

**LEWISTON CITY COUNCIL AGENDA
CITY COUNCIL CHAMBERS
JUNE 4, 2019**

6:00 p.m. Executive Session – Economic Development Issue

6:30 p.m. Executive Session – Labor Union Negotiations

7:00 p.m. Regular Meeting

Pledge of Allegiance to the Flag

Recognition of Geiger Elementary School Odyssey of the Mind team

Public Comment period – Any member of the public may make comments regarding issues pertaining to Lewiston City Government (3 minutes per speaker; maximum time for all comments is 15 minutes)

ALL ROLL CALL VOTES FOR THIS MEETING WILL BEGIN WITH THE COUNCILOR OF WARD 3.

REGULAR BUSINESS:

1. Public Hearing for approval of outdoor concerts in conjunction with the Great Falls Brewfest at Simard Payne Park.
2. Public Hearing for approval of an Outdoor Entertainment Permit for the Pride LA Festival Celebration.
3. Public Hearing & Final Passage for Land Use Code Amendments regarding the creation of the Lewiston Commercial Historic District.
4. Public Hearing and Adoption of the Order Authorizing the Issuance of \$13,400,000 in Public Improvement Bonds for the New Lewiston High School Classroom Wing.
5. Resolve, Amending Master Policy 52, Solid Waste Fee Policy – Penalties.
6. Approval of Election Warrant Calling for a Municipal Referendum Election on November 5, 2019 for a High School Classroom Wing Construction Bond.
7. Order, Authorizing the City Administrator to Execute a Release Deed to Stanton Bird Club Clarifying the Boundary Between City Property and Stanton Bird Club Property.
8. Adoption of City Council meeting schedule for the months of July and August.
9. Reports and Updates
10. Any other City Business Councilors or others may have relating to Lewiston City Government.
11. Executive Session to discuss a personnel matter.

LEWISTON CITY COUNCIL

MEETING OF JUNE 4, 2019

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 1

SUBJECT:

Public Hearing for approval of outdoor concerts in conjunction with the Great Falls Brewfest at Simard Payne Park.

INFORMATION:

Baxter Brewing Company has submitted an application requesting permission to hold an outdoor concert on City property. They plan to hold outdoor music entertainment at Simard Payne Park on Saturday, June 22 during the Great Falls Brewfest. Estimated attendance is 2,500 people and the event coordinators have been working with the State Liquor Enforcement Department regarding rules and regulations.

Per the City Code, an outdoor concert cannot be held on city property without approval by a majority of the Council after a public hearing. Staff recommendations are being sought from the Police Department, Fire Department, Code Enforcement/Health Officer and the Land Use Code Officer for compliance.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

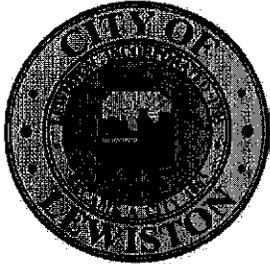
The City Administrator recommends approval of the requested action.

SAB/kmm

REQUESTED ACTION:

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To conduct a public hearing on an application from Baxter Brewing Company for the outdoor music concert to be held at Simard Payne Park on Saturday, June 22, and to authorize a permit for an Outdoor Entertainment Event, as required by the City Code of Ordinances, Chapter 10, Article 1, Section 10-3, to Baxter Brewing Company for the outdoor concerts, contingent upon positive recommendations from the Police Department, Fire Department, Code/Land Use Officer and Code/Health Officer regarding compliance with all regulations, and compliance with all City ordinances.



2018 Event Application for events from 7/1/18 to 6/30/19

Event (25+ participants) First-Time Event _____ Repeat Event
 Special Event (over 1,000 expected) (requires City Council approval)
 Park Use Only Gazebo Use _____ Amphitheater Use _____

\$50 PROCESSING FEE DUE AT THE TIME APPLICATION IS SUBMITTED. Thank you

EVENT NAME: Great Falls Brew Fest EVENT LOCATION: Simard Payne Park

REQUESTED DATE: 6/22/19 RAIN DATE (if applicable): N/A Application Date: 10/3/2018

RECURRING DATES: N/A NON-PROFIT: _____ FOR-PROFIT:

TYPE OF EVENT (indicate all that apply) ESTIMATED ATTENDANCE: 2500

Walk/Run _____ Festival Concert Road Race _____ Parade _____ Carnival _____ Fireworks _____
 Picnic/BBQ _____ Arts _____ Live Performance _____ Wedding Ceremony _____ Wedding Reception _____

Other (please specify): Beer Festival Open to Public Invitation Only _____ Age Restricted

ACTUAL HOURS OF EVENT: 12pm to 6pm SET-UP TIME: 7am TAKE-DOWN TIME: 7pm

NAME OF ORGANIZATION: Baxter Brewing Co APPLICANT NAME: Adam Platz

ORGANIZATION ADDRESS: 130 Mill Street CITY: Lewiston STATE: ME

DAYTIME PHONE: 207-576-5318 CELL: 207-576-5318 EM: events@baxterbrewing.com

ON-SITE MANAGER (Day of Event): Adam Platz CELL/PAGER: 207-576-5318

STAFF USE ONLY Event Number: _____

At-A-Glance

Outdoor Entertainment _____ CC Date: ____|____|____

Sound Amplification _____ Vendors _____

Food Service License _____ Outside Alcohol _____

Carnival Permit _____ Police Assistance _____

Electrical Access _____ Fire Inspection _____

Road Closure _____ Group Notification _____

Business Contact Plan _____ Advertising Req. _____

Cash Donation or In-kind Services Req. _____

STAFF USE ONLY Final Approval: _____

Administration

CITY CLERKS | Kelly Brooks _____

FIRE | Paul Ouellette _____

POLICE | Derrick St. Laurent _____

PUBLIC WORKS | Megan Bates _____

SANITARIAN-CODE | Sue Reny _____

CK _____ CC _____ CA _____

Processing Fee: _____ Park Fee: _____ COI: _____

Clerk's Fees: _____ Map(s) Received: _____

NP: 501(C)3 _____ IRS Letter _____ Form 990 _____

Event Details

EVENT LOCATION (specific street/sidewalks): Simard Payne Park # of days 4

Events in our Park (Please select one)

PARK MAP REQUIRED (see page 5)

PARK FEE(S)

Simard-Payne Park | \$135 day Dufresne Plaza | \$265 day _____ Amphitheater Only | \$25 hr. _____
Amount \$ 135 x 4 days (Fri + Sat + Sun + Mon) = \$540 (other fees may apply)
2019 rate: \$150 x 4 days = \$600

Non-profit (NP) Discounts (if applicable)

Lewiston-based NP 80%

Out-of-Town NP/Fundraiser 50%

Out-of-Town NP 34%

NO FEES ASSESSED

Kennedy Park _____ Gazebo _____ Marcotte Park _____ Pettingill School Park _____ Potvin Park _____

Raymond Park _____ Sunnyside Park _____ Veterans Park _____ (Are you a veteran? Yes _____ No _____)

City Clerk's Office (Please check all that apply)

Sound Amplification Needed? Yes No _____ Please describe two live bands during festival hours

SOUND AMPLIFICATION PERMIT may be required \$17 per day Amount \$ 17

Live Performance? Yes No _____ Please describe two live bands during festival hours

OUTDOOR ENTERTAINMENT PERMIT City Council approval is required \$50 Amount \$ 50

Food? Yes No _____ Sold Given Away _____ Type all types Food Truck

Food Truck Name see addendum A BBQ (review rules & regs see page 4) Fire _____

FOOD SERVICE LICENSE may be required \$50 up to 3 days Amount \$ 50

sanitarian/code inspection may apply

Beverages? Yes No _____ Sold Given Away Type Soda sold - Water free

Alcohol (restrictions apply) Name of Licensed Business Baxter Brewing Co

FOOD SERVICE LICENSE may be required \$50 up to 3 days Amount \$ _____

OUTDOOR ALCOHOL PERMIT REQUIRED \$25 per event & other fees may apply Amount \$ 25

Product? Yes No _____ Sold Given Away _____ Type a collection of vendors will be present

PEDDLERS/BIT MARKET PERMIT may apply \$34 per day for 1-75 spaces & \$61 per day for 76+ spaces

Amount \$ _____

Carnival? Yes _____ No Rides Offered _____ Details _____

STATE PERMIT REQUIRED Has it been obtained? Yes _____ No _____

CARNIVAL PERMIT REQUIRED \$180 Amount \$ _____

Total Due Admin:

Total Due City Clerks:

LEWISTON CITY COUNCIL

MEETING OF JUNE 4, 2019

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 2

SUBJECT:

Public Hearing for approval of an Outdoor Entertainment Permit for the Pride LA Festival Celebration.

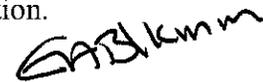
INFORMATION:

The Pride LA Festival Committee has submitted an application requesting permission to hold an outdoor concert on City property. They plan to have live music during the Festival Celebration on Saturday, June 29 at Simard-Payne Park.

Per the City Code, an outdoor concert cannot be held on city property without approval by a majority of the Council after a public hearing. Staff recommendations are being sought from the Police Department, Fire Department, Code Enforcement/Health Officer and the Land Use Code Officer for compliance.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.



REQUESTED ACTION:

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To conduct a public hearing on an application for an outdoor entertainment event for the Pride LA Festival, and to grant a permit for an Outdoor Entertainment Event, as required by the City Code of Ordinances, Chapter 10, Article 1, Section 10-3, to the Pride LA Festival Committee for outdoor music concerts for the Festival to be held at Simard-Payne Memorial Park on June 29, 2019 contingent upon positive recommendations from the Police Department, Fire Department, Code/Health Officer and Land Use Inspector regarding compliance with all regulations and compliance with all City ordinances.

CAL ✓
DB ✓



2018 Event Application for events from 7/1/18 to 6/30/19

Event (25+ participants) First-Time Event Repeat Event
Special Event (over 1,000 expected) (requires City Council approval)
Park Use Only Gazebo Use Amphitheater Use

\$50 PROCESSING FEE DUE AT THE TIME APPLICATION IS SUBMITTED. Thank you

EVENT NAME: PRIDE L/A PARADE AND FESTIVAL EVENT LOCATION: MAIN ST, LISBON ST, CEDAR ST, OXFORD ST, SIMARD PARK
REQUESTED DATE: JUNE 29 2019 RAIN DATE (if applicable): _____ Application Date: 02/28/19

RECURRING DATES: _____
TYPE OF EVENT (indicate all that apply) Lis.james@gmail.com ESTIMATED ATTENDANCE: _____

Walk/Run Festival Concert Road Race Parade Carnival Fireworks
Picnic/BBQ Arts Live Performance Wedding Ceremony Wedding Reception
Other (please specify): _____ Open to Public Invitation Only Age Restricted

ACTUAL HOURS OF EVENT: 11am to 5pm SET-UP TIME: 4 hrs TAKE-DOWN TIME: 2 hrs

NAME OF ORGANIZATION: PRIDE L-A APPLICANT NAME: LIS JAMES

ORGANIZATION ADDRESS: PO BOX 513 CITY: LEWISTON STATE: ME

NON-PROFIT: FOR-PROFIT: DAYTIME PHONE: _____ CELL: 207-409-5528

ON-SITE MANAGER (Day of Event): FRANK COTTE CELL/PAGER: 577-6039

STAFF USE ONLY Event Number: FY190025
At-A-Glance

Outdoor Entertainment CC Date: / /
Sound Amplification Vendors
Food Service License Outside Alcohol
Carnival Permit Police Assistance
Electrical Access Fire Inspection
Road Closure Group Notification
Business Contact Plan Advertising Req.
Cash Donation or In-kind Services Req.

STAFF USE ONLY Final Approval:
Administration

CITY CLERKS | Kelly Brooks _____
FIRE | Paul Ouellette _____
POLICE | Derrick St. Laurent _____
PUBLIC WORKS | Megan Bates _____
SANITARIAN-CODE | Sue Reny _____
✓ 15209 cc CA
Processing Fee: 50.00 Park Fee: _____ COI: _____
PD 3/13/19
Clerk's Fees: _____ Map(s) Received: _____
NP: 501(C)3 IRS Letter Form 990

Event Details

EVENT LOCATION (specific street/sidewalks): N Main St, Lisbon St, Central St, Oxford St, Simard - Payne # of days 1

Events in our Park (Please select one)

PARK MAP REQUIRED (see page 5)

PARK FEE(S)

Simard-Payne Park | \$135 day Dufresne Plaza | \$265 day _____ Amphitheater Only | \$25 hr. _____
Amount \$ 89.10 89.10 per day (other fees may apply)

Non-profit (NP) Discounts (if applicable)

Lewiston-based NP 10%

Out-of-Town NP/Fundraiser 50%

Out-of-Town NP 34% Health Eq. Alliance
Ellsworth

NO FEES ASSESSED

Kennedy Park _____ Gazebo _____ Marcotte Park _____ Pettingill School Park _____ Potvin Park _____
Raymond Park _____ Sunnyside Park _____ Veterans Park _____ (Are you a veteran? Yes _____ No _____)

City Clerk's Office (Please check all that apply)

Sound Amplification Needed? Yes No _____ Please describe _____

SOUND AMPLIFICATION PERMIT may be required \$17 per day. Amount \$ _____

Live Performance? Yes No _____ Please describe _____

OUTDOOR ENTERTAINMENT PERMIT City Council approval is required. \$50 Amount \$ _____

Food? Yes No _____ Sold _____ Given Away _____ Type _____ Food Truck

Food Truck Name ALL VERIFYING VENDORS BBQ (review rules & regs see page 4) (Fire)

FOOD SERVICE LICENSE may be required \$50 up to 3 days Amount \$ _____

sanitarian/code inspection may apply

Beverages? Yes _____ No Sold _____ Given Away _____ Type _____

Alcohol _____ (restrictions apply) Name of Licensed Business _____

FOOD SERVICE LICENSE may be required \$50 up to 3 days. Amount \$ _____

OUTDOOR ALCOHOL PERMIT REQUIRED \$25 per event & other fees may apply. Amount \$ _____

Product? Yes No _____ Sold _____ Given Away _____ Type local businesses + orgs.

PEDDLERS/FLA-MARKET PERMIT may apply \$34 per day for 1-75 spaces & \$61 per day for 76+ spaces.

Amount \$ _____

Carnival? Yes _____ No Rides Offered _____ Details _____

STATE PERMIT REQUIRED Has it been obtained? Yes _____ No _____

CARNIVAL PERMIT REQUIRED \$180 Amount \$ _____

Total Due Admin:

Total Due City Clerks:

LEWISTON CITY COUNCIL

MEETING OF JUNE 4, 2019

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 3

SUBJECT:

Public Hearing & Final Passage for Land Use Code Amendments regarding the creation of the Lewiston Commercial Historic District.

INFORMATION:

On October 4, 2018, The National Park Service, Department of the Interior, entered the Lisbon Street Commercial Historic District in the National Register of Historic Places. This designation expanded the existing portion of the Lisbon Street Commercial Historic District that was created back in 1985. This agenda item adds this District description into the City's Land Use Code.

Attached is a positive recommendation from the Planning Board recommending approval of this ordinance amendment.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAB/kmm

REQUESTED ACTION:

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That the proposed amendments to Appendix A, Article XV "Significant Buildings and Districts", Section 6. "Designated Historic Structures and Historic Districts", Subsection b 2 "Lewiston Commercial Historic District", of the City Zoning and Land Use Code, receive final passage by a roll call vote and that the public hearing on said ordinance be continued to the next regularly scheduled City Council meeting.



CITY OF LEWISTON

Department of Planning & Code Enforcement

TO: Mayor Cloutier and Lewiston City Council

FROM: Douglas Greene, AICP, RLA; Deputy Director/City Planner

DATE: May 29, 2019

RE: Historic District Text Amendment

The final draft text amendment for the recently adopted Historic District has been corrected to read the Lewiston Commercial Historic District, not the Lisbon Street Historic Commercial District, which is the name used in the zoning ordinance for the original Historic District created back in 1985. The Staff realized the error after the 1st reading and wanted to be sure the name that was used in the Historic District Nomination is used.



CITY OF LEWISTON

Department of Planning & Code Enforcement

TO: Mayor and City Council

FROM: Douglas Greene, City Planner

DATE: May 21, 2019

RE: Planning Board Recommendation: Text Amendment for Lisbon Street Commercial Historic District to Article XV, Historic Buildings and Districts

The Planning Board took the following action at their meeting held on May 13, 2019:

MOTION: by **Benjamin Martin**, pursuant to the Zoning and Land Use Code, Article VII, Sections (c) and (i) and Article XVII, Section 5, to send a favorable recommendation to the City Council for the text amendment to Article XV, Significant Buildings and Districts to expand the Lisbon Street Commercial Corridor Historic District with a condition that the district be referenced as the Lisbon Street Commercial Historic District. Second by **Lucy Bisson**.

VOTED: 6-0 (Passed)



CITY OF LEWISTON

Department of Planning & Code Enforcement

TO: Lewiston Planning Board

FROM: Douglas Greene, AICP, RLA; Deputy Director/City Planner

DATE: May 13, 2019

RE: Text Amendment for the Lisbon Street Commercial Historic District

On October 4, 2018, the National Park Service, Department of the Interior entered the Lisbon Street Commercial Historic District in the National Register of Historic Places. This designation expanded the existing portion of the Lisbon Street Commercial Historic District that was created back in 1985.

Now that the expanded Lisbon Street Commercial Historic District has been made official, its description and list of contributing structures needs to be added to Article XV, Significant Buildings and Districts as a text amendment. The Staff has prepared a draft text amendment that lists the contributing buildings and describes the new district boundary. The new district will also be added to the city's GIS mapping and on-line parcel viewer.

**AN ORDINANCE PERTAINING TO THE ADDITION OF NEW HISTORIC DISTRICT
TO ARTICLE XV**

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 XV. SIGNIFICANT BUILDINGS AND DISTRICTS**

Sec. 6. Designated historic structures and historic districts.

(b) *Historic districts.* The following described districts are designated as historic districts:

- (2) *Lisbon Street-~~Historic-Commercial~~ Historic District (1985).* Start at the intersection of Chestnut and Lisbon Streets: Thence in a generally southeasterly direction along Lisbon Street to the intersection of Lisbon and Cedar Streets; thence in a generally southwesterly direction along Cedar Street approximately one hundred thirty-eight (138) feet; thence in a generally northwesterly direction parallel to Lisbon Street to the intersection of Chestnut Street; thence along Chestnut Street to Lisbon Street and the point of beginning, listed on National Register of Historic Places 5/21/85.

The following are contributing structures within the Lisbon Street Historic Commercial District (1985):

- 277 Lisbon Street (Institute Jacques-Cartier);
- 291 Lisbon Street (Centennial Block);
- 311 Lisbon Street (Simard and Sons Building - upper floors destroyed by fire and demolished 1996);
- 323 Lisbon Street (Condemned 2004 – demolished 2006);
- 331 Lisbon Street;
- 337 Lisbon Street;
- 339 Lisbon Street;
- 343 Lisbon Street (Condemned and demolished in 2004);
- 347 Lisbon Street;
- 353 Lisbon Street (Dulac Building);
- 359 Lisbon Street (Condemned and demolished in 2004).

Lewiston Commercial Historic District. (2018) The boundary of the Lewiston Commercial Historic District begins at the southwest corner of 391 Lisbon Street and extends northerly along Canal Street Alley to the south property line of 113

Lisbon Street, where it follows that line westerly to Canal Street and continues northerly along Canal Street to Main Street where it turns easterly and continues along Main Street to Middle Street, where it turns northerly to cross Main Street and extend along Middle Street to the northwest corner of the property that includes 90 Middle Street, turning easterly along the property line and following that line back to the south to re-cross Main Street and turning easterly again to the east property line of 249 Main Street where it turns southerly following the line to the southeast corner of the property and then turning westerly, following the property lines of all the Main Street properties to Journal Alley, extending along Journal Alley to a point in line with Park Street Alley and then running southerly along Park Street Alley to Ash Street, turning easterly along Ash Street to Park Street and then southerly along Park Street to the southern property line of 103 Park Street, then westerly to Park Street Alley and again southerly along Park Street Alley to Chestnut Street, turning easterly along Chestnut Street to the east property line of 99 Chestnut Street and southerly along that line to the southeast corner of the property, turning west to the rear property line of 274 Lisbon Street, turning southerly along that line and the rear line of 282 Lisbon Street to the southeast corner of that lot, then westerly to Lisbon Street where it turns southerly to the south line of 397 Lisbon Street, turning westerly to the point of beginning, listed on the National Register of Historic Places on October 4, 2018.

The following are contributing structures within the Lewiston Commercial Historic District:

41 Ash Street, (Second Manufacturer's National Bank Building)
99 Chestnut Street
9-7 Lisbon Street, (The Gateway-Masonic Hall Building)
21-31 Lisbon Street, (Union Block)
43-47 Lisbon Street
46 Lisbon Street, (Lewiston Trust and Safe Deposit Company Building)
49-53 Lisbon Street, (Lyceum Hall)
50 Lisbon Street, (Second Osgood Building)
55 Lisbon Street, (Depositor's Trust Company Building)
69-87 Lisbon Street, (Music Hall/Frye Block)
80-84 Lisbon Street
96-108 Lisbon Street, (Evans Ehrefried Building)
110 Lisbon Street, (Lamey-Wellehan Building)
112-114 Lisbon Street, (Singer Building)
113 Lisbon Street, (Grant's Building)
117-119 Lisbon Street, (Supovitz Brothers Building)
124-130 Lisbon Street, (Sands Building)
127-129 Lisbon Street, (Osgood Building)
130 Lisbon Street, (Call Building)
133 Lisbon Street, (First McGillicuddy Block)
140 Lisbon Street, (People's Savings Bank Building)
145 Lisbon Street, (First Manufacturer's National Bank Building)

152 Lisbon Street
160-166 Lisbon Street, (Second McGillicuddy Building)
168 Lisbon Street
179 Lisbon Street, (Montgomery Ward Building)
180 Lisbon Street, (Ellard Building)
182-188 Lisbon Street, (Odd Fellows Block)
191-193 Lisbon Street
192-194 Lisbon Street, (Garcelon Building)
195 Lisbon Street
196-208 Lisbon Street, (Pilsbury Block)
199 Lisbon Street, (The Scruton Block)
215 Lisbon Street, (The Savings Bank Block)
220-226 Lisbon Street, (Atkinson Building)
223-225 Lisbon Street, (Le Messenger Building)
230-234 Lisbon Street
239 Lisbon Street
240-242 Lisbon Street
243-245 Lisbon Street
244-248 Lisbon Street
249 Lisbon Street
250-274 Lisbon Street, (Lisbon Block/College Block)
255-259 Lisbon Street
263-267 Lisbon Street, (The Martel's Pharmacy Building)
276 Lisbon Street, (First Callahan Block)
277 Lisbon Street, (Institut Jacques Cartier Building)
282 Lisbon Street, (Second Callahan Block)
291-297 Lisbon Street, (The Centennial Block)
331-335 Lisbon Street
337 Lisbon Street
339-341 Lisbon Street, (J. Bureau Building)
347 Lisbon Street
351-353 Lisbon Street, (The Dulac Building)
379 Lisbon Street, (The Lord Block)
389 Lisbon Street
383 Lisbon Street, (The V. Palange Building)
391 Lisbon Street
157-163 Main Street and 2-10 Lisbon Street, Central Block/First National Bank Building
181-193 Main Street
195-205 Main Street (and 5 Park Street)
217 Main Street, Clifford Block
238-240 Main Street
249 Main Street, (Bonnalue Block)
90 Middle Street
103 Park Street, (Knights of Columbus Building)

REASONS FOR THE PROPOSED AMENDMENT

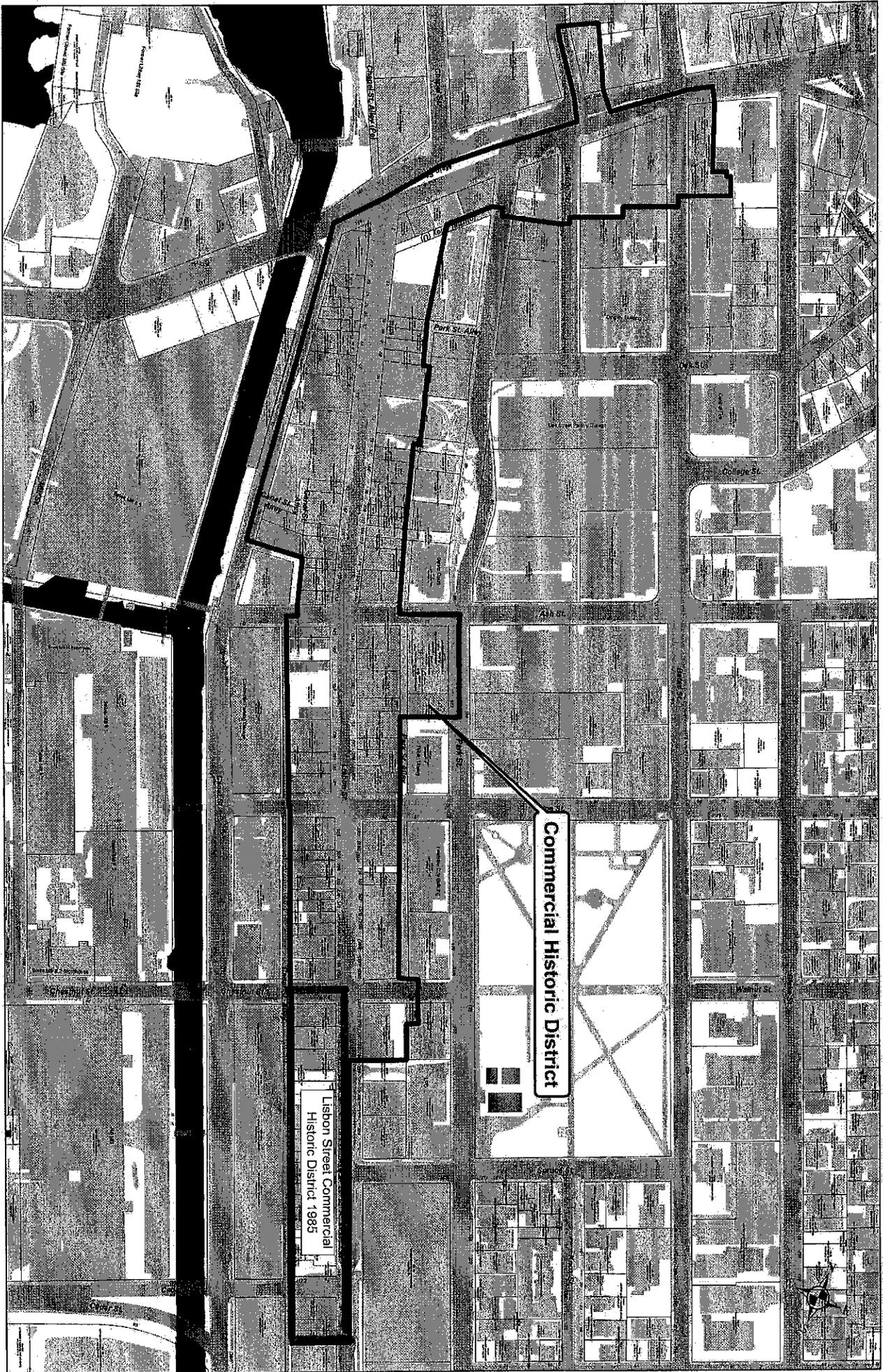
On October 4, 2018, the National Park Service, Department of the Interior entered the Lewiston Commercial Historic District in the National Register of Historic Places. This designation expanded a small portion of the Lisbon Street Commercial Historic District that had been created back in 1985. Now that the district is official, it needs to be added to Article XV. Significant Buildings and Districts as a text amendment. The new district is also being added to the city's GIS mapping and on-line parcel viewer.

CONFORMANCE WITH 2017 COMPREHENSIVE PLAN

This proposed text amendment is in conformance with the 2017 Legacy Lewiston Comprehensive Plan.

Chapter on Celebrate History, Arts and Culture (Page 182)

“Protecting and enhancing Lewiston’s historic and cultural resources, and celebrating the community through art and creative expression, rose to the top as key priorities for the City. Citizens united around the idea of protecting neighborhoods, the downtown, landmark buildings, and other historic structures throughout the City (The term “historic” may not necessarily refer to “historically significant” or National Register designated buildings, but instead as long-standing buildings that represent an important part of the City’s past or exemplify a historic architectural period). It was widely understood by participants that these assets should be a centerpiece of Lewiston’s rebirth and competitive advantage within the region, acknowledging that entrepreneurs looking for an opportunity to participate in a local renaissance, are drawn to the kind of place where they can invest and make a difference.”



Commercial Historic District

Lisbon Street Commercial
Historic District 1985

Park St

College St

4th St

Market St

LEWISTON CITY COUNCIL

MEETING OF JUNE 4, 2019

AGENDA INFORMATION SHEET: AGENDA ITEM NO. 4

SUBJECT:

Public Hearing and Adoption of the Order Authorizing the Issuance of \$13,400,000 in Public Improvement Bonds for the New Lewiston High School Classroom Wing.

INFORMATION:

This public hearing is being held in accordance with Article VI, Section 6.14 of the City Charter.

This agenda item is regarding the proposed Bond Order for the new Lewiston High School Classroom Wing. A separate agenda item is asking the Council to schedule this project as a municipal referendum question on the November 2019 ballot.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAB/kmm

REQUESTED ACTION:

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To adopt the Order authorizing the issuance of \$13,400,000 in Public Improvement Bonds for the New Lewiston High School Classroom Wing.

LCIP Bond Issue Order

Order, Authorizing the Issuance of \$13,400,000 in Public Improvement Bonds for the New Lewiston High School Classroom Wing.

ORDERED, That \$13,400,000 be appropriated for financing the new Lewiston High School Classroom Wing;

FURTHER ORDERED, That to meet this appropriation, \$13,400,000 shall be raised by Public Improvement Bond Issue(s);

FURTHER ORDERED, That the City Council instruct the Finance Director to advertise for bids for \$13,400,000 or increments thereof, Public Improvement Bonds; to award the loan; and to employ Locke Lord LLP to furnish the legal opinion for the same; provided that in the alternative, the Finance Director is authorized to award the loan to the Maine Municipal Bond Bank;

FURTHER ORDERED, That the bonds shall be signed by the City Treasurer and Mayor;

FURTHER ORDERED, That the date, maturities, denominations, interest rate or rates, place or places of payment, form or other details of the bonds and of the provisions for the sale thereof shall be determined by the Finance Director under the advice of UniBank Fiscal Advisory Services Inc.;

FURTHER ORDERED, That bonds issued hereunder may be subject to call for redemption on such terms as may be determined by the Finance Director; and

FURTHER ORDERED, On or before the call date, the Finance Director is authorized to refund/advance refund this bond series if a net present value benefit is derived.

**PUBLIC HEARING NOTICE
CITY OF LEWISTON
PROPOSED BOND ISSUE**

In accordance with the Lewiston City Charter, Article VI, Section 6.14, notice is hereby given of a Public Hearing before the City Council on the new Lewiston High School Classroom Wing Bond Issue.

SCHOOL DEPARTMENT:

New Lewiston High School Classroom Wing	<u>13,400,000</u>
TOTAL	<u>13,400,000</u>

The public hearing will be held in the City Council Chambers, Lewiston City Hall, 27 Pine St. on Tuesday, June 4th at 7:00 pm or as soon thereafter as it may be heard. Any interested person may appear and will be given the opportunity to be heard before final action on said bond issue.

The City of Lewiston is an EOE. For more information, please visit our website at www.lewistonmaine.gov and search for the Non-Discrimination Policy.

Kathleen M. Montejo, MMC
City Clerk, Lewiston, Maine

PLEASE PUBLISH AD ON: Saturday May 25, 2019 - Display Ad

Ad size: 2 columns by 8 inches tall

PROOF & PUBLISHER'S AFFIDAVIT REQUESTED

TO: Attn: Venise, Advertising Dept. 784-3062 fax
FROM: Lewiston City Clerk's Office 777-4621 fax

Please bill the City Clerk's Dept. Thank you.

LEWISTON CITY COUNCIL

MEETING OF JUNE 4, 2019

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 5

SUBJECT: Resolve, Amending Master Policy 52, Solid Waste Fee Policy – Penalties

INFORMATION: The City anticipates undertaking a solid waste public education effort in the near future designed to ensure that the public is aware of and understands the City's requirements for handling solid waste. Subsequently, it may be necessary to strengthen our enforcement effort. In reviewing our current fee and penalty policies for violating our solid waste ordinance, staff determined that several amendments would be helpful in clarifying the application of that policy.

In particular, the current language authorizing charging responsible parties for the City's cost in removing solid waste, should they not quickly do so upon notification, is somewhat ambiguous as to the specific circumstances in which the City could take the initiative to remove waste. In addition, the current policy authorizes the solid waste superintendent to determine when removal is necessary and costs should be charged. Given that enforcement is the responsibility of Code, the proposed amendment transfers that determination to the Director of Planning and Code and the Public Works Director or their designees.

Staff recommends that the Council approve these clarifications.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAD/KMM

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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To approve the **Resolve,** Amending Master Policy 52, Solid Waste Fee Policy – Penalties



COUNCIL RESOLVE

Resolve, Amending Master Policy 52, Solid Waste Fee Policy – Penalties

Whereas, the current Solid Waste Fee Policy establishes fines for violating the City's Solid Waste Ordinance and authorizing billing the responsible party for the cost of removing inappropriately discarded waste under certain circumstances; and

Whereas, the City intends to engage in a public information effort to improve public understanding of the requirements for handling and disposing of solid waste; and

Whereas, failure to follow the City's requirements for solid waste handling can result in fines and penalties; and

Whereas, the Penalty section of our solid waste master policy should be updated to clarify the circumstances under which a responsible party can be charged for the City's cost of removing inappropriately discarded waste and who the responsible parties are for determining to impose such costs;

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

The Penalty section of Master Policy 52 is hereby amended as follows:

Penalties - Chapter 62 Solid Waste

The first violation minimum fine is \$100. A second violation minimum fine for a violation occurring within six months of a first violation is \$210.00. A third or any subsequent violation occurring within six months of a first violation is \$420.00. In addition, where, in the opinion of the Director of Planning and Code, the Public Works Director, or their designees, ~~superintendent~~ the nature or volume of waste material is considered excessive, and/or if the waste material is other than solid waste, and/or if the responsible party does not timely remove it, the minimum fine shall also include all costs incurred by the City to-of collection, transportation, and disposal of this material. Note: This penalty is outlined in the City Code of Ordinances Chapter 62, Article I In General.

Deletions are ~~struck through~~; additions are underlined.

LEWISTON CITY COUNCIL
MEETING OF JUNE 4, 2019

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 6

SUBJECT:

Approval of Election Warrant Calling for a Municipal Referendum Election on November 5, 2019 for a High School Classroom Wing Construction Bond.

INFORMATION:

The School Committee is asking the City Council to approve the calling of a municipal referendum election on Tuesday, November 5, 2019 for a High School Classroom Wing Construction Bond.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

This is a policy matter that is a decision of the City Council.

EAB/kmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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To approve the Warrant Calling for a Municipal Referendum Election on November 5, 2019 for a High School Classroom Wing Construction Bond.

WARRANT FOR MUNICIPAL REFERENDUM ELECTION
CITY OF LEWISTON

County of Androscoggin, SS.

To Brian O'Malley, a constable of Lewiston, Maine: You are hereby required in the name of the State of Maine to notify the voters of the City of Lewiston of the election described in this warrant.

To all voters of the City of Lewiston: You are hereby notified that a Municipal Referendum Election in this municipality will be held on Tuesday, November 5, 2019, at the regular city polling places.

Said election being held for the purpose of voting on a Referendum regarding a School Construction Project.

Ballot Question:

Question 1: Shall the City of Lewiston, through its school department, be authorized to construct and equip a new wing on the Lewiston High School (the "Project"), and shall the Lewiston City Council be authorized to issue general obligation bonds for that purpose in an amount not to exceed \$13,400,000?

YES

NO

The following Project information is provided as part of this Question 1:

A. Description of Project Site. The Project is designed to improve accessibility and security and address crowding at Lewiston High School. The Project includes the addition of an elevator, new entrance with enhanced security features and 20 additional classrooms in a new wing to the north of the existing main entrance to Lewiston High School.

B. Responsibility for Bond Payments. The City shall be responsible for the annual principal and interest payments for this school construction project.

C. Additional Operating Costs. The estimated amount of additional annual operating costs attributable to the Project is \$74,250.

TREASURER'S CERTIFICATE FOR QUESTION 1

The undersigned Treasurer of the City of Lewiston hereby certifies that as of June 30, 2019:

1. The total amount of general obligation bonds of the City of Lewiston contemplated to be issued if Question 1 is approved by the voters of the City is not in excess of \$13,400,000. The total debt service costs of the Project will vary depending on the prevailing interest rates at the time the bonds are issued. The City, each year, will raise that amount required to satisfy the annual debt service requirements through its property tax levy. It is estimated that the debt service on these bonds, paid over a 20-year term at an average interest rate of 4%, will be as follows:

Principal: \$13,400,000
Interest: \$ 5,628,000
Total: \$19,028,000

2. The total amount of general obligation bonded indebtedness of the City of Lewiston currently outstanding is \$166,080,149.

3. The total amount of general obligation bonds (including any notes in anticipation thereof) of the City of Lewiston authorized but unissued is \$39,322,000, excluding this project. The foregoing represents an estimate of costs associated with the financing and such estimates will change due to market conditions. The validity of the bonds and of the voters' ratification of the bonds shall not be affected by any errors in the foregoing estimates. Notwithstanding any variance of actual debt service costs from the estimates provided herein above, the ratification by the voters is nevertheless conclusive and the validity of the bond issue is not affected by reason of such variance.

Heather Hunter
Treasurer, City of Lewiston

The polls shall be opened at 7:00 a.m. and closed at 8:00 p.m.. Absentee ballots will be processed at the polls at 7:00 A.M., 6:00 P.M., and 8:00 P.M., if necessary.

Dated at Lewiston, Maine on June 4, 2019.

ATTEST: _____
Kathleen M. Montejo, MMC
City Clerk

LEWISTON CITY COUNCIL
MEETING OF JUNE 4, 2019

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 7

SUBJECT: Order, Authorizing the City Administrator to Execute a Release Deed to Stanton Bird Club Clarifying the Boundary Between City Property and Stanton Bird Club Property

INFORMATION:

During a 2016 survey conducted by agents of the Stanton Bird Club, the boundary between City and Bird Club property could not be conclusively established. The Bird Club then contacted the City and proposed that the parties take action to conclusively establish the 400 feet of boundary in question. The Public Works Director has met with representatives of the Bird Club, including the surveyor who performed the work, and agreed to establish a clear boundary. Note that the uncertainty was a matter of only a few feet and that the proposed agreement would cause no harm, substantive loss of property, or other liability to either party.

This order would authorized the City Administrator to execute a release deed in return for a similar release deed from the Bird Club in order to conclusively establish the property line. See the attached memo from Public Works Director Dale Doughty, the accompanying map, and associated 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 the **Order,** Authorizing the City Administrator to Execute a Release Deed to Stanton Bird Club Clarifying the Boundary Between City Property and Stanton Bird Club Property



CITY OF LEWISTON, MAINE

June 4, 2019

COUNCIL ORDER

Order, Authorizing the City Administrator to Execute a Release Deed to Stanton Bird Club Clarifying the Boundary between City Property and Stanton Bird Club Property

Whereas, based on a survey conducted in 2016 by the Stanton Bird Club, the boundary between property of the Bird Club and the City cannot be conclusively established; and

Whereas, the boundary uncertainty is a matter of a few feet and establishing an agreed upon boundary can be done without causing harm or substantive loss to either property; and

Whereas, the parties have reached an agreement to establish a clear boundary through the exchange of release deeds;

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

The City Administrator is authorized to execute a release deed to the Stanton Bird Club clarifying the boundary between City Property and Bird Club property in exchange for a similar release deed from the Stanton Bird Club.



PUBLIC WORKS DEPARTMENT

Dale F. Doughty, Director

May 29, 2019

To: Ed Barrett, City Administrator

Re: Boundary Clarification between City of Lewiston and the Stanton Bird Club

During a boundary survey commissioned in 2016 by the Stanton Bird Club and performed by David Chittim, Land Surveyor, of Lewiston, Maine, a 400 foot boundary between the Stanton Bird Club and the City of Lewiston could not be reconciled to an acceptable degree of certainty in the surveyor's judgment (see attached location plan with the boundary in question circled). Various deed and layouts were researched including the original Lotting Plan for Lewiston dated 1795 and a Standard Boundary Survey Plan at the Androscoggin County Registry of Deeds Plan Book 52, Page 68. Many of the deeds found cited the boundaries of abutters and did not provide specific coordinates, monuments or lengths. At the end of this survey, Jeri Maurer, of the Stanton Bird Club sent a letter to the City proposing a resolution to adequately define the boundary in question, at no cost to the City. That letter is attached.

On March 27, 2019 Gary Maurer of the Stanton Bird Club, David Chittim and myself met in my office to determine the best path to bring closure to this item. We reviewed the Standard Boundary Survey compiled by Mr. Chittim and agreed the proposal caused no harm, substantive loss of property, or other foreseeable liability to either the City or the Stanton Bird Club. The uncertainty was only a matter of a few feet.

After the meeting two "Release Deed" documents were prepared in order to affix this boundary line to the Maine State Plane Coordinate System of 1983, West Zone (attached). This will provide certainty for this boundary for future land transfers and any potential development of the City's Parcel. Therefore, I recommend that this matter be taken to the Lewiston City Council for their approval, subject to legal review, signature by both parties and recordation at the Androscoggin County Registry of Deeds.

Dale

RELEASE DEED

CITY OF LEWISTON, a body corporate and politic in Androscoggin County, State of Maine, with a mailing address of 27 Pine Street, Lewiston, ME 04240, for consideration paid releases to **STANTON BIRD CLUB**, a Maine nonprofit corporation with a mailing address of P. O. Box 3172, Lewiston, ME 04242-3172, the land in Lewiston, County of Androscoggin, State of Maine, located southwesterly of the following described boundary line:

BEGINNING at a survey monument identified with the license number 1199 at the northern corner of Lot 12 on the original lotting plan for the city of Lewiston prepared in 1795 by Amos Davis and shown on a Standard Boundary Survey Plan recorded in the Androscoggin County Registry of Deeds in Plan Book 52, Page 68;

THENCE heading along the northeastern boundary of said Lot 12 at an azimuth of one hundred twenty-five degrees, twenty-four minutes, six seconds (125° 24' 06'') a distance of four hundred and no hundredths feet (400.00') to a survey monument identified with the license number 1199 and marking a point on the northeast boundary of said Lot 12 and the northernmost corner of land now owned by the heirs of Edmond Turmenne.

The azimuth is measured clockwise from grid north of the Maine State Plane Coordinate System of 1983, West Zone.

IN WITNESS WHEREOF, the City of Lewiston has caused this instrument to be signed and sealed by Edward A. Barrett, its City Administrator, thereunto duly authorized, as of this ____ day of _____, 2019.

CITY OF LEWISTON

Witness

By _____
Edward A. Barrett
City Administrator

STATE OF MAINE
ANDROSCOGGIN, SS.

_____, 2019

Then personally appeared before me the above-named **Edward A. Barrett** and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of said City of Lewiston.

Notary Public/Attorney-at-Law

Printed Name: _____



Stanton

Over 90 Years of Stewardship

Thorncrag Nature Sanctuary, Woodbury Nature Sanctuary, Applesass Hill Preserve

April 22, 2018

Mr. Ed Barrett
City Administrator
27 Pine Street
Lewiston, Maine 04240

Re: City Property Boundary

Dear Mr. Barrett:

Stanton Bird Club commissioned a survey to define the boundaries of land it purchased in 2015, shown as Lot 2 on Tax Map 86. The survey revealed that the boundary between this lot and land owned by the City of Lewiston (Map 86, Lot 10) has never been surveyed or described in sufficient detail to identify it on the ground.

Our surveyor has defined the most likely location of this boundary based on extensive research into the creation of the two abutting parcels. The boundary was created in 1795 by Amos Davis, the surveyor charged with dividing Lewiston onto "one hundred" acre lots by Josiah Little, agent for then-owners the Pejepscot Proprietors. The plan he prepared was more conceptual than mathematical and the boundaries he depicted are not tied in any meaningful way to the land they purport to divide.

The City acquired 496 Old Greene Road Rear when a tax lien for \$22.50 ripened in the early 1950s. It contains approximately 50 acres and has been logged several times, most recently in 2014.

The purpose of this letter is to suggest the City and the Bird Club resolve the uncertainty of the boundary between them through an exchange of release deeds memorializing the boundary established by our surveyor. The accompanying sketch describes the issue in greater detail.

The Stanton Bird Club will pay for the preparation and recording of the necessary deeds, sparing the city any financial burden.

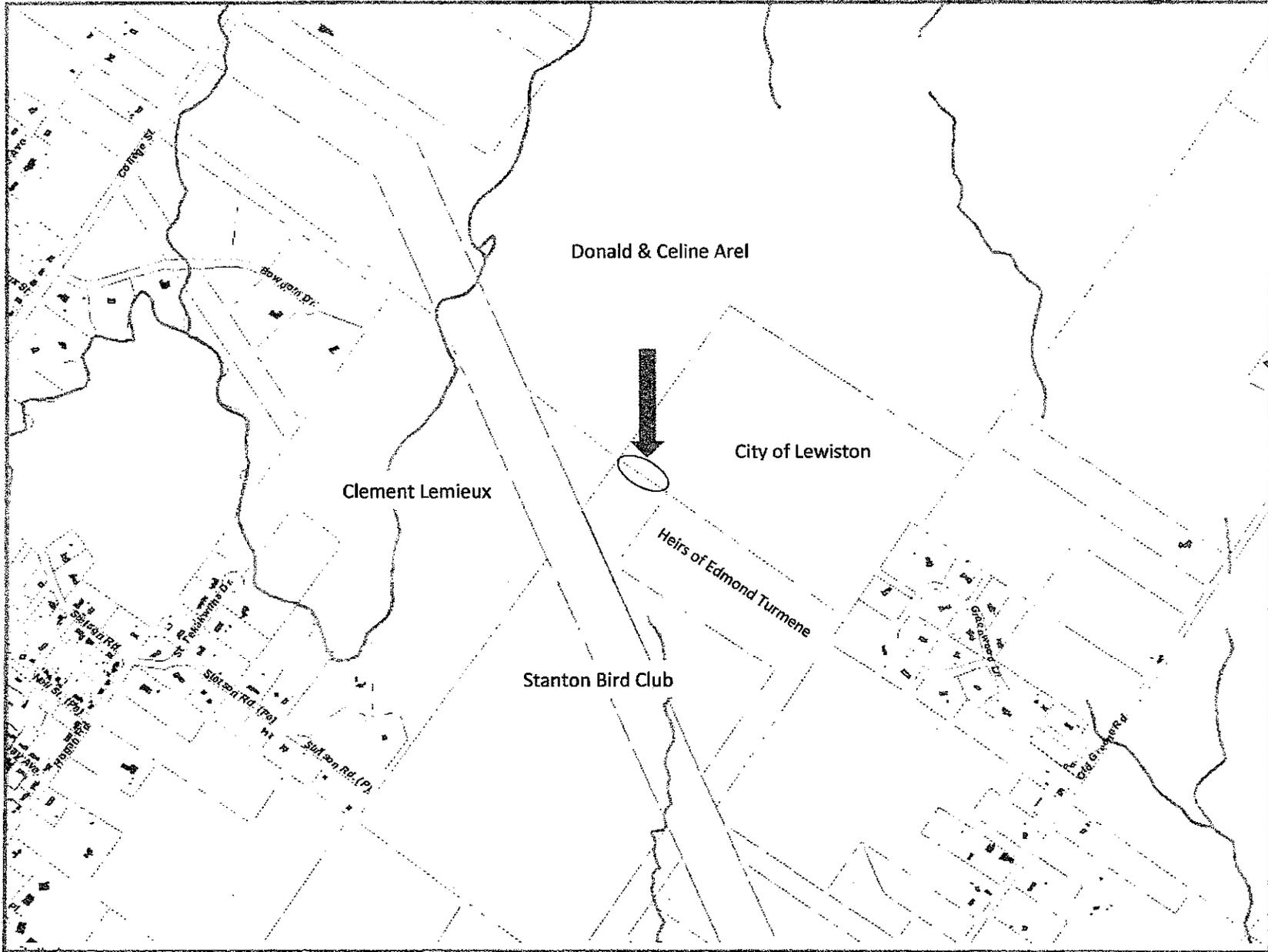
I understand that the authority to execute a deed to city property is vested in the council. Please consider this a request to place the item before the council for its consideration. Once you let me know whether and when the council would consider this, I will be happy to address any concerns that may arise.

Sincerely,


Jeri Maurer, President
Stanton Bird Club

Cc: Richard Trafton
David Chittim

Encl: Property sketch



21

Location of the Property Line Being Clarified

RELEASE DEED

STANTON BIRD CLUB, a Maine nonprofit corporation of Lewiston, County of Androscoggin, State of Maine, for consideration paid releases to **CITY OF LEWISTON**, a body corporate and politic in Androscoggin County, State of Maine, with a mailing address of 27 Pine Street, Lewiston, ME 04240, the land in Lewiston, County of Androscoggin, State of Maine, located northeasterly of the following described boundary line:

BEGINNING at a survey monument identified with the license number 1199 at the northern corner of Lot 12 on the original lotting plan for the city of Lewiston prepared in 1795 by Amos Davis and shown on a Standard Boundary Survey Plan recorded in the Androscoggin County Registry of Deeds in Plan Book 52, Page 68;

THENCE heading along the northeastern boundary of said Lot 12 at an azimuth of one hundred twenty-five degrees, twenty-four minutes, six seconds (125° 24' 06") a distance of four hundred and no hundredths feet (400.00') to a survey monument identified with the license number 1199 and marking a point on the northeast boundary of said Lot 12 and the northernmost corner of land now owned by the heirs of Edmond Turmenne.

The azimuth is measured clockwise from grid north of the Maine State Plane Coordinate System of 1983, West Zone.

FOR SOURCE OF TITLE, see Deed of Sale from Monique Gendron, Personal Representative of the Estate of Arthur C. Gendron to Stanton Bird Club, dated September 25, 2015, and recorded in the Androscoggin County Registry of Deeds in Book 9232, Page 162.

IN WITNESS WHEREOF, **Stanton Bird Club** has caused this instrument to be sealed with its corporate seal and signed in its corporate name by Jeri Maurer, its President, thereunto duly authorized, as of this ____ day of _____, 2019.

STANTON BIRD CLUB

By: _____
Jeralyn A. Maurer, its President

Witness

STATE OF MAINE
ANDROSCOGGIN, SS. _____, 2019

Then personally appeared before me the above-named **Jeralyn A. Maurer** and acknowledged the foregoing instrument to be her free act and deed in her said capacity and the free act and deed of said nonprofit corporation.

Attorney-at-Law/Notary Public

Printed Name: _____

LEWISTON CITY COUNCIL
MEETING OF JUNE 4, 2019

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 8

SUBJECT:

Adoption of City Council meeting schedule for the months of July and August.

INFORMATION:

Due to summer vacations and other commitments, it is recommended the City Council hold only one regular meeting during the month of July and one regular meeting during the month of August. The Council has been following a summer meeting schedule of one meeting during the months of July and August for many years. It is recommended that the July meeting be held on Tuesday, July 16th at 7:00pm and the August meeting be held on Tuesday, August 13th at 7:00pm.

The above dates are subject to change should circumstances arise and the dates need to be adjusted.

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 suspend Section 1,(a) of the Rules Governing the City Council, and to only hold one regular meeting during the month of July, said meeting to be held on Tuesday, July 16th at 7:00pm and to hold only one regular meeting during the month of August, said meeting to be held on Tuesday, August 13th at 7:00pm.

LEWISTON CITY COUNCIL
MEETING OF JUNE 4, 2019

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 11

SUBJECT:

Executive Session pursuant to MRSA Title 1, section 405(6)(A) to discuss a personnel 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:

Entering into executive session is permitted and defined under Maine State Statutes.

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)(A) to discuss a personnel matter.