

**LEWISTON CITY COUNCIL AGENDA
CITY COUNCIL CHAMBERS
FEBRUARY 6, 2018**

6:00 p.m. Executive Sessions

ES-1. Executive Session regarding a Legal Matter.

ES-2. Executive Session regarding a Legal Matter.

7:00 p.m. Regular Meeting

Pledge of Allegiance to the Flag

Acceptance of the minutes of the January 23, 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 3.

REGULAR BUSINESS:

1. Public Hearing on the renewal application for a Special Amusement Permit for Live Entertainment for the Elks Lewiston Lodge #371, 1675 Lisbon Street.
2. Public Hearing on the renewal application for a Special Amusement Permit for Live Entertainment for The Cage, 97-99 Ash Street.
3. Public Hearing on the renewal application for a Special Amusement Permit for Live Entertainment for the Franco American Heritage Center, 46 Cedar Street.
4. Public Hearing on the renewal application for a Special Amusement Permit for Live Entertainment for Sea Asian Bistro, 40 East Avenue.
5. Public Hearing and Final Passage on amendments to the Business Licensing ordinance and the Vehicles for Hire ordinance to eliminate the Taxi & Tattoo Artist Appeals Committee.
6. Public Hearing and First Passage for an amendment to the Conditional Rezoning Agreement for the property at 299 River Road.
7. Public Hearing and First Passage to rezone the property at 381-391 Main Street from the Community Business (CB) District to the Centreville (CV) District.
8. Public Hearing for the Fiscal Year 2019 Lewiston Capital Improvement Program.
9. Making an Appropriation from the City's Undesignated Fund Balance in an amount not to exceed \$160,000 and Authorizing the City Administrator to purchase a sidewalk tractor and associated attachments and tow behind high capacity sander.
10. Resolve, Reauthorizing a Public Works Committee.
11. Resolve, Authorizing the formation of a Solid Waste and Recycling Committee.
12. Resolve, Calling upon the Maine State Legislature to Adopt LD 1492, An Act to Attract, Educate and Retain New Mainers to Strengthen the Workforce.
13. Authorization to accept transfer of forfeiture funds.
14. Authorizing the City Administrator to Execute an Agreement with Storage Realty Corp. regarding the cost of addressing erosion issues affecting 805 Lisbon Street.
15. Reports and Updates.
16. Any other City Business Councilors or others may have relating to Lewiston City Government.

LEWISTON CITY COUNCIL

MEETING OF FEBRUARY 6, 2018

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. ES-1

SUBJECT:

Executive Session regarding a Legal Matter.

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

ESB/kmm

REQUESTED ACTION:

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

LEWISTON CITY COUNCIL
MEETING OF FEBRUARY 6, 2018

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. ES-2

SUBJECT:

Executive Session regarding a Legal Matter.

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

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)(E) to discuss a legal matter.

LEWISTON CITY COUNCIL

MEETING OF FEBRUARY 6, 2018

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 1

SUBJECT:

Public Hearing on the renewal application for a Special Amusement Permit for Live Entertainment for the Elks Lewiston Lodge #371, 1675 Lisbon Street.

INFORMATION:

We have received a renewal application for a Special Amusement Permit for Live Entertainment from the Elks Lewiston Lodge #371, 1675 Lisbon Street.

The Police Department has reviewed and approved the application.

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

The business owner has been notified of the public hearing and requested to attend.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAB/kmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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To grant a Special Amusement Permit for Live Entertainment to the Elks Lewiston Lodge #371, 1675 Lisbon Street.

CITY OF LEWISTON
APPLICATION FOR SPECIAL AMUSEMENT PERMIT

Date of Application: 1/25/18

Expiration Date: 1-25-18

- Class A - \$125.00 - restaurants with entertainment, which **does not have dancing**
 Class B - \$125.00 - lounges/bars with entertainment, which **does not have dancing**
 Class C - \$150.00 - either restaurants or lounges/bars with entertainment, including dancing
 Class D - \$150.00 - function halls with entertainment, including dancing
 Class E - \$150.00 - dance hall or nightclub that admits persons under the age of 21
 Class F - \$150.00 - "chem-free" dance hall or nightclub for patrons aged 18 yrs and older, with no liquor

Renewal Applicants: Has any or all ownership changed in the 12 months? Yes No

****PLEASE PRINT****

Business Name: ELKS, LEWISTON LODGE 371 Business Phone: 207-784-4801

Location Address: 1675 LISBON STREET, LEWISTON, ME 04240

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

Mailing Address: SAME

Email address: LEWISTONELKSLODGE371@GMAIL.COM

Contact Person: MICHELE MACKENZIE, TREASURER Phone: 207-784-4801

Owner of Business: _____ Date of Birth: _____

Address of Owner: _____

Manager of Establishment: _____ Date of Birth: _____

Owner of Premises (landlord): _____

Address of Premises Owner: _____

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

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

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

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

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

Corporation Name: _____

Corporation Mailing Address: _____

Contact Person: _____ Phone: _____

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

What is the distance to the nearest residential dwelling unit both inside and outside the building from where the entertainment will take place? 2 miles

Please describe the type of proposed entertainment:

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

If new applicant, what is your opening date?: N/A

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

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

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

Signature: Lysanne Doucette Title: SECRETARY Date: 1/25/18

Printed Name: LYSANNE DOUCETTE

Hearing Date: 2-6-2018



POLICE DEPARTMENT

Brian O'Malley
Chief of Police



TO: Kelly Brooks, Deputy City Clerk

FR: Lt. David St.Pierre, Support Services

DT: December 28, 2017

RE: Liquor License/Special Amusement Permit – **Elks, BPOE**

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

** 2018 renewal

Elks
1675 Lisbon St.



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LEWISTON CITY COUNCIL

MEETING OF FEBRUARY 6, 2018

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 2

SUBJECT:

Public Hearing on the renewal application for a Special Amusement Permit for Live Entertainment for The Cage, 97-99 Ash Street.

INFORMATION:

We have received a renewal application for a Special Amusement Permit for Live Entertainment from The Cage, 97-99 Ash Street.

The Police Department has reviewed and approved the application.

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

The business owners have been notified of the public hearing and requested to attend.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.



REQUESTED ACTION:

1	2	3	4	5	6	7	M
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To grant a Special Amusement Permit for Live Entertainment to The Cage, 97-99 Ash Street.

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

Date of Application: 1-19-2018

Expiration Date: 2-16-2019

- Class A - \$125.00 - restaurants with entertainment, which **does not have dancing**
- Class B - \$125.00 - lounges/bars with entertainment, which **does not have dancing**
- Class C - \$150.00 - either restaurants or lounges/bars with entertainment, including dancing
- Class D - \$150.00 - function halls with entertainment, including dancing
- Class E - \$150.00 - dance hall or nightclub that admits persons under the age of 21
- Class F - \$150.00 - "chem-free" dance hall or nightclub for patrons aged 18 yrs and older, with no liquor

Renewal Applicants: Has any or all ownership changed in the 12 months? Yes No

****PLEASE PRINT****

Business Name: The Cage **Business Phone:** 207 783 0668

Location Address: 97-99 Ash St, Lewiston, Maine 04240

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

Mailing Address: 97 Ash St, Lewiston, Maine 04240

Email address: _____

Contact Person: Randall Collins **Phone:** 576-3668

Owner of Business: The Cage INC. **Date of Birth:** _____

Address of Owner: _____

Manager of Establishment: Randall Collins **Date of Birth:** 7-24-52

Owner of Premises (landlord): ROP INC

Address of Premises Owner: 97 Ash St, Lewiston, Maine

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

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

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

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

Corporation Name: The Cage Inc.

Corporation Mailing Address: 97 Ash St. Lewiston, Maine 04240

Contact Person: Randall J. Collins Phone: 576-3668

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

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

Please describe the type of proposed entertainment:

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

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

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

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

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

Signature: Randall J. Collins Title: President Date: 1-19-18

Printed Name: Randall J. Collins

Hearing Date: 2-6-18



POLICE DEPARTMENT

Brian O'Malley
Chief of Police



TO: Kelly Brooks, Deputy City Clerk

FR: Lt. David St.Pierre, Support Services

DT: December 28, 2017

RE: Liquor License/Special Amusement Permit – **The Cage**

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

** 2018 renewal

The Cage, 97 Ash St., Lewiston



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LEWISTON CITY COUNCIL

MEETING OF FEBRUARY 6, 2018

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 3

SUBJECT:

Public Hearing on the renewal application for a Special Amusement Permit for Live Entertainment for the Franco American Heritage Center, 46 Cedar Street.

INFORMATION:

We have received a renewal application for a Special Amusement Permit for Live Entertainment from the Franco American Heritage Center, 46 Cedar Street.

The Police Department has reviewed and approved the application.

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

The business owner has been notified of the public hearing and requested to attend.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.



REQUESTED ACTION:

1	2	3	4	5	6	7	M
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To grant a Special Amusement Permit for Live Entertainment to the Franco American Heritage Center, 46 Cedar Street.

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

Date of Application: 01.16.18

Expiration Date: 2.17.18

- Class A - \$125.00 - restaurants with entertainment, which **does not have dancing**
- Class B - \$125.00 - lounges/bars with entertainment, which **does not have dancing**
- Class C - \$150.00 - either restaurants or lounges/bars with entertainment, including dancing
- Class D - \$150.00 - function halls with entertainment, including dancing
- Class E - \$150.00 - dance hall or nightclub that admits persons under the age of 21
- Class F - \$150.00 - "chem-free" dance hall or nightclub for patrons aged 18 yrs and older, with no liquor

Renewal Applicants: Has any or all ownership changed in the 12 months? Yes No

****PLEASE PRINT****

Business Name: FRANCO AMERICAN HERITAGE **Business Phone:** 783-1585

Location Address: 46 CEDAR ST

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

Mailing Address: 46 CEDAR ST

Email address: _____

Contact Person: EDMOND L GAY **Phone:** 783-1585

Owner of Business: FRANCO CENTER **Date of Birth:** _____

Address of Owner: 46 CEDAR ST. LEWISTON, MAINE 04240

Manager of Establishment: EDMOND L GAY **Date of Birth:** 5.24.42

Owner of Premises (landlord): _____

Address of Premises Owner: _____

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

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

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

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

Corporation Name: FRANC AMERICAN HERITAGE CENTER @ ST. MARY'S

Corporation Mailing Address: 46 CEDAR ST LEWISTON MAINE

Contact Person: EDMOND LGAY Phone: 783-1585

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

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

Please describe the type of proposed entertainment:

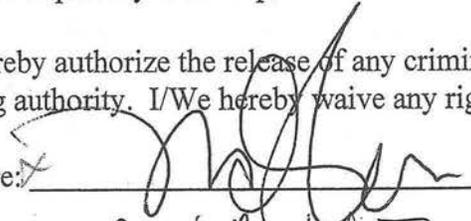
- dancing
- music by DJ
- live band/singers
- stand up comedian
- karaoke
- magician
- piano player
- other, please list _____
- other, please list _____

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

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

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

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

Signature:  Title: Executive Director Date: 1/16/18

Printed Name: Mitchell Clyde Thomas

Hearing Date: 2/16/18



POLICE DEPARTMENT

Brian O'Malley
Chief of Police



TO: Kelly Brooks, Deputy City Clerk

FR: Lt. David St.Pierre, Support Services

DT: December 28, 2017

RE: Liquor License/Special Amusement Permit – **Gendron Franco Center**

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

** 2018 renewal

Gendron Franco Center, 46 Cedar St., Lewiston



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LEWISTON CITY COUNCIL

MEETING OF FEBRUARY 6, 2018

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 4

SUBJECT:

Public Hearing on the renewal application for a Special Amusement Permit for Live Entertainment for Sea Asian Bistro, 40 East Avenue.

INFORMATION:

We have received a renewal application for a Special Amusement Permit for Live Entertainment from Sea Asian Bistro, 40 East Avenue.

The Police Department has reviewed and approved the application.

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

The business owner has been notified of the public hearing and requested to attend.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.



REQUESTED ACTION:

1	2	3	4	5	6	7	M
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To grant a Special Amusement Permit for Live Entertainment to Sea Asian Bistro, 40 East Avenue.

CITY OF LEWISTON
APPLICATION FOR SPECIAL AMUSEMENT PERMIT

Date of Application: 1/26/18

Expiration Date: 2/16/19

- Class A - \$125.00 - restaurants with entertainment, which **does not have dancing**
 Class B - \$125.00 - lounges/bars with entertainment, which **does not have dancing**
 Class C - \$150.00 - either restaurants or lounges/bars with entertainment, including dancing
 Class D - \$150.00 - function halls with entertainment, including dancing
 Class E - \$150.00 - dance hall or nightclub that admits persons under the age of 21
 Class F - \$150.00 - "chem-free" dance hall or nightclub for patrons aged 18 yrs and older, with no liquor

Renewal Applicants: Has any or all ownership changed in the 12 months? Yes No

****PLEASE PRINT****

Business Name: Sea Asian Bistro. Business Phone: 207-795-6888.

Location Address: 40 East Ave Lewiston ME 04240

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

Mailing Address: 40 East Ave Lewiston ME 04240

Email address: sea4ome@email.com.

Contact Person: Franki Tan. Phone: 9179696306.

Owner of Business: Sai Qin Dong Date of Birth: _____

Address of Owner: 36 Pinehead Street Lewiston ME 04240.

Manager of Establishment: _____ Date of Birth: _____

Owner of Premises (landlord): _____

Address of Premises Owner: _____

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

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

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

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

Corporation Name: Sea Asian Bistro

Corporation Mailing Address: 41 East Ave Lewiston ME 04240

Contact Person: Franci Tan Phone: 2077956888

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

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

Please describe the type of proposed entertainment:

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

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

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

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

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

Signature: [Signature] Title: owner Date: 1/26/18

Printed Name: Franci Tan

Hearing Date: 2-6-18



POLICE DEPARTMENT

Brian O'Malley
Chief of Police



TO: Kelly Brooks, Deputy City Clerk

FR: Lt. David St.Pierre, Support Services

DT: December 28, 2017

RE: Liquor License/Special Amusement Permit – **Sea 40 Asian Bistro**

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

** 2018 renewal

Sea 40 Asian Bistro, 40 East Avenue, Lewiston



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LEWISTON CITY COUNCIL

MEETING OF FEBRUARY 6, 2018

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 5

SUBJECT:

Public Hearing and Final 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.

EAS/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 final passage by a roll call vote.

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 FEBRUARY 6, 2018

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 6

SUBJECT:

Public Hearing and First Passage for an amendment to the Conditional Rezoning Agreement for the property at 299 River Road.

INFORMATION:

In August 2017, the City Council approved the Planning Board's recommendation to contractually rezone the property at 299 River Road from the Rural Agricultural (RA) District to the Neighborhood Conservation "B" (NCB) District, subject to the contract rezoning agreement.

The new property owner has submitted a petition to request an amendment to the conditional rezoning agreement for this property to allow the existing single family home to remain in use and to provide an opportunity to operate a business, professional and engineering services office of the current use of site.

Please see the enclosed memorandum from City Planner David Hediger for additional information as well as a site map and other background information.

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 First Passage for the amendment to the Conditional Rezoning Agreement for 299 River Road, to conditionally rezone the property, subject to the conditions defined in the rezoning agreement, and to continue the public hearing for final passage to the next regularly scheduled City Council meeting .



CITY OF LEWISTON

Department of Planning & Code Enforcement

TO: Mayor and City Council
FROM: David Hediger, City Planner
DATE: February 1, 2018
RE: Planning Board recommendation: 299 River Road Contract Zone Amendment

The Planning Board took the following action at their meeting held on January 22, 2018:

MOTION: by **John Butler** pursuant to Article VII, Section 4 and Article XVII, Section 5 of the Zoning and Land Use Code to send a favorable recommendation to the City Council to amend the existing Neighborhood Conservation "B" (NCB) contract zone at 299 River Road (to allow business, professional, and engineering offices occupying less than 5,400 square feet of total floor space).
Second by **Norm Anctil**.

VOTED: 7-0



CITY OF LEWISTON

Department of Planning & Code Enforcement

TO: Mayor and City Council
FROM: David Hediger, City Planner
DATE: January 31, 2018
RE: Proposed Contract Rezoning of 299 River Road

Pursuant to Article XVII, Section 5 of the Zoning and Land Use Code, Normand Lamie on behalf of Roger Roberge and Brian Langlois have submitted a petition to amend the existing Neighborhood Conservation "B" (NCB) contract zoning agreement for the property at 299 River Road to allow business, professional, and engineering offices occupying less than 5,400 square feet of total floor space.

The property is currently subject to an existing contract zone which was recommended for approval by the Board on June 26, 2017 and adopted by the City Council in August 2017. That rezoning allowed for a prospective buyer to maintain use of the single-family residence and provide the opportunity to operate a neighborhood retail store, art and crafts studio, personal services, and a mixed-use structure consistent with the size and intensity of the current use of site. That sale of the property never occurred. A new buyer is interested in operating a small professional electrical engineering consulting business in the existing barn structure while maintaining the ability to utilize the existing single-family residence. Therefore, the proposed contract zoning includes those provisions of the existing contract rezoning (i.e. all of the currently permitted and conditional uses of the RA district and the following NCB uses: arts and crafts studio, personal services, neighborhood retail, mixed use structures and, in addition, will permit business, professional, and engineer offices occupying less than 5,400 square feet of total floor space. The petitioner has continued to place specific limitations on the commercial use of the property in effort to maintain neighborhood stability by limiting the intensity of possible uses while continuing to allow those uses allowed in the RA.

The applicant believes allowing uses currently permitted in the RA district while limiting the uses allowed in the NCB district will provide opportunities for additional usage of the site without adversely impacting abutters. The applicant has taken the same into consideration with the space and bulk standards, allowing all of the current RA standards to remain with the exception of frontage, with a proposed reduction from 200' to 125' for nonresidential/other uses. This change remains to provide the ability to split the lot into two parcels if desired.

This lot of approximately 12.89 acres is currently split zoned with approximately 6.3 acres contract zoned NCB and the remaining land in the Resource Conservation (RC) district. The land located within the RC is also located within the 100-year floodplain. The proposed rezoning is limited to that portion currently zoned RA. The property has been used as a small retail business accessory to the nurse and greenhouse operation since 1989. The amended contract zone will allow for the continued use of the property in a similar and limited manner in effort to be sensitive to the few remaining residential properties in this area. Much of this area is zoned Industrial (I) with the exception of properties on the west side of River Road remaining RA. Of those 19 properties zoned RA, approximately 125 acres/78% of the land area is currently

owned by two land owners with approximately 79 acres used for storage of earth material and gravel mining operations.

With the industrial zoning and uses that exist in the area, there may be an argument for rezoning this lot and the remaining land on the west side of River Road to a non-residential district. However, the applicant remains sensitive the existing residential properties and at this time feels a contract rezoning will provide additional opportunities for the use of 299 River Road without impacting abutters. Staff believes the proposal is a reasonable request that will provide more commercial opportunity in an area of the community where additional development activity is appropriate while being mindful of the few remaining residential uses in the area.

On January 22, 2018 the Planning Board voted unanimously in support of sending a positive recommendation to the City Council to amend the contract zone for 299 River Road.

December 28, 2017

David Hediger
City Planner/Deputy Director Planning and Code Enforcement
City of Lewiston
27 Pine Street
Lewiston, ME 04240-7201

RE: Contract Rezoning of 299 River Road

Dear Mr. Hediger.

On behalf of Roger Roberge and Brian Langlois I am submitting the enclosed Contract Rezoning request to allow a modification to the Contract Rezoning that was approved on August 15, 2017. The August 15th Contract Rezoning request was approved by the Lewiston City Council following a Public Hearing with Second Passage contractually rezoning the property at 299 River Road from the Rural Agricultural (RA) District to the Neighborhood Conservation "B" (NCB). **This request is to provide a revised Contract Rezoning agreement to allow for the property to remain used as a single-family residence and provide the opportunity operate a small business and professional office as a permitted use.**

The property has been owned by Roger Roberge since 1989. The current use includes a single-family residence, landscape nursery, greenhouses, as an accessory retail sales business. Roger is seeking to retire and has executed a Purchase & Sale Agreement with Brian Langlois. The Purchase & Sale Agreement is subject to approval of the requested Contract Rezoning request to allow Mr. Langlois to operate a small professional office at 299 River Road.

Mr. Langlois's newly established business is a professional electrical engineering consulting office providing engineering design services for electrical and instrumentation technologies. The current business will employ five employees and anticipation of having an additional five employees in the near future.

We respectfully request consideration by the City of Lewiston Planning Board and subsequently by the Mayor & City Council. I will be present at the upcoming meetings along with potential future property owner Brian Langlois, as well Roger Roberge (my brother-in-law) to present the information and answer questions.

Sincerely,



Normand Lamie
234 Montello Street
Lewiston, ME 04240

EC: Brian Langlois
Roger Roberge

PETITION TO AMEND THE CITY OF LEWISTON
ZONING AND LAND USE CODE

Pursuant to Appendix A, Article XVII, Section 5 A Amendments of the City of Lewiston Zoning and Land Use Code, we the undersigned residents of the City of Lewiston, being eighteen (18) year of age or older, do hereby petition the City of Lewiston to establish a contract rezoning of the property at **299 River Road** to Neighborhood Conservation B "NCB" to allow for the property to **remain used as a single-family residence and provide the opportunity operate a small business and professional office as a permitted use** as described and shown in the exhibits attached hereto:

	SIGNATURE	PRINTED NAME	PHYSICAL STREET ADDRESS (No PO Boxes)	DATE
1		DEREK VACHON	4 St. Pierre St, Lewiston, ME	12/15
2		Regan Castonguay	30 Jeffrey St	12-15
3		KAREN PELLETIER	51 BOSTON AVE	12/15
4		WANDA CASTONGUAY	30 Jeffrey St	12/15
5		FRANK BABB	275 RIVER RD.	12-15
6		George GILBERT	326 RIVER Rd	12-16
7		CONSTANEGILBERT	326 RIVER RD	12-16
8		Julie Dionne	326 River Rd	12/16
9		Brian Ames	330 RIVER RD	12-16
10		Donna Racene	289 RIVER Rd	12-16
11		CARMEN COTE	4 Orchard Circle	12/17
12		Danny Cote	4 Orchard Circle	12/17
13		JOHN PARRISHALL	209 MARA DCIR	12/17
14		PAULINE PARRISHALL	209 Orchard Cir	12-17
15		John Racene	289 River Rd	12-17
16		RAYMOND MARTEL	317 RIVER RD	12/18
17		RHONDA MARTE	317 RIVER RD	12/18
18		Bonnie Babb	275 RIVER Rd	12/19
19		Allison Roberge	20 Shank Street	12/23
20		Nicholas Roberge	20 Shank Street	12/23

CIRCULATOR'S VERIFICATION

I hereby verify that I am the Circulator of this petition that all the signatures to this petition were made in my presence, and to the best of my knowledge and belief, each signature is that of the person it purports to be, and each person is a resident of the City of Lewiston.

Signature of Circulator

Regan Roberge
Printed Name of Circulator

12/27/17
Date

REGISTRAR'S CERTIFICATION

I hereby certify and verify that the names of all of the petitioners listed as valid appear on the voting list as registered voters in the City of Lewiston.

Total Valid: 20

Total Invalid: 0

Signature of Registrar/Deputy Registrar

Date: 12/20/17

AN ORDINANCE PERTAINING TO ZONING BOUNDARIES

THE CITY OF LEWISTON HEREBY ORDAINS:

Appendix A of the Code of Ordinances of the City of Lewiston, Maine is hereby amended as follows:

APPENDIX A

ZONING AND LAND USE CODE

ARTICLE IV. ESTABLISHMENT OF DISTRICTS

Sec. 1. Zoning Map

The City of Lewiston hereby ordains that the Official Zoning Map of the City of Lewiston be amended by establishing a contract zone for the property at 299 River Road as recorded in the Androscoggin Registry of Deeds Book 2428 Page 263 as described in Exhibit "A" and depicted on Exhibit "B", both of which are attached hereto as follows, said property said property to contractually rezoned from the Rural Agricultural (RA) District and to the Neighborhood Conservation "B" (NCB) District.

REASONS FOR THE PROPOSED AMENDMENT

The reason for the proposed amendment is to allow the premises situated in the municipality of Lewiston County of Androscoggin County, State of Maine, located at 299 River Road be allowed to operate a professional engineering business office. A Contract Rezoning request was approved on August 15, 2017, by the Lewiston City Council following a Public Hearing and second Passage to contractually rezone the property at 299 River Road from the Rural Agricultural (RA) District to the Neighborhood Conservation "B" (NCB). That approval did not include professional business office as a Permitted use. That request allowed a perspective buyer of the porperty to continue using the single-family residence and provide the opportunity operate a small retail sales business for purposes of retail sales of antiques, art & crafts, and studio, consistent with the size and intensity of the current use of site. That buyer has elected no to proceed with the purchase of the property. A new buyer desires to add to the existing Contract Rezoning approval the ability to operate a small professional electrical consulting engineering business in the existing barn structure.

The property contains structures consisting of a single-family residence with 2-car garage constructed in 1978, 2 frame utility sheds totaling 612 sf, a 2-story barn of with an 1,800-sf. footprint, and 3 greenhouses totaling 4,020 sf. built in 2000. The current use includes a single-family residence, landscape nursery, greenhouses, and accessory retail sales business, Provencher Landscape & Nursery, which has operated at this location since 1989. Retail sales are currently limited to being accessory to the agricultural use of the property (i.e. landscape nursely and greenhouses).

The proposed modification of the existing Contract Rezoning approved on August 15, 2017, would maintain the current provisions as outlined in the Contract Rezoning and add professional business as a Permitted Use. The use would be limited to a professional business activity with a facility that occupies less than five thousand (5,400) square feet of total floor space.

The property has been used as a small retail business accessory to the nurse and greenhouse operation since 1989. Rather than a straight rezoning, the contract rezoning will allow for the continued use of the property in a similar, limited manner providing a buffer for the few remaining residential properties from the large businesses located in the adjacent Industrial Zone. It should be noted the Industrial Zone is located immediately on the other side of River Road as well as approximately 1,000 feet westerly of the property. The land located on southerly side of River Road between 277 River Road (near Alfred A. Plourde Parkway) and 463 River Road (Lewiston Solid Waste Facility) is currently zoned RA involves 19 parcels owned by 6 parties. This area consists of 142 acres, of which 125 acres, or 78% of the total land area is currently owned by two land owners with approximately 79 acres used for storage of earth material and gravel mining operations. The property is located on a busy road, adjacent to the Alfred Plourde Parkway and near the Maine Turnpike Exit 80 Interchange. While the property may be ideal for more intense development, the petitioner remains interested in promoting neighborhood stability by limiting the intensity of possible uses and continue to allow those uses currently allowed in the RA.

CONFORMANCE WITH COMPREHENSIVE PLAN

The City Council of the City of Lewiston hereby determines that the change to the Zoning map is in conformance with the Comprehensive Plan for the following reasons:

- (1) The property is located immediately adjacent to the Industrial Zone. A sector described in the City's Comprehensive Plan as the "*Industrial Village Special District is comprised of land adjacent to the I-95 interchange currently zoned for conventional industrial development. This particular industrial land is envisioned as a self-sustaining industrial village with a mix of industrial, office, retail, and other supporting development acting as a sustainable, closed-loop eco-village where businesses interact with each other for productivity. This district requires a unique set of standards that accommodates trucks, large building footprints, and other unique requirements of large industrial enterprises. This sector includes the City's current Industrial zone, which would be rezoned as a form based Special District.*" (Conservation & Growth, Page 124)
- (2) Another section of the Comprehensive Plan states: "*Strengthen Neighborhoods & Expand Housing Choice: Encourage creative investment strategies that help to reinforce positive neighborhood identities and provide employment, recreational, and civic opportunities within walking distances of homes.*" (Vision Statement & Guiding Principles, Guiding Principles, page 116.)
- (3) Lastly, another section of the Comprehensive Plan states: "*Grow The Economy:*

Promote a healthful and sustainable business environment by investing actively in efficient infrastructure, providing favorable incentives, and building a community that is attractive to employers and their workers". (Vision Statement & Guiding Principles, Guiding Principles, page 116.)

CONTRACT REZONING AGREEMENT

The proponent requests that the official zoning map for the City be amended by removing the subject property from the RA district and contract rezoning the subject premises NCB district subject to the limitations more fully described below.

In compliance with the provisions of the Code, Article XVII, Section 5(g), the proponent hereby proposes the following conditions:

- (a) Land Use Table: Allowed uses of the property shall include those uses which are presently permitted in the RA district with the exception of mobile homes on individuals lots, earth removal material, daycare centers, and airports or heliports and will allow the following uses: neighborhood retail stores, small daycare facility, and art and crafts studios, as listed below and subject to the conditions contained herein.

Land Use Table	Proposed Contract Rezoning Neighborhood Conservation B (NCB) for 299 River Road
USES (15) (33)	
Accessory use or structure	P
Commercial-Service	
Veterinary facilities excluding kennels and humane societies	
Veterinary facilities including kennels and humane societies	C
Small day care facilities	P
Day care centers	
Day care centers accessory to public schools, religious facilities, multifamily or mixed res. developments, and mobile home parks	

Business, professional, and engineering offices (occupying less than 5,400 s.f. of total floor space) and <u>NOT</u> including research, experimental, testing laboratories, research, management and related services	P
Restaurants	
Drinking places	
Adult business establishments	
Hotels, motels, inns	
Movie theaters except drive-in theaters	
Places of indoor assembly, amusement or culture	
Art and crafts studios	C
Personal Services (39)	P
Retail stores	
Neighborhood retail stores	P
Lumber and building materials dealer	
Gasoline service stations	
Gasoline service stations which are a part of and subordinate to a retail use	
New and used car dealers	
Recreational vehicle, mobile home dealers	
Equipment dealers and equipment repair	
Automotive services including repair	
Registered dispensary (27)	
Registered primary caregivers engaged in the cultivations of medical marijuana for two to five registered patients.	
Tattoo Establishments	
Industrial	
Light industrial uses	
Industrial uses	
Building and construction contractors	
Fuel oil dealers and related facilities	
Wholesale sales, warehousing and distribution facilities and self-storage facilities	
Self storage facilities	
Commercial solid waste disposal facilities	
Junkyards and auto graveyards	
Recycling and reprocessing facilities	
Private industrial/commercial developments (23)	

Transportation	
Airports or heliports	
Commercial parking facilities	
Transit and ground transportation facilities	
Transportation facilities	
Public and Utility	
Pumping stations, standpipes or other water supply uses involving facilities located on or above the ground surface and towers for municipal use	P
Power transmission lines, substations, telephone exchanges, microwave towers or other public utility or communications use	C
Municipal buildings and facilities	C
Preservation of historic areas; emergency and fire protection activities; bridges and public roadways	
Dams	
Institutional	
Religious facilities	P
Cemeteries	P
Congregate care/assisted living facilities, institutions for the handicapped, nursing or convalescent homes, group care facilities	
Hospitals, medical clinics,	
Museums, libraries, and non-profit art galleries and theaters	
Academic institutions, including buildings or structures for classroom, administrative, laboratory, dormitories, art, theater, dining services, library, bookstores, athletic facilities and student recreational uses, together with buildings accessory to the foregoing permitted principal buildings or structures,	
Civic and social organizations	
Public community meeting and civic function buildings including auditoriums	
Residential	
Single-family detached dwellings on individual residential lots	P

Mobile homes on individual residential lots	
Two-family dwellings	
Multifamily dwellings in accordance with the standards of Article XIII	
Single-Family attached dwelling in accordance with the standards of Article XIII	P
Mixed single-family residential developments in accordance with the standards of Article XIII	
Mixed residential developments in accordance with the standards of Article XIII	
Mixed use structures	P
Lodging houses	
Home occupations	P
Bed and breakfast establishments as a home occupation	P
In-law apartments in accordance with the standards of Article XII	P
Single family cluster development	P
Family day care home	P
Shelters	
Natural Resource	
Agriculture	P
Farm Stands	P
Forest management and timber harvesting activities in accordance with the standards of Article XIII	P
Earth material removal	
Community gardens (20)	P
Water dependent uses, e.g. docks and marinas	
Non-residential structures for educational, scientific or nature interpretation purposes, containing a maximum floor area of not more than ten thousand (10,000) square feet	
Recreation	
Campgrounds	
Public or private facilities for nonintensive outdoor recreation	C
Commercial outdoor recreation and drive-in theaters	

Single family detached, mobile homes on individual lots (24)	60,000 sf
Single family attached	60,000 sf
Two-family dwellings	
Single family cluster development (1)	20 acres
Mixed single family residential development (14)	20 acres
Mixed residential development (14)	
Multifamily dwellings	
Mixed use structures	
Agriculture	120,000 sf
Religious facilities	120,000 sf
Veterinary facilities	120,000 sf
Other uses	
Minimum net lot area per d.u. with public sewer	
Single family detached	60,000 sf
Single family attached	60,000 sf
Two-family dwellings	
Mixed single family residential development (14)	60,000 sf
Mixed residential development (14)	
Multifamily dwellings	
Mixed use structures	
All permitted residential uses	
Minimum net lot area per d.u. without public sewer	
Single family detached, mobile homes on individual lots	60,000 sf
Single family attached	60,000 sf
Two-family dwellings	
Mixed single family residential development (14)	60,000 sf
Mixed residential development (14)	
Multifamily dwellings	
Mixed use structures	
All permitted residential uses	
Minimum frontage	
Single family detached, mobile homes -	200 ft.
Single family attached	200 ft.
Two-family dwellings	
Single family cluster development (with multiple vehicular accesses)	200 ft. (50 feet)

Mixed single family residential development (with multiple vehicular accesses)	200 ft. (50 feet)
Mixed residential development (with multiple vehicular accesses) (14)	
Multifamily dwellings (with multiple vehicular accesses)	
Mixed use structures	
Agriculture	250 ft.
Religious facilities	205 ft.
Veterinary facilities	
Other uses	125 ft.
All permitted uses	
Minimum front setback	
Single family detached, mobile homes on individual lots	25 ft.
Single family attached	50 ft.
Two-family dwellings	
Single family cluster development	50 ft.
Mixed single family residential development (14)	50 ft.
Mixed residential development (14)	
Multifamily dwellings	
Mixed use structures	
Agriculture	50 ft.
Religious facilities	25 ft.
Veterinary facilities	25 ft.
Other uses	25 ft.
All permitted uses	
Minimum front yard	
Single family detached, mobile homes on individual lots	25 ft.
Single family attached	50 ft.
Two-family dwellings	
Single family cluster development	50 ft.
Mixed single family residential development (14)	50 ft.
Mixed residential development (14)	
Multifamily dwellings	
Mixed use structures	25 ft.
Religious facilities	25 ft.
Veterinary facilities	25 ft.
Other uses	25 ft.
All permitted uses	
Minimum side and rear setback	

Single family detached, mobile homes on individual lots	25 ft.
Single family attached	
Two-family dwellings	
Single family cluster development	50 ft.
Mixed single family residential development (14)	50 ft.
Mixed residential development (14)	
Multifamily dwellings	
Religious facilities	50 ft.
Mixed use structures	
Veterinary facilities	50 ft.
Farm structures for keeping of animals	100 ft.
Other uses	50 ft.
All permitted uses	
Minimum side and rear yard	
Single family detached, mobile homes on individual lots	10 ft.
Single family attached	50 ft.
Two-family dwellings	
Single family cluster development	
Mixed single family residential development (14)	
Mixed residential development (14)	50 ft.
Multifamily dwellings	
Mixed use structures	
Religious facilities	
Veterinary facilities	25 ft.
Farm structures for keeping of animals	25 ft.
Other uses	25 ft.
All permitted uses	
Maximum height	
Agriculture	75 ft.
Other permitted uses	35 ft.
Hospital, nursing homes and medical offices	
Ratios	
Maximum lot coverage	0.15
Maximum impervious coverage	

Applicable footnotes:

(1) This development shall meet the requirements set forth in Article XIII, section 8.

(3) Or a larger minimum lot size based on the requirements of the Maine Subsurface Wastewater Disposal Rules.

(13) Modifications (i.e. relaxation of standards) of setbacks, yards, maximum lot coverage ratios, maximum impervious surface ratios, minimum open space ratios, and maximum building height as contained in the district space and bulk standard may be granted by the board of appeals, planning board, staff review committee and the code enforcement official pursuant to Articles V, VII, VIII, IX, and XIII of this Code.

(14) This development shall meet the requirements set forth in Article XIII, section 8.

(22) In areas where the existing buildings have an established uniform setback relationship to the street, any new building or modification to an existing building shall maintain this established relationship notwithstanding the setback provisions of that district. An established uniform setback relationship is deemed to exist when the distances between the front face of the building and the edge of the travel way in the adjoining street for the two adjacent parcels fronting on the same street on each side of the subject parcel are within +/- five (5) feet of mean of this distance for the four (4) parcels. For the purposes of this provision, lots shall be deemed to be adjacent even if separated by a street or public easement.

(24) Minimum lot size may be reduced by the Planning Board for single family cluster developments pursuant to Article XIII, Section 7.

(c) Violations of any of the conditions herein will constitute a violation of the Code.

(d) The conditions described herein shall bind the proponent, its successors and assigns, and any person in possession or occupant of the subject premises, or any portion thereof, and shall inure to the benefit of and be enforceable by the City.

(e) The proponent shall, at their own expense, record in the Androscoggin County Registry of Deeds a copy of the conditions within thirty (30) days following final approval of this proposal by the City. Such form of recording is to be in a form satisfactory to the City.

(d) The conditions described herein shall run with the subject premises.

(g) In addition to other remedies to which the City may be entitled under applicable provisions of statute or ordinance, if any party in possession or use of the subject premises fails or refuses to comply with any of the conditions imposed, any rezoning approved by the City in accordance with the conditions shall be of no force or effect. In that event, any use of the subject premises and any building or structures developed

pursuant to the rezoning shall be immediately abated and brought into compliance with all applicable provisions of the Code with the same effect as if the rezoning had never occurred.

(h) If any of the conditions are found by a court of competent jurisdiction to be invalid, such determination shall not invalidate any of the other conditions.

(i) Any rezoning approved by the City contractually shall be of no force or effect if the proponent fails or refuses to comply with conditions imposed.

(j) Any allowed proposed use, addition, or expansion of the property deemed applicable to Article XIII, Section 2 of the Zoning and Land Use Code shall be subject to the applicable sections of Article XIII of the Zoning and Land Use Code, Development Review and Standards.

(k) By submitting this proposal, the proponent agrees in writing to the conditions described herein.

The Proponent hereby respectively submits this Proposal as of the 28th day of December 2017.

Brian Langlois

Androscoggin, SS _____, 2017
Lewiston, Maine

The Owner of Provencher Landscape & Nursery, 299 River Road acknowledges and is supportive of this request.

Owner:

Roger Roberge
Androscoggin, SS _____, 2017
Lewiston, Maine

Personally appeared the above named Brian Langlois and Roger Roberge and acknowledged their foregoing to be their free act and deed.

Notary Public
Commission Expires: _____

PARID: RE00010919 299 RIVER RD

Parcel ID RE00010919

Map/Lot 155/000/012

Property Location: 299 RIVER RD

Property Class: Multiple Use - Primarily Commercial

Land Area: (acreage) 11.53

Owners

Owner: ROBERGE ROGER
ROBERGE LORRAINE L

Address: 299 RIVER RD

City: LEWISTON

State: ME

Zip: 04240

Book: 2428

Page: 263

OBJ

Description Area/Quantity

GH1-GREENHSE WD FRAME GLASS WALLS 1,275

CP7-CANOPY SS-ECONOMY 110

CP7-CANOPY SS-ECONOMY 144

RS1-FRAME UTILITY SHED 480

RS1-FRAME UTILITY SHED 132

RG4-GARAGE WITH FIN ATTIC 624

GH1-GREENHSE WD FRAME GLASS WALLS 480

GH1-GREENHSE WD FRAME GLASS WALLS 2,100

GH1-GREENHSE WD FRAME GLASS WALLS 1,440

PROPERTY DESCRIPTION

The property is currently owned by Roger and Lorraine Roberge. The current use includes a single-family residence, landscape nursery, greenhouses, and a retail sales business, Provencher Landscape & Nursery, which had operated at this location since 1989.

The property contains structures consisting of a single-family residence with 2-car garage constructed in 1978, two framed utility sheds totaling 612 sf, a 2-story barn built in 2000 with a 1,800 sf footprint, and 3 greenhouses totaling 4,020 sf.

EXHIBIT A – PROPERTY DESCRIPTION

WARRANTY DEED

Kenneth W. Martin, Jr. and Susan B. Martin of Lewiston, County of Androscoggin, State of Maine for consideration paid grant to Roger Roberge and Lorraine L. Roberge, both of Lewiston, County of Androscoggin, State of Maine, as joint tenants, with WARRANTY COVENANTS, the land situated in Lewiston, Androscoggin County, State of Maine, bounded and described as follows:

PARCEL ONE: A certain lot or parcel of land situated on the westerly side of the River Road in said Lewiston, bounded and described as follows:

MAINT REAL ESTATE
TRANSFER TAX PAID

Beginning at a point in a stone wall on the westerly side of the River Road, which point is the southeasterly boundary on said road of the Old Carville Farm described in a deed of Luella N. Carville to Rhea M. Horner and Virginia C. Martin dated June 20, 1970, and recorded in the Androscoggin County Registry of Deeds in Book 1020, Page 39; thence westerly along said stone wall and southerly line of land of Rhea M. Horner and Virginia C. Martin to high water mark of the Androscoggin River; thence northerly by said high water mark a distance of three hundred (300) feet, more or less, to a point; thence easterly by a line parallel to the first mentioned bound to a point on the westerly side of said River Road three hundred (300) feet northerly from the point of beginning; thence by said River Road southerly three hundred (300) feet to the point of beginning.

Meaning and intending to convey a parcel of land containing ten (10) acres more or less.

Being the same premises conveyed to these grantors by deed of Rhea M. Horner and Virginia C. Martin dated April, 1977 and recorded in the Androscoggin County Registry of Deeds in Book 1266, Page 86.

PARCEL TWO: A certain lot or parcel of land situated on the westerly side of the River Road in said Lewiston, bounded and described as follows:

Beginning at an iron pin on the westerly side of the River Road at the northeast corner of the parcel of land described as parcel one, above; thence westerly along the northerly boundary of the land of the Grantors herein to an iron pin at the high water mark of the Androscoggin River at the northwest corner of the land of the Grantors herein; thence northerly along the high water mark of the Androscoggin River a distance of seventy-five (75) feet to an iron pin; thence easterly parallel to the

BK2428 PG264

northerly boundary of the land of the Grantors herein to an iron pin on the westerly side of the River Road; thence southerly along the westerly side of the River Road a distance of seventy-five (75) feet to the point of beginning

Being the same premises conveyed to these grantors by deed of Rhea M. Horner and Virginia C. Martin dated May 31, 1989 and recorded in The Androscoggin County Registry of Deeds in Book 2415, Page 57.

IN WITNESS WHEREOF, the parties have hereunto set their respective hands and seals this 30th of June, 1989.

[Signature]
Witness

Kenneth W. Martin, Jr.
Kenneth W. Martin, Jr.

[Signature]
Witness

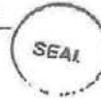
Susan B. Martin
Susan B. Martin

STATE OF MAINE
ANDROSCOGGIN, SS.

June 30, 1989

Personally appeared the above-named KENNETH W. MARTIN, JR. and SUSAN B. MARTIN and acknowledged the foregoing instrument to be their free act and deed.

Before me,
[Signature]
Notary Public
Joane Jandreau, Notary Public
My commission expires 2/1/1990

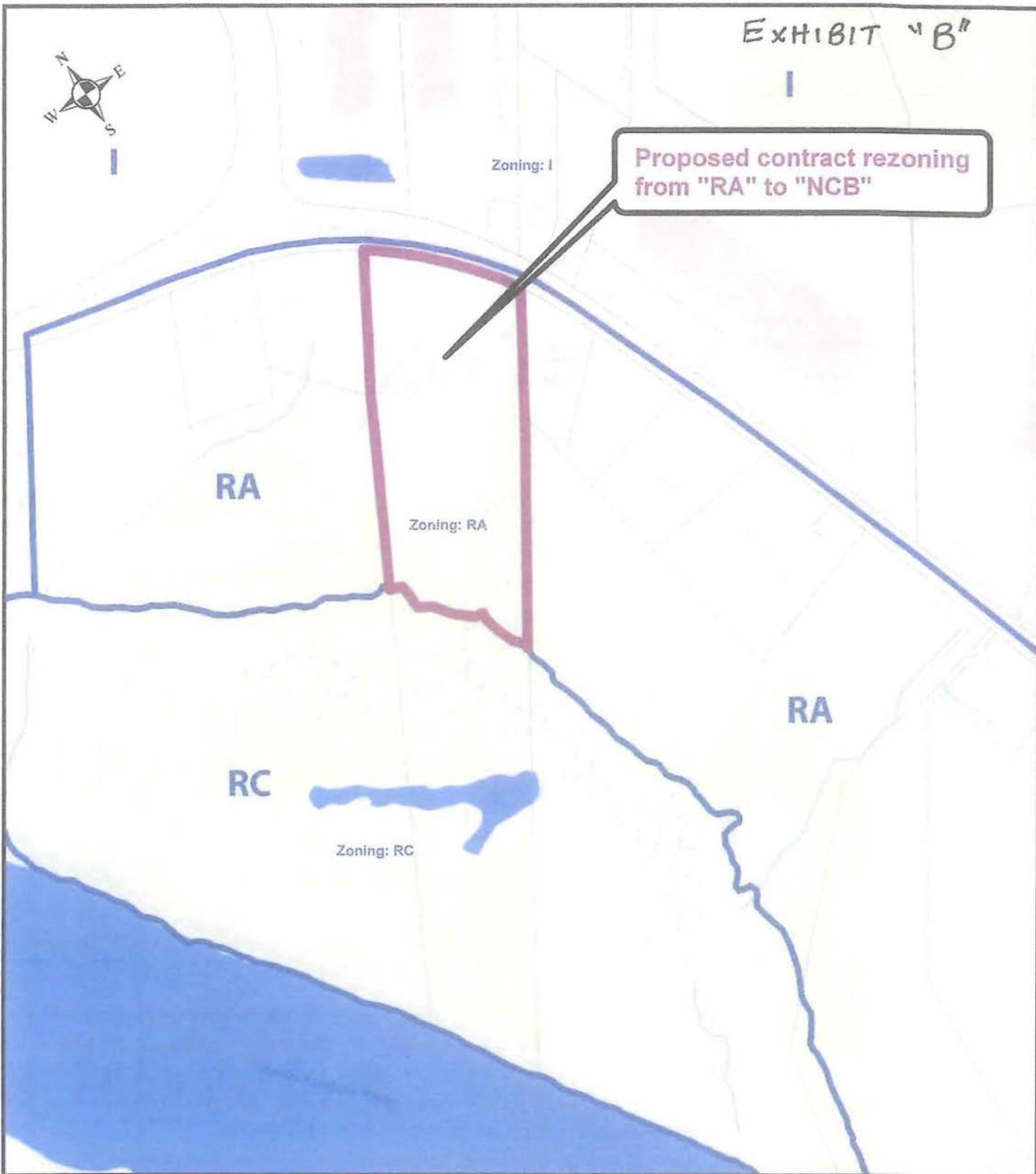


ATTEST
Margaret C. Thompson
REGISTER OF DEEDS

89 JUL -3 AM 9:12

ANDROSCOGGIN, SS.
REGISTRY OF DEEDS

[Faint handwritten text]



Proposed contract rezoning from "RA" to "NCB"

Zoning: I

RA

Zoning: RA

RA

RC

Zoning: RC

Proposed
299 River Road
Contract Rezoning

January 2018

LEWISTON CITY COUNCIL

MEETING OF FEBRUARY 6, 2018

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 7

SUBJECT:

Public Hearing and First Passage to rezone the property at 381-391 Main Street from the Community Business (CB) District to the Centreville (CV) District.

INFORMATION:

The Planning Board voted 7-0 to send a favorable recommendation to the City Council to rezone the property at 381-391 Main Street from the Community Business (CB) District to the Centreville (CV) District.

The property owner, Dirigo Credit Union, has submitted a petition to request the rezoning of this property to support the redevelopment of the site with new structures and parking.

Please see the enclosed memorandum from City Planner David Hediger for additional information as well as a site map and other background information.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EARL/kmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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To approve First Passage of the amendment to the Zoning and Land Use Code and Map to rezone the property at 381-391 Main Street from the Community Business (CB) District to the Centreville (CV) District, and to continue the public hearing for final passage to the next regularly scheduled City Council meeting.



CITY OF LEWISTON

Department of Planning & Code Enforcement

TO: Mayor and City Council
FROM: David Hediger, City Planner
DATE: February 1, 2018
RE: Planning Board recommendation: rezoning of 381-391 Main Street

The Planning Board took the following action at their meeting held on January 22, 2018:

MOTION: by **Norm Anctil** pursuant to Article VII, Section 4 and Article XVII, Section 5 of the Zoning and Land Use Code to send a favorable recommendation to the City Council to rezone the property at 381 and 391 Main Street from Community Business (CB) to the Centreville (CV) district.
Second by **Kristen Kittridge**

VOTED: 7-0



CITY OF LEWISTON

Department of Planning & Code Enforcement

TO: Planning Board
FROM: David Hediger, City Planner
DATE: January 17, 2018
RE: Proposed Rezoning: 381-391 Main Street

Walsh Engineering on behalf of Dirigo Credit Union (formerly Rainbow Credit Union) has submitted a petition to rezone the property at 381 and 391 Main Street from Community Business (CB) to the Centreville (CV) district to support the redevelopment of the site with new structures and parking. The lots together consist of .80 acres with two structures housing a customer branch and bank office operations. The credit union is interested in redeveloping the site with a single structure while making improvements to on-site parking and circulation.

Given the small size of the lot and the existing development pattern of abutting properties on Main Street, the applicant is interested developing the site in a matter similar to existing conditions of neighboring Main Street properties while maximizing use of the lot to the greatest extent possible. This property and several blocks on the east side of Main Street are zoned CB. As the applicant notes, the purpose of the CB district is to “provide areas within the city for the location of major shopping facilities, including shopping centers which serve the wider community. The standards of the district are intended to ensure well planned commercial developments which have controlled vehicular access and high standards of site design”. To support this purpose, the space and bulk standards require a 20 foot front, side, and rear setback requirement and limit lot coverage (i.e. percentage of the lot allowed to be covered with structures) to 50%. When considering the smaller lot sizes and the existing development pattern along this section of Main Street and the required space and bulk standards of the CB district, it is apparent that most of the developed properties are nonconforming. Furthermore, redevelopment of these lots will be challenging under the CB provisions, likely limiting the size of development or resulting in the need for additional land acquisition to accommodate a project.

The applicant is proposing a straight rezoning of the property to CV. This same district is located directly across the street from the credit union on the opposite corner of Holland Street (CMMC parking lot and campus). The purpose of the CV district is to “encourage a concentration of economic enterprises in a central business district that is convenient and attractive for a wide range of retail, service, financial, government, professional, entertainment and appropriate residential uses in a setting conducive to a high volume of pedestrian traffic”. The CV provides space and bulk standards that allow for lots to be developed to greatest extent possible. Reference should be made to the applicant’s table comparing the CB and CV space and bulk requirements. The applicant believes the CV district provides the credit union the best option for redevelopment of the site.

Staff supports the applicant’s request. The current CB zoning of this property and other properties in this area is not conducive to infill or redevelopment of properties. A goal of the comprehensive plan is to promote development, redevelopment, and reuse of in-town areas that reinforce traditional development patterns. The current CB zoning makes this challenging along

this section of Main Street given smaller lots sizes and street layout. The applicant's properties at 381 and 391 Main Street are currently legally nonconforming with respect to the CB's space and bulk requirements; thereby, prohibiting the rebuilding these structures in their current location if destroyed more than 80% of their market value. Rezoning this property to CV provides the applicant the ability to utilize the site to the greatest extent possible and provides more opportunity to maintain existing development patterns, both of which are consistent with the current development on this section of Main Street. In fact, their request leads one to question the zoning on the east side of Main Street from Elm Street south to the Rite Aid, all of which is zoned CB, and whether those properties should be considered for a rezoning in the future.

ACTION NECESSARY ACTION NECESSARY

Make a motion pursuant to Article VII, Section 4 and Article XVII, Section 5 of the Zoning and Land Use Code to send a favorable recommendation to the City Council to rezone the property at 381 and 391 Main Street from Community Business (CB) to the Centreville (CV) district.

EXISTING NEIGHBORHOOD

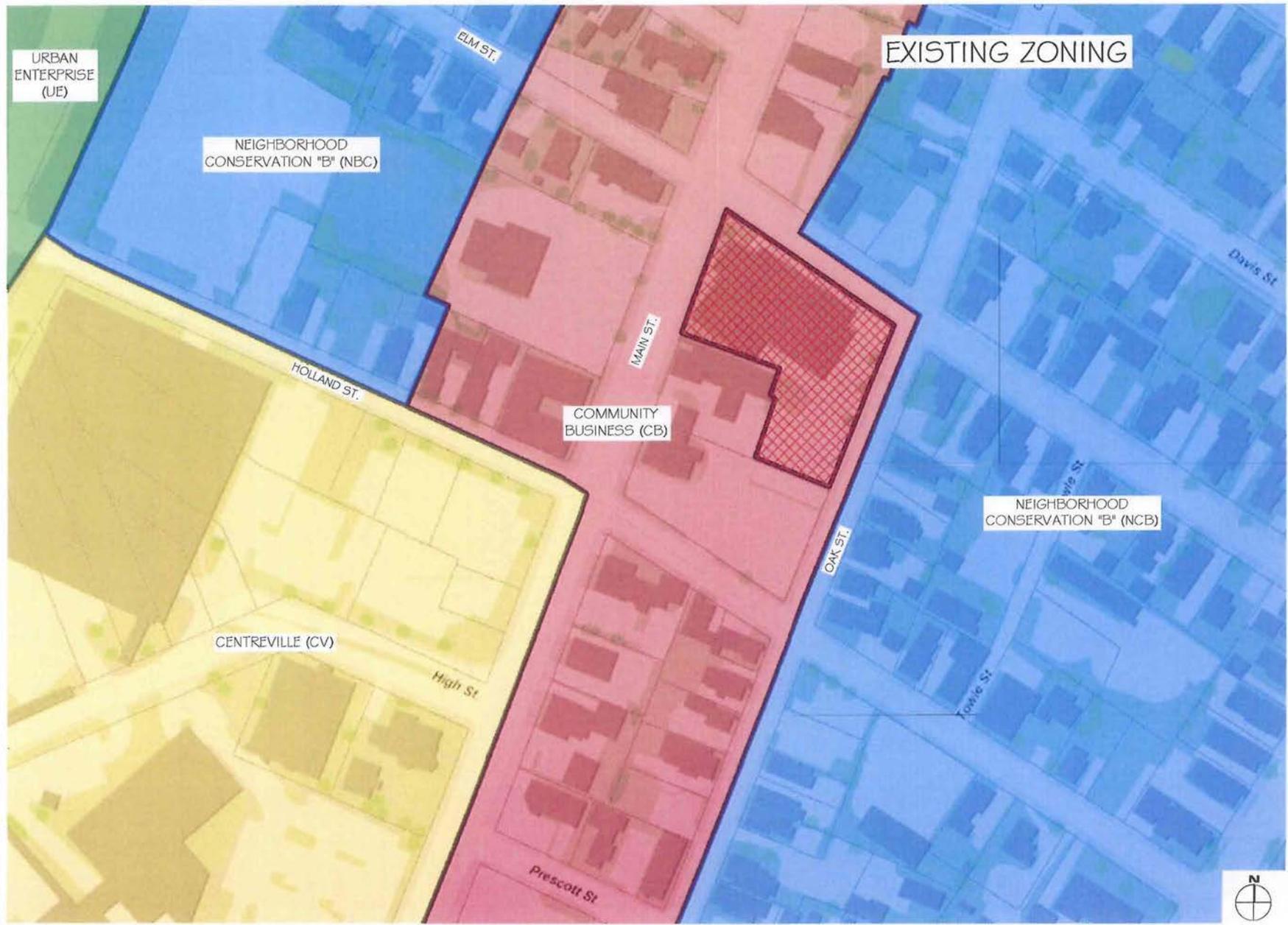


PRELIMINARY - NOT FOR CONSTRUCTION

Rev.	Date	Drawn	Checked

Sheet Title:
 Existing Neighborhood

Job No.: 413
 Date: Jan 19, 2018
 Scale: N.T.S.
 Drawn: SW
 Checked: RMC



URBAN ENTERPRISE (UE)

NEIGHBORHOOD CONSERVATION "B" (NBC)

COMMUNITY BUSINESS (CB)

CENTREVILLE (CV)

EXISTING ZONING

Dirigo Federal Credit Union
311 Main Street
Lambton, ME 04042

The Element Group
125 Elmore Ln.
Portsmouth, NH 02801

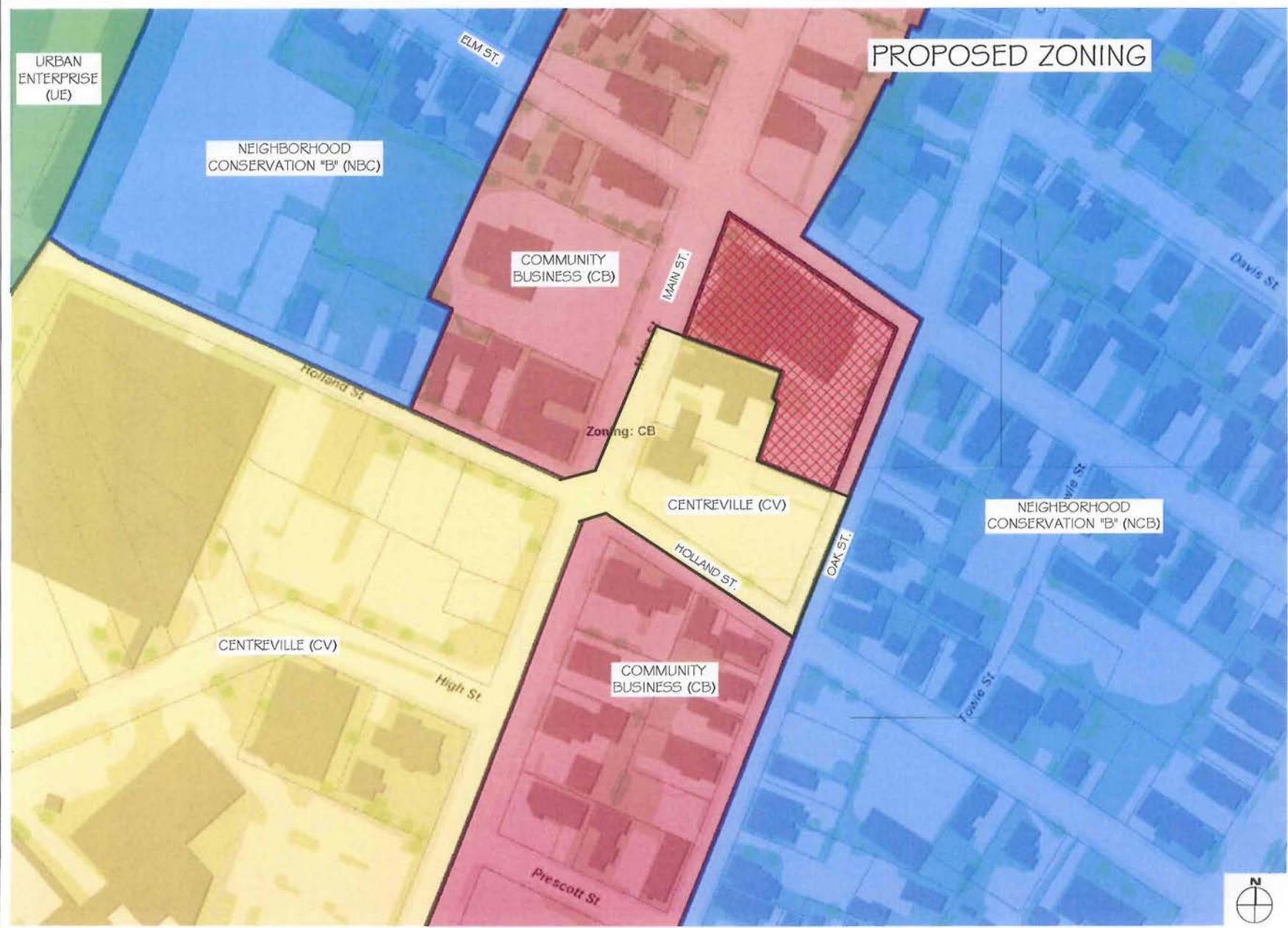
PRELIMINARY - NOT FOR CONSTRUCTION

Rev.	Date	Description	Drawn	Check

Sheet Title:
Existing Zoning

Job No.: 413 Sheet No.:
Date: Jan 19, 2018
Title: N.T.C.
Drawn: CAD
Checked: MWG

2



PROPOSED ZONING

Dirigo Federal Credit Union
 201 W. Main Street
 Lewiston, ME 04202

The Element Group
 125 Brewery Ln.
 Portsmouth, NH 03801

Rev.	Date	Description	Drawn	Check

Sheet Title:
Proposed Zoning

Job No: 412 Sheet No:
 Date: Jan 15, 2018
 Scale: 1" = 1' **3**
 Drawn: GAR
 Checked: MWJ

PRELIMINARY - NOT FOR CONSTRUCTION

WALSH
ENGINEERING ASSOCIATES, INC.

File 17161

January 3, 2018

Mr. David Hediger
City Planner/Deputy Director Planning and Code Enforcement
City of Lewiston
27 Pine St
Lewiston, ME 04240-7201

RE: Zoning Map Change, 381 & 391 Main Street

Dear Mr. Hediger,

On behalf of Dirigo Credit Union we are requesting the City rezone the property at 381 & 391 Main Street from Community Business (CB) District to Centreville (CV) District.

The property is owned by Rainbow Federal Credit Union doing business as Dirigo Federal Credit Union. They currently operate the Dirigo Credit Union on this site in two existing buildings. The goal is to stay on this site in a single building with parking.

Existing District. This site is currently in the Community Business District (CB). It is adjacent to a contract Downtown Residential District (DR) (the veteran's home), the Community Business District (CB), the Centreville District (CV) and the Neighborhood Conservation "B" (NCB) district.

The contract DR District for Veterans Incorporated was established in April 2013 for "*providing supporting services to United States military veterans, including housing, medical, vocational and nutritional services, and administrative functions related thereto*".

The purpose of the CB District is to "*provide areas within the city for the location of major shopping facilities, including shopping centers which serve the wider community. The standards of the district are intended to encourage well planned commercial developments which have controlled vehicular access and high standards of site design*". The credit union fits this purpose.

The current property is non-conforming with respect to setbacks and impervious coverage, as shown in the table below.

WALSH

ENGINEERING ASSOCIATES, INC.

	Required CB District	Existing Site
Front Setback	15	0
Rear and Side Setback	10	0
Lot Coverage (building)	0.5	0.3
Impervious Coverage	0.75	0.8

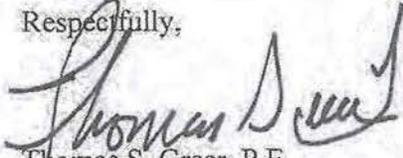
This kind of non-conformity exists on adjacent parcels as well and is not unique to the credit union site. The credit union desires to improve its building and parking. This project doesn't conform to the existing zoning so a new zoning district is required.

New District Request. After review of several options with the City Staff, it appears that a zone change to the Centerville District (CV) would provide the opportunity for the credit union to meet its goals of providing a new structure with a structured parking deck. *"The purpose of the Centerville District is to encourage a concentration of economic enterprises in the central business district that is convenient and attractive for a wide range of retail, service, financial, government, professional, entertainment and appropriate residential uses in a setting conducive to a high volume of pedestrian traffic."*

The new project as currently planned will have the building 8 feet from the right-of-way and a parking deck that will be 1 to 2 feet from the sidelines and on the right-of-way of Oak Street. The parking deck will provide convenient and safe access to the site for employees and customers. The Centerville District allows for these kinds of setbacks creating a downtown feel for the project. Attached is a Table showing the two Districts.

We would like to thank the City Council and Planning Board for their consideration of our request.

Respectfully,



Thomas S. Greer, P.E.

Walsh Engineering Associates, Inc.

- cc. Nathan Henry/The Element Group, Mark Paul Samson/Dirigo FCU, File
- Enc. Cover Letter w/Space & Bulk Table
- Ordinance Reasons for Zone Change
- Petition
- Deed
- Rezoning Map
- Credit Union Letter Supporting Zone Change

AN ORDINANCE PERTAINING TO ZONING BOUNDARIES

THE CITY OF LEWISTON HEREBY ORDAINS:

Appendix A of the Code of Ordinances of the City of Lewiston, Maine is hereby amended as follows:

APPENDIX A

ZONING AND LAND USE CODE

ARTICLE IV. ESTABLISHMENT OF DISTRICTS

Sec. 1. Zoning Map

The City of Lewiston hereby ordains that the official Zoning Map of the City of Lewiston be amended by rezoning for the property at 381 & 391 Main Street as recorded in the Androscoggin County Registry of Deeds Book 2724 Page 19 and Book 3459 page 79, as described in Exhibit "A" and depicted on Exhibit "B", both of which are attached hereto as follows, from the Community Business (CB) to Centreville (CV).

REASON FOR THE PROPOSED AMENDMENT

The reason for the proposed amendment includes allowing the existing owner of the property to redevelop the site with the same use preserving the neighborhood credit union. The existing two non-conforming buildings are in need of substantial upgrading and/or replacement. A single new well designed building is the most feasible alternative. The addition of the parking garage on site will allow the credit union to provide safe convenient parking for its employees and customers. The parking and building cannot be constructed using the current setbacks. The existing building is non-conforming and redevelopment of this site in a manner consistent with abutting properties is not feasible given the current zoning. Rezoning the property to CV provides the property owner the flexibility to maximize the site to its greatest potential while providing the opportunity to maintain a building pattern that is similar to abutting properties.

This project will provide an enhanced look to the neighborhood for decades to come. The two story building will be complimentary structure to the adjacent property at 393 Main Street, occupied by Veterans Incorporated. The mass and location will provide a consistent streetscape along Main Street. The buildings on this section of Main Street are fronting on Main Street and are within the current setback. This creates a Main Street "wall" effect.

The change to the Centreville District allows the proposed project to meet the setbacks for structures and the lot coverage. Although the new zone would allow a 150 height it is unlikely that it would be used on this site. The site is too small to have that kind of investment made. There are more suitable sites in the City for projects that required that height.

The two story project is a best fit for the site. This is consistent with the surrounding development. The CV District allows the flexibility to fit the project into the current neighborhood with the setbacks, impervious area and height limitations.

CONFORMANCE WITH THE COMPREHENSIVE PLAN

The City Council of the City of Lewiston hereby determines that the change to the Zoning Map is in conformance with the Comprehensive Plan for the following reasons:

- 1) This property is immediately adjacent the Centreville Zone creating a continuing zone.
- 2) This project utilized a city parcel keeping it fully utilized as noted in the Comprehensive Plan. *Insight: Although approximately 12% of total area in Lewiston is non-taxable property, almost 33% of the downtown is comprised of underutilized parcels. The City should first prioritize the development and redevelopment of the large number of unproductive parcels owned by the private sector. PROMOTE MIXED-USE ACTIVITY CENTERS Strengthen and encourage the development of unique activity centers within walking distance of residential neighborhoods while protecting the City's rural character, making efficient use of public services, and removing incentives for sprawl. (pg. 46)*
- 3) This keeps employees in the city and provides growth opportunities as stated in the Comprehensive Plan: *"GROW THE ECONOMY Promote a healthful and sustainable business environment by investing actively in efficient infrastructure, providing favorable incentives, and building a community that is attractive to employers and their workers." (pg. 116)*
- 4) This continues the development pattern of the neighborhood as note in the Plan: *Continue to promote development/redevelopment/reuse of in-town areas that reinforces the traditional development pattern and increases pedestrian activity. (pg. 129)*
- 5) This is an infill development as noted in the Plan: *Lewiston has a significant amount of underutilized land within the downtown, into which future investment could be directed for many decades. Locating new development within the downtown, as well as other identified growth areas supported by existing infrastructure, makes efficient use of municipal resources and will stimulate the transformation of the City's economy and regional reputation. Encourage infill*

and redevelopment within the downtown, existing service areas, and designated growth areas. (pg. 164)

- 6) The Comprehensive Plans encourage zone changes to better accommodate future projects: *A New Approach In order to implement this Comprehensive Plan and remove barriers to potential investment, the City should pursue a comprehensive rewrite of its zoning and subdivision ordinances, including form-based components to deal with all aspects of community character and design. While conventional zoning may remain prudent and appropriate in certain areas of the City, the adoption of form-based or "character-based" codes will assist in achieving desired outcomes in appropriate areas. (pg. 227)*

- 7) This property is located in the G-3 Intended Growth Sector. This area is appropriate for mixed use development. Walkable neighborhoods with service centers are appropriate: *Allow infill development and redevelopment in established residential neighborhoods that are compatible with traditional development patterns and densities. (pg. 128)*

We believe the new credit union project will meet the purposes of the CV zone. Below is a table showing how the CB District compares to the CV District and how the new plan will conform to the CV zone. Note a Conceptual Layout has been prepared; it is subject to change as it goes through the permitting and budget process.

SPACE AND BULK TABLE:

Space and Bulk Table: All Zoning District 10.06.16	Community Business (CB) (12)	Centreville (CV)
Minimum lot size with public sewer		
Single family detached (24)		
Single family attached		
Two-family dwellings		
Single family cluster development		
Mixed single family residential development (14)		
Mixed residential development (14)		
Multifamily dwellings		
Mixed use structures		
Agriculture		
Religious facilities		
Veterinary facilities		
Other uses		
All permitted uses	None	None
Minimum lot size without public sewer (3)		
Single family detached, mobile homes on individual lots (24)		
Single family attached		
Two-family dwellings		
Single family cluster development (1)		
Mixed single family residential development (14)		
Mixed residential development (14)	20,000 sf	
Multifamily dwellings	20,000 sf	
Mixed use structures		
Agriculture		
Religious facilities	20,000 sf	
Veterinary facilities	20,000 sf	
Other uses	20,000 sf	
Minimum net lot area per d.u. with public sewer		
Single family detached		
Single family attached		
Two-family dwellings		
Mixed single family residential development (14)		
Mixed residential development (14)		
Multifamily dwellings		
Mixed use structures	3,000 sf	
All permitted residential uses	3,000 sf	None
Minimum net lot area per d.u. without public sewer		
Single family detached, mobile homes on individual lots		
Single family attached		
Two-family dwellings		
Mixed single family residential development (14)		
Mixed residential development (14)		
Multifamily dwellings		
Mixed use structures		
All permitted residential uses	3,000 sf	

Minimum frontage		
Single family detached, mobile homes		
Single family attached		
Two-family dwellings		
Single family cluster development (with multiple vehicular accesses)		
Mixed single family residential development (with multiple vehicular accesses)		
Mixed residential development (with multiple vehicular accesses) (14)		
Multifamily dwellings (with multiple vehicular accesses)		
Mixed use structures		
Agriculture		
Religious facilities		
Veterinary facilities		
Other uses		
All permitted uses	100ft	25 ft
Minimum front setback		
Single family detached, mobile homes on individual lots		
Single family attached		
Two-family dwellings		
Single family cluster development		
Mixed single family residential development (14)		
Mixed residential development (14)		
Multifamily dwellings		
Mixed use structures		
Agriculture		
Religious facilities		
Veterinary facilities		
Other uses		
All permitted uses	20 ft	None (22)
Minimum front yard		
Single family detached, mobile homes on individual lots		
Single family attached		
Two-family dwellings		
Single family cluster development		
Mixed single family residential development (14)		
Mixed residential development (14)		
Multifamily dwellings		
Mixed use structures		
Religious facilities		
Veterinary facilities		
Other uses		
All permitted uses	15 ft	None (22)
Minimum side and rear setback		
Single family detached, mobile homes on individual lots		
Single family attached		
Two-family dwellings		
Single family cluster development		
Mixed single family residential development (14)		
Mixed residential development (14)		

Multifamily dwellings		
Mixed use structures		
Religious facilities		
Veterinary facilities		
Farm structures for keeping of animals		
Other uses		
All permitted uses	20 ft	None
Minimum side and rear yard		
Single family detached, mobile homes on individual lots		
Single family attached		
Two-family dwellings		
Single family cluster development		
Mixed single family residential development (14)		
Mixed residential development (14)		
Multifamily dwellings		
Mixed use structures		
Religious facilities		
Veterinary facilities		
Farm structures for keeping of animals		
Other uses		
All permitted uses	10 ft	None
Maximum height		
Agriculture		
	50 ft	No less than 20 ft; no greater than 150 ft (26)
Other permitted uses		
Hospital, nursing homes and medical offices		
Ratios		
Maximum lot coverage	0.5	1
Maximum impervious coverage	0.75	1

Exhibit A

15660

MAINE SHORT FORM WARRANTY DEED

BK2724 PG019

MAINE REAL ESTATE
TRANSFER TAX PAID

I, KENNETH R. L. FINLEY, of Livermore Falls, County of Androscoggin and State of Maine, for consideration paid, grant to RAINBOW FEDERAL CREDIT UNION, a federally chartered credit union with a place of business at 381 Main Street in Lewiston in said County and State, with WARRANTY COVENANTS, all and the same premises situated in Lewiston, County of Androscoggin and State of Maine, described in a deed given by Robert T. Curtis to Kenneth R. L. Finley dated November 4, 1976, recorded in the Androscoggin County Registry of Deeds in Book 1237, Page 3, a copy of the first page of which deed is attached hereto as "Exhibit A" to which exhibit and to which deed reference may be had for a more particular description.

The consideration being paid by the purchaser to the seller represents the full market value of the premises described herein.

The premises are conveyed subject to any easements and restrictions of record and this deed includes all rights, easements, privileges, and appurtenances belonging to the premises hereinabove described.

WITNESS my hand and seal this 15th day of August, 1991.

Philippe R. Moreau
Witness

Kenneth R. L. Finley
Kenneth R. L. Finley



STATE OF MAINE
ANDROSCOGGIN, SS.

Personally appeared the above named KENNETH R. L. FINLEY, known to me, this 15th day of August, 1991, and acknowledged before me the foregoing instrument to be his free act and deed.



Philippe R. Moreau
Notary Public/Attorney-at-Law

Philippe R. Moreau
Printed Name

Jrea79.93
File #17907

My Commission
Expires 4-11-93

OVER

I, ROBERT T. CURTIS, of Greene, County of Androscoggin, State of Maine, for consideration paid, grant to KENNETH R. L. FINLEY, of 15 Church Street, Livermore Falls, County of Androscoggin, State of Maine, with WARRANTY COVENANTS, the land in Lewiston, County of Androscoggin, State of Maine, being more particularly described as follows:

A certain piece or parcel of land situated in said Lewiston, with the buildings thereon, bounded and described as follows, to wit: Beginning on the southerly side of Main Street at a point twelve (12) feet northeasterly from the northeast corner of the dwelling house now on said lot, said point being the northwest corner of the lot now or formerly occupied by John Reade; thence running southwesterly by the southeasterly line of Main Street one hundred (100) feet to a stake and stones on said line of Main Street; thence southeasterly at a right angle to Main Street, about one hundred and twenty (120) feet to land of Edward J. Colby; thence northeasterly by the line of said Colby's land and land occupied by John Reade, about one hundred (100) feet to the southwesterly line of said John Reade's land; thence northwesterly by the said line of said Reade's land about one hundred and twenty (120) feet to the point of commencement on Main Street.

Also a certain lot or parcel of land, situated in Lewiston aforesaid, bounded and described as follows: commencing at a point on the northwesterly line of Oak Street, formerly Brooks Street at the southwesterly corner of land conveyed to Richard C. and James F. Boothby by Daniel Holland by deed dated September 20, 1870; thence running northwesterly on the line of land deeded to said Boothbys by said Holland, September 20, 1870, to the southwesterly corner of land of Mary Scruton, to a stake, one hundred (100) feet; thence running northeasterly and parallel with Oak Street on said Mary Scruton's line, seventy-two (72) feet more or less to the line of land once, and for a long time, occupied by John Read, to a stake; thence on the line of the land occupied by John Read, in a southerly course, to a point on Oak Street forty-three (43) feet northeasterly from the point of commencement; thence southwesterly on Oak Street forty-three (43) feet to the point of beginning. This parcel is subject to the following restrictions which shall remain in force for and during the duration of the life of Elizabeth A. McKenna: First, that no building shall be constructed on said lot; Second, that no funeral procession shall be permitted to pass over the lot herein conveyed and that said lot shall be kept reasonably clean. Said restrictions shall become null and void at Elizabeth A. McKenna's decease.

Being all in the same premises conveyed to this Grantor by deed of Charles D. Jenkins dated July 1, 1965, recorded in the Androscoggin County Registry of Deeds in Book 942, Page 37.

THIS CONVEYANCE IS MADE SUBJECT TO A MORTGAGE FROM THIS GRANTOR TO CHARLES D. JENKINS DATED JULY 1, 1965, RECORDED IN THE ANDROSCOGGIN COUNTY REGISTRY OF DEEDS, BOOK 942, PAGE 38, WHICH MORTGAGE THE GRANTEE ASSUMES AND AGREES TO PAY.

POOR COPY AT TIME OF RECORDING
WILL NOT REPRODUCE CLEARLY

ATTEST:
Jeanine B. Dargatzis
REGISTER OF DEEDS

91 AUG 15 PH 2: 23

ANDROSCOGGIN, SS.
REGISTRY OF DEEDS

QUITCLAIM DEED

THE ROMAN CATHOLIC BISHOP OF PORTLAND, a body politic and corporation sole, having a chancery in Portland, County of Cumberland, State of Maine, for consideration paid, grants to **RAINBOW FEDERAL CREDIT UNION**, a federally chartered credit union, of 381 Main Street, Lewiston, County of Androscoggin, State of Maine, with **QUITCLAIM COVENANTS**, the land situated in Lewiston, County of Androscoggin, State of Maine, bounded and described as follows:

PARCEL ONE: Beginning at a point at the intersection of the northwesterly line of Oak Street, so called, with the northeasterly line of Holland Street, so called; thence North thirty-three degrees no minutes nineteen seconds West (N 33° 00' 19" W) along the northeasterly line of said Holland Street, a distance of one hundred and no hundredths (100.00) feet to a point at the southerly corner of land conveyed to St. Joseph's Lewiston Federal Credit Union (now Grantee) by Grantor by deed dated December 1, 1968 and recorded in the Registry of Deeds for Androscoggin County in Book 997, Page 737; thence North forty-four degrees forty-one minutes seven seconds East (N 44° 41' 07" E) along the southeasterly line of said St. Joseph's Lewiston Federal Credit Union's land and parallel to Main Street, so called, a distance of one hundred ten and eighty hundredths (110.80) feet to a point at the easterly corner of said St. Joseph's Lewiston Federal Credit Union's land and at the northerly corner of the Grantor's land; thence South forty-four degrees thirty-seven minutes forty-five seconds East (S 44° 37' 45" E) along the northeasterly line of said Grantor's land, a distance of twelve and one hundredth (12.01) feet to a point; thence South forty-two degrees thirty-five minutes twenty-seven seconds West (S 42° 35' 27" W) a distance of twenty and two hundredths (20.02) feet to a point; thence South forty-four degrees thirty-seven minutes forty-five seconds East (S 44° 37' 45" E) parallel to the northeasterly line of said Grantor's land, a distance of eighty-six and fifty-four hundredths (86.54) feet to a point in the northwesterly line of said Oak Street; thence South forty-five degrees twenty-nine minutes fifty-eight seconds West (S 45° 29' 58" W) along the northwesterly line of said Oak Street, a distance of one hundred ten and ninety-four hundredths (110.94) feet to the point of beginning.

Containing 10,190.38 square feet.

Bearings are magnetic June, 1995.

Being a portion of the premises conveyed to Grantor by Harold N. Skelton, Executor of the Estate of Elizabeth A. McKenna, by deed dated February 27, 1957 and recorded in the Androscoggin County Registry of Deeds in Book 758, Page 114.

PARCEL TWO: Beginning at a point at the easterly corner of land of the first parcel of land conveyed to Grantee by Kenneth R.L. Finley by deed dated August 15, 1991 and recorded in the Registry of Deeds for Androscoggin County in Book 2724, Page 19; thence South forty-four degrees thirty-seven minutes fifty-four seconds East (S 44° 37' 54" E)

BK3459 PG080

along a line which is the projection southeasterly of the northeasterly line of Grantee's land, a distance of seventy-three hundredths (0.73) feet to a point; thence South forty-three degrees twelve minutes forty-eight seconds West (S 43° 12' 48" W) a distance of twenty-eight and fifty-six hundredths (28.56) feet to a point in the southwesterly line of the Grantor's land; thence North twenty-eight degrees twenty-six minutes forty-six seconds West (N 28° 26' 46" W) along the southwesterly line of the Grantor's land, a distance of one and ninety-four hundredths (1.94) feet to a point in the southeasterly line of Grantee's land; thence North forty-five degrees twenty-nine minutes fifty-eight seconds East (N 45° 29' 58" E) along the southeasterly line of Grantee's land and parallel to Oak Street, so called, a distance of twenty-eight and no hundredths (28.00) feet to the point of beginning.

Containing 36.45 square feet.

Bearings are magnetic June, 1995.

Being a portion of the premises conveyed to Grantor by Agnes T. Davis et al. by deed dated May 26, 1953 and recorded in the Androscoggin County Registry of Deeds in Book 686, Page 591.

IN WITNESS WHEREOF, THE ROMAN CATHOLIC BISHOP OF

PORTLAND, by Joseph J. Gerry, Roman Catholic Bishop of Portland, has caused

this instrument to be signed and sealed this 31st day of July, 1995.

THE ROMAN CATHOLIC BISHOP OF PORTLAND

John H. Baranetto, Jr.
WITNESS

By: Joseph J. Gerry
Joseph J. Gerry, Roman Catholic Bishop of Portland

STATE OF MAINE

CUMBERLAND, SS: July 31, 1995

Personally appeared the above named Joseph J. Gerry and acknowledged the foregoing instrument to be his free act and deed individually and in his said capacity and the free act and deed of said corporation sole.

Before me,

Mary A. O'Leary
NOTARY PUBLIC
My Commission Expires
May 8, 2002
MARY A. O'LEARY

PHUBERSJACKHNDGOCBOMACATH.WD

RECEIVED
ANDROSCOGGIN S.S.
95 AUG -4 PH12:35

ATTEST:
James D. Gagnier
ROUSSEAU, FOURNIER & LEBEL, P.A., 65 EAST AVENUE, LEWISTON, MAINE 04241-1918 (207) 84-8329
REGISTER OF DEEDS



DIRIGO

FEDERAL CREDIT UNION

www.dirigofcu.com

December 28, 2017

Mr. David Hediger
City Planner/Deputy Director Planning and Code Enforcement
City of Lewiston
27 Pine St
Lewiston, ME 04240-7201

Dear Mr. Hediger,

We, the owner's, of the property at 381 & 391 Main Street request the City consider the rezoning of the property from Commercial Business (CB) to Centreville (CV) District. This will allow us to redevelop the property with a new building providing our customers and employees with an enhanced facility meeting current safety and environmental standards.

We fully support the zoning map change for 381 & 391 Main Street.

Sincerely,

Mark Paul Samson
President & CEO
Dirigo Federal Credit Union

391 Main Street
Lewiston, ME 04240
(207) 784-5435

20 Washington Street
Auburn, ME 04210
(207) 784-5435

1 Lewiston Street
Mechanic Falls, ME 04256
(207) 346-3001

172 Pine Street
So. Paris, ME 04281
(207) 743-5410

**PETITION TO AMEND THE CITY OF LEWISTON
ZONING AND LAND USE CODE**

Pursuant to Appendix A, Article XVII, Section 5 Amendments of the City of Lewiston Zoning and Land Use Code, we the undersigned residents of the City of Lewiston, being eighteen (18) year of age or older, do hereby petition the City of Lewiston to rezone the property at 381 Main Street from the Office Residential (OR) district to the Centreville (CV) districts described and shown in the exhibits attached hereto:

	SIGNATURE	PRINTED NAME	PHYSICAL STREET ADDRESS (No PO Boxes)	DATE
1		Cindy Caron	2 1/2 Demicirc	12-26-17
2		Gary Carroll	122 Sabattus st	12-28-17
3		RAYMOND COTE	12 HART FORD	12-29-17
4		Robert Thibault	50 SYLVAN AVE	12-29-17
5		Linda M. Voisine	417 Main St. #6	12-28-17
6		Chad Camice	624 Sabattus st	12-28-17
7		Helen Fairbrother	62 JEFFERSON ST Apt 1F	12/29/17
8		Deanne Beau	386 main st	12-29-2017
9		Peter Fratocchi	7 Wood st	12-29-2017
10		Nancy Laline	88 Fairlawn Ave. ^{Lewiston}	12-29-17
11		MAURICE BLOUIN	123 winter st	12-29/17
12		JESSICA HALL	S MICHIGAN	12/29/17
13		Ryan Barkman	161 Hollowell	12/29/17
14		RANDALL NELSON	95 GAYTON Rd	12/29/17
15		Molly Kivus	350 Randall rd	12/29/17
16		RAMONA A BLOUIN	32 10 21 10 2 AVE	12/29/17
17		Roger Donahue	30 elm st apt 1	12/29
18		Samantha J Kivus	49 ashmount st	12/29
19		Neal Morin	88 wood st. Apt 3 ^{Lewiston}	12/29
20		Makayla Morin	88 wood st	12/29

CIRCULATOR-S VERIFICATION

I hereby verify that I am the Circulator of this petition that all the signatures to this petition were made in my presence, and to the best of my knowledge and belief, each signature is that of the person it purports to be, and each person is a resident of the City of Lewiston.

Signature of Circulator

Paris S. Noddin
Printed Name of Circulator

12/29/17
Date

**PETITION TO AMEND THE CITY OF LEWISTON
ZONING AND LAND USE CODE**

Pursuant to Appendix A, Article XVII, Section 5 A Amendments of the City of Lewiston Zoning and Land Use Code, we the undersigned residents of the City of Lewiston, being eighteen (18) year of age or older, do hereby petition the City of Lewiston to rezone the property at 381 Main Street from the Office Residential (OR) district to the Centreville (CV) districts described and shown in the exhibits attached hereto:

	SIGNATURE	PRINTED NAME	PHYSICAL STREET ADDRESS (No PO Boxes)	DATE
1	<i>Doris C. Bourgoin</i>	DORIS BOURGOIN	127 Hampson St - Lewiston, Me	12/27
2	<i>Kevin Bannister</i>	KEVIN BANNISTER	1090 Sabattus Rd	12/27
3	<i>Deborah Roy</i>	DEBORAH ROY	316 East Ave Lewiston	12/28
4	<i>J. Stretton</i>	THOMAS STRETTON	19 GOGGIN ST LEWISTON	12/28
5	<i>Andre G. Gagne</i>	ANDRE G. GAGNE	7 Adelle St Lewiston	12/28
6	<i>B. Hutchinson</i>	BANKETT HUTCHINSON	7 Wilson St Lewiston	12/28
7	<i>Samuel Hurl</i>	SAMUEL HURT	375 MAIN ST LEWISTON	12/28
8	<i>Monica Dube</i>	MONICA DUBE	614 Main St Lewiston	12/28
9	<i>Cheyl D. Rancourt</i>	CHEYL D RANCOURT	10 King Ave - Lew	12-28
10	<i>MORTIMER</i>	MORTIMER	377 Main St - Lew	12/28
11	<i>Mike Kous</i>	MIKE KOUS	6 Menamara St.	2-28
12	<i>Pat Canning</i>	PAT CANNING	331 Pleasant St	12-28-17
13	<i>Matt Allen</i>	MATT ALLEN	41 Spring St	2-28-17
14	<i>Barbara A Bragdon</i>	BARBARA A BRAGDON	14 Caron Street	2-29-17
15	<i>Larry Rioux</i>	LARRY RIOUX	14 Whipple L	12-29-17
16	<i>Richard Brown Jr</i>	RICHARD BROWN JR	215 Lisbon St. Lew	12-29
17	<i>Stacy Coolidge</i>	STACY COOLIDGE	11 Poulain Ave Lew	12-29
18	<i>Tina Karkos</i>	TINA KARKOS	527 Main St	12-29-2017
19	<i>Jeffery Bowdoin</i>	JEFFERY BOWDOIN	410 Main St	12/29
20	<i>Jonathan Walther</i>	JONATHAN WALTHER	50 Fairmount St	12/29/17

CIRCULATOR=S VERIFICATION

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Julie Karkos
Signature of Circulator

Julie Karkos
Printed Name of Circulator

12/28/17
Date

PETITION TO AMEND THE CITY OF LEWISTON
ZONING AND LAND USE CODE

Pursuant to Appendix A, Article XVII, Section 5 AAmendments@of the City of Lewiston Zoning and Land Use Code, we the undersigned residents of the City of Lewiston, being eighteen (18) year of age or older, do hereby petition the City of Lewiston to rezone the property at 381 Main Street from the Office Residential (OR) district to the Centreville (CV) districts described and shown in the exhibits attached hereto:

	SIGNATURE	PRINTED NAME	PHYSICAL STREET ADDRESS (No PO Boxes)	DATE
1		Beth wood	76 Tampa st	12/27/17
2		Travis Greeley	76 Tampa st	12/27/17
3		Mamie Morneau	146 Hudson St.	12/27/17
4		Sheryl Wood	33 Scribner Cir	12/27/17
5		Alvin Wood	33 Scribner Cir	12/27/17
6		CHRISTIAN Gumprecht	1140 Sabathus St	12/27/17
7		Robert Peterson	32 First Avenue	12/27/17
8		Andrea Peterson	2 Colton Ave	12/27/17
9		Robert Peterson	2 Colton Ave	2/29/17
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CIRCULATOR-S VERIFICATION

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Signature of Circulator

Beth Wood
 Printed Name of Circulator

12/29/17
 Date

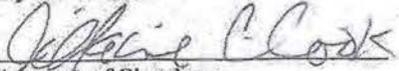
PETITION TO AMEND THE CITY OF LEWISTON
ZONING AND LAND USE CODE

Pursuant to Appendix A, Article XVII, Section 5 AAmendments@of the City of Lewiston Zoning and Land Use Code, we the undersigned residents of the City of Lewiston, being eighteen (18) year of age or older, do hereby petition the City of Lewiston to rezone the property at 381 Main Street from the Office Residential (OR) district to the Centreville (CV) districts described and shown in the exhibits attached hereto:

	SIGNATURE	PRINTED NAME	PHYSICAL STREET ADDRESS (No PO Boxes)	DATE
1		Donald Couture	245 Grand St	12/16/17
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 Signature of Circulator

Jillaine P Cook
 Printed Name of Circulator

12-29-17
 Date

PETITION TO AMEND THE CITY OF LEWISTON
ZONING AND LAND USE CODE

Pursuant to Appendix A, Article XVII, Section 5 A Amendments of the City of Lewiston Zoning and Land Use Code, we the undersigned residents of the City of Lewiston, being eighteen (18) year of age or older, do hereby petition the City of Lewiston to rezone the property at 381 Main Street from the Office Residential (OR) district to the Centreville (CV) districts described and shown in the exhibits attached hereto:

	SIGNATURE	PRINTED NAME	PHYSICAL STREET ADDRESS (No PO Boxes)	DATE
1		PAUL N CHOINIERE	56 FLOR ST	12-29-17
2		David J. May	508 Main Street	12-29-17
3		TINA FISH	145 FAIRMOUNT	12-29-17
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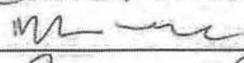
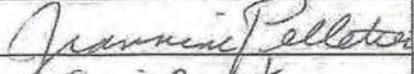
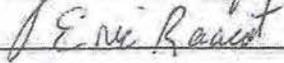
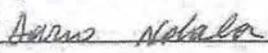
Signature of Circulator

Sarah Rideout
Printed Name of Circulator

12/29/2017
Date

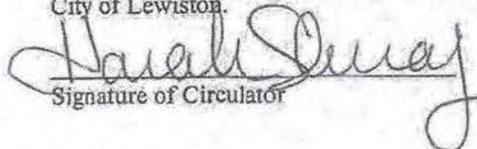
PETITION TO AMEND THE CITY OF LEWISTON
ZONING AND LAND USE CODE

Pursuant to Appendix A, Article XVII, Section 5 A Amendments of the City of Lewiston Zoning and Land Use Code, we the undersigned residents of the City of Lewiston, being eighteen (18) year of age or older, do hereby petition the City of Lewiston to rezone the property at 381 Main Street from the Office Residential (OR) district to the Centreville (CV) districts described and shown in the exhibits attached hereto:

	SIGNATURE	PRINTED NAME	PHYSICAL STREET ADDRESS (No PO Boxes)	DATE
1		Scott Mellen	4 Lemieux St	12-28-17
2		Mr. Chagnon	10 Darnall St	12-29-17
3		JEANNE PELLETIER	104 Main St	12/29/17
4		Racicot, Eric	138 Spring St Lew	12/29/17
5		DARIO NDALA	953 LINCOLN STREET #3	12/29/17
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CIRCULATOR-S VERIFICATION

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 Signature of Circulator

Hannah Shumway
 Printed Name of Circulator

12/29/17
 Date

PETITION TO AMEND THE CITY OF LEWISTON
ZONING AND LAND USE CODE

Pursuant to Appendix A, Article XVII, Section 5 A Amendments of the City of Lewiston Zoning and Land Use Code, we the undersigned residents of the City of Lewiston, being eighteen (18) year of age or older, do hereby petition the City of Lewiston to rezone the property at 381 Main Street from the Office Residential (OR) district to the Centreville (CV) districts described and shown in the exhibits attached hereto:

	SIGNATURE	PRINTED NAME	PHYSICAL STREET ADDRESS (No PO Boxes)	DATE
1	<i>Heidi McKay</i>	Heidi McKay	8 Darcy Dr Lewiston	12/29/17
2	<i>Daniel Welke</i>	Daniel Welke	11 Cabell St Lewiston	12/29
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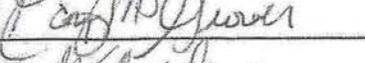
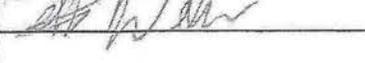
Elizabeth Cuellette
 Signature of Circulator

Elizabeth Cuellette
 Printed Name of Circulator

12/29/17
 Date

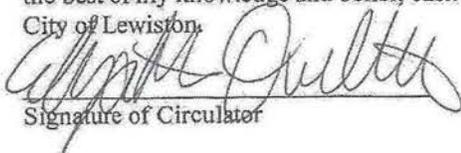
PETITION TO AMEND THE CITY OF LEWISTON
ZONING AND LAND USE CODE

Pursuant to Appendix A, Article XVII, Section 5 AAmendments@of the City of Lewiston Zoning and Land Use Code, we the undersigned residents of the City of Lewiston, being eighteen (18) year of age or older, do hereby petition the City of Lewiston to rezone the property at 381 Main Street from the Office Residential (OR) district to the Centreville (CV) districts described and shown in the exhibits attached hereto:

	SIGNATURE	PRINTED NAME	PHYSICAL STREET ADDRESS (No PO Boxes)	DATE
1		Kristine Collins	249 Lincoln St. Lewiston	12/29/17
2		Tammy S. Plourde	591 College St.	12/29/17
3		Tanya Crowder	15 Pine St. Lewiston, ME	12/1/17
4		Thomas S Wildger	063 Oxbow	12-29-17
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 Signature of Circulator

Elizabeth Ouellette
 Printed Name of Circulator

12/29/17
 Date

**PETITION TO AMEND THE CITY OF LEWISTON
ZONING AND LAND USE CODE**

Pursuant to Appendix A, Article XVII, Section 5 AAmendments@of the City of Lewiston Zoning and Land Use Code, we the undersigned residents of the City of Lewiston, being eighteen (18) year of age or older, do hereby petition the City of Lewiston to rezone the property at 381 Main Street from the Office Residential (OR) district to the Centreville (CV) districts described and shown in the exhibits attached hereto:

	SIGNATURE	PRINTED NAME	PHYSICAL STREET ADDRESS (No PO Boxes)	DATE
1	<i>Darita H Mathieu</i>	Darita H Mathieu	7 Forest St. Lewiston, ME 04240	12/24/17
2	<i>Brittany Denis</i>	Brittany Denis	33 Rejane Ave. Lewiston, ME 04240	12/26/17
3	<i>Dawn Collins</i>	Dawn Collins	150 Sabattus St Lewiston, ME 04240	12/26/17
4	<i>Elizabeth Ouellette</i>	Elizabeth Ouellette	20 Tourmaline Dr Lewiston, ME 04240	12/26/17
5	<i>Sean Collins</i>	Sean Collins	150 Sabattus St. Lewiston	12/27/17
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CIRCULATOR-S VERIFICATION

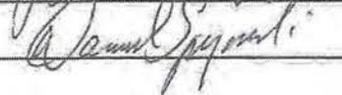
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Dawn Collins Dawn Collins
Signature of Circulator Printed Name of Circulator

12/28/17
Date

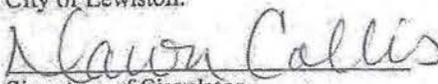
PETITION TO AMEND THE CITY OF LEWISTON
ZONING AND LAND USE CODE

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	SIGNATURE	PRINTED NAME	PHYSICAL STREET ADDRESS (No PO Boxes)	DATE
1		Julie Pratt	Old Green Rd	12-29
2		David Spagnardi	596 Pleasant St	12-29
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Signature of Circulator

Dawn Collins
Printed Name of Circulator

12/28/17
Date

**PETITION TO AMEND THE CITY OF LEWISTON
ZONING AND LAND USE CODE**

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	SIGNATURE	PRINTED NAME	PHYSICAL STREET ADDRESS (No PO Boxes)	DATE
1		JIM BERGER	85 ST-CROIX ST	12/28/17
2		TYLER DAULTON	13 W COLLEGE ST	12/28/17
3		ROBERT DUGAS	316 EAST AVE	12-28-17
4		Shannen Chase	50 Homefield St Lewiston me 04240	12/28/17
5	ESTHER	MOORAY	206 ASH 2	12/28/17
6		NORMAN McLENIHAN	12 LOWEST ST	12/28/17
7		ERIC TERRIO	70 King Ave Lew	12/28/17
8		KATHLEEN HARKINS	1 DAVIS ST Lew	12/29/17
9		Samantha Dickinson	52 Sabbathus St Apt 32 Lewiston me	12-29-17
10		Lauree Chouinard	17 Jans Blvd Lewiston	12-29-17
11		Carol Keith	192 Stetson Rd Lew	12/29-17
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Signature of Circulator

Julie Karkos
Printed Name of Circulator

12/29/17
Date

PETITION TO AMEND THE CITY OF LEWISTON
ZONING AND LAND USE CODE

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	SIGNATURE	PRINTED NAME	PHYSICAL STREET ADDRESS (No PO Boxes)	DATE
1	<i>Rebecca Laird</i>	Rebecca Laird	909 Main St	12/30
2	<i>David Lechar</i>	David Lechar	172 Old Church	12/30
3	<i>John Smedley</i>	John Smedley	12 Abbott St	12/30
4	<i>Maria Sivan</i>	Maria Sivan	90 Main St	12/30
5	<i>Gary Chamber</i>	Gary Chamber	1060 MAIN ST	12/30
6	<i>Wayne Hood</i>	WAYNE HOOD	24 KATIE AVE	12-30
7	<i>Louise & Paula</i>	Louise & Paula	82 Wollman St	12-30
8	<i>Chris Grimmie</i>	Chris Grimmie	2 Marie Circle	12/30
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Hannah Shumway Hannah Shumway 1/4/18
 Signature of Circulator Printed Name of Circulator Date

REGISTRAR'S CERTIFICATION

I hereby certify and verify that the names of all of the petitioners listed as valid appear on the voting list as registered voters in the City of Lewiston.

Total Valid: _____ Total Invalid: _____

Signature of Registrar/Deputy Registrar _____ Date: _____

**PETITION TO AMEND THE CITY OF LEWISTON
ZONING AND LAND USE CODE**

Pursuant to Appendix A, Article XVII, Section 5 A Amendments of the City of Lewiston Zoning and Land Use Code, we the undersigned residents of the City of Lewiston, being eighteen (18) year of age or older, do hereby petition the City of Lewiston to rezone the property at 381 & 391 Main Street from the Community Business (CB) district to the Centreville (CV) districts described and shown in the exhibits attached hereto:

	SIGNATURE	PRINTED NAME	PHYSICAL STREET ADDRESS (No PO Boxes)	DATE
1	<i>Albert Robarge</i>	ALBERT ROBARGE	70 Blaine St	1/2/18
2	<i>Wayne Hood</i>	WAYNE HOOD	24 KATIE AVE	1-2-18
3	<i>Perry Morneau</i>	PERRY MORNEAU	315 Pond Rd.	1-2-18
4	<i>Edward Morneau</i>	EDWARD MORNEAU	704 SOUTH PLAZA ST	1/2/18
5	<i>Cathy Bryant</i>	CATHY BRYANT	456 EAST AVE	1/2/18
6	<i>Verstin Crafts</i>	VERSTIN CRAFTS	314 ponded	1/2/18
7	<i>Doris Bourgeois</i>	DORIS A. BOURGEOIS	12 Thompson St	1/2/18
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Jessica Clark Jessica Clark 1/3/18
Signature of Circulator Printed Name of Circulator Date

REGISTRAR'S CERTIFICATION

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Signature of Registrar/Deputy Registrar Date: _____

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	SIGNATURE	PRINTED NAME	PHYSICAL STREET ADDRESS (No PO Boxes)	DATE
1	<i>[Signature]</i>	LEY L G... [unclear]	115 COLLEGE	10-30
2	<i>[Signature]</i>	Richard [unclear]	711 [unclear]	12-30
3	<i>[Signature]</i>	HORAN THURTELL	5 MICHAEL AVE	12-30
4	<i>[Signature]</i>	NANCY S BOLLARD	8 Nonella St	12-30
5	<i>[Signature]</i>	ALAN DOUGLASS	211 Holland St	12-30 7
6	<i>[Signature]</i>	PAUL COLE	4 CLASS ST	12-30-1
7	<i>[Signature]</i>	Linda White	309 Pinewood Rd	12-30
8	<i>[Signature]</i>	James N. [unclear]	7 Dunwoody Rd.	1/2
9	<i>[Signature]</i>	ALBERT G. ASKE	7 Red St	1/2
10	<i>[Signature]</i>	Celeste Parrie	30 Brown St	1/2
11	<i>[Signature]</i>	Roger Dargue	30 ELM ST APT 1	1/3
12	<i>[Signature]</i>	Raymond Beaulieu	115 S Bates St APT 2	1/3
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CIRCULATOR-S VERIFICATION

I hereby verify that I am the Circulator of this petition that all the signatures to this petition were made in my presence, and to the best of my knowledge and belief, each signature is that of the person it purports to be, and each person is a resident of the City of Lewiston.

[Signature] *[Signature]* 1/3/18
 Signature of Circulator Printed Name of Circulator Date

REGISTRAR'S CERTIFICATION

I hereby certify and verify that the names of all of the petitioners listed as valid appear on the voting list as registered voters in the City of Lewiston.

Total Valid: _____ Total Invalid: _____

 Signature of Registrar/Deputy Registrar

Date: _____

PETITION TO AMEND THE CITY OF LEWISTON
ZONING AND LAND USE CODE

Pursuant to Appendix A, Article XVII, Section 5 A Amendments of the City of Lewiston Zoning and Land Use Code, we the undersigned residents of the City of Lewiston, being eighteen (18) year of age or older, do hereby petition the City of Lewiston to rezone the property at 381 & 391 Main Street from the Community Business (CB) district to the Centreville (CV) districts described and shown in the exhibits attached hereto:

	SIGNATURE	PRINTED NAME	PHYSICAL STREET ADDRESS (No PO Boxes)	DATE
1	<i>Paul Simoneau</i>	PAUL SIMONEAU	111 Randall Rd	1/3/18
2	<i>Charles Wright Jr</i>	Charles WRIGHT Jr	137 Collyer St	1/3/18
3	<i>Tammie R. Lewis</i>	Tammie Lewis	28 Highland Ave	1/3/18
4	<i>Keri M. Smith</i>	Keri M Smith	26 Nichols St.	1/3/18
5	<i>James Gauthier</i>	JAMES GAUTHIER	76 Ash St	1-5-18
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CIRCULATOR'S VERIFICATION

I hereby verify that I am the Circulator of this petition that all the signatures to this petition were made in my presence, and to the best of my knowledge and belief, each signature is that of the person it purports to be, and each person is a resident of the City of Lewiston.

Elizabeta Ouellette Elizabeta Ouellette 1/3/18
 Signature of Circulator Printed Name of Circulator Date

REGISTRAR'S CERTIFICATION

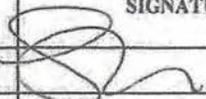
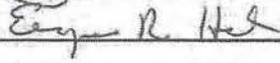
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Total Valid: _____ Total Invalid: _____

Signature of Registrar/Deputy Registrar _____ Date: _____

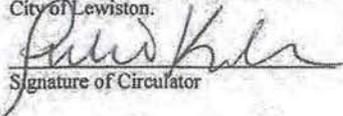
PETITION TO AMEND THE CITY OF LEWISTON
ZONING AND LAND USE CODE

Pursuant to Appendix A, Article XVII, Section 5 A Amendments of the City of Lewiston Zoning and Land Use Code, we the undersigned residents of the City of Lewiston, being eighteen (18) year of age or older, do hereby petition the City of Lewiston to rezone the property at 381 & 391 Main Street from the Community Business (CB) district to the Centreville (CV) districts described and shown in the exhibits attached hereto:

	SIGNATURE	PRINTED NAME	PHYSICAL STREET ADDRESS (No PO Boxes)	DATE
1		Lakeesha Stupinski	141 COLE	1/3/18
2		Eugene R. Holt	50 Windy Way Lew	1/3/18
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CIRCULATOR'S VERIFICATION

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 Signature of Circulator

Julie Karkos
 Printed Name of Circulator

1/4/18
 Date

REGISTRAR'S CERTIFICATION

I hereby certify and verify that the names of all of the petitioners listed as valid appear on the voting list as registered voters in the City of Lewiston.

Total Valid: _____

Total Invalid: _____

 Signature of Registrar/Deputy Registrar

Date: _____

PETITION TO AMEND THE CITY OF LEWISTON
ZONING AND LAND USE CODE

Pursuant to Appendix A, Article XVII, Section 5 A Amendments of the City of Lewiston Zoning and Land Use Code, we the undersigned residents of the City of Lewiston, being eighteen (18) year of age or older, do hereby petition the City of Lewiston to rezone the property at 381 Main Street from the Office Residential (OR) district to the Centreville (CV) districts described and shown in the exhibits attached hereto:

	SIGNATURE	PRINTED NAME	PHYSICAL STREET ADDRESS (No PO Boxes)	DATE
1		Daniel Bussiere	258 Marston St Lewiston APT 106	12/29
2		Walter Klymko	90 Summit Street Lewiston, ME 04240-727	12/29
3		Jessica Hanson	302 Pleasant st 04240	12/29
4		Vincent Ketchum	599 W. 5th St	12/29
5		Brenda Longtin	179 Super Rd	12/29
6		Shelby Breton	41 Barry Dr.	12-29
7		CINDY CARON	35 Nichols St	12/29
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Signature of Circulator

Julie Karkos
 Printed Name of Circulator

1/3/18
 Date

PETITION TO AMEND THE CITY OF LEWISTON
ZONING AND LAND USE CODE

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	SIGNATURE	PRINTED NAME	PHYSICAL STREET ADDRESS (No PO Boxes)	DATE
1	<i>Theresa Dubois</i>	Theresa Dubois	54 Howard St	1/8/18
2	<i>Steven Mans</i>	STEVEN MANS	207 Oak St	1/3/18
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Julie Karkos Julie Karkos 1/4/18
 Signature of Circulator Printed Name of Circulator Date

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I hereby certify and verify that the names of all of the petitioners listed as valid appear on the voting list as registered voters in the City of Lewiston.

Total Valid: _____ Total Invalid: _____

Signature of Registrar/Deputy Registrar _____ Date: _____

LEWISTON CITY COUNCIL

MEETING OF FEBRUARY 6, 2018

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 8

SUBJECT:

Public Hearing for the Fiscal Year 2019 Lewiston Capital Improvement Program.

INFORMATION: The municipal Capital Improvement Program (LCIP) is required by State Law and the City Charter. The LCIP is an important and necessary planning tool for the City's consideration in financial and development issues. It is a working document, and adoption does not constitute approval and/or funding of the various projects within the program. Each project will require funding approval from the City Council at a later date. The complete LCIP booklet was distributed to Council around January 15 for review. Prior to acting on the City's five year capital plan, the Council must hold a public hearing on it. In addition to the public hearing, the Council will also receive comments on the plan from the Finance Committee and the Planning Board.

This agenda item is for a Public Hearing to receive citizen input and comment regarding the contents of the Plan. Adoption of the LCIP is scheduled for a future City Council meeting.

Copies of the Plan are available on the City's website by using the Financial Reports link on the Finance Department's home page. The City Administrator's Message summarizing the plan and a spreadsheet with all proposed projects is attached.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

Receiving input from the residents is an important part of the LCIP process.



REQUESTED ACTION:

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To conduct a public hearing to receive citizen input and comment regarding the Fiscal Year 2018 Lewiston Capital Improvement Program.

(No action or vote is required by the City Council.)



EXECUTIVE DEPARTMENT

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

December 29, 2017

Lewiston Elected Officials
City Building
Lewiston, Maine 04240

RE: Proposed FY2019 Capital Improvement Program

Dear Mayor and Councilors:

The proposed FY2019 Lewiston Capital Improvement Program (LCIP) is hereby submitted for your review in accordance with the provisions of the City Charter.

The purpose of developing and annually updating a five-year capital plan is to ensure that policy makers are aware of both current and future capital needs and can take these into account during the annual budget process. It assists in setting priorities for addressing the City's infrastructure needs and in planning for and managing the City's overall debt.

At the same time, a capital plan is not and cannot be carved in stone. It must be a living and flexible document that, while informing judgments, does not predetermine them. While the plan serves as a guide to decision making, other factors must be weighed and balanced. These include: the overall economic and fiscal climate; the City's debt position; the availability of non-city funding sources; unexpected emergencies or development opportunities; public requests or expectations; and the ability of the City's operating budget to directly fund projects through normal City revenues.

Under our charter and procedures, this plan is also submitted to the Planning Board and the Finance Committee for their review, comments, and recommendations. The Council is required to hold a public hearing on this plan and to adopt it as it may be changed or modified at least four months prior to the end of the current fiscal year.

In addition to various summaries, each project is described and justified in the attached project detail sheets. Potential sources of funding are suggested such as federal or state grants, our operating budget, or general obligation bonds.

While a five-year time frame is appropriate for planning purposes, the focus of immediate attention will be on those projects scheduled for the coming fiscal year and, more specifically, those requiring either operating support or debt authorization. A summary of such projects can be found below.

OVERALL SUMMARY

The five-year capital plan calls for approximately \$157.6 million in projects, of which \$130 million are supported by City resources including our various operating budgets or general obligation or enterprise revenue supported bonds. The following chart summarizes the proposed use of local resources for the first year of the plan (FY2019) and the total over the full five year period:

AREA	FY2019	FY2019-FY2023
City Bond Issue	13,006,570	62,691,870
City Operating Budget	281,822	681,822
School Operating Budget	5,178	5,178
School Bond Issue	2,089,250	11,914,250
Water Bond Issue	2,000,000	21,750,000
Water Operating Budget	500,600	2,124,600
Sewer Operating Budget	230,200	840,200
Sewer Bond Issue	2,715,000	15,495,000
Sewer Impact Fees	40,000	80,000
Storm Water Operating Budget	103,000	488,450
Storm Water Bond Issue	2,540,000	13,988,000
TOTAL	23,511,620	130,059,370

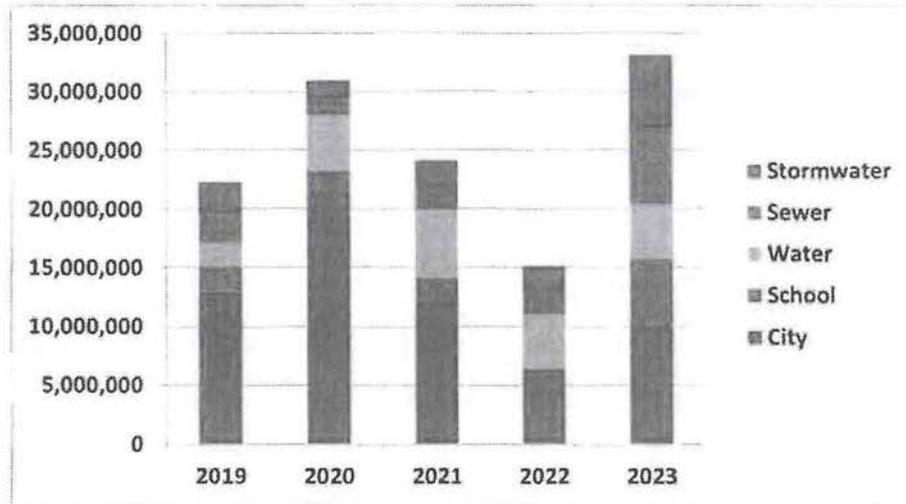
Significant changes include an increase of \$1.4 million in the size of the proposed School bond issue from last year's proposed \$.7 million. This increase is attributed to various renovation requests for the middle, high, and Longley schools, and the Dingley Building roof replacement. The second phase of the Lincoln Street parking garage totaling \$11.2 million¹ was included in the FY18 LCIP, but the project was deferred for a year and split into two fiscal years. FY19's LCIP includes \$3.3 million in funding for the first of three fire substation replacement projects beginning with Sabattus Street. The FY19 proposed utility bond request of \$7,255,000, is \$1.2 million higher than last year's request.

PROPOSED BOND ISSUES

The following chart and accompanying graph summarizes the amount of bonded debt proposed for the City's General Fund and each of its Enterprise Funds over the next five years.

Fund	2019	2020	2021	2022	2023	Total
City	13,006,570	21,522,200	12,014,500	6,394,800	9,753,800	62,691,870
School	2,089,250	1,700,000	2,125,000		6,000,000	11,914,250
Water	2,000,000	4,750,000	5,800,000	4,600,000	4,600,000	21,750,000
Sewer	2,715,000	1,615,000	2,175,000	2,220,000	6,770,000	15,495,000
Storm Water	<u>2,540,000</u>	<u>1,400,000</u>	<u>2,097,000</u>	<u>1,942,000</u>	<u>6,009,000</u>	<u>13,988,000</u>
TOTAL	22,350,820	30,987,200	24,211,500	15,156,800	33,132,800	125,839,120

¹ Note that this project is dependent upon the redevelopment of Mill 5 moving forward. Additionally, in accordance with the City Charter, any single purpose bond authorization for an individual project that exceeds 15% of the property tax levy of the preceding fiscal year (\$8,020,856) must be approved by the voters at a regular or special election prior to issuance.



OVERALL FISCAL AND ECONOMIC CLIMATE

During and subsequent to the recent great recession, capital funding financed by our operating budget declined. In recent years, we have taken some modest steps to increase the operating capital budget. This progress was reversed in FY2014 as a result of a significant additional reduction in state revenue sharing, and minimal capital funding has been provided by the operating budget since then. Projects that should be funded through current revenues continue to be proposed for either bond funding or the use of fund balance. This includes equipment replacement, annual street paving, and proposed funding for some smaller projects.

While pressure remains on the City's operating budget due to the after effects of the economic downturn and the continuing state raid on local funding, staff will closely evaluate the potential to fund all or portions of some of the proposed bond projects through the operating budget. Funding recurring and on-going capital expenses from operations should continue to be our long-term goal.

DEBT POSTURE

At the present time, the City's outstanding issued and authorized debt for all funds and purposes is \$199,848,408. The following chart provides greater detail by fund and purpose:

Outstanding Debt Issued & Authorized as of 12/31/17

City	\$42,554,825
Pension	3,775,000
School	83,112,103 ²
Water	20,830,783
Sewer	15,583,137
Storm Water	11,354,487
TIF Special Revenue	1,699,573
Authorized, Unissued Debt	<u>20,938,500</u>
Total	\$199,848,408

² Of this amount, \$57,827,633 in debt associated with new school construction is paid by the State.

While considered manageable by bond rating agencies, we should continue to work toward reducing tax supported debt. The current year's debt service budget of approximately \$8,054,655, while reduced from its high of \$9,553,599 in FY2010, represents approximately 17.8% of the City's operating budget exclusive of schools and county tax. The City Council has consistently reaffirmed our goal of reducing this percentage over time to a more sustainable level. This will be a major challenge given continuing economic constraints on our operating budget, past and potential future reductions in state and federal funding, and the need to address aging infrastructure.

Our recent approach to debt management involved a four part strategy. First, attempting to move certain capital expenditures back into our operating budget or find other sources to fund them. Generally, projects that are on-going or fairly predictable from year to year, such as street overlay and fleet replacement, should be supported by annual revenues. Second, we closely monitored capital markets and refinanced outstanding bonds at lower interest rates whenever possible. Third, we eliminated the past practice of using one-time revenues and fund balance to support the operating budget and adopted a fund balance policy. Under that policy, once certain targets are met, preference is given to using amounts over the target for capital expenditures, relieving the need to borrow. Finally, in 2012, the Council lowered the amount of debt that can be authorized in any one year from 97% of the average amount of principal retired over the last three years to 80%. To exceed this amount, an affirmative vote of five Councilors is required. Over time, these approaches allowed the city to gradually reduce its outstanding debt, interest due, and the percentage of the operating budget devoted to debt service.

Unfortunately, some of these tools will no longer be available to us. Any debt that could be refinanced has been. The interest rate environment is changing, with increasing rates that are likely to continue to rise as the economy grows and as municipal debt becomes less appealing to banks with the decline in corporate tax rates. As a result, interest costs on newly issued bonds will be higher than in recent years.

Reducing our outstanding debt will also not result in an immediate significant reduction in the City's debt service payment schedule to the extent that we continue our practices of shortening the term for repayment and continuing to structure our debt to make equal annual principal payments. While resulting in a declining payment schedule over time as principal is paid off, this approach requires higher payments in the early years while reducing the lifetime interest paid. As a result of the changing economic and interest rate environment, it may be necessary to revisit some of our approaches to debt issuance in the coming year.

The City's General Fund debt service requirements for the current year and the next five fiscal years, exclusive of authorized but as yet unissued debt are:

FISCAL YEAR	PRINCIPAL AND INTEREST PAYMENT
FY18 (Current)	\$8,054,281
FY19	\$7,970,659
FY20	\$7,537,661
FY21	\$7,278,826
FY22	\$5,106,052
FY23	\$4,705,283

Given these required payments and the additional borrowing that will occur over this time, annual principal is likely to continue to increase throughout this period; however, we anticipate the City will experience a reduction in interest.

ENTERPRISE FUNDS

The majority of the projects in our water, sewer, and storm water funds are directly related to either addressing old and deteriorating infrastructure or responding to state and federal mandates related to clean water. In all of these utilities, debt service costs are a major factor driving future rate increases. In order to better plan for and manage such increases, we continue to develop multi-year revenue and expense projections to ensure that policy makers are aware of the impact of capital projects on the financial stability and rates of these utilities.

PROPOSED FY2019 CAPITAL IMPROVEMENT PROGRAM

Recognizing that one of the major purposes of a capital plan is to inform the public about the City's annual budget process, this section briefly summarizes the projects identified for potential funding through local resources (our operating budgets or by issuing bonds) during FY2019.

PROJECT	TOTAL COST	CITY RESOURCES
AIRPORT:		
Hanger #3 Main Door Replacement	300,000	150,000
Airport Wildlife Control Equipment - Tractor	400,000	200,000
Reconstruction & Resurfacing of Runways 17-35 & 4-22	400,000	10,000
	1,100,000	360,000
EMERGENCY 9-1-1:		
Radio Replacement Project	1,022,000	511,000
Virtualization Hardware Refresh	170,000	85,000
	1,192,000	596,000
Museum L-A		
New Building Campaign	50,000	50,000
TRANSIT COMMITTEE:		
Bus/Bus Equipment/Midlife Overhauls	435,000	50,000
ASSESSING:		
City-Wide Revaluation	115,000	115,000
ECONOMIC & COMMUNITY DEVELOPMENT:		
Oxford Street Parking Lot	85,000	41,000
Canal Ownership Projects	150,000	150,000
Riverfront Island Implementation	320,000	320,000
Lincoln Street Garage Phase II - Charter Sec. 6.14 Vote Required	732,000	732,000
	1,287,000	1,243,000
MIS DEPARTMENT:		
Exchange & Office 2016 Replacement	121,470	121,470
FIRE DEPARTMENT:		
Fire Pumper/Aerial Replacement - Engine #3	975,000	975,000
Fire Support Vehicle - Unit 415 Command Vehicle	50,000	50,000
BLDG 3 - Sabattus Street Fire Station Replacement Project	3,300,000	3,300,000
	4,325,000	4,325,000
POLICE DEPARTMENT:		
BLDG 5 - Training & Conference Room Upgrade	55,000	45,000

PUBLIC WORKS - BUILDINGS:

BLDG 1 - City Hall Stairway Project	83,000	83,000
BLDG 2 - Canal Street Parking Garage Structural Rehabilitation	230,000	230,000
BLDG 4 - Violations Bureau Renovations Project	230,500	135,100
BLDG 14 - Armory Light Replacement	50,000	41,000
	<u>593,500</u>	<u>489,100</u>

PUBLIC WORKS - COMBINED SEWER OVERFLOW:

CSO Master Plan Update	200,000	200,000
CSO Storage in Franklin Pasture for Gully Brook CSO Area	2,000,000	2,000,000
	<u>2,200,000</u>	<u>2,200,000</u>

PUBLIC WORKS - HIGHWAY:

Birch Street Road & Sidewalk Rehabilitation	100,000	100,000
Street Crosswalk Evaluation & Implementation Plan	100,000	100,000
Sidewalk Maintenance & Rehabilitation	301,000	301,000
Street Maintenance Program	2,718,000	2,718,000
	<u>3,219,000</u>	<u>3,219,000</u>

PUBLIC WORKS - MDOT PROJECTS:

MDOT 5 - River Road - Razel Way to Alfred A. Plourde Parkway	1,290,000	129,000
MDOT - East Avenue - Homefield Street to Fairlawn Avenue	590,000	59,000
	<u>1,880,000</u>	<u>188,000</u>

PUBLIC WORKS - MUNICIPAL GARAGE:

Municipal Garage Vehicle & Equipment Replacement	1,361,000	1,361,000
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PUBLIC WORKS - OPEN SPACES:

Kennedy Park Master Plan	451,000	451,000
Marcotte Park Playground	470,700	150,000
	<u>921,700</u>	<u>601,000</u>

PUBLIC WORKS - SOLID WASTE:

Landfill Intermediate Cover	280,000	280,000
Truck Scale Replacement/Scale Management Upgrades	250,000	250,000
	<u>530,000</u>	<u>530,000</u>

SCHOOL DEPARTMENT:

Lewiston Middle School Auditorium Workshop Addition	50,000	50,000
Lewiston Middle School Electrical Upgrade	380,000	380,000
Lewiston High School Classroom Renovations	300,000	300,000
Lewiston High School Parking Lot Expansion	141,250	141,250
Dingley Building Roof Replacement	300,000	300,000
School District-wide Roof Access	96,000	96,000
Longley School Renovations	500,000	500,000
Lewiston High School Mechanical Systems Upgrades	322,000	322,000
	<u>2,089,250</u>	<u>2,089,250</u>

WATER DIVISION:

Lewiston SCADA Program	164,000	164,000
Distribution Water Main Replacement/Rehabilitation	2,000,000	2,000,000
Equipment Replacement Program	90,000	90,000
Lake Auburn Watershed Protection Commission Land Acquisition	50,000	25,000
Meter Program	320,000	320,000
	<u>2,624,000</u>	<u>2,599,000</u>

SEWER DIVISION:

Rehabilitation of Old Sanitary Sewer Mains	1,000,000	1,000,000
Equipment Replacement Program	140,000	140,000
Collection System Inspection & Rehabilitation	480,000	480,000
Criticality & Risk Assessment of Collection System	40,000	40,000
Pump Station Replacement	135,000	135,000
	<u>1,795,000</u>	<u>1,795,000</u>

STORM WATER DIVISION

Lisbon Street Storm Drain Rehabilitation	140,000	140,000
Culvert Replacement Program	350,000	350,000
Storm Drain Inspection	350,000	350,000
Storm Drains for Road Rehabilitation Projects	94,800	94,800
Jepson Brook Channel Upgrades	600,000	600,000
	<u>1,534,800</u>	<u>1,534,800</u>
TOTAL	<u>27,428,720</u>	<u>23,511,620</u>

FY2019 MUNICIPAL BOND PROJECTS

The following general fund projects are proposed for bond funding in FY2019:

PROJECT	AMOUNT
CITY:	
Hanger #3 Main Door Replacement	150,000
Airport Wildlife Control Equipment - Tractor	200,000
Radio Replacement Project	511,000
Virtualization Hardware Refresh	85,000
City-Wide Revaluation	115,000
Canal Ownership Projects	150,000
Riverfront Island Implementation	320,000
Lincoln Street Garage Phase II	732,000
Exchange & Office 2016 Replacement	121,470
Fire Pumper/Aerial Replacement - Engine #3	975,000
BLDG 3 - Sabattus Street Fire Station Replacement Project	3,300,000
BLDG 1 - City Hall Stairway Project	83,000
BLDG 2 - Canal Street Parking Garage Structural Rehabilitation	230,000
BLDG 4 - Violations Bureau Renovations Project	135,100
Birch Street Road & Sidewalk Rehabilitation	100,000
Street Crosswalk Evaluation & Implementation Plan	100,000
Sidewalk Maintenance & Rehabilitation	301,000
Street Maintenance Program	2,718,000
MDOT 5 - River Road - Razel Way to Alfred A. Plourde Parkway	129,000
MDOT - East Avenue - Homefield Street to Fairlawn Avenue	59,000
Municipal Garage Vehicle & Equipment Replacement	1,361,000
Kennedy Park Master Plan	451,000
Marcotte Park Playground	150,000
Landfill Intermediate Cover	280,000
Truck Scale Replacement/Scale Management Upgrades	250,000
	<u>13,006,570</u>

SCHOOL DEPARTMENT:

Lewiston Middle School Auditorium Workshop Addition	50,000
Lewiston Middle School Electrical Upgrade	380,000
Lewiston High School Classroom Renovations	300,000
Lewiston High School Parking Lot Expansion	141,250
Dingley Building Roof Replacement	300,000
School District-wide Roof Access	96,000
Longley School Renovations	500,000
Lewiston High School Mechanical Systems Upgrades	322,000
	<hr/>
	2,089,250

TOTAL GENERAL FUND REQUESTS

15,095,820

Given the proposed bond projects, the 80% limit of \$7,027,349 would be exceeded by \$8,068,471.

As we move through the budget process, it will be necessary for us to closely analyze each of the projects proposed for the coming year's bond funding to set priorities and to reduce next year's issue to a more manageable level. This can be accomplished by deferring projects and/or funding some of them from either the City's operating budget or unallocated fund balance. Toward this end, the goal of reducing next year's bond issue should remain in our minds as we work on the FY2019 operating budget.

CONCLUSION

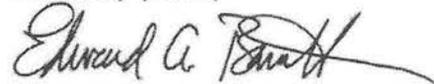
The LCIP is an important planning tool to assist policy makers as they consider financial and development issues. However, the LCIP is only a "tool," not a funded budget.

The City Council has the final authority over which projects are funded and which are not. In these economic times and given the City's overall debt and fiscal posture, it may be difficult to either afford or fully fund all of the scheduled LCIP projects, including those proposed for inclusion in the General Fund operating budget. As a result, these projects will require that we carefully prioritize what must and should be done. These are issues that will be fully discussed and evaluated during the upcoming budget process.

I would like to express my thanks to the members of City staff who contributed to developing this plan, especially our department directors, and our Finance Director Heather Hunter. Without their efforts, this document could not have been produced in a timely fashion.

I look forward to the opportunity of reviewing this plan with you, the Planning Board, and the Finance Committee over the coming months.

Sincerely yours,



Edward A. Barrett
City Administrator

FY 2019 Lewiston Capital Improvement Project Summary
by Department/Agency

PROJECT	PAGE	FY2019		FY2020		FY2021		FY2022		FY2023	
AIRPORT:											
Hanger #3 Main Door Replacement	13	150,000	Other								
		150,000	CBI								
Airport Wildlife Control Equipment - Tractor	14	200,000	Other								
		200,000	CBI								
Reconstruction & Resurfacing of Runways 17-35 & 4-22	15	380,000	F/S	5,700,000	F/S						
		10,000	Other	150,000	Other						
		10,000	COB	150,000	CBI						
Construction of New Fuel Farm	16			375,000	Other						
				375,000	CBI						
Fixed Base Operation Aircraft Parking Ramp Reconstruction	17					250,000	Other				
						250,000	CBI				
EMERGENCY 9-1-1:											
Radio Replacement Project	18	511,000	Other	3,000,000	Other						
		511,000	CBI	3,000,000	CBI						
Virtualization Hardware Refresh	19	85,000	Other					100,000	Other		
		85,000	CBI					100,000	CBI		
Communications Center	20							250,000	Other	750,000	Other
								250,000	CBI	750,000	CBI
Museum L-A											
New Building Campaign	21	50,000	COB	50,000	COB	50,000	COB	50,000	COB	50,000	COB
TRANSIT COMMITTEE:											
Bus/Bus Equipment/Midlife Overhauls	22	335,000	F/S	350,000	F/S	350,000	F/S	350,000	F/S	350,000	F/S
		50,000	Other	50,000	Other	50,000	Other	50,000	Other	50,000	Other
		50,000	COB	50,000	COB	50,000	COB	50,000	COB	50,000	COB
ASSESSING:											
City-Wide Revaluation	23	115,000	CBI	115,000	CBI	115,000	CBI	115,000	CBI	110,000	CBI
ECONOMIC & COMMUNITY DEVELOPMENT:											
Oxford Street Parking Lot	24	41,000	COB								
		44,000	F/S								
Canal Ownership Projects	25	150,000	CBI	100,000	CBI	100,000	CBI	100,000	CBI	100,000	CBI
Riverfront Island Implementation	26	320,000	CBI	450,000	CBI	450,000	CBI	450,000	CBI	450,000	CBI
Lincoln Street Garage Phase II - Charter Sec. 6.14 Vote Required	27	732,000	CBI	10,459,000	CBI						
MIS DEPARTMENT:											
Exchange & Office 2016 Replacement	28	121,470	CBI								
Physical Server Replacement	29			50,000	CBI						
Microsoft Server Enterprise Replacement	30					50,000	CBI				
FIRE DEPARTMENT:											
Fire Pumper/Aerial Replacement - Engine #3	31	975,000	CBI								
Fire Support Vehicle - Unit 415 Command Vehicle	33	50,000	COB								
BLDG 3 - Sabattus Street Fire Station Replacement Project	34	3,300,000	CBI								
BLDG 9 - Lisbon Street Fire Station Replacement Project	35			110,000	CBI	3,300,000	CBI				
BLDG 13 - Main Street Fire Station Replacement Project	36							110,000	CBI	3,300,000	CBI
POLICE DEPARTMENT:											
BLDG 5 - Training & Conference Room Upgrade	37	45,000	COB								
		10,000	Other								
BLDG 6 - Police Building Expansion Project	38			50,000	CBI	2,500,000	CBI				
PUBLIC WORKS - ATRC:											
ARTC 1 - Lincoln St. - Main Street to Cedar Street	39							608,400	F/S		

**FY 2019 Lewiston Capital Improvement Project Summary
by Department/Agency**

PROJECT	PAGE	FY2019	FY2020	FY2021	FY2022	FY2023
ARTC 2 - Alfred Plourde Parkway Phase I - River Road to Exit 80	40				67,600 CBI 918,000 F/S 102,000 CBI	
ARTC 3 - Alfred Plourde Parkway Phase II - River Road to Exit 80	41				492,300 F/S 54,700 CBI	
ARTC 4 - College Street - Russell Street to Davis Street	42					468,900 F/S 52,100 CBI
ARTC 5 - Pleasant Street - South Avenue to Lisbon Street	43					960,300 F/S 106,700 CBI
PUBLIC WORKS - BUILDINGS:						
BLDG 1 - City Hall Stairway Project	44	83,000 CBI				
BLDG 2 - Canal Street Parking Garage Structural Rehabilitation	45	230,000 CBI				
BLDG 4 - Violations Bureau Renovations Project	46	95,400 F/S 135,100 CBI				
BLDG 14 - Armory Light Replacement	47	35,822 COB 5,178 SCOB 9,000 Other				
BLDG 7 - Public Works Building Roof Membrane Replacement	48			340,000 CBI		
BLDG 8 - City Hall Building Window Replacement Project	49				500,000 CBI	
BLDG 10 - City Hall Building Exterior Rehabilitation Project	50					200,000 CBI
BLDG 11 - Armory Balcony Seat Replacement	51					90,000 CBI
BLDG 12 - Armory Building Exterior Rehabilitation Project	52					140,000 CBI
PUBLIC WORKS - COMBINED SEWER OVERFLOW:						
CSO Master Plan Update	53	100,000 SBI 100,000 SWBI				
CSO Storage in Franklin Pasture for Gully Brook CSO Area	54	1,000,000 SBI 1,000,000 SWBI				5,000,000 SBI 5,000,000 SWBI
CSO Separation - Various Areas	55			500,000 SWBI 500,000 SBI	500,000 SWBI 500,000 SBI	
PUBLIC WORKS - HIGHWAY:						
Birch Street Road & Sidewalk Rehabilitation	57	100,000 CBI	825,000 CBI			
Street Crosswalk Evaluation & Implementation Plan	58	100,000 CBI	100,000 CBI	100,000 CBI	100,000 CBI	100,000 CBI
Sidewalk Maintenance & Rehabilitation	59	301,000 CBI	280,000 CBI	343,000 CBI	314,000 CBI	300,000 CBI
Street Maintenance Program	61	2,718,000 CBI	2,804,000 CBI	2,785,000 CBI	2,752,000 CBI	2,724,000 CBI
Canal Street Project	64		800,000 CBI			
PUBLIC WORKS - MDOT PROJECTS:						
MDOT 5 - River Road - Razel Way to Alfred A. Plourde Parkway	65	1,161,000 F/S 129,000 CBI				
MDOT 6 - East Avenue - Homefield Street to Fairlawn Avenue	66	531,000 F/S 59,000 CBI				
MDOT 1 - Main Street Phase 1 - Pettingill Street to Whipple Street	67		786,600 F/S 87,400 CBI			
MDOT 2 - Main Street Phase 2 - Whipple Street to Sabattus Street	68		571,500 F/S 63,500 CBI			
MDOT 3 - Main Street Phase 3 - Sabattus Street to Longley Bridge	69		819,900 F/S 91,100 CBI			
MDOT 4 - Main Street - Lisbon Street to Bernard Lown Peace Bridge	70		316,800 F/S 35,200 CBI			
PUBLIC WORKS - MUNICIPAL GARAGE:						

**FY 2019 Lewiston Capital Improvement Project Summary
by Department/Agency**

PROJECT	PAGE	FY2019		FY2020		FY2021		FY2022		FY2023	
Municipal Garage Vehicle & Equipment Replacement	71	1,361,000	CBI	1,241,000	CBI	1,183,000	CBI	1,024,500	CBI	1,231,000	CBI
PUBLIC WORKS - OPEN SPACES:											
Kennedy Park Master Plan	74	451,000	CBI	336,000	CBI	498,500	CBI	355,000	CBI	100,000	CBI
Marcotte Park Playground	77	150,000	CD								
		170,700	Other								
		150,000	CBI								
PUBLIC WORKS - SOLID WASTE:											
Landfill Intermediate Cover	79	280,000	CBI								
Truck Scale Replacement/Scale Management Upgrades	80	250,000	CBI								
SCHOOL DEPARTMENT:											
Lewiston Middle School Auditorium Workshop Addition	81	50,000	SCHBI								
Lewiston Middle School Electrical Upgrade	82	380,000	SCHBI								
Lewiston High School Classroom Renovations	83	300,000	SCHBI								
Lewiston High School Parking Lot Expansion	84	141,250	SCHBI								
Dingley Building Roof Replacement	85	300,000	SCHBI								
School District-wide Roof Access	86	96,000	SCHBI								
Longley School Renovations	87	500,000	SCHBI	500,000	SCHBI						
Lewiston High School Mechanical Systems Upgrades	88	322,000	SCHBI	680,000	SCHBI						
Lewiston High School Elevator	89			420,000	SCHBI						
Green Ladle Renovation	90			100,000	SCHBI						
Dingley Building Cellar Renovations	91					125,000	SCHBI				
Lewiston High School Visual & Performing Arts Center & Parking	92					2,000,000	SCHBI			6,000,000	SCHBI
						2,000,000	Other			2,000,000	Other
WATER DIVISION:											
Lewiston SCADA Program	93	65,600	WOB	40,000	WOB						
		90,200	SOB	55,000	SOB						
		8,200	SWOB	5,000	SWOB						
Distribution Water Main Replacement/Rehabilitation	94	2,000,000	WBI								
Equipment Replacement Program	96	90,000	WOB	125,000	WOB	90,000	WOB	90,000	WOB	69,000	WOB
Lake Auburn Watershed Protection Commission Land Acquisition	98	25,000	WOB	25,000	WOB	30,000	WOB	35,000	WOB	40,000	WOB
		25,000	Other	25,000	Other	30,000	Other	35,000	Other	40,000	Other
Lewiston-Auburn Water Treatment Program - Contingency Need	99			150,000	Other	1,200,000	Other				
				150,000	WBI	1,200,000	WBI				
Meter Program	100	320,000	WOB	270,000	WOB	270,000	WOB	270,000	WOB	270,000	WOB
Redundant Water Transmission Main Installation	101			2,600,000	WBI	2,600,000	WBI	2,600,000	WBI	2,600,000	WBI
SEWER DIVISION:											
Rehabilitation of Old Sanitary Sewer Mains	102	1,000,000	SBI	1,000,000	SBI	1,050,000	SBI	1,100,000	SBI	1,150,000	SBI
Equipment Replacement Program	109	140,000	SOB	70,000	SOB	95,000	SOB	195,000	SOB	195,000	SOB
Collection System Inspection & Rehabilitation	111	480,000	SBI								
Criticality & Risk Assessment of Collection System	112	40,000	SIF	40,000	SIF						
Pump Station Replacement	113	135,000	SBI	135,000	SBI	145,000	SBI	140,000	SBI	140,000	SBI
STORM WATER DIVISION											
Lisbon Street Storm Drain Rehabilitation	115	140,000	SWBI								
Culvert Replacement Program	116	350,000	SWBI								
Storm Drain Inspection	117	350,000	SWBI								
Storm Drains for Road Rehabilitation Projects	118	94,800	SWOB	87,800	SWOB	121,950	SWOB	85,200	SWOB	85,500	SWOB
Jepson Brook Channel Upgrades	120	600,000	SWBI	750,000	SWBI	897,000	SWBI	742,000	SWBI	309,000	SWBI
Hart Brook Water Quality Restoration	121			300,000	SWBI	350,000	SWBI	350,000	SWBI	350,000	SWBI
TOTALS		27,428,720		44,099,800		28,798,450		18,735,700		38,511,500	

FY 2019 Lewiston Capital Improvement Project Summary
by Department/Agency

PROJECT	PAGE	FY2019	FY2020	FY2021	FY2022	FY2023
City Bond Issue	CBI	13,006,570	21,522,200	12,014,500	6,394,800	9,753,800
City Operating Budget	COB	281,822	100,000	100,000	100,000	100,000
Community Dev. Block Grant	CD	150,000	-	-	-	-
Federal/State Funding	FIS	2,546,400	8,544,800	350,000	2,368,700	1,779,200
Other Agency/Municipality	Other	1,220,700	3,750,000	3,530,000	435,000	2,840,000
School Bond Issue	SCBBI	2,089,250	1,700,000	2,125,000	-	6,000,000
School Operating Budget	SCOB	5,178	-	-	-	-
Water Bond Issue	WBI	2,000,000	4,750,000	5,800,000	4,600,000	4,600,000
Water Operating Budget	WOB	500,600	460,000	390,000	395,000	379,000
Sewer Operating Budget	SOB	230,200	125,000	95,000	195,000	195,000
Sewer Bond Issue	SBI	2,715,000	1,615,000	2,175,000	2,220,000	6,770,000
Sewer Impact Fees	SIF	40,000	40,000	-	-	-
Storm Water Operating Budget	SWOB	103,000	92,800	121,950	85,200	85,500
Storm Water Bond Issue	SWBI	2,540,000	1,400,000	2,097,000	1,942,000	6,009,000
		27,428,720	44,099,800	28,798,450	18,735,700	38,511,500
Total Bond Issues		22,350,820	30,987,200	24,211,500	15,156,800	33,132,800
20yr						
CBI (City Bond Issue)		7,051,000	15,168,000	9,268,000	3,816,000	7,074,000
SCBI (School Bond Issue)		800,000	920,000	2,000,000	-	6,000,000
WBI (Water Bond Issue)		2,000,000	4,600,000	4,600,000	4,600,000	4,600,000
SBI (Sewer Bond Issue)		2,000,000	1,000,000	1,050,000	1,100,000	6,150,000
SWBI (Storm Water Bond Issue)		1,600,000	750,000	897,000	742,000	5,309,000
	sub-total	13,451,000	22,438,000	17,815,000	10,258,000	29,133,000
15yr						
CBI (City Bond Issue)		3,848,000	5,027,000	2,131,500	1,829,500	2,121,000
SCBI (School Bond Issue)		1,002,000	680,000	-	-	-
WBI (Water Bond Issue)		-	-	-	-	-
SBI (Sewer Bond Issue)		480,000	480,000	980,000	980,000	480,000
SWBI (Storm Water Bond Issue)		700,000	650,000	1,200,000	1,200,000	700,000
	sub-total	6,030,000	6,837,000	4,311,500	4,009,500	3,301,000
10yr						
CBI (City Bond Issue)		1,277,100	816,100	450,000	302,000	306,700
SCBI (School Bond Issue)		237,250	-	125,000	-	-
WBI (Water Bond Issue)		-	150,000	1,200,000	-	-
SBI (Sewer Bond Issue)		235,000	135,000	145,000	140,000	140,000
SWBI (Storm Water Bond Issue)		240,000	-	-	-	-
	sub-total	1,989,350	1,101,100	1,920,000	442,000	446,700
5yr						
CBI (City Bond Issue)		830,470	511,100	165,000	447,300	252,100
SCBI (School Bond Issue)		50,000	100,000	-	-	-
WBI (Water Bond Issue)		-	-	-	-	-
SBI (Sewer Bond Issue)		-	-	-	-	-
SWBI (Storm Water Bond Issue)		-	-	-	-	-
	sub-total	880,470	611,100	165,000	447,300	252,100
Total		22,350,820	30,987,200	24,211,500	15,156,800	33,132,800

LEWISTON CITY COUNCIL

MEETING OF FEBRUARY 6, 2018

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 9

SUBJECT: Resolve, Making an Appropriation from the City's Undesignated Fund Balance in an Amount not to Exceed \$160,000 and Authorizing the City Administrator to purchase a sidewalk tractor and associated attachments and tow behind high capacity sander.

INFORMATION: The City Council recently held a workshop to discuss issues involving winter sidewalk maintenance after concerns were expressed regarding the length of time required to address our priority and secondary routes after the last major winter storm. One of the issues reviewed was the availability of our plow units, estimated at about 60% particularly given the status of our oldest unit which has not been available this winter. Subsequently, the City Council indicated an interested in advancing the proposed purchase date for a new sidewalk machine to replace this old unit. Staff has investigated this possibility with an equipment dealer who has indicated that a unit meeting all City specifications could be delivered within 30 days from contract award for \$158,994.

The attached agenda item would, first, appropriate an amount not to exceed \$160,000 from the City's unallocated fund balance for the purpose of buying a sidewalk machine and, second, waive the bidding requirements of the City's purchasing policy in order to expedite this purchase, should the Council so desire. Note that if the bidding requirement is waived, it is likely the unit could be here in early March, when snow storms remain likely. If the unit is bid, it is unlikely that the unit could be here for use in this winter season but, if we proceed to bid the unit now, it would be available for next winter. The final option would be for the Council to delay this purchase until the normal Capital Improvement Plan process is concluded. If funding for the unit is authorized in June, bidding, award, and delivery could still be concluded in time for next winter.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

GAB/Kmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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To approve the **Resolve,** Making an Appropriation from the City's Undesignated Fund Balance in an Amount not to Exceed \$160,000 and Authorizing the City Administrator to purchase a sidewalk tractor and associated attachments and tow behind high capacity sander.



COUNCIL RESOLVE

Resolve, Making an Appropriation from the City's Undesignated Fund Balance in an Amount not to Exceed \$160,000 and Authorizing the City Administrator to purchase a sidewalk tractor and associated attachments and tow behind high capacity sander.

Whereas, the City plans to replace sidewalk plow #809 in the FY2019 LCIP; and

Whereas, unit 809 has not been available for use at all this winter, which has impacted the Public Works Department's ability to clear snow from sidewalks; and

Whereas, the equipment dealer has provided a quote indicating a replacement machine meeting all City specifications and needs could be delivered within 30 days from time of award for \$158,994.00; and

Whereas, in order to accelerate the purchase of this equipment and have it available for use as soon as possible, the requirement of the Purchasing Policy that formal bids be solicited should be waived; and

Whereas, this resolve will accelerate the purchase of the equipment to have it available for use sooner;

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

There is hereby appropriated up to the amount of \$160,000.00 from the City's unallocated fund balance for the purchase of a replacement sidewalk tractor and associated attachments and a tow behind high capacity sander.

Be it Further Resolved, that the requirement of the City's purchasing policy that such purchase be made through the competitive bidding process is hereby waived and the City Administrator is authorized to award a contract for such purchase in order to have this equipment in service as soon as possible.



SOUTHERN MAINE
 65 Pleasant Hill Rd
 Scarborough, ME 04074
 P: (207) 885-4895
 F: (866) 896-9559

Sales Quote

IMPORTANT: All invoices are due and payable in U.S. Dollars in Guadalupe County, Texas, or where indicated below. No goods to be returned without our written permission. Goods must be returned transportation charges pre-paid. A handling charge will be made on all returned goods. LATE CHARGE: A late charge of 1.5% of any past due balance of the dealers account as of the last day of the month will be billed as of the 15th day of the following month if payment has not been received by that date.				
CUSTOMER NO	826012	TERRITORY	391	PAGE 2 of 2
ORDER DATE	01/26/2018	CUSTOMER PO	79297HOLSTON	
QUOTE DATE	01/29/2018	SHIPPED VIA		
SALES ORDER	4850369 - SQ	FREIGHT TERMS	FOA FACTORY- FRT ARRANGED & PREPAID, TRANSFER AT ORIGIN	
		FC1		
PAYMENT TERMS	Net 30 Days(Override)/Invoice		CODE	002
DELIVERY INSTRUCTIONS:				
		REQUESTED SHIP DATE	01/26/2018	

SOLD TO:
 CITY OF LEWISTON CHP
 103 ADAMS AVE
 LEWISTON ME 04240

 PHONE: 207-784-2951

SHIP TO:
 CITY OF LEWISTON CHP
 103 ADAMS AVE
 LEWISTON ME 04240
 PHONE: 207-784-2951

ITEM NUMBER	BRANCH	DESCRIPTION	PICK SLIP#/ LOT/SERIAL	QUANTITY SHIPPED	LIST PRICE	DISC %	EXTENDED AMOUNT
MT7HPF	9963	TRACKLESS MT7 SIDEWALK TRACTOR		1	158,994.00	0	158,994.00

R E M A R K S		NET DUE	SUB-TOTAL	158,994.00
		158,994.00	SALES TAX	0.00
			TOTAL(USD)	158,994.00
			PREPAID AMOUNT	

IMPORTANT: Alamo Group or affiliates (Alamo Group) shall not be liable to any person for any claim for injuries or damages which claim for injuries or damages arises out of or which results from the repair of this product by a person or firm other than Alamo Group. Repair parts are intended for use only on equipment manufactured or sold by Alamo Group.



SOUTHERN MAINE
 65 Pleasant Hill Rd
 Scarborough, ME 04074
 P: (207) 885-4895
 F: (866) 896-9559

Sales Quote

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LATE CHARGE: A late charge of 1.5% of any past due balance of the dealers account as of the last day of the month will be billed as of the 15th day of the following month if payment has not been received by that date.

CUSTOMER NO	826012	TERRITORY	391	PAGE 1 of 2
ORDER DATE	01/26/2018	CUSTOMER PO	79297HOLSTON	
QUOTE DATE	01/29/2018	SHIPPED VIA		
SALES ORDER	4850369 - SQ	FREIGHT TERMS	FCA FACTORY- FRT ARRANGED & PREPAID, TRANSFER AT ORIGIN	
		FC1		
PAYMENT TERMS	Net 30 Days(Override)/Invoice		CODE	002
DELIVERY INSTRUCTIONS:				
		REQUESTED SHIP DATE	01/26/2018	

SOLD TO:
 CITY OF LEWISTON CHP
 103 ADAMS AVE
 LEWISTON ME 04240

PHONE: 207-784-2951

SHIP TO:
 CITY OF LEWISTON CHP
 103 ADAMS AVE
 LEWISTON ME 04240
 PHONE: 207-784-2951

DESCRIPTION/REMARKS
ALL DISCOUNTED PRICING INCLUDES 5% LEWISTON ME MUNICIPAL DISCOUNT
PRICE INCLUDES FRIEGHT UNDER 30 DAY LEAD TIME FROM PO
MT7ACPV SERIES MT7 OFF-ROAD VEHICLE WITH STANDARD FEATURES AND ELECTRIC LOCKING DIFFERENTIAL ADDED AS OPTION \$116500.00
ATTACHEMENT OPTIONS: 1 - Fixed 49" v plow \$4085 1 - 5 position folding plow \$5890 1 - 60" power angle sweeper \$6745 1 - Water tank and pump kit \$3491 1 - Spray bar kit \$219 1 - Rear hyd. salt/sand spreader w/ tail light kit \$6389 1 - Tow behind sander w/ T.B.S package \$15675
TOTAL WITH ALL OPTIONS AND ATTACHMENTS \$158994.00
MT7 has a number of standard features that the MT6 did not have, see below The Tier 4 final engine is one component that has significantly increased the price of the machine and overall costs over 4 years adds up. MT7 w/ Air conditioning, additional heat, cab pressurizer, climate control, 8 amber strobes w/ branch guard Optional pump & valve kit Reversing engine fan LED tail & marker lights F-N-R joystick Intermittent front wiper Backup camera Battery disconnect switch Articulation lock Remote battery terminal Low hyd. oil warning Ride control Cruise control Rear wiper/washer Slow moving vehicle sign

REMARKS	NET DUE	SUB-TOTAL	158,994.00
	158,994.00	SALES TAX	0.00
		TOTAL(USD)	158,994.00
		PREPAID AMOUNT	

IMPORTANT: Alamo Group or affiliates (Alamo Group) shall not be liable to any person for any claim for injuries or damages which claim for injuries or damages arises out of or which results from the repair of this product by a person or firm other than Alamo Group. Repair parts are intended for use only on equipment manufactured or sold by Alamo Group.

LEWISTON CITY COUNCIL

MEETING OF FEBRUARY 6, 2018

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 10

SUBJECT: Resolve, Reauthorizing a Public Works Committee.

INFORMATION:

A recent Council workshop included a discussion of the prior ad hoc public works committee and a suggested committee on recycling and solid waste. At that discussion, there appeared to be some interest among the Councilors in re-establishing the former Public Works Committee and asking it to review the Department's proposed capital plan, the level of service currently provided for winter sidewalk maintenance, and other operational/policy issues confronting the Department. The attached resolve would do so.

As noted, there was also discussion of a recycling and solid waste committee. The Council should consider whether it wishes to establish this as a separate committee or as a subcommittee of the Public Works Committee. Either approach appears to be workable and the recycling committee could easily be integrated into the Public Works Committee by potentially expanding its membership. An alternate resolve is attached that would set up the recycling/solid waste committee as a subcommittee of the Public Works Committee. If the Council desires a separate, standalone committee, a separate item is included on the agenda that would do so.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.



REQUESTED ACTION:

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To approve the **Resolve,** Reauthorizing a Public Works Committee.



COUNCIL RESOLVE

Resolve, Reauthorizing a Public Works Committee.

Whereas, the City Council authorized and formed a Public Works Committee in 2014; and

Whereas, that Committee sunset in December 2016; and

Whereas, the City Council has once again indicated it would like to seek advice from such a committee on Lewiston Capital Improvement Project (LCIP) infrastructure projects and other issues affecting the Public Works Department including, but not limited to, recommendations regarding winter sidewalk maintenance;

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

The Ad Hoc Public Works Committee is hereby re-established for the purpose of:

- Reviewing and making recommendations regarding Public Works infrastructure projects included in the LCIP;
- Reviewing and recommending changes to improve the current process for clearing sidewalks after winter storms;
- Assisting department staff in developing succession plans to address the large number of anticipated retirements expected over the next several years;
- Addressing other areas of public works operations, including staffing, training, and resources, of concern to the members of the Committee or which might be referred to the Committee from time to time by the City Council.

Composition and Appointment

The Committee will be composed of 7 voting members: 2 Councilors and 5 members of the public who are residents or taxpayers in the City of Lewiston and are knowledgeable concerning public works, construction, civil engineering, equipment operations/maintenance, purchasing, customer service operations, or related areas; and 2 ex-officio staff members. The 7 voting members shall be appointed by the Mayor, who shall designate one of them as Committee Chair, and the 2 staff members shall be assigned by the City Administrator and shall be responsible for providing logistical support to the Committee. The Mayor may reappoint individuals who served on the prior ad hoc committee.

Meetings

The Committee shall establish the times and places of its meetings. Meetings shall be open to the public and notice of such meetings shall be posted by the City Clerk. The Committee may invite such others as may be knowledgeable about subjects under discussion to provide information for its consideration.

Report

The Committee shall report periodically to the City Council, with recommendations to be forwarded in concert with the City Council's consideration of the Public Works Department Annual Budget and the funding authorizations associated with the Capital Improvement Program.

Term

The Committee shall operate until December 31, 2018 unless further extended by action of the City Council.



COUNCIL RESOLVE

ALTERNATE RESOLVE INCLUDING SOLID WASTE/RECYCLING SUBCOMMITTEE

Resolve, Reauthorizing a Public Works Committee.

Whereas, the City Council authorized and formed a Public Works Committee in 2014; and

Whereas, that Committee sunset in December 2016; and

Whereas, the City Council has once again indicated it would like to seek advice from such a committee on Lewiston Capital Improvement Project (LCIP) infrastructure projects and other issues affecting the Public Works Department including, but not limited to, recommendations regarding winter sidewalk maintenance;

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

The Ad Hoc Public Works Committee is hereby re-established for the purpose of:

- Reviewing and making recommendations regarding Public Works infrastructure projects included in the LCIP;
- Reviewing and recommending changes to improve the current process for clearing sidewalks after winter storms;
- Assisting department staff in developing succession plans to address the large number of anticipated retirements expected over the next several years;
- Addressing other areas of public works operations, including staffing, training, and resources, of concern to the members of the Committee or which might be referred to the Committee from time to time by the City Council.

Composition and Appointment

The Committee will be composed of 7 voting members: 2 Councilors and 5 members of the public who are residents or taxpayers in the City of Lewiston and are knowledgeable concerning public works, construction, civil engineering, equipment operations/maintenance, purchasing, customer service operations, or related areas; and 2 ex-officio staff members. The 7 voting members shall be appointed by the Mayor, who shall designate one of them as Committee Chair, and the 2 staff members shall be assigned by the City Administrator and shall be responsible for providing logistical support to the Committee. The Mayor may reappoint individuals who served on the prior ad hoc committee.

Meetings

The Committee shall establish the times and places of its meetings. Meetings shall be open to the public and notice of such meetings shall be posted by the City Clerk. The Committee may invite such others as may be knowledgeable about subjects under discussion to provide information for its consideration.

Report

The Committee shall report periodically to the City Council, with recommendations to be forwarded in concert with the City Council's consideration of the Public Works Department Annual Budget and the funding authorizations associated with the Capital Improvement Program.

Term

The Committee shall operate until December 31, 2018 unless further extended by action of the City Council.

Be it Further Resolved, that

There is hereby established a solid waste/recycling subcommittee of the Public Works Committee. The purpose of the subcommittee is to:

- Review and recommend changes to improve the current process and costs for addressing MSW collection and disposal;
- Review and recommend changes to improve the current process and costs for addressing Recycling collection and disposal;
- Review and recommend changes to increase the recycling rate of the City towards meeting the State goal of 50% and identify the cost associated with those changes.

The committee shall be appointed by the Mayor will be made up of at least 1 City Councilor and a minimum of 3 individuals from the community, with the members either selected from among the membership of the Public Works Committee or, if not from the membership, added to the membership of that Committee. The subcommittee will receive staff support from the Public Works Department, including the Director or his designee and the Solid Waste Superintendent. The subcommittee will select a Chairperson to work with City staff on agendas and scheduling meetings. The committee may meet as frequently as deemed necessary to complete its review and submit a report to the City Council by December 31, 2018.

LEWISTON CITY COUNCIL
MEETING OF FEBRUARY 6, 2018

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 11

SUBJECT: Resolve, Authorizing the formation of a Solid Waste and Recycling Committee.

INFORMATION:

At a recent workshop, the City Council discussed forming an ad hoc Solid Waste and Recycling Committee, primarily for the purpose of developing recommendations on how our recycling program could be improved to increase the percentage of our residential waste stream that is recycled. This conversation was also within the context of re-establishing a Public Works ad hoc committee that would review a variety of public works related issues.

This resolve would establish a stand along solid waste and recycling committee. Alternatively, this committee could be established as a subcommittee of the Public Works Committee should the Council desire to combine these efforts into a single group.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAB/kmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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To approve the **Resolve,** Authorizing the formation of a Solid Waste and Recycling Committee.



COUNCIL RESOLVE

Resolve, Authorizing the formation of a Solid Waste and Recycling Committee.

Whereas, the annual City operating budget includes more than \$1.3 million to provide solid waste and recycling collection and disposal services for the City and its residents; and

Whereas, the City sends nearly 11,000 tons of Municipal Solid Waste (MSW) to the Mid-Maine Waste Action Corporation (MMWAC) in Auburn at a cost of \$42.50/ton; and

Whereas, MMWAC sends more than 17,000 tons of incinerator ash to the City's landfill paying the City \$40.00/ton with the City providing the transportation and a yard truck; and

Whereas, the City collects approximately 1,000 tons of recycled materials that are delivered to the Casella Materials Recovery Center on River Road in Lewiston where they are processed at no cost to the City while other towns are currently paying ~\$35.00/ton for this service; and

Whereas, the City's recycling rate is only about 10%-12%, well below the 50% goal established by the State;

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

There is hereby established an ad hoc Solid Waste and Recycling Committee to:

- Review and recommend changes to improve the current process and costs for addressing MSW collection and disposal;
- Review and recommend changes to improve the current process and costs for addressing Recycling collection and disposal;
- Review and recommend changes to increase the recycling rate of the City towards meeting the State goal of 50% and identify the cost associated with those changes.

The committee shall be appointed by the Mayor will be made up of at least 1 City Councilor and a minimum of 3 individuals from the community. The committee will receive staff support from the Public Works Department, including the Director or his designee and the Solid Waste Superintendent. The committee will select a Chairperson to work with City staff on agendas and scheduling meetings. The committee may meet as frequently as deemed necessary to complete its review and submit a report to the City Council by December 31, 2018.

LEWISTON CITY COUNCIL

MEETING OF FEBRUARY 6, 2018

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 12

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:

This agenda item was carried forward from the January 23 City Council meeting to this City Council meeting. Background material includes the Resolve, the original bill/LD 1492, and the two proposed amendments to the bill that Representative Golden referenced at the Jan. 23 meeting.

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.



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.

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

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

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

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

18-F.

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

PART 31

IMMIGRANTS AND IMMIGRATION

CHAPTER 631

OFFICE OF NEW MAINERS

§ 25001. Office of New Mainers

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

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

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

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

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

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

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

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

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

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

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

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

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

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

§ 25002. Office of New Mainers Advisory Committee

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

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

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

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

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

D. The Commissioner of Economic and Community Development or the commissioner's

designee;

- E. The Commissioner of Professional and Financial Regulation or the commissioner's designee;
- F. Three representatives from separate chambers of commerce, one appointed by the Governor, one appointed by the President of the Senate and one appointed by the Speaker of the House of Representatives;
- G. Three representatives from separate organizations that serve immigrants, one appointed by the Governor, one appointed by the President of the Senate and one appointed by the Speaker of the House of Representatives;
- H. A representative from the State Workforce Investment Board established in Title 26, section 2006 appointed by the Governor;
- I. A representative from a postsecondary educational institution appointed by the Governor;
- J. A representative from a school administrative unit who has extensive experience in providing educational instruction to immigrant children and English-language learners from kindergarten to grade 12 appointed by the President of the Senate;
- K. A representative from a school administrative unit who has extensive experience in providing educational instruction to adult English-language learners appointed by the President of the Senate;
- L. An immigration lawyer or a representative of an organization that provides legal aid to immigrants in the State appointed by the Speaker of the House of Representatives; and
- M. A representative of an economic development organization operating in the State.

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

Sec. 3. 20-A MRSA §8613 is enacted to read:

§ 8613. Welcome Center Initiative

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

1. Welcome centers. The initiative operates through a welcome center created within the adult education program of participating school administrative units in municipalities or regions in the State that have immigrant populations or industries that are experiencing a shortage of trained workers. A welcome center educates and provides vocational training for foreign-trained workers, including

foreign-trained professionals, and matches those workers with employers in the State, focusing on employers in industries that are experiencing a shortage of trained workers.

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

- A. Administer the center;
- B. Collaborate and work in conjunction with the department and the office to carry out the purposes of this section, including developing a program or series of programs designed to serve the needs of foreign-trained workers participating in the initiative; and
- C. Secure additional funding from public and private sources, including donations, grants or public-private partnerships, to provide ongoing funding of the welcome center.

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

- A. Providing services and training to prepare initiative participants for entry into gainful employment in the State within a period of 6 to 18 months;
- B. Providing education and career planning case management;
- C. Providing English-language acquisition instruction;
- D. Creating partnerships with employers in the State that may employ initiative participants;
- E. Identifying employment skills, academic skills and English-language skills needed for available positions with employers in the State in general or with employers in paragraph D;
- F. Collaborating with state and local organizations that provide employment and workforce services and support;
- G. Referring initiative participants to legal aid services; and
- H. Collecting and analyzing data about the foreign-trained workers served by the center.

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

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

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

1. Program requirements. The Department of Education's office of adult education and family literacy, referred to in this section as "the office," shall administer the program in collaboration with the

Office of New Mainers established in the Maine Revised Statutes, Title 5, section 25001. The program must prepare immigrants for identified workforce needs of employers in the State to accelerate entry into livable wage employment for the immigrants and enhance employer retention of the immigrants by combining vocation-specific English-language acquisition with training in the specific vocational areas required by the employers. Training must be conducted pursuant to a grant process under subsection 2.

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

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

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

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

- A. Providing English-language acquisition training, including the administration of appropriate academic and vocational assessments and research-based instructional approaches appropriate for English-language learners;
- B. Working with employers to develop relevant employee training; and
- C. Working with partners in the state workforce and state agencies with expertise in serving and

preparing immigrants for employment through a case management approach.

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

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

A. The number and amount of grants awarded under this section;

B. The training and services provided by the grant recipients;

C. Aggregate demographic information about immigrant participants in the training, participating employers, employment opportunities, employment placements and retention by employers of immigrant participants placed under this section; and

D. An evaluation of programs and services most effective in carrying out the purposes of this section.

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

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

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

1. Local community planning support program. The office in collaboration with the Office of New Mainers established in the Maine Revised Statutes, Title 5, section 25001 shall implement the program to assist communities within the State to manage new immigrant populations that have settled in the communities or to attract immigrant populations to address depopulation or workforce shortages in the communities.

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

3. Funding. The office shall consider applications from governmental entities located in or containing communities that are affected by or wish to attract immigrant populations and provide

grants to those communities in a number and amount determined by available funding. An application for funding under this subsection may be made by one governmental entity or a combination of 2 or more governmental entities and may include a partnership by the governmental entity with a private or nonprofit organization. For purposes of this subsection, "governmental entity" includes a county, municipality or school administrative unit.

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

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

Sec. 8. Appropriations and allocations. The following appropriations and allocations are made.

EDUCATION, DEPARTMENT OF

Adult Education

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

GENERAL FUND	2017-18	2018-19
All Other	\$75,000	\$75,000
GENERAL FUND TOTAL	<u>\$75,000</u>	<u>\$75,000</u>

Vocation-specific English-language acquisition and workforce training program

Initiative: Provides funds for grants to service providers to provide English-language instruction, vocational training and placement of immigrant populations in the State with employers of the State, serving 400 participants in fiscal year 2017-18 and 500 participants in fiscal year 2018-19.

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

Adult Education

Initiative: Provides funds for grants to adult education programs to increase English-language

acquisition instruction in communities experiencing an increase in immigrant populations, serving 400 participants in both fiscal years of the biennium.

GENERAL FUND	2017-18	2018-19
All Other	\$200,000	\$200,000
GENERAL FUND TOTAL	\$200,000	\$200,000

Local community planning support program

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

GENERAL FUND	2017-18	2018-19
All Other	\$150,000	\$150,000
GENERAL FUND TOTAL	\$150,000	\$150,000

EDUCATION, DEPARTMENT OF		
DEPARTMENT TOTALS	2017-18	2018-19
GENERAL FUND	\$745,000	\$825,000
DEPARTMENT TOTAL - ALL FUNDS	\$745,000	\$825,000

SUMMARY

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

1. It creates the Office of New Mainers and the Office of New Mainers Advisory Committee to coordinate among various departments by developing a comprehensive plan to educate and train immigrant populations to fill needed positions of employers throughout the State;
2. It establishes the Welcome Center Initiative to operate welcome centers in adult education programs to attract, educate and retain in employment foreign-trained workers in municipalities or regions of the State that have immigrant populations or that have industries that are experiencing a shortage of trained workers, patterned after the New Mainers Welcome Center operated by the City of Portland adult education program through a pilot program created by the 126th Legislature;

3. It establishes 3 grant programs to:

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

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

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

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



128th MAINE LEGISLATURE

LD 1492

LR 26(04)

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

Fiscal Note for Senate Amendment " " to Committee Amendment "A"

Sponsor: Sen. Katz of Kennebec

Fiscal Note Required: Yes

Fiscal Note

	FY 2017-18	FY 2018-19	Projections FY 2019-20	Projections FY 2020-21
Net Cost (Savings)				
General Fund	(\$405,000)	(\$415,000)	(\$110,000)	(\$110,000)
Appropriations/Allocations				
General Fund	(\$405,000)	(\$415,000)	(\$110,000)	(\$110,000)

Fiscal Detail and Notes

This amendment reduces the General Fund appropriations in the bill by \$405,000 in fiscal year 2017-18 and \$415,000 in fiscal year 2018-19.

As amended, the bill now includes General Fund appropriations totaling \$340,000 in fiscal year 2017-18 and \$410,000 in fiscal year 2018-19 to the Department of Education for programs to attract, educate and retain immigrant populations in the State's workforce. These totals include:

- 1) Ongoing General Fund appropriations of \$75,000 per year beginning in fiscal year 2017-18 to the Adult Education program for the expansion of the Welcome Center Initiative within the City of Lewiston's adult education program to attract, educate and retain foreign-trained workers residing in Androscoggin County;
- 2) Ongoing General Fund appropriations of \$40,000 per year beginning in fiscal year 2017-18 to a newly created Local Community Planning Support Program to provide funds to counties, municipalities and school administrative units (SAU's) to manage new immigrant populations who have settled within the counties, municipalities and SAU's or to attract immigrant populations to address depopulation or workforce shortages;
- 3) One-time General Fund appropriations of \$85,000 per year in both fiscal year 2017-18 and fiscal year 2018-19 to the Adult Education program for grants to adult education programs to increase English-language acquisition instruction in communities experiencing an increase in immigrant populations and for grants for proposed Welcome Centers;
- 4) A one-time General Fund appropriation of \$50,000 in fiscal year 2018-19 to the Adult Education program for grants for proposed Welcome Centers; and

5) One-time General Fund appropriations of \$140,000 in fiscal year 2017-18 and \$160,000 in fiscal year 2018-19 to a newly created Vocation-specific English-language Acquisition and Workforce Training Program for grants to service providers to provide English-language instruction, vocational training and placement of immigrant populations in the State with employers of the State.



128th MAINE LEGISLATURE

LD 1492

LR 26(02)

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

Fiscal Note for Bill as Amended by Committee Amendment " "

Committee: Education and Cultural Affairs

Fiscal Note Required: Yes

Fiscal Note

	FY 2017-18	FY 2018-19	Projections FY 2019-20	Projections FY 2020-21
Net Cost (Savings)				
General Fund	\$745,000	\$825,000	\$225,000	\$225,000
Appropriations/Allocations				
General Fund	\$745,000	\$825,000	\$225,000	\$225,000

Fiscal Detail and Notes

This bill includes General Fund appropriations totaling \$745,000 in fiscal year 2017-18 and \$825,000 in fiscal year 2018-19 to the Department of Education for programs to attract, educate and retain immigrant populations in the State's workforce. These totals include:

- 1) Ongoing General Fund appropriations of \$75,000 per year beginning in fiscal year 2017-18 to the Adult Education program for the expansion of the Welcome Center Initiative within the City of Lewiston's adult education program to attract, educate and retain foreign-trained workers residing in Androscoggin County;
- 2) Ongoing General Fund appropriations of \$150,000 per year beginning in fiscal year 2017-18 to a newly created Local Community Planning Support Program to provide funds to counties, municipalities and school administrative units (SAU's) to manage new immigrant populations who have settled within the counties, municipalities and SAU's or to attract immigrant populations to address depopulation or workforce shortages;
- 3) One-time General Fund appropriations of \$200,000 per year in both fiscal year 2017-18 and fiscal year 2018-19 to the Adult Education program for grants to adult education programs to increase English-language acquisition instruction in communities experiencing an increase in immigrant populations and for grants for proposed Welcome Centers; and
- 4) One-time General Fund appropriations of \$320,000 in fiscal year 2017-18 and \$400,000 in fiscal year 2018-19 to a newly created Vocation-specific English-language Acquisition and Workforce Training Program for grants to service providers to provide English-language instruction, vocational training and placement of immigrant populations in the State with employers of the State.

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the amendment by striking out all of section 8 and inserting the following:

‘Sec. 8. Appropriations and allocations. The following appropriations and allocations are made.

EDUCATION, DEPARTMENT OF

Adult Education 0364

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

GENERAL FUND	2017-18	2018-19
All Other	\$75,000	\$75,000
GENERAL FUND TOTAL	<u>\$75,000</u>	<u>\$75,000</u>

Adult Education 0364

Initiative: Provides funds for grants to adult education programs to increase English-language acquisition instruction in communities experiencing an increase in immigrant populations, which will serve 170 participants in both fiscal years of the biennium.

GENERAL FUND	2017-18	2018-19
All Other	\$85,000	\$85,000
GENERAL FUND TOTAL	<u>\$85,000</u>	<u>\$85,000</u>

Adult Education 0364

Initiative: Provides one-time funds for grants for proposed Welcome Centers.

GENERAL FUND	2017-18	2018-19
All Other	\$0	\$50,000
GENERAL FUND TOTAL	<u>\$0</u>	<u>\$50,000</u>

Local Community Planning Support Program N256

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

GENERAL FUND	2017-18	2018-19
All Other	\$40,000	\$40,000
GENERAL FUND TOTAL	<u>\$40,000</u>	<u>\$40,000</u>

Vocation-specific English-language Acquisition and Workforce Training Program N255

Initiative: Provides funds for grants to service providers to provide English-language instruction and vocational training and to place immigrant populations in the State with employers of the State. The grants will serve 175 participants in fiscal year 2017-18 and 200 participants in fiscal year 2018-19.

GENERAL FUND	2017-18	2018-19
All Other	\$140,000	\$160,000
GENERAL FUND TOTAL	<u>\$140,000</u>	<u>\$160,000</u>

EDUCATION, DEPARTMENT OF	2017-18	2018-19
DEPARTMENT TOTALS		
GENERAL FUND	<u>\$340,000</u>	<u>\$410,000</u>
DEPARTMENT TOTAL - ALL FUNDS	<u>\$340,000</u>	<u>\$410,000</u>

SUMMARY

This amendment replaces the appropriations and allocations section in Committee Amendment "A."

FISCAL NOTE REQUIRED
(See attached)

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the bill by striking out all of sections 1 and 2.

Amend the bill in section 3 in §8613 in the first paragraph in the last 2 lines (page 3, lines 32 and 33 in L.D.) by striking out the following: "in collaboration with the Office of New Mainers established in Title 5, section 25001"

Amend the bill in section 3 in §8613 in subsection 1 in the 3rd line (page 3, line 36 in L.D.) by inserting after the following: "populations or" the following: 'that have'

Amend the bill in section 5 by striking out all of subsection 1 (page 5, lines 1 to 9 in L.D.) and inserting the following:

'1. Program requirements. The Department of Education's office of adult education and family literacy, referred to in this section as "the office," shall administer the program. The program must prepare immigrants for identified workforce needs of employers in the State to accelerate entry into livable wage employment and enhance employer retention of the immigrants by combining vocation-specific English-language acquisition with training in the specific vocational areas required by the employers. Training must be conducted pursuant to a grant process under subsection 2.'

Amend the bill by striking out all of section 6 and inserting the following:

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

Amend the bill in section 7 in subsection 1 in the first 3 lines (page 6, lines 37 to 39 in L.D.) by striking out the following: "in collaboration with the Office of New Mainers established in the Maine Revised Statutes, Title 5, section 25001"

Amend the bill by striking out all of section 8 and inserting the following:

'Sec. 8. Appropriations and allocations. The following appropriations and allocations are made.

EDUCATION, DEPARTMENT OF

Adult Education 0364

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

County.

GENERAL FUND	2017-18	2018-19
All Other	\$75,000	\$75,000
GENERAL FUND TOTAL	<u>\$75,000</u>	<u>\$75,000</u>

Adult Education 0364

Initiative: Provides funds for grants to adult education programs to increase English-language acquisition instruction in communities experiencing an increase in immigrant populations, which will serve 400 participants in both fiscal years of the biennium, and for grants for proposed Welcome Centers.

GENERAL FUND	2017-18	2018-19
All Other	\$200,000	\$200,000
GENERAL FUND TOTAL	<u>\$200,000</u>	<u>\$200,000</u>

Local Community Planning Support Program N256

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

GENERAL FUND	2017-18	2018-19
All Other	\$150,000	\$150,000
GENERAL FUND TOTAL	<u>\$150,000</u>	<u>\$150,000</u>

Vocation-specific English-language Acquisition and Workforce Training Program N255

Initiative: Provides funds for grants to service providers to provide English-language instruction and vocational training and to place immigrant populations in the State with employers of the State. The grants will serve 400 participants in fiscal year 2017-18 and 500 participants in fiscal year 2018-19.

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

EDUCATION, DEPARTMENT OF DEPARTMENT TOTALS	2017-18	2018-19
GENERAL FUND	\$745,000	\$825,000
DEPARTMENT TOTAL - ALL FUNDS	\$745,000	\$825,000

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment is the majority report of the committee and removes the Office of New Mainers and the Office of New Mainers Advisory Committee from the bill and removes all references to both offices. It adds proposed welcome centers to the purpose for which adult education program grants may be given. The amendment also adds an appropriations and allocations section.

FISCAL NOTE REQUIRED
(See attached)

**LEWISTON CITY COUNCIL
MEETING OF FEBRUARY 6, 2018**

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 13

SUBJECT:

Authorization to accept transfer of forfeiture funds.

INFORMATION:

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

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAB/kmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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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 \$507.00, or any portion thereof, in the case of the State of Maine vs. John Croom, CR-17-3287 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-17-3287

State of Maine	}	
	}	
v.	}	Municipality of Lewiston
	}	Approval of Transfer
John Croom	}	15 M.R.S.A. §5824(3) & §5822(4)(A)
Defendant;	}	
	}	
And	}	
	}	
\$507.00 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: February 6, 2018

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

LEWISTON CITY COUNCIL
MEETING OF FEBRUARY 6, 2018

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 14

SUBJECT: Order, Authorizing the City Administrator to Execute an Agreement with Storage Realty Corp. Regarding the Cost of Addressing Erosion Issues Affecting 805 Lisbon Street.

INFORMATION:

As you know, the City became aware of a significant erosion problem at 795 and 805 Lisbon Street that had the potential to damage pavement areas and the structure at 805. In December, the Council issued an order pursuant to the Maine Dangerous Building Statute authorizing the City to address the problem if the impacted property owners did not. We recently started that work.

At the same time, we have been in discussion with representatives of Storage Realty Corp., the owner of 805 Lisbon Street, regarding its financial participation in this work. We have reached a possible agreement with them, which we plan to review with the City Council in executive session prior to the Council meeting.

Should the Council be comfortable with the agreement, this item would approve it and authorize the City Administrator to execute the necessary document.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

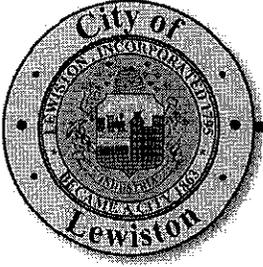
The City Administrator recommends approval of the requested action.

EATSKmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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To approve the **Order,** Authorizing the City Administrator to Execute an Agreement with Storage Realty Corp. Regarding the Cost of Addressing Erosion Issues Affecting 805 Lisbon Street.



CITY OF LEWISTON, MAINE

February 6, 2018

COUNCIL ORDER

Order, Authorizing the City Administrator to Execute an Agreement with Storage Realty Corp. Regarding the Cost of Addressing Erosion Issues Affecting 805 Lisbon Street.

Whereas, on December 19, 2017, the City Council issued an order pursuant to the Maine Dangerous Building law related to existing erosion of a bank behind the improvements of the Storage Realty Corp. (SRC) land; and

Whereas, the order imposes potential financial liability on SRC for the City's cost of addressing the Erosion problem if SRC and the owner of the adjacent property at 795 Lisbon Street do not address the Erosion Problem; and

Whereas, the City and SRC agree that prompt action is necessary to address the Erosion Problem; and

Whereas, the City and SRC have reached an agreement under which SRC will financially participate in the cost of addressing the problem;

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

The City Administrator is hereby authorized to execute the attached agreement with Storage Realty Corp. in a form substantially as attached hereto.