

**CITY OF LEWISTON**

**CITY COUNCIL**

**MAY 18, 2010**

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

THE HONORABLE LAURENT F. GILBERT, SR., MAYOR, PRESIDING.

PRESENT: Mayor Gilbert, Councilors Butler, Bernier, Poulin, Jean, O'Connell, Cayer, Morgan, City Administrator Edward Barrett and City Clerk Kathleen Montejo.

Pledge of Allegiance to the Flag.  
Moment of Silence.

**MAYORAL PROCLAMATION RECOGNIZING ARBOR DAY**

The Mayor presented a proclamation to Bruce Damon and Lois Wagner, representing the City's Forestry Committee, proclaiming Arbor Day in Lewiston. It was noted this is the seventh year in a row that Lewiston has received the designation as a Tree City USA.

**PRESENTATION OF A LEGISLATIVE SENTIMENT HONORING DAVID JONES AS  
THE MAINE PUBLIC WORKS OFFICIAL OF THE YEAR**

Representatives Lajoie and Bickford and Senators Craven and Rotundo presented a Legislative Sentiment to David Jones, honoring and recognizing him as the Maine Public Works Official of the Year.

**PUBLIC COMMENT PERIOD**

No members of the public spoke at this time.

**AUTHORIZATION TO ACCEPT TRANSFER OF FORFEITURE FUNDS**

**VOTE (159-2010)**

Motion by Councilor Morgan, seconded by Councilor Butler:

That pursuant to Title 15, Maine Revised Statutes Annotated, Section 5824(3) and Section 5822(4)(A), the City Council hereby acknowledges and approves of the transfer of \$1,020.00, or any portion thereof, in the case of the State of Maine vs. David Strout, CR-09-4385 Court Records. Being funds forfeited pursuant to court process. It is further acknowledged that these funds shall be credited to the >City of Lewiston Drug Enforcement Program= account.

Passed - Vote 7-0

**APPROVAL OF ELECTION WARRANT CALLING FOR A SPECIAL MUNICIPAL  
ELECTION ON JUNE 8 FOR A MUNICIPAL REFERENDUM**

**VOTE (160-2010)**

Motion by Councilor Morgan, seconded by Councilor Butler:

Be It Ordered by the City Council that the Election Warrant be issued for the Special Municipal Election to be held on Tuesday, June 8, 2010 for the purposes of voting for a municipal referendum; and

To approve the following recommendation from the City Clerk/Registrar of Voters on actions necessary to conduct the State Candidate Primary & Referendum Election to be held on Tuesday, June 8, 2010:

A. That the hours for acceptance of registrations in person only, prior to the June 8 election, as required by MRSA Title 21A, sec. 122, 6A(2), be set at 8:00am to 4:30pm, May 19 through June 7, 2010; and additional hours of 9:00am to 12 noon on Saturday, June 5, 2010.

B. That the names of those persons who register during the closed session for registration shall be recorded in accordance with MRSA Title 21A, sec. 122, subsec. 7B, except the day prior to the election when they shall be recorded in accordance with subsec. 7A.

C. Pursuant to Title 21A, sec 759(7), absentee ballots will be processed at the central polling place at 2:00pm, 6:00pm, and any and all remaining shall be processed at 8:00pm, if necessary.

Passed - Vote 7-0

**ORDER APPROVING REPORTS FOR AFFORDABLE HOUSING TAX INCREMENT  
FINANCING DISTRICTS KNOWN AS COMMUNITY CONCEPTS, INC.  
AND BIRCH HILL SENIOR HOUSING ASSOCIATES**

**VOTE (161-2010)**

Motion by Councilor Morgan, seconded by Councilor Butler:

To adopt the Order approving the annual reports for Affordable Housing Tax Increment Financing Districts known as Community Concepts, Inc. and Birch Hill Senior Housing Associates:

Whereas, MaineHousing requests the legislative body of the municipality to certify that the public purpose of affordable housing districts is being met; and

Whereas, the municipality is requested to further certify that the required housing affordability and other conditions of approval, including limitations on uses of tax increment revenues for approved development project costs, set forth in the Certificate of Approval issued by Maine State Housing Authority for the Districts and the related Affordable Housing Development Programs are being maintained.

Now, Therefore, Be It Ordered by the City Council of the City of Lewiston that the annual reports for Tax Year April 1, 2009 to March 31, 2010 for the Affordable Housing Tax Increment Financing Districts known as Community Concepts, Inc and Birch Hill Senior Housing Associates are hereby approved and City staff is hereby authorized to submit these reports, as approved, to MaineHousing on the City's behalf.

Passed - Vote 7-0

**PUBLIC HEARING ON A NEW LIQUOR LICENSE APPLICATION FOR WILD SEASON'S INC, 20 EAST AVENUE**

Mayor Gilbert opened the public hearing to receive citizen input and comment on this item. No member of the public spoke for or against this issue. Mayor Gilbert then closed the hearing.

**VOTE (162-2010)**

Motion by Councilor Butler, seconded by Councilor Cayer:

To authorize the City Clerk's Office to approve a new liquor license application for Wild Season's Inc., 20 East Avenue. Passed - Vote 7-0

**PUBLIC HEARING ON A PROPOSED INCREASE IN WATER RATES AND METER INSTALLATION CHARGES AND APPROVAL OF AMENDMENTS TO POLICY MANUAL 69 REGARDING THE WATER RATES AND CHARGES**

Public Works Director David Jones explained the background regarding the need for the rate increase. Mayor Gilbert opened the public hearing to receive citizen input and comment on this item. Bob Desjardins, 48 South Howard Street, said he is hesitant to accept a 15% increase and feels this is extravagant. He said that he has gone through three water filtration systems trying to purify the water he receives from the city and the filters get dirty every three months and need to be changed. He said the quality of the water is not worth the price. Bob Foss inquired if an operational audit of the water department has been conducted, looking for time wasted and areas that could benefit from improved efficiency. Bridget LaRoche of Webster Street asked about the increase in the salary line, the transportation line and the ultra violet water facility. Mayor Gilbert then closed the hearing.

**VOTE (163-2010)**

Motion by Councilor Butler, seconded by Councilor Cayer:

To approve the proposed amendments to Policy Manual 69, Water Rates & Meter Installation Charges, as outlined below, as recommended by the Public Services Director and the City Administrator:

**WATER RATES & METER INSTALLATION CHARGES**

In accordance with Maine Revised Statutes Annotated, Title 35A, Section 6104, the following rates are hereby established, effective ~~July 2, 2007~~ July 1, 2010:

- For the first 1,200 cu. ft. per quarter ~~\$33.60~~ 38.40
- For the next 9,000 cu. ft. per quarter ~~\$2.17~~ 2.48 per 100 cu. ft.
- For all over 10,200 cu. ft. per quarter ~~\$1.85~~ 2.17 per 100 cu. ft.

**QUARTERLY MINIMUM CHARGES**

5/8" Meter	\$ <del>33.60</del>	<u>38.40</u>
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3/4" Meter	<del>53.13</del>	<u>60.72</u>
1" Meter	<del>85.68</del>	<u>97.92</u>
1 1/2" Meter	<del>163.80</del>	<u>187.20</u>
2" Meter	<del>262.20</del>	<u>300.66</u>
3" Meter	<del>484.20</del>	<u>561.06</u>
4" Meter	<del>706.20</del>	<u>821.46</u>
6" Meter	<del>1,372.20</del>	<u>1,602.66</u>
8" Meter	<del>2,704.20</del>	<u>3,165.06</u>

SPRINKLERS	\$ 104.00	<u>120.00</u> per inch per year
PRIVATE HYDRANTS	<del>832.00</del>	<u>958.00</u> each per year
PUBLIC HYDRANTS	<del>493,300.00</del>	<u>593,200.00</u> per year plus cost for each additional hydrant installed after December 31, <del>2007</del> <u>2010</u>

The following meter installation charges are hereby established:

**METER INSTALLATION CHARGES**

5/8"	\$ 150.00
3/4"	210.00
1"	260.00
1 1/2"	590.00
2"	800.00
3"	1,290.00
4" & Larger	Cost of meter plus installation charge and appropriate overhead

(Note: Additions are underlined; deletions are struck-out.)

Passed - Vote 5-2 (Councilor Bernier and Poulin opposed)

**APPROVAL OF AMENDMENT TO THE STORM WATER UTILITY FEE SCHEDULE AND CREDIT POLICY**

Councilor Bernier asked if the city has sent a letter to the federal regulators regarding the unfunded mandates and suggested the federal regulators might suspend some of the requirements on municipalities given the economic times.

**VOTE (164-2010)**

Motion by Councilor Butler, seconded by Councilor Bernier:

To approve the proposed amendments to Policy Manual 78, Storm Water Utility Fee Schedule and Credit Policy, and the Resolve Adopting the Revised Storm Water Utility Fee Schedule and Credit Policy, as recommended by the Director of Public Services and City Administration:

Whereas, as discussed during the FY2011 budget process, the City Storm Water Utility budget will require a 10% overall rate increase to meet the cost of current operations; and

Whereas, this will increase the fee for the average single family home by \$4 per year or \$0.33

per  
month and duplexes by \$0.50 per month; and

Whereas, the need for this increase results primarily from additional costs associated with meeting regulatory requirements and maintaining the overall Stormwater system;

Now, Therefore, Be It Resolved by the City Council of the City of Lewiston that the attached Storm Water Utility Fee Schedule and Credit Policy is hereby adopted effective July 1, 2010.

Did Not Pass - Vote 3-4 (Councilors Jean, O'Connell and Butler in favor; Councilors Poulin, Cayer, Morgan and Bernier opposed)

The City Administrator noted by voting down this item, there will be a budget deficit in the stormwater fund and it would add nine cents to the tax rate. He said staff could make adjustments for the cuts by eliminating culvert replacements and stop cleaning out the catch basins.

**VOTE (165 -2010)**

Motion by Councilor Morgan, seconded by Councilor Butler:

To reconsider the Council's vote on the previous item.

Passed - Vote 4-3 (Councilors Jean, O'Connell, Morgan and Butler in favor)

The motion from the previous item is now automatically before the Council for their consideration:

**VOTE (166-2010)**

To approve the proposed amendments to Policy Manual 78, Storm Water Utility Fee Schedule and Credit Policy, and the Resolve Adopting the Revised Storm Water Utility Fee Schedule and Credit Policy, as recommended by the Director of Public Services and City Administration:

Whereas, as discussed during the FY2011 budget process, the City Storm Water Utility budget will require a 10% overall rate increase to meet the cost of current operations; and

Whereas, this will increase the fee for the average single family home by \$4 per year or \$0.33  
per  
month and duplexes by \$0.50 per month; and

Whereas, the need for this increase results primarily from additional costs associated with meeting regulatory requirements and maintaining the overall Stormwater system;

Now, Therefore, Be It Resolved by the City Council of the City of Lewiston that the attached Storm Water Utility Fee Schedule and Credit Policy is hereby adopted effective July 1, 2010.

Passed - Vote 4-3 (Councilors Jean, O'Connell, Morgan and Butler in favor)

At this point, the Mayor called for a ten minute recess.

**FINAL BUDGET PUBLIC HEARING FOR THE FISCAL YEAR 2011 BUDGET**

Mayor Gilbert opened the public hearing to receive citizen input and comment on this item. Andrew Harris of L/A Arts asked the Council to consider reinstating funds that were cut from his budget request. He noted his agency has been flat funded for six years and he suggested the arts, along with recreation and culture, will benefit the economic development of both cities. Mayor Gilbert then closed the hearing.

**VOTE (167-2010)**

Motion by Councilor Bernier, seconded by Councilor Jean:

To add \$4982 back into the line item for L/A Arts funding, bringing their total allotment to \$23,960. Passed - Vote 7-0

**RESOLVE APPROVING THE FINAL ADJUSTMENTS TO THE FISCAL YEAR 2011 MUNICIPAL BUDGET**

**VOTE (168-2010)**

Motion by Councilor Butler, seconded by Councilor Cayer:

To adopt the Resolve approving the final adjustments to the Fiscal Year 2011 Municipal Budget:

Whereas, in accordance with the Charter of the City of Lewiston, the City Administrator presented his proposed Fiscal Year 2011 budget to the City Council on March 30, 2010; and

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

Whereas, throughout this process, the Council has indicated its support for certain changes and adjustments affecting both the revenue and expenditure budget; and

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

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

Now, Therefore, Be It Resolved by the City Council of the City of Lewiston that the attached Final Budget Adjustments Summary, Fiscal Year 2011, is hereby approved:

**Final Budget Adjustments Summary  
Fiscal Year 2011**

City Administrator's Recommended Revenue Budget	12,534,675
1st Certified Copies - State adjustment \$10 to \$15	19,550

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2nd Certified Copies - State adjustment \$5 to \$6	1,879	
Burial Permits - State adjustment from \$5 to \$20	4,740	
URIP - Highway Money	15,884	
Library Test Proctoring	200	
Marriage Licenses - State adjustment \$30 to \$40	1,390	
Mairner Tower Lease	13,365	
Municipal Revenue Sharing	9,116	
Unclassified Revenue	5,200	
Additional Fund Balance Carryforward	200,000	271,324
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	12,805,999	
<b>Additional Fund Balance Carryforward</b>	200,000	
<b>Revenue Appropriation</b>	12,605,999	
City Administrator's Recommended Expenditure Budget	43,625,194	
Lump Sum Salaries	731,171	
City Council - Mileage	(500)	
City Council - Misc. Services	(1,300)	
Mayor - Travel	(2,000)	
Mayor - Mileage	(450)	
City Admin. - Salaries	(27,079)	
City Admin - Travel	(3,800)	
City Attorney	(8,500)	
City Clerk - Travel	(850)	
City Clerk - Mileage	(300)	
City Clerk - Dues	(40)	
Finance -Training	(675)	
Purchasing - Travel	(100)	
Purchasing - Dues	(330)	
Auditing - Travel	(195)	
Auditing - Training	(470)	
Auditing - Dues	(125)	
Treasurer's Travel	(80)	
Treasurer's Postage	(615)	
Treasurer's Training	(880)	
MIS - Overtime	(4,519)	
MIS - Printing	(125)	
MIS - Mileage	(200)	
MIS - Training	(1,000)	
Fixed Charges - Energov Payment	(37,500)	
Assessing - Overtime	(500)	
Assessing - Mileage	(600)	
Assessing - Training	(600)	
Human Resources - Travel	(250)	
Human Resources - Printing	(190)	
Human Resources - Office Supplies	(225)	
Human Resources - Other Supplies	(6,350)	
Human Resources - Dues	(300)	
Planning - Advertising	(300)	
Planning - Printing	(505)	
City Hall - Capital	(10,000)	
Police Admin - Office Supplies	(300)	
Police Admin - Gas & Oil	(600)	
CID - Training	(500)	

Patrol - Salaries	(65,112)
Patrol - Overtime	(7,512)
Patrol - Training	(3,200)
Patrol - Dept. Apparel	(1,500)
Staff Services - Salaries	(47,494)
Staff Services - Training	(300)
Vehicles	(21,000)
Other Protection - Animal Control Services	(3,391)
Fire Admin. - Salaries	(70,278)
Firefighting - Salaries	(107,199)
Firefighting - Overtime	19,184
Firefighting - Individual Apparel	(2,097)
Firefighting - Hydrant Rental - Rate Adjust	37,928
Fire Prevention - Salaries	(57,340)
Fire Stations - Fuel	(2,000)
Code Enforcement - Salaries - Billing CDBG budgeted	(5,000)
Code Enforcement - Travel	(658)
EMA	(100)
PW Admin - Salaries	(1,431)
PW Admin - Overtime	(300)
PW Admin - Training	(100)
PW Admin - Office Supplies	(150)
PW Admin - Printing	(375)
Engineering - Salaries	(40,560)
Engineering - Training	(1,700)
Engineering - Printing	(241)
Highway - Salaries	(121,566)
Highway - Street Line Painting	(5,000)
Snow Removal - Overtime	31,206
Snow Removal - Outside Rental	(77,250)
Snow Removal - Vehicle Rental	25,533
Snow Removal - Construction Materials	(1,700)
Snow Removal - Other Supplies	(14,467)
Streetlighting - Overtime	(3,000)
Streetlighting - Construction Materials	(3,000)
Maine Power Option Adjustment	(25,964)
Solid Waste - Misc Services	(200)
Solid Waste - Small Tools	(250)
Solid Waste - Capital Outlay	(80,500)
Landscaping & Treework - Temp. Wages	(4,680)
Landscaping & Treework - Other Betterments	(12,000)
Municipal Garage - Salaries	(53,488)
Municipal Garage - Overtime	(9,978)
Municipal Garage - Travel	(500)
Municipal Garage - Outside Services	(10,000)
Municipal Garage - Repairs to Vehicles	(10,000)
Municipal Garage - Vehicles	(144,000)
Municipal Garage - Shop Equipment	(6,000)
Public Buildings - Overtime	(1,000)
Public Buildings - Training	(250)
PW Buildings - Overtime	(680)
PW Buildings - Vehicle Rental	(2,820)

PW Buildings - Special Rental	(340)
PW Building Repairs	4,000
Public Buildings - Dept Apparel	(160)
Social Services - Salaries	(28,821)
Social Services - Travel	(500)
Social Services - Mileage	(150)
Social Services - Printing	(100)
Social Services - Capital Outlay	(1,295)
Recreation - Printing	(250)
Recreation - Mileage	(450)
Recreation - Repairs	(450)
Rec. Program - Salaries	(42,354)
Rec. Programs - Temp. Wages	(15,600)
Rec. Programs - Vehicle Rental	(700)
Rec. Programs - Field Trips	(250)
Rec. Programs - Misc. Services	(2,145)
Rec. Programs - Rec Supplies	(1,000)
Armory - Overtime	(500)
MPC Building - Overtime	(1,000)
MPC Building - Household Supplies	(598)
Library Admin. - Postage	(260)
Library Admin. - Mileage	(150)
Library Admin. - Equipment Repairs	(150)
Library Admin. - Office Supplies	(100)
Library Admin. - Dues	(180)
Circulation - Salaries	(39,878)
Circulation Temp Wages	(15,723)
Circulation - Printing	(500)
Circulation - Reference Books	(3,395)
Circulation - Nonfiction Books	(6,680)
Circulation - Fiction Books	(4,220)
Circulation - Children's Books	(6,560)
Circulation - Periodicals	(2,310)
Circulation - Paperback Books	(165)
Circulation - Children's AV	(200)
Circulation - Adult AV	(200)
Catalog - Temp. Wages	(2,652)
Catalog - Office Supplies	(200)
Library Building - Household Supplies	(200)
Debt Service - Interest	2,051
Airport Reduction	(17,500)
911 Reduction	(10,000)
L/A Arts	(28,080)
Tax Sharing - Auburn	(3,698)
Reserve for Salaries	(39,542)
Insurances - Health	7,339
Insurances - Health Ins. Incentive	6,996
Insurances - Section 125	(525)
Retirement - City Pension Plan	(1,677)
Retirement - Def Comp	7,632
Retirement - MSRS	(6,595)
Retirement - FICA	17,534
Retirement - Severance	(438)

Unemployment	(62,361)	
Contingency	(10,000)	
Misc. - Donations	(3,320)	
Parochial School - Books	(10,000)	
Parochial School - Testing	(3,000)	(626,732)
<b>Expenditure Appropriation</b>	<u>42,998,462</u>	

Passed - Vote 4-3 (Councilors O’Connell, Cayer, Morgan and Butler in favor)

**ADOPTION OF MUNICIPAL BUDGET APPROPRIATION RESOLVE FOR FISCAL YEAR 2011**

**VOTE (169-2010)**

Motion by Councilor Butler, seconded by Councilor Cayer:

To approve the Municipal Budget Appropriation Resolve for Fiscal Year 2011:

Be It Resolved by the City Council of the City of Lewiston that the sum of forty-two million, nine hundred ninety-eight thousand, four hundred and sixty-two dollars (\$42,998,462) is hereby appropriated in the General Fund for the municipal year 2011 in accordance with the schedule of appropriations; and

Be It Further Resolved by the City Council of the City of Lewiston that in addition to such other revenues as are estimated to be available to meet the above appropriations including the Homestead and Business Equipment Tax Exemption reimbursement, the sum of twenty-nine million, six hundred ninety-two thousand, four hundred and sixty-three dollars (\$29,692,463) be raised by assessment upon the estates of the inhabitants of the City of Lewiston and upon the estates of non-resident proprietors within said City for the present municipal year; and

Be It Further Resolved by the City Council of the City of Lewiston that the sum of seven hundred thousand dollars (\$700,000) be carried forward as an appropriation of fund balance; and

Be It Further Resolved by the City Council of the City of Lewiston that the sum of twelve million, six hundred five thousand, nine hundred and ninety-nine dollars (\$12,605,999) be appropriated as non-tax revenues in the General Fund for the municipal year 2011 in accordance with the schedule of appropriations; and

Be It Further Resolved by the City Council of the City of Lewiston that the list of tax assessment upon the estates in Lewiston for all city taxes, together with all assessments and charges made under the provisions of the Maine Revised Statutes annotated, Title 30A, Section 3406 and 3442 to 3445 inclusive, and the City's due proportion of the County Tax, in the amount of two million, two hundred seventy-eight thousand, four hundred and seventy-six dollars (\$2,278,476) for the period of July 1, 2010 through June 30, 2011, shall be committed by the Assessor to the Finance Director and one-half of said taxes shall be due and payable on the 15th day of September 2010 with the remaining one-half of said taxes due and payable on the 15th day of March 2011; and

Be It Further Resolved by the City Council of the City of Lewiston that interest at the maximum

State approved rate of 7% per annum for fiscal year 2011 shall be collected on the first half of said taxes from September 16, 2010, if not voluntarily paid to the Finance Director on or before September 15, 2010, and on the second half of said taxes from March 16, 2011, if not voluntarily paid to the Finance Director on or before March 15, 2011; and

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

Be It Further Resolved by the City Council of the City of Lewiston that the Tax Collector is authorized to accept payments of uncommitted taxes and to pay to the taxpayer interest from the date of payment to the commitment date at a rate of 0% and that refunds for overpayments or abatements shall be paid to the taxpayer with interest from the date of payment to the date of abatement or refund, whichever is earlier, at an interest rate of 3.00%; and

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

Be It Further Resolved by the City Council of the City of Lewiston that the appropriation for municipal year 2011 for the following Enterprise Funds is hereby authorized and approved: the Water Fund in the amount of \$4,459,503, the Sewer Fund in the amount of \$5,147,525, and the Stormwater Fund in the amount of \$2,235,351; and

Be It Further Resolved, that in accordance with MRSA Title 38, Section 1208 and Title 35-A, Section 6111-A, all sewer and water rates, tolls, rents and other charges for Fiscal Year 2011, for each respective utility, are committed to the Finance Director/Treasurer of the City of Lewiston for collection in support of the appropriations for the Water Utility and Sewer Utility; and

Be It Further Resolved by the City Council of the City of Lewiston that the appropriation for municipal year 2011 for the following Special Revenue Funds is hereby authorized and approved: the Tax Increment Financing Fund in the amount of \$428,341, the Recreation & Multi-purpose Center Fund in the amount of \$122,935, and the Police Drug Forfeiture Fund in the amount of \$46,966; and

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

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

Be It Further Resolved by the City Council of the City of Lewiston that the Council hereby formally appropriates any insurance proceeds received during this budget year to the appropriate department for the purpose of repairing or replacing the damaged property where such amount is equal to or less than \$25,000, such appropriation to become effective upon receipt of funds; and

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

Passed - Vote 4-3 (Councilors O’Connell, Cayer, Morgan and Butler in favor)

**APPROVAL OF AMENDMENTS TO THE MILEAGE REIMBURSEMENT POLICY**

**VOTE (170-2010)**

Motion by Councilor Butler, seconded by Councilor Morgan:

To approve the proposed amendments to Policy Manual 22, Personnel Policies – Mileage Reimbursement, as recommended by the Finance Director and the City Administrator:

**MILEAGE REIMBURSEMENT**

~~A. Method of Computation. The following employees using their privately owned vehicle in the conduct of official City business shall be reimbursed for mileage, not to exceed the amount budgeted, as follows:~~

~~1. Annual basis:~~

<del>Assistant to the City Administrator</del>	<del>300.00</del>
<del>Chief Assessor</del>	<del>600.00</del>
<del>City Clerk</del>	<del>300.00</del>
<del>Deputy Director of Economic &amp; Community Development</del>	<del>300.00</del>
<del>Deputy Treasurer</del>	<del>100.00</del>
<del>Mayor</del>	<del>500.00</del>
<del>Social Services Director</del>	<del>150.00</del>
<del>Tax Collector</del>	<del>100.00</del>

~~2. Per-mile basis. All others not specifically mentioned above Mileage shall be reimbursed at the standard rate allowed by the Internal Revenue Service, excepting motorcycles which shall be reimbursed at the rate of 75% established for other vehicles, plus tolls and parking supported by receipted vouchers other than meters.~~

~~B. Mileage Vouchers. All authorized mileage expenses either on the "annual" or on the "per mile" basis shall be requested by periodically submitting mileage vouchers to the Finance Department for payment.~~

~~(Note: Additions are underlined; deletions are struck-out)~~

Passed - Vote 7-0

**RESOLVE APPROVING AUTHORIZATION FOR EXPENDITURES FROM THE FARRAR FUND**

**VOTE (171-2010)**

Motion by Councilor Cayer, seconded by Councilor Butler:

To approve the Resolve authorizing the use of up to \$2,500 from the Farrar Fund for expenses, as determined by the Director of Social Services, for costs to provide basic necessary services to individuals that are not covered by other general assistance programs:

Whereas, the City of Lewiston was left an endowment to provide for medical and dental expenses; and

Whereas, the principal in the amount of \$18,551.07 is to be maintained in perpetuity; and

Whereas, due to the low rate of return on investments, it is anticipated that the demand for service will exceed the adopted procedure of only utilizing the prior year's investment earnings of \$467.75; and

Whereas, eligible clients seeking these funds must fall below the income guideline of 185% of the federal poverty level and not be covered by any other general assistance programs;

Now, Therefore, Be It Resolve by the City Council of the City of Lewiston that the Social Services Director is authorized to spend up to \$2,500 from the Farrar Fund which provides funding at the same amount as last fiscal year.

Passed - Vote 6-1 (Councilor Poulin opposed)

**RESOLVE AUTHORIZING APPLICATION AND ACCEPTANCE FOR FUNDS FROM  
THE U.S. DEPARTMENT OF JUSTICE EDWARD BYRNE JUSTICE ASSISTANCE  
GRANT PROGRAM**

**VOTE (172-2010)**

Motion by Councilor Cayer, seconded by Councilor Jean:

To approve the Resolve to authorize city staff to apply for and accept funds from the U.S. Department of Justice – Edward Byrne Justice Assistance Grant Program:

Whereas, the Lewiston and Auburn Police Departments and the Androscoggin County Sheriff's Office are eligible to apply for a joint Byrne Memorial Justice Assistance Grant in the amount of \$75,772; and

Whereas, in order to apply for these funds, the City must accept the funds if they are awarded and provide opportunity for public feedback and the proposed uses of these funds; and

Whereas, the agencies involved have met and discussed how to spend their portions of this grant as outlined on the attached budget narrative;

Now, Therefore, Be It Ordered by the City Council of the City of Lewiston that staff is hereby authorized to apply for and accept funding through the Edward Byrne Memorial Justice

Assistance Grant program subsequent to the receipt, if any, of public feedback on the proposed uses of these funds.

Passed - Vote 7-0

**REPORTS AND UPDATES**

No reports or updates were offered at this time.

**OTHER BUSINESS**

Councilor Bernier said she as heard from local veterans who are concerned with abuse of the stone monuments at Veterans Memorial Park during the Liberty Festival celebration. The veterans would like to see the vendors moved off of the park site. She requested this issue be added to the next agenda.

The Mayor thanked the Council and staff for their hard work on the budget.

**VOTE (173-2010)**

Motion by Councilor Jean, second by Councilor Morgan:

To adjourn at 10:23 P.M. Passed - Vote 7-0

A true record, Attest:

Kathleen M. Montejo, MMC  
City Clerk  
Lewiston, Maine