

LEWISTON CITY COUNCIL ELECT
ORGANIZATIONAL MEETING AGENDA
THURSDAY, December 12, 2019
ADMIN CONFERENCE ROOM, FIRST FLOOR, LEWISTON CITY HALL
6:00 PM

This is an informal meeting of the incoming municipal officials. As such, it is not a formal meeting of the Lewiston Mayor and Council and no votes will be taken.

1. Executive Session – Personnel Matter -- Consideration of Various Appointments of City Councilors to Boards, Committees, and Commissions as well as the Position of Council Chair.

A variety of appointments are made by the newly installed Mayor and City Council at the Lewiston inauguration scheduled for January 6, 2020 and at the first regular meeting on January 7, 2020. At the inauguration, the Council President will be elected and the Mayor will nominate a Councilor to serve on the School Committee, subject to confirmation by the Council. At the first regular Council meeting the next day, the appointment of Councilors to various Boards, Commissions, and Committees will be handled. Depending on the position involved, some appointments are made by the Council; others are Mayoral nominations that the Council must confirm; some are made solely by the Mayor; and the Council representatives to the Finance Committee are solely appointed by the Council Chair. The first attachment lists the appointments that need to be made, the appointing authority; and when the respective board/committee meets. Also attached is a Description of all of the City's Boards and Commissions, including those to which a Councilor is normally appointed. This provides greater detail on what the board/committee does and when and where it meets. This information is intended to assist you in determining what appointments you might be interested. If you have any questions about a particular organization, please give me a call. The purpose of this agenda item is to review and discuss these appointments so that you are prepared to act on them at the inauguration or initial regular Council meeting.

2. Open Session -- Review of Council Rules

At the first meeting of each new Council, the Council considers and adopts the rules that it will follow over the coming two years. These generally remain fairly consistent from Council term to Council term. However, this is an appropriate time to review them to determine if any changes should be made. Staff has also reviewed the current rules and has some suggested changes. These include eliminating the current Section 6 dealing with Teleconference/Video Conference Rules. The state has debated the issue of electronic meetings for a number of years and has consistently refused to allow such meetings for City Councils and Boards of Selectmen. As a result, this section should be deleted to avoid confusion. A new Section 6 is proposed on Conflicts of Interest outlining how they should be handled and the procedure to be followed. A proposed modification of Section 13 on workshops clarifies when and how public comment will be allowed and clarifies that members of Boards and Commissions, such as Planning or Finance, are not covered by the limitations on public comment when the member is present representing that board of committee. A copy of the marked-up rules is attached.

**LEWISTON CITY COUNCIL REPRESENTATIVES TO
VARIOUS CITY BOARDS AND COMMITTEES
January 2020 - December 2021**

MOTION: To approve the following appointments of the City Council representatives to the various boards and committees:

911 Committee

Airport Board of Directors

Androscoggin County Budget Committee*

Councilor Rea

Androscoggin Valley Council of Governments General Assembly (*two meetings a year, generally at lunchtime*)

Cable TV Advisory Committee

Community Development Block Grant Committee

Complete Streets Committee (*one member may be a City Councilor but it is not required*)

Housing Committee

L/A Transit Committee

Lake Auburn Watershed Protection Commission

Lewiston Auburn Public Health Committee

Loan Qualification Committee

Library Board of Trustees

Mayor (by position)

Maine Municipal Association Legislative Policy Committee

Councilor Rea, City Administrator

Recycling and Waste Reduction

South Park Industrial Park Board of Directors

Council President, Mayor (by position)

Youth Advisory Council

** Elected official is elected by county caucus based upon their residency in the county districts.*

APPOINTMENT BY CITY COUNCIL PRESIDENT (as required by the City Charter):

Finance Committee

INFORMATION REGARDING CITY COUNCIL REPRESENTATIVES ON VARIOUS COMMITTEES

Updated: December 6, 2020

COMMITTEE	WHO APPOINTS?	AUTHORITY	# OF COUNCIL POSITIONS	MEETING INFO	STIPEND
911 Committee	Mayor nominates City Council appoints	past practice - organization bylaws and interlocal agreement state a citizen, but has always been a Councilor	1	Third Thursday of each month, usually 8am, 911 Center in Auburn	No
Airport Board of Directors	Mayor nominates City Council appoints	organization bylaws and interlocal agreement - requires Councilor	1	First Thursday of each month, 5:00pm at Airport Terminal Building, Auburn	No
Androscoggin County Budget Committee	City Council appoints	State Statutes and County Charter; must reside in County Districts X or Y	2	Every Wednesday from October – November, 6pm, Androscoggin County Courthouse, Auburn	No
Androscoggin Valley Council Of Governments General Assembly (AVCOG)	Mayor nominates City Council appoints	organization bylaws - requires Councilors	2	Meets during the daytime twice per year - spring and fall. Meets at restaurant in Lewiston/Auburn or in western ME area	No
Cable Television Advisory Committee	Mayor	Interlocal Agreement with Auburn; City Code – Chapter 24	1 Councilor or the Mayor	Third Tuesday of March, June, September and December, 3:30pm, Auburn City Hall	No
Community Development Block Grant (CDBG) Committee	Mayor	Policy Manual #13	1	6-10 meetings a year - primarily between Jan and May; exact dates and times to be determined, City Hall	No
Complete Streets Committee	Mayor	City Code – Chapter 66	1 (may be a Councilor but not required)	Fourth Wednesday of each month, 6:00pm, alternates between Lewiston City Hall and Auburn City Hall	No

Finance Committee	Council President	Charter - Sec 6.15	2	Usually second and fourth Mondays of each month at 5:30pm, City Hall	\$480/yr
Housing Committee	Mayor appoints, City Council confirms	City Code – Chapter 2	1	To Be Determined/new committee	No
L/A Transit Committee (LATC)	City Council	organization bylaws and interlocal agreement - requires Councilor	1	Second Wednesday of each month, 12:30pm, AVCOG offices	No
Lake Auburn Watershed Protection Commission	City Council	organization bylaws and interlocal agreement - requires Councilor	1	Second Wednesday, every other month, at 3:30pm at AVCOG offices in Auburn	No
Lewiston Area Public Health Committee	City Council	City Policy Manual #17	1 Councilor or the Mayor	Second Thursday of each month at 3:30pm at City Hall	No
Library Board of Trustees	Mayor serves by position	City Code – Chapter 48	Mayor only	First Thursday of each month, 5:30pm. Library	No
Loan Qualification Committee	City Council	City Policy Manual #27	1	meets as needed - typically no more than once a month	No
Maine Municipal Association's Legislative Policy Committee	City Council	MMA policy – two representatives allowed per State Senate seat	Usually the City Administrator and Mayor or a Councilor	Once a month when the Legislature is in session, daytime meeting in Augusta	No
Recycling and Waste Reduction Committee	Mayor nominates City Council appoints	Council Resolve – July 2019	1 Councilor or the Mayor	Every Wednesday, 6:00pm, Lewiston Public Works Office	No
South Park Industrial Park Board of Directors	By position	Articles of Incorporation and Bylaws	Mayor and Council President	Typically meets 2-4 times a year	No

Lewiston Youth Advisory Council (LYAC)	City Council	City Policy Manual #74	1	monthly at City Hall; usually early evenings	No
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City of Lewiston Description of Citizen Boards and Committees

Effective: January 2020

Airport Board of Directors - This board is charged with stimulating aeronautical development and expansion at the Auburn-Lewiston Municipal Airport, as appropriate to users' needs and the needs of the cities of Auburn and Lewiston as well as those of the area communities, through defining and setting into motion policies, projects and programs that will increase airport viability and result in increased airport and community growth. Staff support provided by Airport Director. This is a joint citizen committee with the City of Auburn. Meetings: First Thursday of each month, 5pm, Airport Terminal Building in Auburn

Assessment Review Board - Hears appeals from taxpayers challenging the decision of the City Tax Assessor on their request for property tax abatement. The board reviews the case and makes a determination if the Assessor's findings are correct, or need to be adjusted. Members shall have a working knowledge of local property values, appraisal procedures and tax structure. Meetings: Meets on an as needed basis

Board of Appeals - This board is charged with hearing citizen appeals regarding orders, rules or failures of certain municipal entities to act relating to the zoning and land use code, building code, property maintenance, code fire prevention codes, etc. The board has limited authority in granting conditional use permits and modifications and variances of zoning setbacks and related requirements. Staff support provided by the Planning and Code Enforcement Department. Meetings: First and Third Wednesday of each month, as needed, 5:30pm, City Council Chambers

Cable TV Advisory Committee - Oversight board for local community access television station development. Work with staff person to advise on programming topics such as educational, local interest and so forth. Propose polices for monitoring the operation of the cable television system. Work to oversee and administer the use and operation of local public, educational and governmental access facilities. This is a joint citizen committee with the City of Auburn. Meetings: Third Tuesday of March, June, September and December, 3:30pm, Auburn City Hall

Community Development Block Grant Committee - To assist the City of Lewiston in developing specific goals and objectives for the CDBG Consolidated Plan, which is updated every five years; and to annually review and score CDBG funding requests in order to make a recommendation to the City Council as to how CDBG funds should be invested each year to best meet the goals of the Consolidated Plan. Meetings: Approximately six meetings between January – May; in years when Consolidated Plans are developed, an additional six meetings may be held between August and November; meet at City Hall; exact days and times to be determined

Community Forestry Board - This is a committee which will develop and implement a Community Forest Program, advocate for the community forest, advise and consult on community forestry issues and projects, and develop and advise on policy changes for the City Councils of Lewiston and Auburn. In addition, the Board will develop a plan for and provide advice on management of the public sector portion of the community forests and educate the communities about the community forests and how to care for them. This is a joint citizen committee with the City of Auburn. Meetings: Three or four times per year, typically the third Thursday of the month, 7:00pm, alternate between Lewiston City Hall and Auburn City Hall.

Complete Streets Committee – This committee works to promote and advise on the development of public infrastructure which supports a multi-modal transportation system for all users, not strictly motor vehicles, and includes the best design practices for enhancing safety as well as community and economic development. Meetings: Fourth Wednesday of each month, 6:00pm, alternates between Lewiston City Hall and Auburn City Hall.

Finance Committee - This committee shall approve contracts for purchase of materials and services procured through the competitive bid process. The committee shall review and comment on the proposed city budget and provide a comprehensive analysis of the budget program each year. They also review and comment on the city's capital improvement program and provide a comprehensive analysis of this program each year. This board shall serve as the city's pension board. Staff support provided by Finance Director. Meetings: Usually the second and fourth Mondays of each month, 5:30pm, City Hall.

Historic Preservation Review Board - Work with city staff to preserve, protect and enhance buildings and areas which represent or reflect distinctive and important elements of the city's architectural, archaeological, cultural, social, economic, ethnic and political history. To work to safeguard the city's historic and cultural heritage, and to provide procedures for local review of changes to significant structures and of new construction, reconstruction, building alternation and demolition within designated historic districts. All members should have knowledge and experience in the architectural, archeological, cultural, social, economic, ethnic or political history of Lewiston. Staff support provided by the Department of Planning & Code Enforcement. Meetings: First Thursday of each month as posted, 3pm, 3rd Floor Conference Room, City Hall

Housing Committee - This committee advises the City Council on the full range of housing issues facing the community with the goal of ensuring the quality and safety of the City's residential housing stock, expanding the diversity of housing options and types, and providing safe and healthy housing alternative for current and future residents of every socioeconomic status. Meetings: To Be Determined/new committee

Housing/Urban Renewal Authority - The Board works with the LHA staff to provide quality housing to low-income and elderly residents of Lewiston. Oversees operations at several housing units, coordinates residential programs, and works to establish a safe, healthy and clean living environment. Works to develop new locations for both housing and community services. Meetings: Fourth Tuesday of each month, 4:30pm, College Street office

L & A Transit Committee - The purpose of the Committee is to establish, maintain and implement a short and long range bus transit development program, and to apply for, receive and administer Federal and State grants-in-aid for mass transit on behalf of the Cities of Lewiston and Auburn, and to provide adequate and efficient bus mass transit for the Lewiston-Auburn area. Meetings: Second Wednesday of each month, 12:30pm, AVCOG Office in Auburn

Lake Auburn Watershed Commission - The purpose of the Commission is to work to maintain safe and healthful environmental conditions within the Lake Auburn Watershed, to prevent and control water pollution and to protect and maintain the quality and volume of potable water supplied from the Lake Auburn Watershed. Meetings: Second Wednesday every other month at 3:30pm, AVCOG Offices, Auburn

Lewiston-Auburn Water Pollution Control Authority - The purposes of the Authority shall be to plan, acquire facilities for, construct, operate, maintain and improve a sewage treatment plan or plants and other facilities necessary incident thereto, to receive and treat and dispose of the waste waters discharged by the sewage systems of the City of Lewiston and the Auburn Sewerage District. Meetings: Second Wednesday of every other month, 3:30pm, AVCOG Offices in Auburn

Lewiston Area Public Health Committee – The purpose of this committee is to advise the municipal elected officials on policy issues related to the community’s public health. Meetings: Second Thursday of every month, 3:30pm at City Hall

Library Board of Trustees - The Trustees shall act in an advisory capacity for the purpose of providing assistance to other municipal officials charged with the responsibility of furnishing quality public library service. The Trustees shall work to identify and promote general library objectives; establish the character and quality of books and other materials to be contained in the library collection; promote cooperation with other libraries; provide effective programs and services to schools and other groups who use library services; and establish and support cultural programs sponsored by the library. Meetings: First Thursday of each month, 5:30pm, Library

Loan Qualification Committee – Reviews and considers approval of all residential and commercial loan applications submitted via the City, as well as consideration and action on loan subordination and other loan amendment requests. Meetings: On an as-needed basis; typically early morning

911 Committee - Committee works with the E911 Director to oversee the operations and policies governing the Emergency 911 telephone communications system for citizen emergency calls to police, EMS and fire. Police Department and Fire Department representatives from both Lewiston and Auburn serve on the committee to provide technical expertise. This is a joint citizen committee with the City of Auburn. Meetings: Third Thursday of each month, 8am, Auburn Fire Department

Planning Board - The Board shall perform duties prescribed by ordinance and state statute regarding subdivision review and amendments to the land use code. Shall prepare and maintain the official city zoning map and the city’s comprehensive plan. Board shall review the annual capital improvement program and shall review the acquisition and disposition of all public ways, land, buildings and other municipal facilities not acquired through tax-lien foreclosure. Shall hear and decide applications for conditional use permits, where the development is a major development as defined by City Code. The Planning and Code Enforcement Department provides staff support to this board. Meetings: Second and Fourth Monday of each month, 5:30pm, City Council Chambers

Recycling and Waste Reduction Committee – The Committee works to gather and review existing data and studies relating to Lewiston’s current recycling program; evaluates the effectiveness of the current program; identifies the barriers that negatively impact more widespread participation in the City’s recycling efforts; develops recommendations to increase the City’s current recycling rate in an effort to meet the State goal of 50%, including proposals to address enhanced public information and education; develops recommendations on other steps that the City might take to reduce the generation of solid waste and reduce the amount of material landfilled or incinerated and develops estimates of the cost to implement those recommendations and proposals. Meetings: Every Wednesday, 6:00pm, Lewiston Public Works Office.

**RULES GOVERNING THE CITY COUNCIL
FOR PERIOD 1/09/2018 - 1/07/2020**

Sec. 1. Regular meetings

- (a) **Time:** The City Council shall hold regular meetings on the first and third Tuesday of each month at 7:00 p.m.
- (b) **Place:** All regular meetings of the City Council shall be held in the Council Chambers of the City Building.
- (c) Matters that are appropriate for executive session and which are to be held on evenings of regular City Council meetings shall be scheduled either at a workshop preceding the meeting or immediately following Other Business as the final item on the meeting agenda, except in situations when the City Administrator deems it to be in the best interest of the City to hold the executive session at another time.
- (d) Items shall appear on the agenda in the following standard order of business:

- _____ Pledge of Allegiance to the Flag
- _____ Moment of Silence - to be held at the discretion of the Mayor
- _____ Ceremonial Presentations and Recognitions
- _____ Acceptance of meeting minutes
- _____ Public Comment period - any member of the public may offer comments regarding issues pertaining to Lewiston City Government; maximum time limit for the full comment period shall be 15 minutes
- _____ Consent Agenda
- _____ Public Hearings (licenses, ordinance adoptions or amendments, other)
- _____ Policy Manual adoptions or amendments
- _____ Items requiring adoption or approval
- _____ Discussion items (no action required)
- _____ Reports and Updates
- _____ Any other city business Councilors, staff or members of the public may have relating to Lewiston City Government

- (e)—The Mayor is authorized to adjust the standard order of business to accommodate members of the public attending the meeting in regard to an item or items.

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Sec. 2. Special meetings

All special meetings shall be called in accordance with Article II, Section 2.10 of the City Charter.

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Sec. 3. Agenda

- (a) All agenda items must be in the office of the City Clerk no later than 12:00 Noon on the Wednesday prior to a regular meeting.
- (b) A consent agenda shall be prepared for all regular meetings of the City Council. The consent agenda shall be adopted by a yea and nay vote.

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**RULES GOVERNING THE CITY COUNCIL
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Sec. 4. Presiding officer - call to order

The Mayor, or in the absence of the Mayor, the Council President, shall call the meetings to order. In the absence of the Mayor and Council President, the City Clerk shall call the Council to order, whereupon a temporary chairman shall be elected by the members of the Council present.

Sec. 5. Parliamentary Procedure

(a) ~~_____~~ (a) "ROBERT'S RULES OF ORDER" shall be regarded by the Council as the proper authority for parliamentary procedure in conduct of its meetings for the ensuing year, except as otherwise provided herein, or by Charter and may be suspended by a majority vote of the city council at any time.

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~~_____~~ (b) Reconsideration of Items - When an item is voted on by the Council, it shall be in order for any member who voted on the prevailing side or who was not present at the time the vote was taken to move a reconsideration thereof, during the same meeting or at the immediate next regularly scheduled Council meeting, but not afterwards. In instances where a majority of those present vote in favor of an item but there are less than the normally required four votes, the prevailing side shall be those who voted against the item. No motion to reconsider a vote taken at a previous meeting shall be in order for consideration at the immediate next regularly scheduled Council meeting unless an item to that effect is scheduled on the agenda for such meeting or unless five of the members consent to such reconsideration.

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Sec. 6. ~~City Council Teleconference/Video Conference Rules~~

~~(a) Physical attendance by members of the Lewiston City Council at all meetings is encouraged and expected. Council members and the Mayor should make all reasonable effort to be physically present for every meeting. Teleconference procedures may not be routinely used as a substitute for attendance in person. However, physical attendance may not always be possible.~~

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~~(b) Teleconferencing" is defined as remote participation by an official in a meeting of the City Council by means which enables the remote official to clearly hear the Mayor, all Council members, the City Clerk, and public testimony and to be clearly heard by the Mayor, all Council members, the City Clerk, and the public for the duration of the meeting.~~

~~(c) Physical attendance at meetings contributes to quality dialogue and supports a sound deliberative and decision-making process. Consequently, teleconferencing will only be permitted under the following conditions:~~

- ~~1. a quorum cannot be achieved for a regularly scheduled or special meeting;~~
- ~~2. one or more member are unable to attend due to absence from the City, employment, or family emergency reasons;~~
- ~~3. a minimum of three [3] Councilors must be present in person at the meeting~~

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- location;
4. ~~an elected official participating by teleconference shall, while actually on the teleconference, be deemed present at the meeting for all purposes. The official shall make every effort to participate in the entire meeting;~~
 5. ~~if the Mayor participates via teleconference, the Council President, or the Council-appointed presiding officer in the Council President's absence, shall preside over and perform all functions of the Mayor at the meeting; and~~
- (d) ~~any City Council business, with the exception of items involving public hearings or quasi-judicial proceedings, may be conducted under this policy.~~
- (e) ~~Where teleconferencing is employed, the Council member requesting to participate via teleconference must provide the City Clerk no less than 24 hours notice of his/her absence in order to participate as a voting member, except in instances where special meetings are called with short notice where a member requesting to teleconference should notify the City Clerk of this request as soon as practicable.~~
- (f) ~~The following procedures shall apply to teleconferencing:~~
1. ~~All votes during teleconferenced meetings shall be conducted by roll call.~~
 2. ~~Agendas shall specify the name of the Mayor/City Councilor participating via teleconference and the location, address, and telephone number to be utilized for the teleconference. In the case of a special meeting called on short notice, this information shall be provided at the start of the meeting.~~
 3. ~~Two-way communication must be established so that the teleconferenced City Councilor can listen to and participate in the public proceedings and members of the public can hear the comments of the teleconferenced official (with the exception of executive sessions).~~
 4. ~~The City Clerk shall note in the minutes of the meeting all members attending via teleconference.~~
 5. ~~To the extent practicable, materials to be considered by the Council shall be made available in advance to those attending by teleconference.~~

Sec. 6. Conflicts of Interest

- (a) Deliberation and vote prohibited. No municipal officer shall participate in the deliberation or vote, or otherwise take part in the decision making process, on any agenda item before the council in which the official or an immediate family member has a financial or special interest, other than an interest held by the public generally. For purposes of this Section, immediate family members shall include: spouse, children, parents, siblings, including step, half, and in-law relations, and domestic partners.
- (b) Disclosure of conflict. Any Municipal Officer who believes that the Officer or an immediate family member has a financial or special interest, other than an interest held by the public generally, in any agenda item before the City Council shall disclose the nature and extent of such interest, and the City Clerk or designee shall make a record of such disclosure. Such disclosure shall be made no later than the date of the first meeting of the City Council at which the agenda item concerned is to be taken up for consideration, recommendation, discussion or vote and at which the Municipal Officer is present. Additionally, any Municipal Officer who believes that any fellow Municipal Officer, or a

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member of such fellow Officer's immediate family has a financial or special interest, other than an interest held by the public generally, in any agenda item before the City Council, shall disclose the nature and extent of such interest, and the City Clerk or designee shall make a record of such disclosure.

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(c) Determination of conflict. Once the issue of conflict has been raised relative to an individual Municipal Official and disclosure has been made as provided above, such individual's fellow Municipal Officials shall review the facts as disclosed to them and shall vote on whether or not such individual has a financial or special interest with respect to the agenda item concerned. All conflict of interest questions relating to a particular agenda item shall be resolved prior to any consideration of the item concerned, and each Municipal Official present shall be entitled to vote on all conflict questions except those questions pertaining to that individual Municipal Official's alleged conflict of interest.

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(1) All votes of conflict of interest questions shall be recorded. A majority vote shall determine the question.

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(2) Upon determination that a conflict of interest in fact exists, the Municipal Official concerned shall be excused from participating in discussion, deliberation or vote on the relevant agenda item.

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(3) In lieu of the vote required by this subsection, the City Council, upon motion and by majority vote, may refer the conflict of interest question to the City Attorney for an advisory opinion and/or may table its consideration of the relevant agenda item. In the event that a majority of the City Council shall require disclosure of further information not immediately available or shall require confirmation of the information disclosed, consideration of the relevant agenda item shall be postponed to an appropriate time.

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(d) Avoidance of appearance of conflict. To avoid the appearance of a violation of this section, once any individual Municipal Official is determined to have a conflict of interest in respect to any agenda item and once all conflict of interest questions relating to the agenda item concerned have been determined as provided in (c) above, said individual shall immediately remove from the dais and take a seat in the audience or leave the meeting room. The Official shall not return to the regular seat as a member of the body until deliberation and action on the item is completed. If the item has not been finally resolved when the conflict of interest is first determined, said individual shall not participate in any subsequent discussion or action on this item until a final resolution has been reached as to the Officials conflict of interest. Nothing herein shall require an individual Official to refrain from acting on a motion to approve a consent agenda on which there is no deliberation, the individual's conflict has been determined by the other members, and the right to abstain from voting on the item has been granted.

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(e) Personal interest. Nothing herein shall be construed to prohibit any Municipal Official from representing that Officials own personal interest by appearing before the City Council on any such agenda item.

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Sec. 7. Action on Ordinances

- (a) All ordinances shall be submitted in accordance with Article II, Section 2.11 of the City Charter.
- (b) All proposed ordinances shall be read by title only unless any member of the Council requests a full reading of the ordinance.
- (c) No ordinance, excluding emergency ordinances, shall be passed until it has been read on two separate days, except when the requirement of a reading on two separate days has been dispensed with by the Council.
- (d) When passed by the Council, an ordinance shall be attested by the City Clerk; and it shall be immediately filed and thereafter preserved in the office of the City Clerk.

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Sec. 8. Action on budget

I. Community-Shared Assumptions and Principles

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- (a) The City Council has full authority and responsibility in law to set the municipal budget. The City Council, in consultation with the School Committee, shall approve the specific portions of the school budget in accordance with the applicable sections of MRSA 20-A, and shall establish the mill rate on the combined overall budget for all city and school budgets.
- (b) The School Committee has full authority and responsibility in law to develop the school budget and to establish educational policy in accordance with the applicable sections of MRSA 20-A.
- (c) Direct communication between the participants in these processes is preferable to relying on third party transmission.
- (d) Budgets for the School Department and other municipal offices will be developed with full and complete communication between the City Council and the School Committee. In addition to the regular public sessions presented by the City Council and the School Committee, there will be an appropriate number of joint public work sessions consistent with the limitations prescribed by statute and the charter.
- (e) Public communication on the budgetary process will be open and extensive, and, wherever possible, be jointly made by the City Administrator and Superintendent or the Council and the School Committee.
- (f) The City Council shall submit the approved School Budget for a budget validation referendum and the School Committee shall determine the allocation of the approved school budget among the cost centers of the cost center summary budget format in accordance with those provisions outlined in MRSA 20-A.
- (g) Budgetary development addresses not only the next fiscal year, but is also part of a strategic, long-range process and is viewed in that context.
- (h) The City Council and the School Committee will cooperate in the development of a strategic, integrated, long-range plan which will involve the whole community.

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- (i) Broad-based, strategic, long-range community planning is vital to the process.

II. The Superintendent and the City Administrator

- (a) There will be meetings on a regular basis throughout the year.
- (b) Each will share budget information with as much detail as available at appropriate stages in the budgetary development process. Special emphasis will be given to sharing relevant factual information about personnel, program development, facilities support and strategic development.

III. City Council and School Committee

- (a) The City Council and the School Committee agree to meet jointly prior to the budgetary season to discuss visions, goals and objectives for the coming year.
- (b) Each will share budget information with as much detail as available at appropriate stages in the budgetary development process. Special emphasis will be given to sharing relevant factual information about personnel, program development, facilities support and strategic development.
- (c) The City Council and the School Committee will have a regular agenda item at its meetings, "Report from the (City Council/School Committee). This will be facilitated by the City Council representative to the School Committee, thereby enhancing that role in the collaborative process.

Sec. 9. Travel by Council Members

Any member of the City Council who will not be serving an additional term in office shall refrain from out-of-state travel, in an official capacity, following the November Municipal Election.

Sec. 10. Action by Councilors

A majority vote of the City Council or approval by the council president, or Mayor in the absence of the council president, is required in order for an individual Councilor to obtain an opinion from the City Attorney.

Sec. 11. Suspension of rules

Any of the foregoing rules may be suspended, amended or repealed providing a majority of the members of the Council vote therefore.

Sec. 12. Institutional Cooperation

It is the policy of the City to work in close cooperation with the Council and staff of the City of Auburn and to continue to explore ways Lewiston and Auburn can work together to promote economic growth in the L/A region, reduce municipal operating and capital costs, and improve service to the public. To encourage such efforts, periodic joint meetings may be held between the City Councils. In addition, the City Administrator should make every effort to meet at least quarterly with the City

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Manager of Auburn to discuss issues of mutual concern and explore areas of further cooperation

Sec. 13. Workshops

- (a) Workshop meetings shall be held when deemed appropriate and necessary.
- (b) Workshop meetings should be focused on the Councils' formulation of policy based upon general topic discussions of current issues or project orientated.
- (c) Citizens are welcome, and highly encouraged, to attend workshops. However, these sessions are primarily designed for the Council to discuss and explore items with each other. As such, public comments may be restricted by the Mayor. When members of the public are interested in commenting on workshop items, a request to do so should be made in advance to the Mayor or a Councilor, and such request may be granted by the Mayor in advance or at the beginning of discussion of the item and participate in workshops, however, discussion may be limited by the Mayor, if deemed appropriate. City staff may also request that items be opened for public comment when such comment may be useful in refining or improving the item when it is presented to the Council for action at a regular meeting.
- (d) When a workshop item involves the work of or a recommendation from a City Board, Commission, or Committee, representatives of those groups, when speaking for or representing their work, will be allowed to participate and not be subject to the time limit imposed on the general public.

Sec. 14. Rules of Decorum

The City Council will practice civility and decorum in discussion and debate. Each member of the Council shall cooperate with the Mayor or Council President when presiding (hereafter the Presiding Officer) in preserving order and decorum and no member shall, by conversation or otherwise, delay or interrupt the proceedings of the Council, nor disturb any member while speaking, or fail to abide by the orders of the Presiding Officer except as specifically permitted by these Rules or Roberts Rules of Order.

- (a) Subject to being overruled by a majority vote of the members, which vote shall be taken without debate or comment, the Presiding Officer shall maintain order and preserve the decorum of the meeting.
- (b) Every member of the Council desiring to speak shall seek recognition from the Presiding Officer and, upon recognition, shall confine remarks to the question under debate, avoiding all indecorous language or reference to personalities, and direct comments to the Presiding Officer unless otherwise granted permission.
- (c) A member of the Council, once recognized, shall not be interrupted when speaking unless it is for the purpose of calling such person to order. If a member of the Council, while speaking, is called to order, that person shall cease speaking until the question of order is determined.
- (d) When two or more members request the floor at the same time, the presiding officer shall name the one entitled to the floor.
- (e) After receiving permission from the Chair, any member may address a question

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to any other member.

- (f) All Councilors shall be provided the opportunity to speak and agree or disagree, but no Councilor shall speak twice on any given subject unless all other Councilors have been given the opportunity to speak.
- (g) No Councilor shall engage in private conversation while in the Council Chamber in such a manner as to interrupt the proceedings of the Council.
- (h) If considered necessary because of grave disorder, the Presiding Officer may adjourn or suspend the meeting for a specified time.

Sec. 15. Rules and Procedures Governing Public Comment Periods

City Council meetings are conducted to carry on the official business of the City of Lewiston. All meetings of the City Council, except Executive Sessions, are open to the public. The public is cordially invited to attend all City Council meetings, and to participate in them consistent with the provisions of this policy and with the exception of Council workshops, which are primarily intended for the Council and staff to review and discuss items prior to their appearance on a regular City Council meeting.

The intent of this policy is to allow a fair and adequate opportunity for the public to be heard, to express opinions and concerns related to the business of the City, and to provide adequate time for the City Council to obtain information and opinions on subjects before it while ensuring that the time allowed for public input does not interfere with the addressing the scheduled agenda.

To carry out these purposes, the following rules and procedures shall govern the public comment period at all Lewiston city council meetings:

General Public Comment

A public comment period shall be conducted near the beginning of all regular City Council meetings, at which time Lewiston residents will have the opportunity to be heard on matters directly relating to City business that ARE NOT included on the regular agenda. Individuals addressing the Council during the public comment period will limit their comments to (3) three minutes. Up to fifteen (15) minutes will be allocated for general public comment periods. If the general public comment period exceeds 15 minutes, the public comment period will be suspended by the Presiding Officer to allow the Council to conduct its business and out of courtesy for those attending the meeting for a specific agenda item. The Council will not engage in dialogue with the public during this time. Questions posed during the public comment period will be followed up upon after the meeting. Individuals requesting further information should leave their contact information with the City Administrator.

A general public comment period will not be conducted at workshops, emergency meetings, or special meetings of the City Council.

Addressing Specific Agenda Items

In addition, public comments will be allowed during the meeting on those items requiring a public hearing and on other items appearing on the agenda. These comments should be DIRECTLY related to the specific agenda item being addressed. Public comments will not be taken during workshops unless a request is made to the Presiding Officer by an individual

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Councilor, the City Administrator, or a Department Director.

Rules Governing Public Comment Periods

1. Since meetings are broadcast and recorded, persons wishing to speak must use the public podium located to the left side of the audience, and speakers must preface their comments by giving their full name and address.
2. Comments must be limited to issues or concerns DIRECTLY related to Lewiston municipal government. Public comment on matters not related to the City business will not be allowed, so as to make sure that all meetings are carried out in a productive and efficient time and in keeping with the interests of all who attend and participate in a Council meeting.
3. Per state law, found in Title 1, Section 408, complaints or charges from the public about an individual employee will not be permitted. We encourage you to address such comments by directly contacting the City Administrator or City Attorney for their immediate follow-up and review.
4. Comments related to the following will be ruled out of order by the Presiding Officer:
 - a. Specific situations that are in litigation, including those in which the City is a party (issues of a criminal or legal nature should be addressed with the Lewiston Police Department or other criminal justice agency) Individual employees and/or employee groups will not be permitted to discuss matters for which complaint or grievance procedures are provided;
 - b. Personal disputes between the speaker and other private residents not germane to City business; or
 - c. Support for or opposition to any candidate for political office.
5. Individuals will be restricted to speaking once during the general public comment period and once per public comment period for each specific agenda item unless requested to do so by the Presiding Officer.
6. Individuals addressing the Council shall direct their remarks exclusively to the Presiding Officer. No person other than the elected officials and the individual at the podium shall be permitted to enter into any discussion, either directly or through members of the Council. The public comment period is an opportunity for residents to express their views on matters relating to City business.
7. As a limited designated public forum, the City Council does not have the right to prohibit disparaging, rude and other remarks of a personal nature. But, because of the potential implications, including personal liability of the speakers, we encourage any speakers to strive to be accurate in their statements and avoid making personal, rude, or provocative remarks.
8. All statements should respect the dignity and seriousness of the proceeding.
9. Persons present at Council meetings shall not interrupt, nor applaud or otherwise express approval or disapproval of any statements made or actions taken at such meeting, except for those instances that are listed on the Council Agenda under Public Recognition where the

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Mayor or a City Councilor are formally recognizing and individual or group for their accomplishments.

Failure To Follow Guidelines

The Presiding Officer will limit commentary that is determined not to be germane to City business or the topic at hand, or which violates any of the guidelines listed above. The Presiding Officer will direct any individual not operating in accord with these guidelines to cease such action or risk being asked to be seated or removed. If such conduct continues, the Presiding Officer will call a recess, request the removal of such person(s) from the Chambers, adjourn the meeting, or take other such appropriate action. Repeated violations by any individual will result in the Presiding Officer revoking that individual's right to speak at future meetings. Should the Presiding Officer fail to take action, any Councilor may move that the Presiding Officer enforce the rules and guidelines and, if denied, request that the Council vote on the motion.