
6 education programs to attract, educate and retain in employment foreign-trained workers  
7 in municipalities or regions of the State that have immigrant populations or that have  
8 industries that are experiencing a shortage of trained workers, patterned after the New  
9 Mainers Welcome Center operated by the City of Portland adult education program  
10 through a pilot program created by the 126th Legislature;

11           3. It establishes 3 grant programs to:

12           A. Contract with service providers to provide English-language instruction,  
13 vocational training and placement of immigrants in the State with employers of the  
14 State;

15           B. Assist counties, municipalities and school administrative units in managing new  
16 immigrant populations that have settled within the counties, municipalities and school  
17 administrative units or in attracting immigrant populations to address depopulation or  
18 workforce shortages within the counties, municipalities and school administrative  
19 units; and

20           C. Award grants to adult education programs to increase English-language  
21 acquisition instruction in communities experiencing an increase in immigrant  
22 populations; and

23           4. It expands the Welcome Center Initiative to the City of Lewiston's adult education  
24 program to attract, educate and retain in employment foreign-trained workers residing in  
25 Androscoggin County, patterned after the New Mainers Welcome Center in Portland.

# LEWISTON CITY COUNCIL

## MEETING OF JANUARY 23, 2018

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 12**

**SUBJECT:**

Annual Appointments to various city boards and committees.

**INFORMATION:**

Every year, there are various appointments to the city boards and committees that need to occur. A majority of these appointments were made at the January 9<sup>th</sup> City Council meeting.

Under this agenda item, the Mayor will be proposing appointments to a few remaining positions. Additional information will be available at the Council meeting on Tuesday night.

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

Appointments to boards and committees is a policy decision of the Council.

*EA/B/kmm*

**REQUESTED ACTION:**

1	2	3	4	5	6	7	M
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To Be Determined - additional information will be presented at the City Council meeting on Tuesday evening

**LEWISTON CITY COUNCIL**  
**MEETING OF JANUARY 23, 2018**

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 15**

**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.