

CITY OF LEWISTON

CITY COUNCIL

MAY 7, 2019

REGULAR MEETING HELD IN THE COUNCIL ROOM AT 7:00 P.M.

THE HONORABLE KRISTEN S. CLOUTIER, MAYOR, PRESIDING.

PRESENT: Mayor Cloutier, Councilors Lysen, Pettengill, Rea, Lajoie, Beam and Marcotte, City Administrator Edward Barrett and City Clerk Kathleen Montejo.

Pledge of Allegiance to the Flag.

Moment of Silence was held in recognition of National Peace Officers Memorial Day on Wednesday, May 15.

MAYORAL RECOGNITION OF KAYDENZ KITCHEN FOOD PANTRY

Mayor Cloutier presented a recognition certificate to Kaydenz Kitchen honoring their great work in the community.

MAYORAL PROCLAMATION – NATIONAL KIDS TO PARKS DAY

Mayor Cloutier read a Proclamation announcing recognition of National Kids to Parks Day which encourages children to play outside for recreation and health.

VOTE (81-2019)

Motion by Councilor Lajoie, seconded by Councilor Rea :

To dispense with the reading of the minutes of the meeting of April 16, 2019 and to accept and place them on file as prepared by the City Clerk. Passed - Vote 7-0

PUBLIC COMMENT PERIOD

No members of the public offered comment at this time.

PUBLIC HEARING ON THE RENEWAL APPLICATION FOR A SPECIAL AMUSEMENT PERMIT FOR LIVE ENTERTAINMENT FOR THE RAMADA HOTEL & CONFERENCE CENTER, 490 PLEASANT STREET

Mayor Cloutier opened the hearing to receive citizen input and comment. No members of the public spoke for or against this issue. The Mayor then closed the hearing.

VOTE (82-2019)

Motion by Councilor Marcotte, seconded by Councilor Beam:

To grant a Special Amusement Permit for Live Entertainment to the Ramada Hotel & Conference Center, 490 Pleasant Street. Passed - Vote 7-0

**PUBLIC HEARING FOR APPROVAL OF OUTDOOR CONCERTS SPONSORED BY
L/A ARTS AT DUFRENSE PLAZA**

Mayor Cloutier opened the hearing to receive citizen input and comment. No members of the public spoke for or against this issue. The Mayor then closed the hearing.

VOTE (83-2019)

Motion by Councilor Lysen, seconded by Councilor Pettengill:

To conduct a public hearing on an application from L/A Arts for the evening outdoor concerts to be held at Dufresne Plaza on May 31, June 28, July 26, August 30, September 27 and October 25 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 L/A Arts 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. Passed - Vote 7-0

**PUBLIC HEARING FOR APPROVAL OF AN OUTDOOR ENTERTAINMENT
PERMIT FOR THE LEWISTON FARMERS MARKET CONCERTS**

Mayor Cloutier opened the hearing to receive citizen input and comment. No members of the public spoke for or against this issue. The Mayor then closed the hearing.

VOTE (84-2019)

Motion by Councilor Lysen, seconded by Councilor Rea:

To conduct a public hearing on an application for an outdoor entertainment event for the Lewiston Farmers Market concerts, 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 Lewiston Farmers Market Association for outdoor music concerts for the Market, 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. Passed - Vote 7-0

**PUBLIC HEARING AND RESOLVE APPROVING THE FEDERAL FY2019
(LEWISTON FY2020) COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
ACTION PLAN BUDGET AND HOME BUDGETS FOR SUBMITTAL TO THE U.S.
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)**

Mayor Cloutier opened the hearing to receive citizen input and comment. No members of the public spoke for or against this issue. The Mayor then closed the hearing.

VOTE (85-2019)

Motion by Councilor Lysen, seconded by Councilor Lajoie:

To adopt the Resolve Approving the Federal FY2019 (Lewiston FY2020) Community Development Block Grant (CBDG) Action Plan Budget and HOME budgets for submittal to the

U. S. Department of Housing and Urban Development (HUD):

Whereas, in accordance with applicable sections of 24 CFR Parts 91 and 570 and the City’s Citizen Participation Plan, the City has provided citizens with adequate notice and opportunity to review and comment on its annual Action Plan and HOME budgets; and

Whereas, the City Council has, on March 28, 2019 and on this date, conducted a public hearing and accepted public comments on the proposed Action Plan; and

Whereas, HUD requires that final local acceptance of the CDBG Action Plan budget take effect a minimum of 45 days prior to the end of Lewiston’s fiscal year, which occurs on June 30, 2019;

Now, therefore, be it Resolved by the City Council of the City of Lewiston that the attached CDBG Action Plan Budget and HOME Action Plan Budget for the Federal Fiscal Year 2019 (City of Lewiston FY2020) are hereby adopted, and City staff is hereby authorized to submit the same to the U.S. Department of Housing and Urban Development.

Passed - Vote 7-0

**FINAL BUDGET PUBLIC HEARING FOR THE FISCAL YEAR 2020
MUNICIPAL BUDGET**

Mayor Cloutier opened the hearing to receive citizen input and comment. Linda Scott, 45 Pettengill Street, thanked the Council for their work on the budget and asking in-depth questions about the issues, she noted balancing a budget is not an easy task. Rick Cailler, president of the Lewiston Firefighters Association, questioned the need for the \$50,000 appropriation from fund balance for a study of the Fire Department. He recommended the funds could be spent to directly benefit the safety of fire fighters by purchasing a second set of turnout gear for each member of the department. The Mayor then closed the hearing.

**BUDGET RECOMMENDATIONS FROM THE FINANCE COMMITTEE REGARDING
THE PROPOSED FISCAL YEAR 2020 MUNICIPAL BUDGET**

Denis Therriault, chair of the Finance Committee, read the recommendation for the Council. Rick Cailler of the Fire Department noted the City does not have water safety capabilities and there is an error in previous statements regarding the use of sick leave by department captains. He also suggested reviewing a previous study regarding Emergency Medical Service offerings by the City.

VOTE (86-2019)

Motion by Councilor Lysen, seconded by Councilor Pettengill:

To receive and review the recommendation from the Finance Committee regarding the proposed Fiscal Year 2020 Municipal Budget. Passed - Vote 7-0

**RESOLVE APPROVING THE FY20 BUDGET FOR THE LEWISTON
SCHOOL DEPARTMENT**

School Superintendent Bill Webster provided background information for the Council regarding this item.

VOTE (87-2019)

Motion by Councilor Lysen, seconded by Councilor Rea:

To approve the Resolve approving the FY20 budget for the Lewiston School Department:

Whereas, pursuant to the City Charter, the Lewiston School Committee prepared and approved a FY20 budget for the Lewiston School Department and has submitted that budget to the City Council; and

Whereas, subsequent to the receipt of this budget, the School Committee and the City Council have met to discuss and review it; and

Whereas, as proposed, the School budget meets the local share property tax commitment required by state law; and

Whereas, the City Council must approve the total amount of the School Budget before it can be presented to the voters in a school budget ratification election scheduled for May 14, 2019;

Now, therefore, be It Resolved by the City Council of the City of Lewiston that the Fiscal Year 20 budget approved by the Lewiston School Committee as outlined and detailed on the attached Lewiston School Department Budget Articles is hereby adopted, subject to approval of the voters of the City of Lewiston at a budget validation referendum:

EXPENDITURE ARTICLES TO BE APPROVED BY LEWISTON SCHOOL COMMITTEE:

1. To authorize the Lewiston School Committee to expend \$28,841,230 for Regular Instruction for the fiscal year beginning July 1, 2019 and ending June 30, 2020.
2. To authorize the Lewiston School Committee to expend \$23,814,171 for Special Education for the fiscal year beginning July 1, 2019 and ending June 30, 2020.
3. To authorize the Lewiston School Committee to expend \$3,364,205 for Career and Technical Education for the fiscal year beginning July 1, 2019 and ending June 30, 2020.
4. To authorize the Lewiston School Committee to expend \$1,373,981 for Other Instruction, including Summer School and Extracurricular Instruction for the fiscal year beginning July 1, 2019 and ending June 30, 2020.
5. To authorize the Lewiston School Committee to expend \$5,530,488 for Student and Staff Support for the fiscal year beginning July 1, 2019 and ending June 30, 2020.
6. To authorize the Lewiston School Committee to expend \$1,629,838 for District Administration for the fiscal year beginning July 1, 2019 and ending June 30, 2020.

- 7. To authorize the Lewiston School Committee to expend \$3,032,714 for School Administration for the fiscal year beginning July 1, 2019 and ending June 30, 2020.
- 8. To authorize the Lewiston School Committee to expend \$4,706,497 for Transportation and Buses for the fiscal year beginning July 1, 2019 and ending June 30, 2020.
- 9. To authorize the Lewiston School Committee to expend \$7,209,418 for Facilities Maintenance for the fiscal year beginning July 1, 2019 and ending June 30, 2020.
- 10. To authorize the Lewiston School Committee to expend \$6,574,282 for Debt Service and Other Commitments for the fiscal year beginning July 1, 2019 and ending June 30, 2020.
- 11. To authorize the Lewiston School Committee to expend \$24,870 for All Other Expenditures for the fiscal year beginning July 1, 2019 and ending June 30, 2020.

REVENUE ARTICLES TO BE APPROVED BY LEWISTON SCHOOL COMMITTEE AND LEWISTON CITY COUNCIL:

12. To see what sum the City will appropriate for the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act (Recommend \$77,812,144.83) and to see what sum the City will raise as the City’s contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act in accordance with the Maine Revised Statutes, Title 20-A, §15688.

Minimum Required Statutory Recommendation	\$18,426,036.00
School Committee Recommendation	\$18,426,036.00

Explanation: The City’s contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act is the amount of money determined by state law to be the minimum amount that the City must raise in order to receive the full amount of state dollars.

13. In the event that Lewiston School Department receives more state education subsidy than the amount included in its budget, the School Committee shall first use the additional state subsidy to decrease the local cost share expectation, as defined in Title 20-A, section 15671 A(1)(B), for local property taxpayers for funding public education, provided that the total amount of funds raised by local taxpayers under Article 12 is no more and no less than the the local cost share expectation defined by law, and the School Committee shall then be authorized to use any remaining additional subsidy to cover emergency expenditures for school purposes in cost center categories approved by the School Committee and/or to leave any remaining additional subsidy unexpended to be applied to the school budget for the following fiscal year.

14. To appropriate the sum of \$1,232,205 for the annual payments on debt service previously approved by the City Council for non-state-funded school construction projects or non-state-funded portions of school construction projects in addition to the funds appropriated as the local share of the City's contribution to the total cost of funding public education from kindergarten to grade 12.

Explanation: Non-state-funded debt service is the amount of money needed to repay the annual payments on Lewiston's long-term debt for major capital school construction projects that are not approved for state subsidy. The bonding of this long-term debt was previously approved by the City Council.

15. To raise and appropriate the sum of \$1,215,951 in additional local funds which exceeds the State's Essential Programs and Services allocation model by \$1,215,951 as required to fund the budget recommended by the School Committee. The School Committee recommends \$1,215,951 for additional local funds and gives the following reasons for exceeding the State's Essential Programs and Services Funding Model by \$1,215,951: The Essential Programs and Services funding model does not provide sufficient funding to fully cover the actual costs of operating the Lewiston Public Schools.

Explanation: The additional local funds are those locally raised funds over and above the City's contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act and local amounts raised for the annual payment on non-state-funded debt service that will help achieve the City's budget for educational purposes.

TOTAL SCHOOL OPERATING BUDGET ARTICLE TO BE APPROVED BY LEWISTON SCHOOL COMMITTEE AND LEWISTON CITY COUNCIL:

16. To authorize the Lewiston School Committee to expend the sum of \$86,101,694 for the fiscal year beginning July 1, 2019 and ending June 30, 2020 from the City's contribution to the total cost of funding public education from prekindergarten to grade 12 as described in the Essential Programs and Services Funding Act, non-state-funded school construction projects, additional local funds for school purposes under the Maine Revised Statutes, Title 20-A, section 15690, unexpended balances, tuition receipts, state subsidy and other receipts for the support of schools; provided, however, that the School Committee shall only be authorized to expend the sum of \$85,988,694 in the event that the Lewiston School Department does not receive \$113,000 in additional state subsidy that is due from the Maine Department of Education.

OTHER REVENUES TO BE APPROVED BY LEWISTON SCHOOL COMMITTEE AND LEWISTON CITY COUNCIL:

17. To authorize the Lewiston School Committee to expend additional State, Federal and other funds received during the fiscal year 2019-2020 for school purposes, provided that such additional funds do not require the expenditure of local funds not previously appropriated.

ADULT EDUCATION TO BE APPROVED BY LEWISTON SCHOOL COMMITTEE AND LEWISTON CITY COUNCIL:

18. To appropriate the sum of \$716,947 for adult education for the fiscal year beginning July 1, 2019, and ending June 30, 2020, and to raise the sum of \$480,687 as the local share for adult education, with authorization to expend any additional incidental or miscellaneous receipts in the interest and for the well-being of the adult education program.

Passed – Vote 5-2 (Councilors Pettengill and Marcotte opposed)

RESOLVE APPROVING THE FINAL ADJUSTMENTS TO THE FISCAL YEAR 2020 MUNICIPAL BUDGET

VOTE (88-2019)

Motion by Councilor Rea, seconded by Councilor Lysen:

To adopt the Resolve approving the final adjustments to the Fiscal Year 2020 Municipal Budget:

Whereas, in accordance with the Charter, the City Administrator presented his proposed Fiscal Year 2020 budget to the City Council on March 19, 2019; and

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

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

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

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

Now, therefore, be It Resolved by the City Council of the City of Lewiston that the following Final Budget Adjustments Summary for Fiscal Year 2020, is hereby approved:

Adj. #	Org.	Object	Account	Amount
Revenues:				
1	4151	335200	State Revenue Sharing	70,000
2	4155	316100	Excise Tax	100,000
3	4192	362300	Rent - Violations Bureau	3,100
4	4155	361100	Investment Earnings	55,000
				228,100
Expenditures:				
5	4221	Fire	Assistant Fire Chief	123,358

CITY COUNCIL**MAY 7, 2019**

6	4241	Code	Planner	93,086
7	4392	422500	Utilities	(12,000)
8	4212	411000	Salaries	(64,438)
9	4931	417004	RHS	(20,680)
10	4813	449000	911 Contribution	31,180
11	4241	422000	Telephone	(3,060)
12	4812	449000	Transit	(53,747)
13	4131	415000	Legal	38,400
14	4144	412500	Temp Wages	1,000
15	4151	428900	Training	1,000
16	4171	428900	Training	600
17	4192	425000	Cleaning	14,476
18	4212	412000	Overtime	3,000
19	4213	412000	Overtime	4,000
20	4222	435800	P.S. Supplies	4,000
21	4241	423000	Training	3,600
22	4241	442000	Dues	400
23	4338	412000	Overtime	1,000
24	4338	438500	Construction Materials	500
25	4351	412500	Temp Wages	4,400
26	4381	426101	Outside Services	3,100
27	4381	426500	Repairs to Vehicles	1,000
28	4381	427000	Repairs to Equipment	2,000
29	4519	427500	Repairs to Buildings	500
30	4721	449000	Interest	

CITY COUNCIL

MAY 7, 2019

				11,913
31	4921	417100	Health Insurance	5,000
32	4931	416000	Severance	3,000
33	4941	417400	Workers Comp	4,000
34	4991	428800	Misc. Services	1,250
35	4181	428800	Misc. Services	(3,000)
36	4191	427000	Repairs to Equipment	2,380
37	4193	427000	Repairs to Equipment	1,980
38	4194	427000	Repairs to Equipment	1,980
39	4195	427000	Repairs to Equipment	1,980
40	4197	427000	Repairs to Equipment	2,970
41	4351	436000	Small Tools	1,000
42	4222	426500	Repairs to Vehicles	11,500
43	4921	446010	Self-Insurance	3,500
44	4991	428800	Misc. Services	4,000
45	4921	417250	Health Reimb. Arrangement	29,000
46	4141	Clerks	City Clerk's Position	(36,224)
47	4225	Fire	Fire Inspector	(45,397)
48	4213	Patrol	1 Patrol Officer	(39,572)
49	4213	Patrol	1 Patrol Officer	(11,306)
50	4213	Patrol	4th School Resource Officer	(16,959)
51	4155	Finance	Senior Accountant	(8,275)
52	4381	M.G.	Mechanic	(33,674)
53	4241	Code/Pan	Planner	<u>(69,815)</u>
				(2,093)

Utility Adjustments:

54	6030	663001	Materials & Supplies	4,000
55	6050	664201	Rental of Equipment	1,500
56	6050	412000	Overtime	2,000
57	6070	Water	Senior Accountant	(8,275)
58	6080	417250	HRA	<u>2,500</u>
				1,725
59	6210	663001	Materials & Supplies	3,000
60	6250	412000	Overtime	1,000
61	6270	Sewer	Senior Accountant	(8,275)
62	6280	417250	HRA	2,500
63	6280	660406	Training	<u>1,000</u>
				(775)
64	6410	662101	Cont. Service - Engineering	1,500
65	6420	663001	Materials & Supplies	1,000
66	6450	412500	Temp. Wages	2,000
67	6450	662101	Cont. Service - Engineering	1,500
68	6450	663001	Materials & Supplies	2,500
69	6470	Storm Water	Senior Accountant	<u>(8,275)</u>
				225

Passed - Vote 7-0

ADOPTION OF MUNICIPAL BUDGET APPROPRIATION RESOLVE FOR FISCAL YEAR 2020

City Administrator Ed Barrett provided background information on this issue. He noted the average home of \$150,000 in value will see an approximate increase of \$50 in their property taxes. He also noted the \$53,000 funding for the transit system is contingent upon the approval

for the same amount by the Auburn City Council.

VOTE (89-2019)

Motion by Councilor Rea, seconded by Councilor Lysen:

To approve the Municipal Budget Appropriation Resolve for Fiscal Year 2020:

Be It Resolved by the City Council of the City of Lewiston that the sum of \$48,913,297 is hereby appropriated in the General Fund for the municipal year 2020 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 \$36,644,482 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 \$12,268,815 be appropriated as non-tax revenues in the General Fund for the municipal year 2020 in accordance with the schedule of appropriations; and

Be It Further Resolved by the City Council of the City of Lewiston that the list of tax assessments upon the estates in Lewiston for all city taxes, together with all assessments and charges made under the provisions of the Maine Revised Statutes annotated, Title 30A, Section 3406 and 3442 to 3445 inclusive, and the City's due proportion of the County Tax in the amount of \$2,881,017 for the period of July 1, 2019 through June 30, 2020 shall be committed by the Assessor to the Finance Director, and one-half of said taxes shall be due and payable on the 16th day of September 2019 with the remaining one-half of said taxes due and payable on the 16th day of March 2020; and

Be It Further Resolved by the City Council of the City of Lewiston that interest at the maximum State approved rate of 9% per annum for fiscal year 2020 shall be collected on the first half of said taxes from September 17, 2019, if not voluntarily paid to the Finance Director on or before September 16, 2019 and on the second half of said taxes from March 17, 2020, if not voluntarily paid to the Finance Director on or before March 16, 2020; and

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

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

Be It Further Resolved by the City Council of the City of Lewiston that the Treasury Manager/Tax Collector shall apply all payments to the oldest balance due to the City on that account regardless of any instructions the customer/taxpayer may give. If, however, a lien has matured, the Treasury Manager/Tax Collector may not accept payment on that account unless a workout agreement is in

place or approval has been granted by the Finance Director to accept payment. If a customer/taxpayer has more than one account, any payment shall be applied to the oldest balance due; and

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

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

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

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

Be It Further Resolved by the City Council of the City of Lewiston that the Council hereby formally appropriates a 2% cost of living adjustment for nonunion personnel effective on the payroll check dated July 3, 2019 and directs the Finance Director to make the necessary adjustments to non-union salary schedules; and

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

Be It Further Resolved by the City Council of the City of Lewiston that an appropriation is authorized to transfer the amount of \$6.62 or the current State reimbursement rate per snowmobile registration to the Hillside Snowmobile Club. Payment will be made annually to the Hillside Snowmobile Club by June 30, 2020; and

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

Be It Further Resolved by the City Council of the City of Lewiston that this budget includes an additional appropriation of \$53,747 for the Lewiston Auburn Transit Committee predicated upon the City of Auburn providing additional funding to restore transit service that was lost due to Auburn's decision to reduce funding in the past. Should the City of Auburn not provide this

additional funding, in full or in part, this amount, or a proportionate share of it based on the amount funded by Auburn, shall be eliminated from the expenditure budget and a similar amount reduced from the municipal tax levy; and

Be It Further Resolved by the City Council of the City of Lewiston that this budget reflects State Municipal Revenue Sharing to be funded by 2% of state sales and income tax revenue. The Governor has proposed increasing this to 2.5%. In the event that revenue sharing is funded at more than 2%, the Finance Director, with the approval of the City Administrator, shall estimate the additional revenue that will result, credit that revenue to the appropriate revenue account, and reduce the municipal tax levy by that same amount. For example, if revenue sharing is funded at 2.5%, City non-tax revenues shall be increased by \$725,000 with a corresponding decrease in the municipal tax levy; and

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

Passed - Vote 6-1 (Councilor Marcotte opposed)

RESOLVE MAKING AN APPROPRIATION FOR UTILITY AND SPECIAL REVENUE FUNDS FOR MUNICIPAL BUDGET YEAR 2020

The City Administrator stated no rate increased are recommended for this year.

VOTE (90-2019)

Motion by Councilor Lajoie, seconded by Councilor Rea:

To approve the Resolve Making an Appropriation for Utility and Special Revenue Funds for Municipal Budget Year 2020:

Be It Resolved by the City Council of the City of Lewiston that the appropriation for municipal year 2020 for the following Enterprise Funds is hereby authorized and approved: the Water Fund in the amount of \$5,831,186, the Sewer Fund in the amount of \$6,862,451, and the Storm Water Fund in the amount of \$3,097,281; and

Be It Further Resolved by the City Council of the City of Lewiston that the appropriation for municipal year 2020 for the following Special Revenue Funds is hereby authorized and approved: the Recreation Activity Fund in the amount of \$109,535 with approval to pursue offering new programs that are financially viable, the Police Drug Forfeiture Fund in the amount of \$111,275; and the Tax Increment Financing Fund in the amount of \$2,051,935; and

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

Passed - Vote 7-0

RESOLVE AUTHORIZING THE USE OF \$3,745,189 FROM THE GENERAL FUND UNASSIGNED FUND BALANCE FOR CAPITAL OUTLAY PURCHASES AND OTHER ONE-TIME COSTS

VOTE (91-2019)

Motion by Councilor Lysen, seconded by Councilor Pettengill:

To approve the Resolve authorizing the use of \$3,745,189 from the General Fund Unassigned Fund Balance for Capital Outlay purchases and other one-time costs:

Whereas, the City of Lewiston adopted Ordinance 11-05 pertaining to Unassigned Fund Balance and effective on August 18, 2011; and

Whereas, the ordinance establishes an Unassigned Fund Balance floor of 8% and a ceiling of 12% of GAAP revenues including transfers in; and

Whereas, as of June 30, 2018, the City’s General Fund Unassigned Fund Balance floor was \$10,186,560 and the ceiling was \$15,279,840; and

Whereas, as of June 30, 2018, the City’s actual General Fund Unassigned Fund Balance was \$16,476,170, or 12.94%; and

Whereas, the City Council wishes to minimize the tax rate increase needed to balance the fiscal year 2020 budget and to reduce the amount of projects to be funded from bond proceeds;

Now, therefore, be It Resolved by the City Council of the City of Lewiston that \$3,745,189 of unassigned fund balance is hereby appropriated to address the following capital needs:

Org.	Object	Division	Description	Amount
4161	450500	MIS	Office Equipment	24,000
4161	450500	MIS	Office Equipment	11,250
4161	450500	MIS	Office Equipment	15,000
4161	450500	MIS	Office Equipment	2,500
4161	450500	MIS	Office Equipment	3,000
4161	450500	MIS	Office Equipment	2,000
4161	450500	MIS	Office Equipment	2,600
4161	450500	MIS	Office Equipment	400
4161	450500	MIS	Office Equipment	

CITY COUNCIL**MAY 7, 2019**

				18,700
4161	450500	MIS	Office Equipment	1,500
4161	450500	MIS	Office Equipment	5,400
4191	427500	C. Hall	Repairs to Building	20,000
4191	458000	C. Hall	Buildings & Structures	3,500
4191	458000	C. Hall	Buildings & Structures	7,667
4191	458000	C. Hall	Buildings & Structures	700
4191	458000	C. Hall	Buildings & Structures	2,300
4192	458000	V. Bureau	Buildings & Structures	4,983
4192	458000	V. Bureau	Buildings & Structures	1,000
4192	458000	V. Bureau	Buildings & Structures	19,326
4192	458000	V. Bureau	Buildings & Structures	24,884
4192	458000	V. Bureau	Buildings & Structures	6,566
4192	458000	V. Bureau	Buildings & Structures	25,000
4194	457000	Centreville	Other Betterments	14,000
4194	458000	Centreville	Buildings & Structures	10,000
4195	458000	Chestnut	Buildings & Structures	10,000
4197	427500	Lincoln St.	Repairs to Building	15,000
4213	451000	Patrol	Vehicles	108,000
4213	451000	Patrol	Vehicles	35,000
4221	450500	Fire	Office Equipment	1,400
4222	452500	Fire	Public Safety Equipment	2,600
4222	452500	Fire	Public Safety Equipment	21,000
4229	453000	Fire	Household Equipment	4,498
4229	458000	Fire	Buildings & Structures	10,000
4229	458000	Fire	Buildings & Structures	2,000

CITY COUNCIL**MAY 7, 2019**

4229	458000	Fire	Buildings & Structures	4,300
4229	458000	Fire	Buildings & Structures	3,000
4229	458000	Fire	Buildings & Structures	1,000
4229	458000	Fire	Buildings & Structures	1,500
4241	428800	Code	Misc. Services	12,500
4321	457000	Engineer.	Other Betterments	450
4331	452500	Highway	Public Safety Equipment	1,810
4334	457000	Sidewalks	Sidewalks	30,000
4338	428800	St. Lights	Misc. Services	12,000
4338	457000	St. Lights	Other Betterments	12,000
4338	457000	St. Lights	Other Betterments	9,000
4343	451000	Solid Waste	Vehicles	17,000
4343	457000	Solid Waste	Other Betterments	117,000
4343	457000	Solid Waste	Other Betterments	47,000
4343	457000	Solid Waste	Other Betterments	250,000
4351	457000	Open Spaces	Other Betterments	10,730
4381	427500	PW Buildings	Repairs to Building	6,000
4381	451000	M. Garage	Vehicles	1,320,000
4381	452000	M. Garage	Equipment	14,700
4391	458000	PW Buildings	Buildings & Structures	9,000
4519	458000	Armory	Buildings & Structures	3,000
4519	458000	Armory	Buildings & Structures	1,500
4519	458000	Armory	Buildings & Structures	4,630
4519	458000	Armory	Buildings & Structures	800
4551	450500	Library	Office Equipment	30,000

CITY COUNCIL**MAY 7, 2019**

4559	458000	Library	Buildings & Structures	43,000
4559	458000	Library	Buildings & Structures	5,355
4559	458000	Library	Buildings & Structures	6,000
4811	449000	Airport	Airport	8,750
4812	451000	Transit	Vehicles	50,000
4991	450500	Misc.	Office Equipment	12,000
4161	450500	MIS	Office Equipment	13,100
4113	428800	City Admin	Marketing Campaign	75,000
4390	428800	Public Bldgs.	Parking & Garage Initiative	125,000
4191	427000	C. Hall	Repairs to Equipment	2,380
4193	427000	Oak St.	Repairs to Equipment	1,980
4194	427000	Centreville	Repairs to Equipment	1,980
4195	427000	Chestnut	Repairs to Equipment	1,980
4197	427000	Lincoln St.	Repairs to Equipment	2,970
4351	436000	Open Spaces	Small Tools	1,000
4222	426500	Fire	Repairs to Vehicles	11,500
4811	449000	Airport	Runway	200,000
4161	450500	MIS	Technology	477,000
4217	458000	Police	Entrance Security	151,500
4331	457000	PW	Adams Ave. Retaining Wall	150,000
4991	428800	Misc.	Fire Management/Service Study	50,000
				3,745,189

Passed - Vote 7-0

ORDER AUTHORIZING THE CITY ADMINISTRATOR TO PROVIDE CITY SERVICES AND FUNDING FOR CITY NON-PROFIT ORGANIZATION ACTIVITIES IN ACCORDANCE WITH THE FY2020 CITY COUNCIL APPROVED LIST

VOTE (92-2019)

Motion by Councilor Lysen, seconded by Councilor Rea:

To approve the Order authorizing the City Administrator to provide city services and funding for City Non-Profit Organization Activities in accordance with the FY2020 City Council approved list:

Whereas, the City of Lewiston has a history of providing in-kind support services and limited cash contributions for a variety of activities that will enhance our City’s quality-of-life and provide certain non-profit organizations a source of revenue to support programming available to eligible Lewiston residents; and

Whereas, the organizations which will receive FY2020 City support have complied with the application requirements set forth in the “Charitable Organization Support Policy;” and

Whereas, requests for such City support have been reviewed by the City Council as a part of the FY2020 budget process;

Now, therefore, be it Ordered by the City Council of the City of Lewiston that the City Administrator is authorized to direct City departments to provide applicable City in-kind support services outlined in the attached “Lewiston Charitable Donations – Summary of Requests for FY2020” less the \$50 application fee and licenses and permits in accordance with the City’s Special Events Policy and to issue a cash payment to the Liberty Festival to support its July 4th fireworks display subject to the City Council’s final approval of the FY2020 municipal budget; and

Be It Further Ordered That the City Policy restricting the loaning of tables and chairs be waived for Advocates for Children and the Great Falls Balloon Festival.

Passed - Vote 7-0

RESOLVE AUTHORIZING THE USE OF \$1,500 FROM THE FARRAR FUND FOR COSTS OF BASIC NECESSARY SERVICES FOR NEEDY INDIVIDUALS

VOTE (93-2019)

Motion by Councilor Lajoie, seconded by Councilor Rea:

To approve the Resolve authorizing the use of up to \$1,500 from the Farrar Fund for the expenses of basic necessary services for Lewiston residents where such costs are not covered by other assistance programs and as determined by the Director of Social Services:

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

Whereas, in 2008, the City Council authorized the use of these funds, as determined by the Social Services Director, to provide basic, necessary services to those individuals whose income is no greater than 185% of the federal poverty level; and

Whereas, fund principal in the amount of \$18,551 is to be maintained in perpetuity; and

Whereas, due to the 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; and

Whereas, the appropriation of \$1,500 is recommended with additional funding for this amount over and above the interest earned in the prior year coming from interest earnings accumulated and retained over time;

Now, therefore, be It Resolved by the City Council of the City of Lewiston that the Social Services Director is authorized to spend up to \$1,500 from the Farrar Fund, same as the authorized amount in FY19.

Passed - Vote 7-0

AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE A LICENSE WITH LEPAGE BAKERIES CEDAR STREET LLC, TO ALLOW FOR MAINTENANCE OF THE CITY PROPERTY ADJACENT TO THE CANAL

VOTE (94-2019)

Motion by Councilor Lysen, seconded by Councilor Pettengill:

To approve the Order, Authorizing the City Administrator to execute a license with Lepage Bakeries Cedar Street, LLC to allow for maintenance of the City Property adjacent to the Canal:

Whereas, for a period of more than 30 years, Lepage Bakeries Cedar Street, LLC had maintained a 10' wide strip of vegetated area between Lepage's Cedar Street plant parking lot and the western canal wall; and

Whereas, two years ago, Brookfield asked Lepage to stop entering and maintaining that section of the canal's vegetated area because of liability concerns; and

Whereas, when Lepage was maintaining that area, vegetation was cut as frequently as several times a month, as conditions warranted; and

Whereas, since Lepage stopped maintaining the area, it has been cut and maintained much less frequently; and

Whereas, Lepage has asked to be allowed to start maintaining that section of the canal again; and

Whereas, in the past, Lepage has done an exemplary job of maintaining that area of the canal, adding to the attractiveness of the City's Southern Gateway; and

Whereas, the City Attorney has drafted a revocable License granting Lepage the right to cut and maintain vegetation in a 10 foot wide area on the western side of the canal between Cedar and Locust Streets as shown on the attached plan; and

Whereas, that license requires Lepage to indemnify the City for claims arising from use of the

licensed area and to name the City as an additional insured on at least a \$5 million liability insurance policy;

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 License granting Lepage Bakeries Cedar Street, LLC the right to cut and maintain vegetation along the 10' strip shown on the attached plan.

Passed - Vote 7-0

REPORTS AND UPDATES

Committee Appointments – The Mayor has appointed Roger Fuller and Councilor Lysen to serve on the Complete Streets Committee. Mr. Fuller’s term will expire January 2021 and Councilor Lysen’s term coincides with his City Council term.

VOTE (95-2019)

Motion by Councilor Lysen, seconded by Councilor Lajoie:

To approve the Mayor’s nomination of Anita Stevens to serve as a tenant representative on the Lewiston Housing Authority Board of Directors. Passed - Vote 7-0

Councilor Rea reported the School Committee is reviewing issues such as substance use and graduation rates. She noted the School Budget Referendum Election is Tuesday, May 14. She also introduced the new Superintendent who was in the audience – Todd Finn.

OTHER BUSINESS

No other business was presented at this time.

VOTE (96-2019)

Motion by Councilor Lysen, seconded by Councilor Rea:

To adjourn at 8:05 P.M. Passed - Vote 7-0

A true record, Attest:

Kathleen M. Montejo, MMC
City Clerk
Lewiston, Maine