

**LEWISTON CITY COUNCIL AGENDA
CITY COUNCIL CHAMBERS
JUNE 2, 2020**

SESSION WILL BE CONDUCTED REMOTELY AND MEMBERS WILL ONLY PARTICIPATE
ELECTRONICALLY. THE MEETING CAN BE VIEWED ONLINE AT

<https://www.lewistonmaine.gov/2020cc>

Public Comment on any item appearing on the agenda may be sent to publiccomment@lewistonmaine.gov prior to or during the meeting, and all comments received will be forwarded to the City Council. People who would like to access the meeting by phone may contact (207) 513-3021 for the access code before 5pm on the day of the meeting.

6:30 p.m. Workshop

A. Nino Corporation Request for Reimbursement

7:00 p.m. Regular Meeting

Update on City Actions Regarding COVID-19 Pandemic Situation

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 4.

REGULAR BUSINESS:

1. Public Hearing on the renewal application for a Special Amusement Permit for Live Entertainment for Sonder & Dram, 12 Ash Street.
2. Public Hearing and Presentation of the Fiscal Year 2021 School Budget.
3. Public Hearing and First Passage to repeal the portion of the Streets and Sidewalks Ordinance regarding Traffic Impact Fees for Outer Lisbon Street.
4. Emergency Ordinance, Amending Sec. 62-13(b)(2) of the Code of Ordinances regarding the collection of solid waste and recycling materials from multiple unit apartment buildings.
5. Ordinance, amending Sec. 62-13(b)(2) of the Code of Ordinances regarding the collection of solid waste and recycling materials from multiple unit apartment buildings.
6. Emergency Ordinance, Amending Sec. 22-36, Licenses denied; appeal, to Waive the Requirement that Business License Applicants are Current on All Amounts Owed the City.
7. Ordinance, Amending Sec. 22-36, Licenses denied; appeal, to Waive the Requirement that Business License Applicants are Current on All Amounts Owed the City.
8. Resolve, Adopting the Local Foods, Local Places Plan.
9. Resolve, Adopting City Goals and Priorities for 2020-2021.
10. Adoption of City Council meeting schedule for the months of July and August.
11. Appointment of a member to the Public Health Committee.
12. Reports and Updates
13. Any other City Business Councilors or others may have relating to Lewiston City Government.

LEWISTON CITY COUNCIL
WORKSHOP AGENDA
TUESDAY, JUNE 2, 2020
6:30 PM

1. Nino Corporation – Request for Reimbursement – Outer Lisbon Street Lane Reassignment Project.

In 2005, the Nino Corporation developed a convenience store and associated activities on a parcel on outer Lisbon Street. To gain a traffic movement permit, Nino was required to either upgrade the street from 4 to 5 lanes or realign the lanes from 4 to 3 with a center left-hand turn lane. The City Council authorized the change and required Nino to undertake the project from the turnpike bridge to the Town Line, with his costs over and above a \$31,500 traffic impact fee to be reimbursed from future impact fees collected by the City. Since the project was completed, only one impact fee in the amount of \$24,300 was received and paid. Nino Corporation is seeking reimbursement for an additional \$4,459.07 which he believes the City owes him. The situation is further complicated by how the work was performed, with Nino doing one element of the project from Westminster Street to the Town Line while the City performed other elements with roughly \$6,000 of city expense devoted to the section for which Nino was responsible. While the parties agree on most of the facts surrounding this situation, the City and Nino do not agree on whether Nino was billed and paid for the work the City did that was Nino's responsibility. Please see the attached memo that presents significantly more details and information regarding this issue.



EXECUTIVE

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

May 29, 2020

To: Honorable Mayor and Members of the City Council
Fr: Edward A. Barrett
Su: Nino Corporation Request for Reimbursement

Background

In 2005, the Nino Corporation proposed developing a convenience store, gas station, Dunkin' Donuts drive-thru, a sandwich shop, and an automatic car wash at 1930 Lisbon Street. In order to obtain approval for this project, a traffic movement permit was required from the State due to the volume of traffic the project would generate.

At that time, this area of Lisbon Street was a four lane road with two in-bound and two out-bound traffic lanes. Such a configuration is problematic in circumstances where frequent turning movements, particularly left turns, are present, given the volume and speed of traffic involved. Based on MDOT traffic engineering standards, any development along this four-lane section of Lisbon Street that needed a traffic movement permit would be required to install a center two-way left turn lane. This can be done by either reconfiguring Lisbon Street from four-lanes to three-lanes with a center two-way left turn lane or constructing a five-lane section with four travel lanes and a center two-way left turn lane. The five-lane section required for this project carried a cost estimate of between \$250,000 and \$630,000 depending on the length of the new five lane section. The three-lane reconfiguration could be accomplished at a significantly lower cost.

In August 2005, the Planning Board approved Nino Corporation's site plan with the condition that the applicant commit to adjusting the street to a three-lane section from the Lisbon town line to the intersection of South Lisbon Road and Lisbon Street. Moving from four- to three-lanes also needed City Council approval.

This proposed change to three-lanes was somewhat controversial, with a variety of parties and interests speaking either in favor or against it. Opponents were concerned that the change would create traffic problems in the area.

The City Council took up this issue the day after the Planning Board's conditional approval. It's at this point that things start to become less than crystal clear, in part because the Council adopted a single motion with multiple elements that addressed different policy issues. Separately stated, the Council took the following actions:

{W6790167.1}

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Web Page: www.lewistonmaine.gov

- Approved the reconfiguration of Lisbon Street from four-lanes to three from the Lisbon Town Line to Westminster Street¹;
- Voted to have the applicant, Nino Corporation, pay for the expense of restriping the street from the town line to the Maine Turnpike bridge;
- Directed staff to draft an ordinance for Council consideration that would establish an impact fee to be paid by future projects abutting this stretch of Lisbon Street with these funds to be escrowed for the future upgrade of the street to five-lanes; and
- Indicated that Nino's expenses for lane reconfiguration from the turnpike bridge to the town line would apply as a credit against the impact fee the project would have to pay if the requested impact fee ordinance was already in effect.

Given these actions, the Nino Corporation agreed to undertake the required improvements; however, the Council effectively increased the stretch of the street to be changed by including the stretch from Westminster Street to the Turnpike Bridge and to increase the area for which Nino would be responsible from South Lisbon Road to the Turnpike bridge.

Making the Change

This project was completed and in place by November 21, 2005, but how these changes were implemented further confused the situation. Prior to the Council's approval of the lane changes, staff was approached by Nino Corporation and asked to do the grinding work required to remove the existing traffic lane markings. Public Works did not have the necessary equipment, so declined to do this work. Alternatively, the Department offered to provide the re-painting if Nino Corporation did the grinding and provided the pre-markings necessary to guide painting the new lane configuration. As a result, the work of implementing the project was split, with Nino contracted for the grinding and prep work and the City agreeing to do the painting.

Prior to the work actually beginning, the City found that Nino's contract for the lane removal did not include the temporary reflective markers needed to guide traffic between the time the old street lane markings were removed and the application of the new stripping pattern. The City undertook this work and also purchased and installed the required permanent signage for the project. The City's total cost for the work it performed was \$10,427. Of this amount, Public Works estimated \$2,000 would have been incurred without the project²; the remaining \$8,427 should have been charged to Nino Corporation for its section of the project from the Turnpike Bridge to the town line³. We can find no record showing that Nino was ever billed for this amount.

¹ Note that this encompassed a larger area than required for the Nino project by the Planning Board.

² This apparently represented the City's estimate of what simply repainting the existing lane markings on this section of Lisbon Street would have cost if no changes were made.

³ As near as I can determine, none of these arrangements between the City and Nino Corporation were documented in an agreement or memorandum of understanding.

Impact Fee Ordinance

The impact fee ordinance requested by the Council was adopted on October 18, 2005 and went into effect thirty days later on November 17, 2005. Since discussions with Nino and development of the ordinance was going on at the same time, there has been some confusion about how the ordinance was/should be applied to the Nino project. Since the ordinance was adopted after the project was permitted, and actually went into effect at about the same time that the street changes were completed, it actually did not apply directly to the project. It only applied indirectly, to the extent that the Council specified that Nino would receive a credit for the impact fee that the project would have paid had it been subject to the ordinance.

Final Council Action

The final Council action on this item took place at its meeting of January 17, 2006. At that meeting, the Council decided to:

- Reimburse Nino Corporation for any costs above and beyond what its impact fee would be;
- Specified the reimbursement would come from any impact fee revenues collected in the future; and
- Set January 2007 (one year later) as the date that the Council would review the situation to determine the status of reimbursement. This reflected a concern that Nino might not be reimbursed for a relatively long period depending upon development activity in the area.

This Council action differed from the initial action in August, in part because of the work that Nino actually did beyond that which was initially required (removing the lane markings from Westminster Street to the Turnpike Bridge) and the question of whether the cost of this additional work should be immediately reimbursed (as had been suggested at an earlier Council meeting of December 2005) or reimbursed over time based on future impact fees collected. By this January action, the Council decided to reimburse Nino from future impact fees for this extra work while continuing to recognize the credit that would have been required under the impact fee ordinance.

Subsequent Events

Subsequent to this decision, Nino received a reimbursement as a result of a \$24,300 impact fee paid by Pathway Vineyard Church. This is the only impact fee received by the City since the ordinance was adopted.

The Council did not revisit this issue in January 2007. There is no indication if this was a simple oversight or if the City believed its obligations had been fulfilled through the

Vineyard Church payment and the costs the City incurred for doing a portion of the work required of Nino for the stretch of road between the Turnpike Bridge and the town line. It also does not seem that Nino Corporation brought this failure to revisit the issue to the attention of the City at that time, although it has contacted the City several times over the years inquiring as to the status of the reimbursement, indicating its belief that additional reimbursement was due.

Financial Analysis

Over the years, a variety of figures have been reported as to what the Nino Corporation paid and what it was due for reimbursement. These figures do not always match, generally because they either do or do not include the City's expenditures on Nino's portion of the project or they improperly attempt to apply the ordinance language, which states that a project would receive a 50% credit against its impact fee for any interim improvements it makes short of providing a five-lane section.

The following summarizes the financial information that I have found documented in the record.

\$44,400.00	Invoice from Zebra Striping for "Lisbon Street Eradication."
<u>\$15,859.07</u>	Invoice from TSI Technical Services for Traffic Engineering/Studies
\$60,259.07	Total Nino Corporation documented expenses

Against these expenses, Nino Corporation was credited for an impact fee of \$31,500; it also received a reimbursement by virtue of an impact fee of \$24,300 from a project in the area that was undertaken shortly after the impact fee ordinance was adopted. With these taken into account, the situation appears to be:

\$44,400.00	
<u>\$15,859.07</u>	
\$60,259.07	Total Nino Corporation expenses
-\$31,500.00	Impact Fee Due from Nino
<u>-\$24,300.00</u>	Reimbursement from a separate project
\$4,459.07	Balance

However, as noted above, the City incurred expenses on this project, including expenses of \$8,427 related to the lane reassignment project. It appears that this number may be for the entire length from Westminster to the town line. Applying the percentage Nino Corporation is responsible for (70.65%) based on the length of the segment from the Turnpike Bridge to the town line, the City's apparent contribution to the project is \$5,953.68. The City has no record of ever billing or receiving payment for this portion of the work. Recently, Nino Corporation was asked if it had any record of having made such a payment. It has not, to date, been able to present any documentation on this. Since the City incurred these expenses, it should have billed Nino for them with the

anticipation that Nino would eventually recover this expense from future impact fee payments. Looking back, however, the situation was confusing enough that the City may not have billed Nino given that the City would eventually be required to reimburse him anyway.

Nino Corporation Request

At this point, Nino Corporation is requesting reimbursement for any amount they spent above and beyond what the impact fee would have been. At a minimum, this would be \$4,459.07. This is generally in the range of what has been discussed over the years. Since the City raised the question of whether Nino Corporation was ever billed for or paid the City's costs attributable to the project, Nino has also indicated that it would also claim reimbursement for those costs in the now estimated amount of \$5,953.68.⁴ This additional reimbursement would only be requested/made upon a showing by Nino Corporation that it actually paid this amount.

In summary, Nino Corporation is requesting that the City reimburse the \$4,459.07 that is currently documented as its expenses over and above the impact fee and, if documentation can be found, any additional amount it paid to the City for charges on the project. I would note that given the Council's action to limit Nino's costs to the actual impact fee, it is unlikely, although perhaps not impossible, that the City would have billed for these additional costs unless that bill was issued between the date the project was completed in November 2006 and the final Council action in January 2007. The City may have considered itself recovering these costs through future impact fees.

Options

The City Council has several options.

First, the Council could decide to reimburse Nino Corporation as requested. This would be for any documented amount over and above the impact fee, including, if documented, any payment to the City for work on the project.

The City Council could also reaffirm the Council's 2007 position that Nino Corporation be reimbursed from future impact fees. From watching the video recording of that January meeting, it is clear that the 2007 City Council wanted to both see Nino Corporation reimbursed and to have that reimbursement not come from the residents and taxpayers of the City. With the exception of the Nino project, the City has not normally reimbursed a developer for off-site traffic improvements; rather, developers have been required to fully fund improvements, as did the Dunkin Donuts project on Sabattus Street where a full traffic signal was required and as is currently being required of the

⁴ This is an estimated amount given that we do not have any documentation to support what may have been billed at the time.

Dunkin Donuts planned for Main Street where it will bear the full cost of the required lane reassignments.

As you know, there is a pending project on Outer Lisbon Street that is currently subject to the traffic impact fee ordinance. The Council has the option of retaining the impact fee ordinance until any obligation the Council believes the City owes to Nino Corporation is met. Should the ordinance be retained, the three projects along this stretch of Lisbon Street that benefited from the improvements made by Nino Corporation would then each have contributed to the cost of the project. Since the pending Connor project's impact fee is greater than the amount claimed by Nino Corporation, and since it is unlikely that Lisbon Street will be expanded in the foreseeable future, any excess amount the ordinance would require Connor to pay over and above the amount claimed by Nino could be refunded to Connor after the ordinance is repealed or, perhaps more simply, the Council could make the repeal of the ordinance conditional on Connor reimbursing Nino Corporation the amount eventually determined to be owed to it⁵. Theoretically, the City could also seek to recover its expenses on this project from this impact fee; however, the basis for such a claim is tenuous given the length of time that has passed and the lack of clarity as to whether Nino did or did not pay a bill from the City.

While I appreciate that Connor may not agree with such an approach, it would be a way to spread the cost over those most benefited by the work performed by Nino while Connor would be required to pay only a portion of the costs otherwise required under the current ordinance.

⁵ I would recommend that Nino be given a deadline by which documentation of a payment to the City would have to be provided.

LEWISTON CITY COUNCIL

MEETING OF JUNE 2, 2020

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 1

SUBJECT:

Public Hearing on the renewal application for a Special Amusement Permit for Live Entertainment for Sonder & Dram, 12 Ash Street.

INFORMATION:

We have received a renewal application for a Special Amusement Permit for Live Entertainment from Sonder & Dram, 12 Ash Street.

The Police Department has reviewed and approved the application.

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

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

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAB/kmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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To grant a Special Amusement Permit for Live Entertainment to Sonder & Dram, 12 Ash Street.

Renewal

CITY OF LEWISTON
APPLICATION FOR SPECIAL AMUSEMENT PERMIT

Date of Application: 5/5/20

Expiration Date: 6-11-2021

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

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

****PLEASE PRINT****

Business Name: Sonder + Drums LLC Business Phone: 207-330-3088

Location Address: 12 Ash St Lewiston, Maine 04240

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

Mailing Address: Same

Email address: Sand@sonderdrum.com

Contact Person: Rick Roy Phone: 207-240-4624

Owner of Business: Rick Roy, Peter Flanders Date of Birth: 7/28/76 (Rick)

Address of Owner: 81 Webbs Mills Rd, Raymond ME 04071

Manager of Establishment: Rick Roy Date of Birth: 7/28/76

Owner of Premises (landlord): Jammy Pittman

Address of Premises Owner: 1097 Center St Auburn, ME 04210

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

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

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

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

Corporation Name: Sonder & Dram Inc

Corporation Mailing Address: 12 Ash St Lewiston, ME 04240

Contact Person: Rick Roy Phone: 207-240-4624

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

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

Please describe the type of proposed entertainment:

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

1 singer - acoustic

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

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

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

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

Signature: [Signature] Title: Director Date: 5/15/20

Printed Name: Richard Roy

Hearing Date: 6-2-2020

LEWISTON CITY COUNCIL

MEETING OF JUNE 2, 2020

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 2

SUBJECT:

Public Hearing and Presentation of the Fiscal Year 2021 School Budget.

INFORMATION:

The City Council and School Committee have held several joint workshops regarding the school budget. This agenda item allows the public to comment on the budget. The Superintendent will make a brief presentation on the budget highlights. The Council is scheduled to adopt the School Budget on June 16. The public referendum will be July 14.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

This public hearing is part of the budget process to receive citizen input.

EAB/11/11/20

REQUESTED ACTION:

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- 1) To receive a budget presentation from the Superintendent
- 2) To conduct the Public Hearing to receive citizen input and communication regarding the proposed Fiscal Year 2021 School Budget.

(Note – A vote of the Council is not required for this agenda item.)



To: Lewiston School Committee and Lewiston City Council

From: Todd A. Finn, Superintendent

Re: Proposed 2020-2021 Budget for Lewiston Public Schools (LPS)

Dated: May 29, 2020

Dear Lewiston Community Members:

In these times of uncertainty and struggle throughout our beloved city, I am pleased to present some good news. Our School Department and City Council have collaborated magnificently in preparation for the FY 2021 Budget Referendum. The result of our goal-oriented, data-driven, and innovative approach to funding excellence in education while respecting the concerns of taxpayers is a significant decrease to the mil rate. It is our belief that we can actually do more with a little less. It is our contention that we will see system-wide improvement by meeting and exceeding our budgetary goals. Through steady-handed leadership and innovative practices system-wide, Lewiston Public Schools will continue to improve with your support.

Based on data that includes our historic graduation rate, overall student attendance rate, teacher attendance rate, disciplinary actions, special education systems and structures, and English Language Learner engagement, the following goals were developed to address the immediate needs for LPS:

1. Provide meaningful, intentional, and sustainable professional development for all LPS employees.
2. Address equity and the opportunity gap.
3. Provide improved instruction through social and emotional learning and a multi-tiered system of support that is universal across LPS.

By addressing these obvious needs, we will be able to better prepare our hard-working teachers to take on the rigors of today's education landscape. We will be able to ensure that students who are not accessing all that we have to offer truly have the opportunity to do so. We will be able to instill a curriculum that addresses not only the core concepts of education, but also concepts such as self-awareness, self-management, social awareness, responsible decision making, and building relationship skills. Training the educators, we already have, providing for those who are missing out on being fully-engaged and addressing the social and emotional needs of our entire community, we will address the barriers to excellence.



The following is a brief synopsis of the FY 2021 Budget. Our entire proposed budget can be found for public view on our website at www.lewistonpublicschools.org.

This table reflects an FY21 budget of \$88,614,478.05 or a 2.92% increase to the general fund and a \$787,593 in the adult education budget. However, with an increase in state subsidy as reflected in our 279 report, the overall result of this budget is an estimated .41 decrease in the mill rate over last year.

Article Number	Article Description	% of Budget	2017-18 State Average	2021 Proposed Budget	2020 Revised Budget	\$ +/-	% +/-
1	Regular Instruction	32.83%	40.10%	\$29,089,158	\$28,788,255	\$300,903	1.05%
2	Special Education	27.08%	16.73%	\$23,992,384	\$23,814,171	\$178,213	.75%
3	Vocational Education	4.17%	2.00%	\$3,694,643	\$3,364,205	\$330,438	9.82%
4	Other Instruction	1.57%	2.24%	\$1,394,077	\$1,373,981	\$20,096	1.46%
5	Student and Staff Support	6.78%	8.33%	\$6,005,569	\$5,584,308	\$421,261	7.54%
6	System Administration	1.95%	3.20%	\$1,724,265	\$1,629,838	\$94,427	5.79%
7	School Administration	4.17%	5.25%	\$3,691,900	\$3,032,714	\$659,186	21.74%
8	Transportation	5.75%	5.44%	\$5,093,484	\$4,706,497	\$386,987	8.22%
9	Facilities	8.11%	10.95%	\$7,189,026	\$7,209,418	(20,392)	(.28%)
10	Debt Service	7.57%	5.30%	\$6,710,972	\$6,574,282	\$136,690	2.08%
11	All Other	.03%	.46%	\$29,000	\$24,870	\$4,130	16.61%
	Total	100%	100%	\$88,614,478.05	\$86,102,539	\$2,511,939	2.92%



**Lewiston Public Schools
FY21 Revenue Budget
School Committee Budget for City Council Adoption**

ORG	OBJ	DESCRIPTION	FY21 Board Budget	FY20 Budget	FY21 vs FY20 '+/--\$	FY21 vs FY20 '+/--%
Local Share						
1000	041211	FOUNDATION ALLOCATION LOCAL	18,531,790.00	18,426,036.00	105,754.00	0.57%
		AUDIT ADJUSTMENT 1/22/20 (ED 279)	-	113,000.00	(113,000.00)	-100.00%
1000	041212	LOCAL DEBT SERVICE	1,466,929.19	1,232,205.00	234,724.19	19.05%
1000	041213	ADDITIONAL LOCAL ALLOCATION	214,567.05	1,215,951.00	(1,001,383.95)	-82.35%
			20,213,286.24	20,987,192.00	(773,905.76)	-3.69%
State Share						
1000	043111	GPA SUBSIDY - STATE	64,036,852.91	63,057,816.00	979,036.91	1.55%
Fund Balance						
1000	045000	SURPLUS CARRYFORWARD	3,943,338.90	1,766,686.00	2,176,652.90	123.21%
Miscellaneous						
1000	041702	STUDENT ACTIVITIES 9-12	35,000.00	-	35,000.00	-
1000	041901	COPIES OF SPEC. ED. RECORDS	1,000.00	-	1,000.00	-
1000	041910	BUILDING RENTALS	10,000.00	-	10,000.00	-
1000	041922	MISCELLANEOUS REVENUE	140,000.00	140,000.00	0.00	-
1000	043121	STATE CLIENTS (K-8)	30,000.00	25,000.00	5,000.00	20.00%
1000	043123	STATE CLIENTS (9-12)	30,000.00	25,000.00	5,000.00	20.00%
1000	044585	MAINECARE (MEDICAID)	175,000.00	100,000.00	75,000.00	75.00%
			421,000.00	290,000.00	131,000.00	45.1
Total FY21 Revenue Budget			88,614,478.05	86,101,694.00	2,512,784.05	2.92%



With your support, Lewiston Public Schools will continue our resurgence through the next school year, regardless of the challenges that are presented to us. Our budget addresses the barriers to excellence, and by doing so, we will continue to turn our school district around. The strength and pride of any community rest in its ability to prepare its citizens for the future. Let us continue along the pathway to excellence, and together we will achieve our goals as a community.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Todd A. Finn". The signature is fluid and cursive, with a large initial "T" and "F".

Todd A. Finn, Superintendent
Lewiston Public Schools

TAF/spt

LEWISTON CITY COUNCIL

MEETING OF JUNE 2, 2020

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 3

SUBJECT:

Public Hearing and First Passage to repeal the portion of the Streets and Sidewalks Ordinance regarding Traffic Impact Fees for Outer Lisbon Street.

INFORMATION:

In October 2005, the Council added a new section in the Streets and Sidewalks ordinance to create a section for the Outer Lisbon Street Traffic Impact Fee. The ordinance language called for issuance of a credit for capital improvement costs related to project costs. The ordinance has been amended over the years.

This agenda item is to repeal the current section of the ordinance pertaining to the Traffic Impact Fees on Outer Lisbon Street. Please see the memorandum from David Hediger, Director of Planning and Code Enforcement. The workshop session also pertains to this topic as well.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAB/Kmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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That the proposed amendments to the City Code of Ordinances, Chapter 66 "Streets and Sidewalks", Article VI "Outer Lisbon Street Traffic Impact Fee", receive first passage by a roll call vote and to continue the public hearing to the next regular City Council meeting.



CITY OF LEWISTON

Department of Planning & Code Enforcement

TO: Mayor and Members of the City Council

FROM: David Hediger, Director of Planning and Code Enforcement

DATE: May 28, 2020

RE: Request for repeal of Outer Lisbon Street Impact Fee ordinance

Certain development activity on Lisbon Street/Route 196 is subject to a traffic impact fee as per Chapter 66, Streets and Sidewalks, Article VI of the Lewiston Code of Ordinances. The intent of the impact fee is to collect funds to upgrade roads and related facilities necessitated by new development that impacts traffic along Outer Lisbon Street from its intersection with Pleasant Street to the Lewiston/Lisbon town line. Any developer who, on or after August 9, 2005, requires a traffic movement permit (TMP) along Outer Lisbon Street is required to pay a traffic impact fee equal to five percent of the cost of upgrading Outer Lisbon Street's four-lane configuration existing as of August 9, 2005 to five lanes (four travel lanes and an center turning lane) sufficient to address impacts created by the development, based on a traffic engineering study and the size and nature of the development.

The City has received a request from Stoneybrook Land Use, Inc. on behalf of Connor Realty, LLC to repeal this ordinance claiming it is unfair and unnecessary. Staff agrees and recommends the ordinance should be repealed.

History of impact fee ordinance

In August 2005, Nino Corporation submitted an application to the Planning Board to construct a convenience store, gas station, Dunkin' Donuts drive-thru, a sandwich shop and automatic car wash at 1930 Lisbon Street. This project was proposed to generate 466 AM and 292 PM peak hour trip during the peak hours of adjacent street traffic on Lisbon Street. Any project that generates 100 or more trips in a peak hour requires a TMP, which involves an in-depth analysis of potential traffic impacts.

As a result of this project, the City learned that based upon MDOT traffic engineering standards, any development along this four-lane section of Lisbon Street that triggers the need for a TMP, will require a center two-way left turn lane. This can be achieved by either reconfiguring Lisbon Street from four-lanes to three-lanes with the center lane being a center two-way left turn lane or the construction of a five-lane section along Lisbon Street (four travel lanes and a center two-way left turn lane).

On August 8, 2005 the Planning Board granted approval with the applicant committing to striping

a three-lane section from the Lisbon town line to the area of northerly intersection of South Lisbon Road and Lisbon Street. The re-striping of Lisbon Street would need City Council approval.

On August 9, 2005 the City Council directed staff to move forward with the creation of an Impact Fee Ordinance for Outer Lisbon Street, in which the City would escrow the funds for the future construction of five-lanes, and voted to reconfigure Lisbon Street/Route 196 from the Lisbon town line to Westminster Street from four lanes to three lanes.

On October 18, 2005 the Council adopted the impact fee as it exists today. Essentially, any project that does not need to make any physical changes to Lisbon Street in order to get a building permit does not have to pay an impact fee. Any project that has to make physical changes to the road in order to receive a permit (given that the road was still four lanes), is subject to an impact fee. The impact fee is 5% of the total cost to make the physical improvements necessary to the road system, based on a five-lane road. This amount was determined by assuming that 75% of future improvements would be paid for by the federal government, 15% would be paid for by the state and 10% would be the local match. The ordinance also states that any project that pays for some improvements in the corridor over and above the impact fee, would receive a 50% credit for every dollar spent on the design and construction of the improvements towards the impact fee.

Collection of impact fee

Since its adoption, only two projects in 15 years have generated the need for TMP, thereby requiring payment of an impact fee. In 2006, the Vineyard Christian Fellowship paid \$24,300 for an expansion of their facility on Foss Road. The second project is Conner Realty, LLC's proposal for a development at 1896 Lisbon Street that was approved by the Planning Board on April 27, 2019 with a pending payment of \$11,850.20.

The \$24,300 received was reimbursed to Nino Corporation. This was the result of a Council action on January 17, 2006 when the Council agreed to reimburse Nino Corporation for their lane reconfiguration costs in excess of the traffic impact fee they would have been required to pay if the impact fee ordinance had actually been in effect at the time the Nino project was approved, with such reimbursement to be made from impact fees paid by future projects. At that meeting, the Council also agreed to review the extent to which Nino had been reimbursed one year later in January 2007. While it was clear that the Council's intent was that the taxpayer not be required to pay the cost of the lane reconfiguration project, there was also concern over the potential length of time it might take to complete reimbursing Nino. Based upon a review of Council minutes, it appears the Council never reviewed this topic again as included in their motion. Whether this was an oversight or that the Council had determined the City's obligation to Nino had been met is not documented in the record¹.

Logic Behind Implementing Impact Fees

There can be sound reasons to establish a traffic impact fee. As noted, projects that generate a certain level of traffic require a traffic movement permit from the state. Currently, a development that reduces the level of service or negatively impacts safety beyond an acceptable level can be required to bear the full cost of off-site traffic related improvements. A good recent example of

¹ Nino Corporation did apparently contact the City several times over the early years after the project was completed inquiring as to the status of the reimbursement, indicating its belief that additional funds were due.

this is the Dunkin Donuts project on Sabattus Street at Wildwood Drive. Just prior to this project, Cumberland Farms relocated and significantly expanded its convenience store in the area, with the new store located across the street from the old one. Although that project added to the size of the previously Cumberland Farms and added additional gasoline pumps, it was not required to undertake any significant off-site improvements. The Dunkin Donuts project which came shortly after needed a traffic movement permit and was required to upgrade the Wildwood/Sabattus intersection by adding a traffic signal and undertaking other improvements at a cost in excess of \$150,000. In effect, earlier projects that added traffic to Sabattus Street were not required to pay for improvements either because they did not need a traffic movement permit or their impact could be accommodated by the existing infrastructure. Similarly, future projects may also benefit from these improvements. Without some type of impact fee or other financial relief, the full burden of the cost of off-site improvements falls on the last project that kicks in the improvement requirement, even though other earlier and later projects benefit from such investment. A well designed traffic impact fee is intended to spread the cost of traffic improvements over all project that impact traffic capacity or safe traffic movements in an area.

Ineffectiveness of this impact fee

Connor Realty, LLC is requesting this ordinance be repealed claiming it is unfair and unnecessary. As noted, impact fees are an effective method of insuring that new development bears a proportionate share of the cost of capital investments necessary to accommodate such development. The goal and purpose of this impact fee was to start collecting funds to upgrade and expand road infrastructure along Outer Lisbon Street as a result of expected development in the area, maintain adequate levels of service along Outer Lisbon Street, and accommodate future traffic increases safely and without decreasing current levels of service. This impact fee was adopted based upon the determination that development along Outer Lisbon Street would require its road capacity be expanded by widening it to five-lanes.

Unfortunately, this impact fee has proven to be ineffective for a number of reasons:

1. Only projects requiring a TMP (100+ new trips) pay the fee. For this ordinance to be truly equitable, all new development generating any increase in traffic should be contributing toward the cost of improvements need to upgrade Lisbon Street.
2. In 2005, there was concern reducing the street to a three-lane configuration versus the existing four would reduce future capacity. The current three-lane configuration can accommodate 22,000 vehicle trips per day. In 2005, there were 13,580 trips at the Lewiston/Lisbon town line. In 2019 there were 11,640 trips. The three-lane configuration has more than adequate capacity to handle foreseeable future commercial growth without the need to widen the travel way to five-lanes.
3. State statute requires a schedule to be adopted under which unused impact fee funds are returned to the developer. Lewiston's ordinance requires that any funds not expended or obligated 15-years from the date the fee was paid shall be returned to the developer. If the Council had actually charged Nino Corporation a fee and collects one from Conner Realty, the City would have only \$36,150.20 on hand for the projected widening project. Even with state and federal assistance, this amount is a far cry from the hundreds of thousands of dollars necessary to establish a five-lane road.

Recommended action: repeal impact fee ordinance

The request from Stoneybrook Land Use, Inc. on behalf of Connor Realty, LLC to repeal this ordinance claiming it is unfair and unnecessary is warranted. An amended impact fee ordinance could be drafted requiring all projects generating any new traffic to contribute to a fee.

However, based upon the traffic data provided by Stoneybrook, the development pattern of Outer Lisbon Street over the last 15 years, and the existing capacity of the current three-lane section of Outer Lisbon Street, there is no need to have an impact fee. Staff recommends the ordinance be repealed.

One caveat. The City Council should consider the request to repeal this ordinance in light of what it determines the City's obligation is to Nino Corporation, if any. Clearly, the 2006 City Council appeared to both desire to see Nino Corporation reimbursed and to have that reimbursement not come from the residents and taxpayers of the City. With the exception of this project, the City has not normally reimbursed a developer for off-site traffic improvements; rather, developers have been required fully fund improvements as noted in the example above. One alternative is to retain this ordinance until any obligation the Council believes the City owes to Nino Corporation is met. Should the ordinance be retained, the three projects along this stretch of Lisbon Street that benefited from the improvements made by Nino Corporation would then have each contributed to the cost of the project. Since the Connor project's impact fee is greater than the amount claimed by Nino Corporation and since it is unlikely that the Lisbon Street will be expanded in the foreseeable future, any excess amount paid by Connor over and above the amount claimed by Nino could be refunded to Connor or the Council could make the repeal of the ordinance conditional on Connor reimbursing Nino Corporation the amount it is claiming. While I appreciate that Connor may not agree with such an approach, it would be a way to spread the cost over those most benefited while Connor would only pay a proportionate share compared to the earlier projects.

REPEAL OF AN ORDINANCE PERTAINING TO TRAFFIC IMPACT FEES

THE CITY OF LEWISTON HEREBY ORDAINS:

Chapter 66 of the Code of Ordinances of the City of Lewiston, Maine, is hereby repealed as follows:

Chapter 66
STREETS AND SIDEWALKS
~~ARTICLE VI. OUTER LISBON STREET TRAFFIC IMPACT FEE~~

~~Sec. 66-160. Purpose.~~

~~This article imposes an impact fee on land development requiring development review under Appendix A, Article XIII of the City of Lewiston's Zoning and Land Use Code. These fees will be used to upgrade roads and related facilities necessitated by new development that impacts traffic along Outer Lisbon Street, as defined herein. It also provides for the placement of impact fee revenues into a traffic impact fee trust fund established for that purpose and for the administration of the Outer Lisbon Street Traffic Impact Fee Ordinance, including the expenditure of funds derived from traffic impact fees and the refunds of unexpended funds.~~

~~(Ord. No. 05-17, 11-17-05)~~

~~Sec. 66-161. Legislative findings.~~

~~The Lewiston City Council finds, determines and declares as follows:~~

- ~~(1) — The city will need to upgrade and expand road infrastructure along Outer Lisbon Street as a result of expected development in the area. To maintain adequate levels of service along Outer Lisbon Street, the existing road system must be expanded to accommodate future traffic increases safely and without decreasing current levels of service. This must be done to promote and protect the public health, safety and welfare;~~
- ~~(2) — The State of Maine has authorized municipalities to adopt impact fees for various purposes, including the construction of off site capital improvements such as roads and traffic control devices, pursuant to 30-A M.R.S.A. § 4354;~~
- ~~(3) — The imposition of impact fees is a preferred method of insuring that new development bears a proportionate share of the cost of capital investments necessary to accommodate such development. Appropriate locations for new development in Lewiston and the capital improvements necessary to accommodate such development are consistent with the city's comprehensive plan and capital improvements program;~~
- ~~(4) — New development generates additional traffic, necessitating the acquisition of rights-of-way, road construction and road improvements;~~
- ~~(5) — The impact fee has been derived from the city's determination that development along Outer Lisbon Street will require that road capacity is expanded by widening it to five lanes or through similar infrastructure upgrades. The city anticipates funding ten percent of the necessary road improvements, with remaining funding~~

~~provided by state and federal sources. The city's effort to seek alternative sources of funding will reduce the amount of the impact fee sought under this article to five percent of the cost of impacts created by new development.~~

~~(Ord. No. 05-17, 11-17-05)~~

~~**Sec. 66-162. Title, authority, and applicability.**~~

- ~~(a) *Title.* This article shall be known and may be cited as the "Outer Lisbon Street Traffic Impact Fee Ordinance."~~
- ~~(b) *Authority.* The Lewiston City Council has the authority to enact this ordinance pursuant to 30-A M.R.S.A. § 4354 and its statutory and constitutional home rule powers.~~
- ~~(c) *Applicability.* This article shall apply to all development requiring a traffic movement permit issued on or after August 9, 2005 that would require an expansion of road capacity along Outer Lisbon Street based on the four lane alignment that existed on August 9, 2005.~~

~~**Sec. 66-163. Definitions.**~~

~~As used in this article, the following terms shall have the meanings indicated:~~

~~"Capital improvement" includes transportation planning, preliminary engineering, engineering design studies, land surveys, right of way acquisition, engineering, permitting and construction of all the necessary features for any public infrastructure, including but not limited to:~~

- ~~(1) Construction of new through lanes;~~
- ~~(2) Construction of new turn lanes;~~
- ~~(3) Construction of new bridges;~~
- ~~(4) Construction of new drainage facilities in conjunction with new roadway construction;~~
- ~~(5) Purchase and installation of traffic signalization (including new and upgraded signalization);~~
- ~~(6) Construction of curbs, medians, and shoulders;~~
- ~~(7) Relocating utilities to accommodate new roadway construction;~~
- ~~(8) Construction of public utilities to accommodate new development;~~
- ~~(9) Construction or implementation of interim measures to address increased transportation capacity needs or demands created by new development during the period prior to construction of permanent improvements.~~

~~Capital improvements do not include site related improvements defined herein.~~

~~"Developer" is a person or entity commencing a land development activity which generates or attracts traffic on Outer Lisbon Street and which requires a traffic movement permit.~~

~~"Development" is any change in land use or any construction of buildings or structures or any change in the use of any structure along Outer Lisbon Street which requires a traffic movement~~

permit.

~~"Expansion of road capacity" means all road and intersection capacity enhancements, including but not limited to: extensions, widening, intersection improvements, upgrading signalization, and expansion of bridges.~~

~~"Mandatory or required rights-of-way dedications and/or roadway improvements" means such non-compensated dedications and/or roadway improvements as required by a traffic movement permit.~~

~~"Outer Lisbon Street" includes all land serviced by Lisbon Street, from its intersection with Pleasant Street to the Lewiston/Lisbon town line;~~

~~"Roads" means and includes arterial streets and transportation facilities associated with the arterial and state-aid highway network along Outer Lisbon Street and under the jurisdiction of the city or the State of Maine.~~

~~"Site related improvements" are capital improvements and right-of-way dedications for direct access improvements to and/or within the development in question. Direct access improvements include but are not limited to the following:~~

- ~~(1) — Access roads leading to the development;~~
- ~~(2) — Driveways and roads within the development;~~
- ~~(3) — Acceleration and deceleration lanes, and right and left turn lanes leading to those roads and driveways; and~~
- ~~(4) — Traffic control measures for those roads and driveways.~~

~~"Traffic movement permit" is a permit obtained from the City of Lewiston or Maine Department of Transportation for any development that generates 100 or more passenger-car equivalents at peak hour.~~

~~(Ord. No. 05-17, 11-17-05)~~

~~Sec. 66-164. Imposition of traffic impact fee.~~

- ~~(a) — Any developer who, on or after August 9, 2005, requires a traffic movement permit along Outer Lisbon Street is hereby required to pay a traffic impact fee in the manner and amount set forth in this article. Preliminary determinations regarding whether a proposed development will generate traffic along Outer Lisbon Street shall be made by the developer and provided to the city's department of planning and code enforcement and, if necessary, the city's traffic engineer at the developer's expense. Actual impacts shall be determined by a traffic study prepared by a traffic engineer at the developer's expense and approved by the city's consulting engineer, unless the developer agrees with the city's determination.~~
- ~~(b) — No traffic movement permit or building permit for any activity requiring payment of an impact fee pursuant to this article shall be issued unless and until the traffic impact fee hereby required has been paid.~~

~~(Ord. No. 05-17, 11-17-05)~~

~~Sec. 66-165. Computation of traffic impact fee.~~

- ~~(a) — Any development requiring a traffic movement permit, which, in the city's judgment, requires the creation of a fifth travel lane shall pay a traffic impact fee equal to five percent of the cost of upgrading Outer Lisbon Street's four-lane configuration existing as of August 9, 2005 to five lanes (four travel lanes and an center turning lane) sufficient to address impacts created by the development, based on a traffic engineering study and the size and nature of the development.~~
- ~~(b) — Planning and code enforcement staff shall apply the impact fee to the development and shall make a final determination as to the amount of the fee to be imposed, net of any applicable credits. Staff may request additional information from the developer if necessary to apply the fee. The developer may submit its own calculation of costs and any other information related to the impact of the development on Outer Lisbon Street. Staff shall consider information submitted by the developer, but is not required to accept information it deems to be inaccurate or unreliable.~~

~~**Sec. 66-166. Payment of fee.**~~

- ~~(a) — The developer shall pay the traffic impact fee required by this article to the department of planning and code enforcement prior to the issuance of a traffic movement permit or building permit.~~
- ~~(b) — All funds collected shall be properly identified as traffic impact fees and promptly transferred for deposit in the traffic impact fee trust fund to be used solely for the purposes specified in this article.~~

~~(Ord. No. 05-17, 11-17-05)~~

~~**Sec. 66-167. Traffic impact fee trust fund established.**~~

- ~~(a) — There is hereby established a traffic impact fee trust fund, to be used to accomplish the goals of this article, in accordance with section 66-168 of this article.~~

~~(Ord. No. 05-17, 11-17-05)~~

~~**Sec. 66-168. Use of funds.**~~

- ~~(a) — Funds collected from traffic impact fees shall be used for the purpose of capital improvements to, and the expansion of, transportation facilities associated with Outer Lisbon Street.~~
- ~~(b) — No funds shall be used for periodic or routine maintenance.~~
- ~~(c) — Funds shall be used exclusively for capital improvements within the traffic impact fee area.~~
- ~~(d) — In the event that bonds or similar debt instruments are issued for advanced provision of capital facilities for which traffic impact fees may be expended, impact fees may be used to pay debt service on such bonds or similar debt instruments to the extent that the facilities provided are of the type described in subsection (a) of this section.~~

~~(Ord. No. 05-17, 11-17-05)~~

~~**Sec. 66-169. Refund of fees.**~~

- (a) ~~If a building permit is surrendered or expires without commencement of construction, the developer shall be entitled to a refund, without interest, of the impact fee paid as a condition for its issuance, except that the city shall retain three percent of the impact fee paid to offset a portion of the costs of collection. A request for a refund shall be made in writing to the department of planning and code enforcement not later than 15 days after the expiration of the permit.~~
- (b) ~~Any funds not expended or obligated by contract by the end of the calendar quarter immediately following 15 years from the date the fee was paid shall, upon application of the developer, be returned to the developer, provided the developer submits an application for refund of the fee to the city planning and code enforcement department within 180 days of the end of the 15-year period.~~

~~Sec. 66-170. Credits~~

- (a) ~~A credit against the impact fee otherwise due may be given when a developer is required to make road improvements other than an expansion from a four-lane to five-lane configuration pursuant to a traffic movement permit. Credit shall be limited to road improvements associated with Outer Lisbon Street intersections, pursuant to the traffic movement permit. In no event shall credit be given for site-related improvements, as defined in this article.~~
- (b) ~~Credit shall be calculated in the following manner for the above-referenced road improvements as required by the aforementioned traffic movement permit: 50 percent of the value of required road improvements as determined pursuant to section 66-165 may be applied as credit against the impact fee. In no event shall the credit exceed the amount of the otherwise applicable impact fee, or be applied against unrelated impact fee items.~~
- (c) ~~The developer shall provide documentation indicating the cost of the improvements required for the project versus the impact fee. The city shall consider the documentation submitted by the developer but is not required to accept any documentation which it deems to be inaccurate or unreliable.~~
- (d) ~~A credit under this section will be made up to the amount of the impact fee otherwise due, and will not result in any payment of funds to the developer in the event the credit due under this section exceeds the impact fee assessed.~~

~~(Ord. No. 05-17, 11-17-05; Ord. No. 06-03, 3-23-06)~~

~~Sec. 66-171. Severability.~~

~~If any section, phrase, sentence or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portion thereof. (Ord. No. 05-17, 11-17-05)~~

LEWISTON CITY COUNCIL

MEETING OF JUNE 2, 2020

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 4

SUBJECT: Emergency Ordinance, Amending Sec. 62-13 (b) (2) of the Code of Ordinances Regarding the collection of solid waste and recycling materials from multiple unit apartment buildings.

INFORMATION:

A number of multi-unit apartment buildings are enrolled in the City's solid waste and recycling collection and disposal program. The building's owners are responsible for paying for this service in the amount of \$170 per unit per year and must make two semi-annual payments in advance – one prior to July 1 and a second prior to January 1 of each year.

Given the significant and rapid growth of unemployment due to the current pandemic emergency, property owners have indicated that their rental incomes have declined, in some instances significantly. Given this, the potentially large size of the bi-annual payments for solid waste service will potentially create a hardship for some landlords and could potentially increase the amount of solid waste inappropriately disposed of throughout our community.

To provide some assistance, we are proposing to allow monthly payments in advance for the months of July through December and payments equal to two months' charges for January through March of 2021.

Since the payment system is set by ordinance, the ordinance must be amended. Since the next payment is due prior to July 1, we are recommending that the ordinance be amended as an emergency measure so that it goes into effect immediately. Since an emergency ordinance expires after 61 days, we are also proposing a non-emergency amendment that appears separately on the agenda.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval.

EAB/kmm

REQUESTED ACTION:

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To hold a public hearing and give final approval to an **Emergency Ordinance**, Amending Sec. 62-13 (b) (2) of the Code of Ordinances Regarding the collection of solid waste and recycling materials from multiple unit apartment buildings.



COUNCIL ORDINANCE

Emergency Ordinance, Amending Sec. 62-13 (b) (2) of the Code of Ordinances Regarding the collection of solid waste and recycling materials from multiple unit apartment buildings.

Whereas, emergency restrictions established by the Governor of the State of Maine due to the current pandemic emergency have resulted in a widespread reduction of economic activity; and

Whereas, as a result, many residents have become unemployed or seen their income reduced; and

Whereas, as a result, some tenants of multi-unit residential buildings have had difficulty paying their rent; and

Whereas, this, in turn, impacts the ability of building owners to meet their financial and operational obligations; and

Whereas, some multi-unit buildings use the City's solid waste collection service, which currently requires semi-annual payments in advance of receiving the service; and

Whereas, such payment in advance may be difficult or impossible for some owners and the City desires to assist them by allowing a monthly payment option for a period of time;

Now, therefore, the City of Lewiston hereby ordains

That an emergency exists due to the effect of the current pandemic on the economy, the ability of tenants to pay their rents in a timely fashion, and the difficulty that the owners of multiple unit apartment buildings are facing in

meeting their financial obligations while maintaining safe and sanitary conditions on their properties. Given this, the following amendment to Section 62-13 (b) (2) of the Code of Ordinances shall become effective immediately upon its passage:

Section 62-13 (b) Collection of solid waste and recycling materials from commercial properties and multiple unit apartment buildings.

(2) Complete and submit an application fee to continue this service and receive approval from the city to continue this service. The city will provide service to these limited multiple unit apartment buildings on a fee-for-service basis. The amount of the fee will be reviewed and adjusted annually as needed based on the cost to provide service. Fees and fee adjustments will be published in the fee schedule filed with the city clerk pursuant to section 62-14 of this chapter. Fees will be billed semi-annually in advance. Failure to pay the fee and any outstanding violations/penalties, imposed by the city, on time will result in termination of the service to that property. Notwithstanding the preceding, for the period from July 1 2020 through July 30, 2021 the following will apply: building owners may convert the first semi-annual payment for the period beginning July 1, 2020 into monthly payments for the months of July 2020 through December 2020. The second semi-annual payment normally due in advance of January 1, 2021 may be paid in three monthly installments in advance, with each payment equal to one-third of the semi-annual payment amount. All amounts due for the year must be paid in full no later than April 30, 2021. Failure to make full payment by that date will result in termination of service to the property. This exception shall automatically be repealed as of May 1, 2021.

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

LEWISTON CITY COUNCIL

MEETING OF JUNE 2, 2020

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 5

SUBJECT: Ordinance, Amending Sec. 62-13 (b) (2) of the Code of Ordinances Regarding the collection of solid waste and recycling materials from multiple unit apartment buildings.

INFORMATION:

A number of multi-unit apartment buildings are enrolled in the City's solid waste and recycling collection and disposal program. The building's owners are responsible for paying for this service in the amount of \$170 per unit per year and must make two semi-annual payments in advance – one prior to July 1 and a second prior to January 1 of each year.

Given the significant and rapid growth of unemployment due to the current pandemic emergency, property owners have indicated that their rental incomes have declined, in some instances significantly. Given this, the potentially large size of the bi-annual payments for solid waste service will potentially create a hardship for some landlords and could potentially increase the amount of solid waste inappropriately disposed of throughout our community.

To provide some assistance, we are proposing to allow monthly payments in advance for the months of July through December and payments equal to two months' charges for January through March of 2021. A separate emergency version of this ordinance appears elsewhere on the agenda to ensure it takes effect prior to the payment due date. However, that ordinance is automatically repealed 61 days after enactment. As a result, a non-emergency version also must be adopted to ensure the entire period of payment relief is covered.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval.

EAS/kmm

REQUESTED ACTION:

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To hold a public hearing and approve first passage of an **Ordinance**, Amending Sec. 62-13 (b) (2) of the Code of Ordinances Regarding the collection of solid waste and recycling materials from multiple unit apartment buildings and to continue the public hearing to the next regularly scheduled Council meeting.



CITY OF LEWISTON, MAINE

June 2, 2020

COUNCIL ORDINANCE

Ordinance, Amending Sec. 62-13 (b) (2) of the Code of Ordinances Regarding the collection of solid waste and recycling materials from multiple unit apartment buildings.

Whereas, emergency restrictions established by the Governor of the State of Maine due to the current pandemic emergency have resulted in a widespread reduction of economic activity; and

Whereas, as a result, many residents have become unemployed or seen their income reduced; and

Whereas, as a result, some tenants of multi-unit residential buildings have had difficulty paying their rent; and

Whereas, this, in turn, impacts the ability of building owners to meet their financial and operational obligations; and

Whereas, some multi-unit buildings use the City's solid waste collection service, which currently requires semi-annual payments in advance of receiving the service; and

Whereas, such payment in advance may be difficult or impossible for some owners and the City desires to assist them by allowing a monthly payment option for a period of time;

Now, therefore, the City of Lewiston hereby ordains that

Section 62-13 (b) (2) of the Code of Ordinances is hereby amended as follows:

Section 62-13 (b) Collection of solid waste and recycling materials from commercial properties and multiple unit apartment buildings.

- (2) Complete and submit an application fee to continue this service and receive approval from the city to continue this service. The city will provide service to these limited multiple unit apartment buildings on a fee-for-service basis. The amount of the fee will be reviewed and adjusted annually as needed based on the cost to provide service. Fees and fee adjustments will be published in the fee schedule filed with the city clerk pursuant to section 62-14 of this chapter. Fees will be billed semi-annually in advance. Failure to pay the fee and any outstanding violations/penalties, imposed by the city, on time will result in termination of the service to that property. Notwithstanding the preceding, for the period from July 1 2020 through July 30, 2021 the following will apply: building owners may convert the first semi-annual payment for the period beginning July 1, 2020 into monthly payments for the months of July 2020 through December 2020. The second semi-annual payment normally due in advance of January 1, 2021 may be paid in three monthly installments in advance, with each payment equal to one-third of the semi-annual payment amount. All amounts due for the year must be paid in full no later than April 30, 2021. Failure to make full payment by that date will result in termination of service to the property. This exception shall automatically be repealed as of May 1, 2021.

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

LEWISTON CITY COUNCIL

MEETING OF JUNE 2, 2020

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 6

SUBJECT: Emergency Ordinance, Amending Section 22-36, Licenses denied; appeal, to Waive the Requirement that Business License Applicants are Current on All Amounts Owed the City.

INFORMATION:

By ordinance, the City will not issue or renew a business license if that business is 60 days or more in arrears of paying other amounts owed to the City such as property taxes. Given the current economic conditions, we recognize that many of our local businesses are struggling economically and some are just moving toward re-opening after a months' long closure. Given this, we are recommending that this requirement be suspended until April 30, 2021. This will hopefully provide these businesses with a window of time within which to become re-established and/or increase their incomes to the extent that they can more easily meet their obligations to the City.

Since business licenses must be renewed at various times throughout the year and given that we offered businesses that closed during the emergency the ability to delay license renewal until thirty days after the expiration of the emergency, we are recommending that this ordinance change be done on an emergency basis so that it will be in place as license renewals come due.

As an emergency, this ordinance will only be in effect for 61 days. As a result, the same ordinance appears as a non-emergency item so that a more permanent amendment will be in place when this emergency action expires.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends your approval.

EAS/KMM

REQUESTED ACTION:

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To approve the **Emergency Ordinance**, Amending Section 22-36, Licenses denied; appeal, to Waive the Requirement that Business License Applicants are Current on All Amounts Owed the City.



COUNCIL ORDER

Emergency Ordinance, Amending Section 22-36, Licenses denied; appeal, to Waive the Requirement that Business License Applicants are Current on All Amounts Owed the City.

Whereas, City ordinances currently require that no license or permit be issued to any person who is indebted to the city on any account that is 60 days delinquent; and

Whereas, as we approach the date on which additional businesses will be reopening, some will be required to renew their license to operate; and

Whereas, many of these businesses will have suffered economic hardship given the requirement that they close or reduce their operations due to the current pandemic emergency; and

Whereas, the City has determined that it is in the best interest of the City and these businesses to allow them to obtain the required operating license even if the City is owed other amounts such as overdue property taxes; and

Whereas, given the state of emergency and the significance of its economic fallout, it is necessary to adopt this amendment as an emergency in order to allow certain businesses to resume operation;

Now, therefore, the City of Lewiston Ordains that

an emergency exists due to the effect of the current pandemic on the economy, the ability of businesses to operate, and the difficulty that the owners of businesses are facing in meeting their financial obligations as they work to re-establish normal business operations. Given this, the following amendment to Section 22-36 (a) of the Code of Ordinances shall become effective immediately upon its passage:

Sec. 22-36. Licenses denied; appeal.

(a) No license or permit shall be issued by the city clerk following a hearing at which the city council has disapproved any application for such

license. The city clerk shall deny a license or permit to any person whose application was disapproved by any city official whose approval was required. No license or permit shall be issued to any person who is indebted to the city upon any claim, tax or account which is more than 60 days delinquent, except for the period from June 1, 2020 through April 30, 2021 during which time this requirement shall be waived. The city treasurer shall be responsible for making available to the city clerk and any other license-issuing officers such information as is essential for compliance with this section. In case an application is disapproved, the city clerk shall then notify the applicant in writing of such denial and shall refund the fee paid in. The city clerk shall also notify the city council of such action at the next regularly scheduled meeting of the city council.

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

LEWISTON CITY COUNCIL

MEETING OF JUNE 2, 2020

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 7

SUBJECT: Ordinance, Amending Section 22-36, Licenses denied; appeal, to Waive the Requirement that Business License Applicants are Current on All Amounts Owed the City.

INFORMATION:

By ordinance, the City will not issue or renew a business license if that business is 60 days or more in arrears of paying other amounts owed to the City such as property taxes. Given the current economic conditions, we recognize that many of our local businesses are struggling economically and some are just moving toward re-opening after a months' long closure. Given this, we are recommending that this requirement be suspended until April 30, 2021. This will hopefully provide these businesses with a window of time within which to become re-established and/or increase their incomes to the extent that they can more easily meet their obligations to the City.

Since business licenses must be renewed at various times throughout the year and given that we offered businesses that closed during the emergency the ability to delay license renewal until thirty days after the expiration of the emergency, we are recommending that this ordinance amendment be done and continue until April 1, 2021, by which time we hope most businesses will be improving economically.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends your approval.

EAB/10mm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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To hold a public hearing and approve first reading of an **Ordinance**, Amending Section 22-36, Licenses denied; appeal, to Waive the Requirement that Business License Applicants are Current on All Amounts Owed the City and to continue the public hearing to the next regular City Council meeting.



COUNCIL ORDINANCE

Ordinance, Amending Section 22-36, Licenses denied; appeal, to Waive the Requirement that Business License Applicants are Current on All Amounts Owed the City.

Whereas, City ordinances currently require that no license or permit be issued to any person who is indebted to the city on any account that is 60 days delinquent; and

Whereas, as we approach the date on which additional businesses will be reopening, some will be required to renew their license to operate; and

Whereas, many of these businesses will have suffered economic hardship given the requirement that they close or reduce their operations due to the current pandemic emergency; and

Whereas, the City has determined that it is in the best interest of the City and these businesses to allow them to obtain the required operating license even if the City is owed other amounts such as overdue property taxes;

Now, therefore, the City of Lewiston Ordains that

Section 22-36 (a) of the Code of Ordinances is hereby amended as follows:

Sec. 22-36. Licenses denied; appeal.

(a) No license or permit shall be issued by the city clerk following a hearing at which the city council has disapproved any application for such license. The city clerk shall deny a license or permit to any person whose application was disapproved by any city official whose approval was required. No license or permit shall be issued to any person who is indebted to the city upon any claim, tax or account which is more than 60 days delinquent, except for the period from June 1, 2020 through March 31, 2021 during which time this requirement shall be waived. The city treasurer shall be responsible for making available to the city clerk and any other license-issuing officers such information as is essential for compliance with this section. In case an application is disapproved, the

city clerk shall then notify the applicant in writing of such denial and shall refund the fee paid in. The city clerk shall also notify the city council of such action at the next regularly scheduled meeting of the city council. This amendment shall automatically be repealed as of April 1, 2020.

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

LEWISTON CITY COUNCIL

MEETING OF June 2, 2020

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 8

SUBJECT: **Resolve,** Adopting the Local Foods, Local Places Plan

INFORMATION:

The Good Food Council of Lewiston-Auburn, with assistance from a US Environmental Protection Agency Technical Assistance Grant and input from numerous stakeholders, has developed a Local Foods, Local Places Action Plan. It serves as a road map for Lewiston-Auburn as our region grows and strengthens the local food system and economy. It captures the local food vision of the approximately 80+ attendees to the LFLP events held on October 22 and 23, 2019 and sets out sixteen action steps that — along with numerous individual, business, organizational, and municipal commitments — aim to fulfill the following goals:

- Strengthen access to local food while expanding market opportunities and infrastructure for farm and food businesses.
- Integrate local food and agriculture into city planning and economic development strategies.
- Build food and agriculture as a defining brand for Lewiston-Auburn.
- Increase equitable access, ownership, and preservation of land to grow food in Lewiston-Auburn.

This plan was recently presented to the City Council at a workshop where it was well received.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

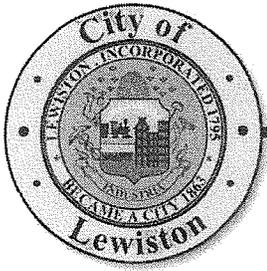
The City Administrator recommends approval.

EARB/kmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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To approve the **Resolve,** Adopting the Local Foods, Local Places Plan



CITY OF LEWISTON, MAINE

June 2, 2020

COUNCIL RESOLVE

Resolve, Adopting the Local Foods, Local Places Plan

WHEREAS, the Lewiston community is seeking enhanced economic opportunities through strengthening access to local food while expanding market opportunities and infrastructure for farm and food businesses; and

WHEREAS, our residents, especially those facing economic challenges, also need enhanced access to healthy, local food; and

WHEREAS, the availability of healthy and locally produced food contributes to our economy and adds to the amenities offered by our community, assisting in the growth and vitality of our downtown and neighborhoods; and

WHEREAS, the City was granted professional technical assistance through the Environmental Protection Agency's Local Foods, Local Places Program to address the above listed needs and develop this plan; and

WHEREAS, a large group of local stakeholders, including representatives of the City and the Good Food Council of Lewiston-Auburn, devoted time and effort to develop a plan which promotes both the provision of healthy produce and local products to our community and enhancing our local economy; and

Whereas, it is important that the City formally support this plan to ensure that its recommendations are pursued and implemented and that local food and agriculture is integrated into city planning and economic development strategies;

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

The Local Foods, Local Places (LFLP) Action Plan developed with the technical assistance of the United States Department of Environmental Protection and through the efforts of community stakeholders including the Good Food Council of Lewiston-Auburn is hereby accepted and adopted and staff is directed to work to implement those recommendations within the plan specific to Lewiston City Government.



LOCAL FOODS LOCAL PLACES

BRINGING THE LFLP COMMUNITY
ACTION PLAN TO LIFE

Background of Local Foods Local Places Technical Assistance Program

LOCAL FOODS LOCAL PLACES NATIONAL AND LOCAL

- **What it is:** National Technical Assistance Program
- **Sponsors:** USDA, EPA, NRBC
- **Purpose:** Support communities as they develop vibrant local a food system and economy
- **Spring 2019:** St. Mary's Nutrition Center selected for LFLP
- **Fall 2019:** LFLP Community Conversation & Workshop
- **Winter 2019:** Lewiston-Auburn LFLP Action Plan Finalized
- **Spring 2020:** Lewiston-Auburn LFLP Plan Launch



Background of Local Foods Local Places Technical Assistance Program

LFLP COMMUNITY CONVERSATION & WORKSHOP

- 2 Day Community Conversation & Workshop
- Planned & executed by steering committee of local stakeholders and LFLP TA Team
- 80+ attendees across sectors – municipal, business, agricultural



Leading Up to LFLP Process: Learning from Past Efforts, Seizing a Moment in Time

RICH HISTORY OF VIBRANT DOWNTOWNS & FARMS



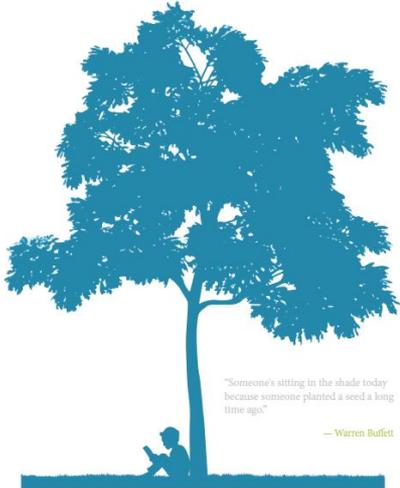
Bell Farms, Auburn



Lisbon Street, Lewiston

Leading Up to LFLP Process: Learning from Past Efforts, Seizing a Moment in Time

MUNICIPAL & COMMUNITY DRIVEN PLANNING EFFORTS



"Someone's sitting in the shade today because someone planted a seed a long time ago."

— Warren Buffett

Final Draft | Adopted January 17, 2017



Legacy|Lewiston
City of Lewiston Comprehensive Plan

GROWING OUR TREE STREETS

GOAL 1 LEAD-FREE

1

GROW A HEALTHY FUTURE THROUGH A HOLISTIC LEAD-FREE LEWISTON EFFORT ROOTED IN THE TREE STREETS

Summary of Opportunities & Issues

The presence of lead is pervasive in our homes, and its health consequences are well-documented and well-understood. Despite the lead-free neighborhood initiatives that have been implemented, lead remains a significant public health concern in our community.

Key Strategies

- Conduct lead testing in homes that are at least 10 years old.
- Address lead in public buildings by developing a lead abatement program for public buildings.

GOAL 4 HOUSING

4

GROW AN INVENTORY OF HEALTHY HOUSING AND OFFER HOUSING CHOICES FOR ALL

Summary of Opportunities & Issues

The shortage of affordable housing in Lewiston is a significant public health and social justice issue. The current housing market is characterized by a high concentration of rental units, a lack of ownership opportunities, and a high cost of housing.

Key Strategies

- Increase the number of affordable housing units in the community.
- Encourage the development of rental units.

GOAL 7 YOUTH

7

GROW OUR TREE STREETS INTO A FUN, SAFE & NURTURING ENVIRONMENT FOR OUR YOUTH

Summary of Opportunities & Issues

The Tree Streets program has been successful in providing a safe and fun environment for children. However, there are still many opportunities to expand the program and provide more resources for children.

Key Strategies

- Expand the program to other neighborhoods.
- Provide more resources for children.

GOAL 2 CLEAN & SAFE

2

GROW A NEW NARRATIVE FOR THE TREE STREETS AS A SAFE AND BEAUTIFUL NEIGHBORHOOD

Summary of Opportunities & Issues

The narrative surrounding the Tree Streets program is often one of safety and health. However, there are still many opportunities to expand the program and provide more resources for children.

Key Strategies

- Expand the program to other neighborhoods.
- Provide more resources for children.

GOAL 5 OVERSEER

5

GROW COMMITMENT TO AND INFLUENCE IN THE NEIGHBORHOOD FROM LOCAL OWNERS, LONG-TERM INVESTORS, AND RESIDENTS

Summary of Opportunities & Issues

The Tree Streets program has been successful in providing a safe and fun environment for children. However, there are still many opportunities to expand the program and provide more resources for children.

Key Strategies

- Increase the number of local owners and investors.
- Encourage the development of rental units.

GOAL 8 LEARNING

8

GROW INDIVIDUAL EDUCATION OUTCOMES

Summary of Opportunities & Issues

The Tree Streets program has been successful in providing a safe and fun environment for children. However, there are still many opportunities to expand the program and provide more resources for children.

Key Strategies

- Expand the program to other neighborhoods.
- Provide more resources for children.

GOAL 3 MULTICULTURAL

3

GROW THE INCLUSIVENESS OF OUR COMMUNITY BY INCREASING TRUST AND RELATIONSHIPS ACROSS CULTURES

Summary of Opportunities & Issues

The Tree Streets program has been successful in providing a safe and fun environment for children. However, there are still many opportunities to expand the program and provide more resources for children.

Key Strategies

- Expand the program to other neighborhoods.
- Provide more resources for children.

GOAL 6 HEALTH & WELLNESS

6

GROW AN ENVIRONMENT THAT SUPPORTS HEALTH AND WELLNESS AMONG COMMUNITY MEMBERS

Summary of Opportunities & Issues

The Tree Streets program has been successful in providing a safe and fun environment for children. However, there are still many opportunities to expand the program and provide more resources for children.

Key Strategies

- Increase the number of local owners and investors.
- Encourage the development of rental units.

GOAL 9 ECONOMIC DEVELOPMENT

9

GROW PATHWAYS TO THRIVE AND ECONOMIC MOBILITY FOR ALL

Summary of Opportunities & Issues

The Tree Streets program has been successful in providing a safe and fun environment for children. However, there are still many opportunities to expand the program and provide more resources for children.

Key Strategies

- Expand the program to other neighborhoods.
- Provide more resources for children.

Leading Up to LFLP Process: Learning from Past Efforts, Seizing a Moment in Time

LOCAL FARM & FOOD COMMUNITY PLANNING EFFORTS

COMMUNITY FOOD ASSESSMENT

LEWISTON, MAINE 2013



L-A Community Food Charter



Become a Food Charter Champion!

goodfood4la.org

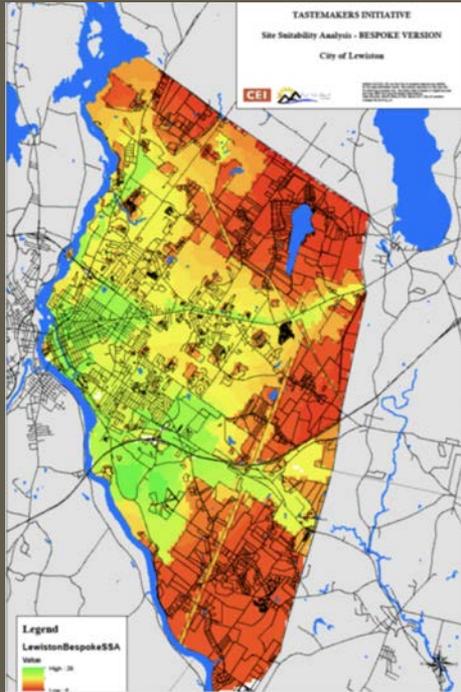
LA REGION FARMLAND ACCESS & FOOD ECONOMY CONFERENCE



FOR LEWISTON-AUBURN (LA) REGION FARM SEEKERS, RETIRING FARMERS, LAND OWNERS, SERVICE PROVIDERS, CITY/TOWN OFFICIALS, STAFF, & ECONOMIC DEVELOPMENT PROFESSIONALS.

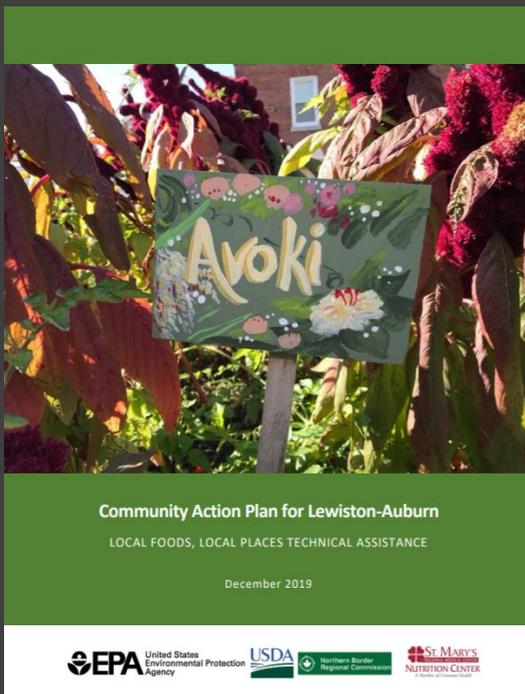
THURSDAY, MARCH 7, 2019, 8:00 AM - 12:30 PM
AUBURN SENIOR CENTER, 48 PETTENGILL PARK, AUBURN
FOR MORE INFO AND TO REGISTER: WWW.GOODFOOD4LA.ORG

COMMUNITY ASSETS AND OPPORTUNITIES



- **Diversity of Farms:** Small and medium farms within 10 miles of urban core
- **Base of Farmers:** Growing community of beginner and seasoned farmers
- **Downtown Revitalization:** Existing and potential reinvestment in downtown and main streets
- **Strategic Location:** 60% of the state's population lives and works within a 30 mile radius, largest business center in the state

OVERVIEW OF LFLP COMMUNITY ACTION PLAN



LFLP ACTION PLAN SERVES AS A(N):

- **RECORD:** of a community planning process
- **VISION:** of what makes a robust regional food system
- **ROAD MAP:** to help grow and strengthen local food & farms
- **OPPORTUNITY:** to align and coordinate efforts and initiatives
- **TOOL:** to advocate and leverage funding + other resources
(see Appendix E - Funding)

Enacting the Plan: Building Upon the Foundation and Continuing Momentum

LFLP COMMUNITY ACTION PLAN GOALS



GOAL 1: Strengthen access to local food while expanding market opportunities and infrastructure for farm and food businesses.

Enacting the Plan: Building Upon the Foundation and Continuing Momentum

LFLP COMMUNITY ACTION PLAN GOALS



GOAL 2: Integrate local food and agriculture into city planning and economic development strategies.

Enacting the Plan: Building Upon the Foundation and Continuing Momentum

LFLP COMMUNITY ACTION PLAN GOALS



GOAL 3: Build food and agriculture as a defining brand identity for Lewiston-Auburn.

Enacting the Plan: Building Upon the Foundation and Continuing Momentum

LFLP COMMUNITY ACTION PLAN GOALS



Photo: New Roots Coop Farm; Credit: Maine Farmland Trust

GOAL 4: Increase equitable access, ownership, and preservation of land to grow food in Lewiston-Auburn.

Enacting the Plan: Continuing the Momentum and Building Upon the Foundation

KEY LFLP ACTIONS FOR CITY PARTICIPATION



Action	Page #	Leads	Status
2.3 - Pass urban agriculture ordinances in Auburn & Lewiston	18	Good Food Council of LA, Shelley Norton, AVCOG, & Jesse Tannenbaum, Eli's Homestead	In early stages
2.4 - Develop a regional economic growth strategy to support agricultural production, processing, and distribution to grow the agriculture sector and bring new business and jobs (e.g. new farmers).	19	Shanna Cox and Scott Benson, LA Metro Chamber	In early stages
2.1 - Pass the Food Sovereignty Act in Lewiston	16	Jesse Tannenbaum; Good Food Council of LA	In early stages

Municipal Engagement and Support of Local Foods Local Places Action Plan

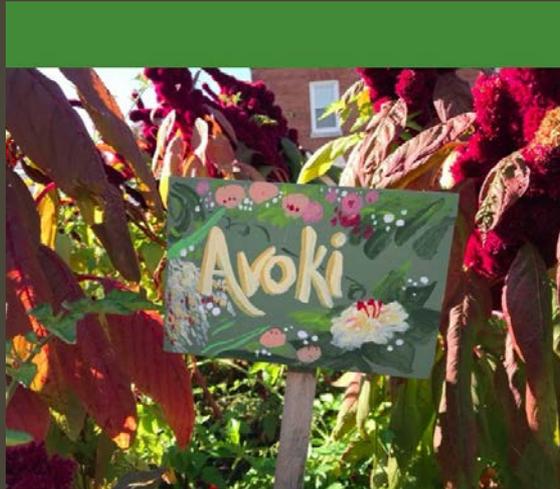
ALIGNED EFFORTS BY THE CITY OF LEWISTON



- Legacy Lewiston Comprehensive Plan, Food Goals
- Choice Neighborhood Transformation Plan, Nutritious Food Access Strategies
- Lewiston Farmers' Market
- Community Garden Ordinance

Municipal Engagement and Support of Local Foods Local Places Action Plan

REQUESTED ACTIONS



Community Action Plan for Lewiston-Auburn

LOCAL FOODS, LOCAL PLACES TECHNICAL ASSISTANCE

December 2019



United States
Environmental Protection
Agency



USDA
Western Border
Regional Committee



St. Mary's
NUTRITION CENTER
A Division of St. Mary's Hospital

- 1. Adopt the Local Foods, Local Places (LFLP) Plan**
 - a. Created by a community-driven process,
 - b. Alignment with the LA Community Food Charter,
 - c. Investment into local food will result in increased food security and expansion of the local economy;
- 2. Advocate for the Plan**
 - a. Encourage city residents, officials, locally based businesses and organizations to engage and help further the Plan

Municipal Engagement and Support of Local Foods Local Places Action Plan

Questions/Comments



Julia Harper, Coordinator, Good Food Council of
Lewiston-Auburn

goodfood4la@gmail.com | 207-464-4800

Sherie Blumenthal, Manager, Community
Programs, St. Mary's Nutrition Center

SBlumenthal@stmarysmaine.com | 207-513-3845

LEWISTON CITY COUNCIL

MEETING OF JUNE 2, 2020

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 9

SUBJECT: Resolve, Adopting City Goals and Priorities for 2020-2021.

INFORMATION:

Shortly after each municipal election, the elected officials engage in a day long planning session to assist them in identifying the goals and priorities that they wish to pursue during their term. This year, the session was held in late February, after which a summary of the discussion and work was developed and provided to the City Council for review at several workshops. Based on that review, the Council identified two goals as of primary importance: economic development and community safety. The summary has been adjusted to reflect this.

Since the planning session, the requirements of the current pandemic emergency have clearly taken precedence. However, it is essential that the Council also focus on longer term efforts and that the goals and priorities outlined in February remain at the forefront of Council and staff efforts. Toward that end, the Council should take formal action to adopt these goals and priorities.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

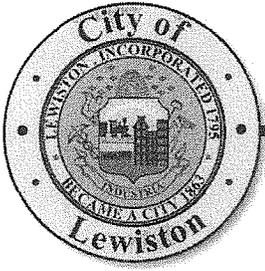
The City Administrator recommends approval of the requested action.

EA Bickman

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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To approve the Resolve, Adopting City Goals and Priorities for 2020-2021.



CITY OF LEWISTON, MAINE

June 2, 2020

COUNCIL RESOLVE

Resolve, Adopting City Goals and Priorities for 2020-2021.

Whereas, shortly after each municipal election, the elected officials engage in a day long planning session to assist them in identifying the goals and priorities that they wish to pursue during their term; and

Whereas, this year's newly elected officials conducted such a session in February of this year; and

Whereas, a summary of that work was subsequently developed and reviewed by the City Council during several workshop sessions; and

Whereas, in spite of the requirements of the current pandemic emergency, it is essential that the Council also focus on longer term efforts and that the goals and priorities outlined in February remain at the forefront of the Council and staff's efforts;

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

The attached City Goals and Priorities for 2020-2021 are hereby adopted with the intent that they guide the overall efforts of the Council and city staff throughout the term of the current municipal officials.

City Council Goals and Priorities for 2020 and 2021

A) Economic Development

- Sustainable Local Economy – Support Local Small Businesses such as Niche Restaurants, Retail, and Night Life Offerings Appealing to Younger Residents;
- Review Zoning Ordinances and Regulatory Processes to Ensure Lewiston is a Community that Works to Find Ways to Say Yes to Projects;
- Review Vacant Parcels to Understand Where Development is Possible and What Type of Development These Properties will Support;
- Support Technical Education;
- Support CMP Corridor.

B) Community Safety

- Develop Policing Plan for Community;
- Target Policing- violence, prostitution, drug dealing with flexibility;
- Enhanced Police Presence through Periodic Walking Beat, Bikes, officers Interacting with Residents.

C) Housing

- Study Local Housing Availability to Determine Gaps and Needs;
- Provide Housing Committee Direction;
- Expand Housing Options at all levels, Including Housing for Young Professionals and Seniors;
- Work to Increase New Mainer Residential Ownership;
- Develop a Plan for the Homeless Population and Enhance Shelter Availability;
- Support Choice Neighborhood Effort for the Tree Streets.

D) Relationships

- Continue to Build Relationship with School Committee
 - Increase Meetings with School Committee;
 - Understanding the Issues and Challenges the Council and School Committee are Facing;
 - Work together on long term Capital Needs;
- Immigration/Refugee relationships with the City;
- Education of New Mainer Community.

E) Infrastructure

- Creatively Address Budget Restraints for Road and Sidewalk Improvements;
- Continue review/improvements of City Facilities (PW, City Hall);
- Explore Need for Year Round Indoor Recreation Facility;
- Research and Implement Green Infrastructure (e.g., Green Parking Lots);
- Review Second Water line from Lake Auburn.

F) Place Making

- Become a Community of Choice to Grow our Population (Walkability; Mixed Use Neighborhoods; Public Transit; Community Safety; and Arts Friendly);
- Be an Age Friendly Community - "youngest to oldest and all in between;"
- Emphasize Quality of Life;
- Enhance Recreational Improvements;
- Continue Riverfront Island Success and Momentum.
- Implement Communications/Marketing Plan Focused on Place Making.

G) Governmental Services

- Increase Constituent Meetings;
- Review City Hall Hours;
- Work to have less paper for Meeting Agendas;
- Continue Technology Upgrades;
- Improve ways to provide city information to all residents – Communications Plan;
- Review City's Environmental Sustainability & Carbon Foot Print;
- Parking Management.

H) Employees

- Review benefits for all employees for retention and hiring.

I) Committees

- Review all Committees with report on why they exist, responsibilities, make up, and who staffs them.

LEWISTON CITY COUNCIL

MEETING OF JUNE 2, 2020

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 10

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 21st at 7:00pm and the August meeting be held on Tuesday, August 18th 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 21st at 7:00pm and to hold only one regular meeting during the month of August, said meeting to be held on Tuesday, August 18th at 7:00pm.

LEWISTON CITY COUNCIL

MEETING OF JUNE 2, 2020

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 11

SUBJECT:

Appointment of a member to the Public Health Committee.

INFORMATION:

The Public Health Committee is recommending the appointment of a new member to the committee to fill the vacancy due to the unexpected passing of a committee member.

The Public Health Committee has voted to endorse the appointment of:

John L. Alexander, MD for a term to expire January 3, 2023.

Dr. Alexander has been employed at Central Maine Healthcare as the System Chief Quality Officer since 2018.

Approval is requested.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

Appointments to Boards and Committees are a policy decision of the Council.

EA/B/kmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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To appoint the following member to the Lewiston Auburn Public Health Committee:

Dr. John Alexander - area resident seat – term to expire January 3, 2023