

CITY OF LEWISTON

CITY COUNCIL

MAY 1, 2012

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

THE HONORABLE ROBERT E. MACDONALD, MAYOR, PRESIDING.

PRESENT: Mayor Macdonald, Councilors Butler, D'Auteuil, Libby, Christ, Saddlemire, Cayer and Desjardins, City Administrator Edward Barrett, and City Clerk Kathleen Montejo.

Pledge of Allegiance to the Flag.

Moment of Silence.

MAYOR'S PROCLAMATION HONORING DOUG AND SONIA TAYLOR – SPIRIT OF AMERICA FOUNDATION AWARD

Mayor Macdonald presented a Spirit of America Foundation award to Doug and Sonia Taylor for their volunteer work with The Jesus Party, an inner city youth ministry.

UPDATE FROM THE LEWISTON YOUTH ADVISORY COUNCIL

Kenzi Masselli updated the Council on their work with renovating Pierce Street Park. They are spearheading a fundraising effort to improve the park and they are working on recycling awareness in the downtown area.

PUBLIC COMMENT PERIOD

No members of the public offered comments at this time period.

AUTHORIZATION TO ACCEPT TRANSFER OF FORFEITURE FUNDS

VOTE (114-2012)

Motion by Councilor Butler, seconded by Councilor Saddlemire:

That pursuant to Title 15, Maine Revised Statutes Annotated, Section 5824(3) and Section 5822(4)(A), the City Council hereby acknowledges and approves of the transfer 40%, less administrative fees, of \$1,893 or any portion thereof, in the case of the US Department of Justice Drug Enforcement Administration vs. Mark Hancock, case reference CE-12-0016, 12-DEA-563252; the transfer 40%, less administrative fees, of \$1,712 or any portion thereof, in the case of the US Department of Justice Drug Enforcement Administration vs. Crystal Macia, case reference CE-12-0016, 12-DEA-563173; and the transfer of 13.33%, less administrative fees, of \$3,300 or any portion thereof, in the case of the US Department of Justice Drug Enforcement Administration vs. Brett Gray, case reference CE-10-0017, 12-DEA-562210. Being funds forfeited pursuant to court process. It is further acknowledged that these funds shall be credited to the 'City of Lewiston Drug Enforcement Program'.

Passed - Vote 7-0

ORDER AUTHORIZING THE CITY ADMINISTRATOR TO SUBMIT THREE NEW FREEDOM GRANT APPLICATIONS TO THE MAINE DEPARTMENT OF TRANSPORTATION

VOTE (115-2012)

Motion by Councilor Butler, seconded by Councilor Saddlemire:

To approve the Order authorizing the City Administrator to submit three New Freedom Program Grant applications to the Maine Department of Transportation:

Whereas, the Maine DOT recently announced a New Freedom Program Grant Application to Improve Access to Transit; and

Whereas, the eligibility of projects to be built this year includes:

- 1) Municipality must have year-round fixed route transit service,
- 2) Project must be on municipal or state-owned property , and
- 3) Project will enhance or improve access for individuals with disabilities to use fixed route transit; and

Whereas, the capital costs of the projects will be 100% funded from Maine DOT resources; and

Whereas, the City developed three sidewalk projects near and adjacent to the Bus Station located near Park St, Oak St and Bates St including:

- 1) \$48,100 Park Street Sidewalk (Oak to Ash), to reset sidewalk pavers, 7 handicap accessible ramps

Passed - Vote 7-0

APPROVAL OF THE ELECTION WARRANT CALLING FOR A SPECIAL MUNICIPAL ELECTION TO BE ON TUESDAY, MAY 15, 2012 FOR THE SCHOOL BUDGET VALIDATION REFERENDUM AND RECOMMENDATIONS FROM THE CITY CLERK/REGISTRAR OF VOTERS ON ACTIONS NECESSARY TO CONDUCT SAID ELECTION

VOTE (116-2012)

Motion by Councilor Butler, seconded by Councilor Saddlemire:

Be It Ordered by the City Council that the Election Warrant be issued for the Special Municipal Election to be held on Tuesday, May 15, 2012 for the purpose of voting for the School Budget Validation Referendum, and to approve the following recommendations from the City Clerk/Registrar of Voters on actions necessary to conduct the Special Municipal Election :

- A. That the hours for acceptance of registrations in person only, prior to the May 15th election, as required by MRSA Title 21A, sec. 122, 6A(2), be set at 8:00am to 4:30pm, April 25 through May 14, 2012.
- B. That the names of those persons who register during the closed session for registration shall be recorded in accordance with MRSA Title 21A, sec. 122, subsec. 7B.

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

D. To appoint the City Clerk as the City's Election Warden and the Deputy Registrar of Voters as the City's Ward Clerk, for the May 15 election.

Passed - Vote 7-0

PUBLIC HEARING ON THE RENEWAL APPLICATION FOR A SPECIAL AMUSEMENT PERMIT FOR THE GRIDIRON RESTAURANT, 1567 LISBON STREET

Mayor Macdonald opened the public hearing to receive citizen input and comment. No members of the public addressed the Council at this time. Mayor Macdonald then closed the hearing.

VOTE (117-2012)

Motion by Councilor Libby, seconded by Councilor Christ:

To grant a Special Amusement permit for live entertainment to The Gridiron Restaurant, 1567 Lisbon Street. Passed - Vote 7-0

PUBLIC HEARING AND ADOPTION OF THE RESOLVE REGARDING THE FY2012 COMMUNITY DEVELOPMENT BLOCK GRANT ACTION PLAN BUDGET FOR SUBMITTAL TO THE US DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Mayor Macdonald opened the public hearing to receive citizen input and comment. No members of the public addressed the Council at this time. Mayor Macdonald then closed the hearing.

VOTE (118-2012)

Motion by Councilor Butler, seconded by Councilor Libby:

To adopt the Resolve approving the FY2012 Community Development Block Grant Action Plan budget for submittal to the U.S. Department of Housing and Community Development:

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

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

Whereas, HUD requires that final local acceptance of the CDBG Action Plan budget take effect a minimum of 45 days prior to the end of this fiscal year, which occurs on June 30, 2012;

Now, Therefore, Be It Resolved by the City Council of the City of Lewiston that the schedule of funds for the Federal Fiscal Year 2011 (FY11) CDBG budget (Action Plan) is hereby adopted and City staff are hereby authorized to submit the FY2012 Action Plan to the U.S. Department of Housing and Urban Development as adopted.

Be it further Resolved that the amount of \$8,755, which is the current estimate of the amount the Action Plan is under the projected allocation, shall be carried as a contingency against any shortfall in projected program income. If no such shortfall is experienced, this amount shall be used for property acquisition and demolition. Passed - Vote 6-1 (Councilor Cayer opposed)

**ADOPTION OF BUDGET ARTICLES ON SCHOOL FUNDING FOR THE PERIOD
JULY 1, 2012 TO JUNE 30, 2013**

VOTE (119-2012)

Motion by Councilor Cayer, seconded by Councilor D'Auteuil:

To authorize the Lewiston School Committee to expend \$20,579,790 for Regular Instruction for the fiscal year beginning July 1, 2012 and ending June 30, 2013. Passed - Vote 7-0

VOTE (120-2012)

Motion by Councilor Cayer, seconded by Councilor D'Auteuil:

To authorize the Lewiston School Committee to expend \$12,238,877 for Special Education for the fiscal year beginning July 1, 2012 and ending June 30, 2013. Passed - Vote 7-0

VOTE (121-2012)

Motion by Councilor Cayer, seconded by Councilor D'Auteuil:

To authorize the Lewiston School Committee to expend \$2,889,065 for Career and Technical Education for the fiscal year beginning July 1, 2012 and ending June 30, 2013.
Passed - Vote 7-0

VOTE (122-2012)

Motion by Councilor Cayer, seconded by Councilor D'Auteuil:

To authorize the Lewiston School Committee to expend \$782,526 for Other Instruction, including Summer School and Extracurricular Instruction for the fiscal year beginning July 1, 2012 and ending June 30, 2013. Passed - Vote 7-0

VOTE (123-2012)

Motion by Councilor Cayer, seconded by Councilor D'Auteuil:

To authorize the Lewiston School Committee to expend \$3,004,449 for Student and Staff Support for the fiscal year beginning July 1, 2012 and ending June 30, 2013.
Passed - Vote 7-0

VOTE (124-2012)

Motion by Councilor Cayer, seconded by Councilor D'Auteuil:

To authorize the Lewiston School Committee to expend \$1,066,200 for System Administration for the fiscal year beginning July 1, 2012 and ending June 30, 2013. Passed - Vote 7-0

VOTE (125-2012)

Motion by Councilor Cayer, seconded by Councilor D'Auteuil:

To authorize the Lewiston School Committee to expend \$2,363,426 for School Administration for the fiscal year beginning July 1, 2012 and ending June 30, 2013. Passed - Vote 7-0

VOTE (126-2012)

Motion by Councilor Cayer, seconded by Councilor D'Auteuil:

To authorize the Lewiston School Committee to expend \$2,519,230 for Transportation and Buses for the fiscal year beginning July 1, 2012 and ending June 30, 2013.
Passed - Vote 7-0

VOTE (127-2012)

Motion by Councilor Cayer, seconded by Councilor D'Auteuil:

To authorize the Lewiston School Committee to expend \$5,303,880 for Facilities Maintenance for the fiscal year beginning July 1, 2012 and ending June 30, 2013. Passed - Vote 7-0

VOTE (128-2012)

Motion by Councilor Cayer, seconded by Councilor D'Auteuil:

To authorize the Lewiston School Committee to expend \$2,837,424 for Debt Service and Other Commitments for the fiscal year beginning July 1, 2012 and ending June 30, 2013.
Passed - Vote 7-0

VOTE (129-2012)

Motion by Councilor Cayer, seconded by Councilor D'Auteuil:

To authorize the Lewiston School Committee to expend \$300,000 for All Other Expenditures for the fiscal year beginning July 1, 2012 and ending June 30, 2013. Passed - Vote 7-0

VOTE (130-2012)

Motion by Councilor Cayer, seconded by Councilor D'Auteuil:

To see what sum the City will appropriate for the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act (Recommend \$54,436,428) and to see what sum the City will raise as the City's contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act in accordance with the Maine Revised Statutes, Title 20-A, §15688.

Statutory Recommendation \$17,950,382

School Committee Recommendation \$15,919,904

Explanation: The City's contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act is the amount of money determined by state law to be the minimum amount that the City must raise in order to receive the full amount of state dollars. Note: Per PL2009, Chapter 571, the amount recommended by the school committee as the required local share for the FY2012-2013 budget may be no less than 83.14% of the Title 20-A, Section 15688 amount, in order to receive the full amount of State subsidy.

Passed - Vote 7-0

VOTE (131-2012)

Motion by Councilor Cayer, seconded by Councilor D'Auteuil:

To appropriate the sum of \$300,465 for the annual payments on debt service previously approved by the City Council for non-state-funded school construction projects or non-state-funded portions of school construction projects in addition to the funds appropriated as the local share of the City's contribution to the total cost of funding public education from kindergarten to grade 12.

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

Passed - Vote 7-0

VOTE (132-2012)

Motion by Councilor Cayer, seconded by Councilor D'Auteuil:

To raise and appropriate the sum of \$0 in additional local funds for school purposes under Maine Revised Statutes, Title 20-A, section 15690.

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

Passed - Vote 7-0

VOTE (133-2012)

Motion by Councilor Cayer, seconded by Councilor D'Auteuil:

To authorize the Lewiston School Committee to expend the sum of \$53,884,867 for the fiscal year beginning July 1, 2012 and ending June 30, 2013 from the City’s contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act, non-state-funded school construction projects, additional local funds for school purposes under the Maine Revised Statutes, Title 20-A, section 15690, unexpended balances, tuition receipts, state subsidy and other receipts for the support of schools.
Passed - Vote 7-0

VOTE (134-2012)

Motion by Councilor Cayer, seconded by Councilor D’Auteuil:

To authorize the Lewiston School Committee to expend additional State, Federal and other funds received during the fiscal year 2012-2013 for school purposes, provided that such additional funds do not require the expenditure of local funds not previously appropriated.
Passed - Vote 7-0

VOTE (135-2012)

Motion by Councilor Cayer, seconded by Councilor D’Auteuil:

To authorize the Lewiston School Committee to accept the categories of funds listed below as provided by the Maine State Legislature:

CATEGORY	ESTIMATED AMOUNT
Title I A Disadvantaged	\$2,217,708
Title IIA Teacher Quality	\$ 355,778
Title III ELL	\$ 130,410
Local Entitlement, Part 1 School Age and Part 2, Preschool Age	\$1,314,554
Carl D. Perkins Vocational and Applied Technology Education Act of 1990	\$ 205,281
Adult Basic Education	\$ 100,000
Adult Ed Civics Grant	\$ 34,958
Refugees Impact Grant	<u>\$ 41,944</u>
TOTAL	\$4,400,633

Passed - Vote 7-0

VOTE (136-2012)

Motion by Councilor Cayer, seconded by Councilor D’Auteuil:

To appropriate the sum of \$629,897 for adult education for the fiscal year beginning July 1, 2012, and ending June 30, 2013, and to raise the sum of \$420,862 as the local share for adult education, with authorization to expend any additional incidental or miscellaneous receipts in the interest and for the well-being of the adult education program. Passed - Vote 7-0

BUDGET RECOMMENDATIONS FROM THE FINANCE COMMITTEE REGARDING THE PROPOSED FISCAL YEAR 2013 BUDGET

VOTE (137-2012)

Motion by Councilor Butler, seconded by Councilor Christ:

To receive and review the recommendation from the Finance Committee regarding the proposed Fiscal Year 2013 Budget. Passed - Vote 7-0

**FINAL BUDGET PUBLIC HEARING FOR THE FISCAL YEAR 2013
MUNICIPAL BUDGET**

Mayor Macdonald opened the public hearing to receive citizen input and comment on the budget. The City Administrator reviewed highlights of the budget – initial budget presented in mid-March contained a nineteen cent increase to the mil rate but after several months of bi-weekly meetings the Council made adjustments so there will be no tax increase; this budget maintains the current levels of service and reduces city debt plus addresses previously deferred capital needs such as road paving; there is an increase in the general assistance accounts due to the state shift from the state covering various expenses to now the city will need to cover; the state legislature is back in session next week so staff will be monitoring their actions for any addition budgetary impacts; there is no change to water and sewer rates but stormwater will increase by \$6/year. Mr. Barrett complimented the City Council on their dedication to the process and thanked staff for their hard work to hold down the tax rate, noting the Finance Director did an outstanding job.

Mr. Poussard, coach at Lewiston Middle School, requested funding for lighting improvements on the field behind the school. He will be in touch with the Recreation Director.

**RESOLVE APPROVING THE FINAL ADJUSTMENTS TO THE FISCAL YEAR 2013
MUNICIPAL BUDGET**

VOTE (138-2012)

Motion by Councilor Butler, seconded by Councilor Christ:

To adopt the Resolve approving the final adjustments to the Fiscal year 2013 Municipal Budget:

Whereas, in accordance with the Charter, the City Administrator presented his proposed Fiscal Year 2013 budget to the City Council on March 29, 2012; and

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

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

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

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

Now, Therefore, Be It Resolved by the City Council of the City of Lewiston that the following Final Budget Adjustments Summary for Fiscal Year 2013, is hereby approved:

Revenues:

1	41410	3215000	Taxi Licenses	1,000
2	41410	3221500	Canine Registration	1,500
3	41510	3352000	Revenue Sharing	50,000
4	41520	3722000	Sale of Surplus Property	5,000
5	41550	3161000	Excise Tax	10,000
6	41550	3351500	State Exemption Reimbursement	500
7	44210	3342000	GA Reimbursement	(299,430)

Expenditures:

8	41310	4015000	CAttorney - Legal Fees	(7,000)
9	41920	4058000	VBureau - Buildings	(3,000)
10	42120	4011000	CID - Salaries	(7,320)
11	42130	4011000	Patrol - Salaries	(3,450)
12	42130	4051000	Patrol - Vehicles	(19,400)
13	42160	4011000	Staff Services - Salaries	(1,560)
14	42220	4051000	FFighting - Vehicles	(4,240)
15	42220	4052500	FFighting - Public Safety Equip.	(8,000)
16	42290	4027500	FStations - Repairs to Buildings	(2,000)
17	42410	4011000	Code Enf. - Salaries	(20,000)
18	43310	4038500	Highway - Construction Materials	(1,500)
19	43310	4038800	Highway - Tarring Materials	(1,000)
20	43310	4057000	Highway - Other Betterments	(31,000)
21	43310	4057001	Highway - Other Bet - Resurfacing	(146,000)
22	43380	4057000	Street Lighting - Other Betterments	(32,500)
23	43810	4026500	MGarage - Repairs to Vehicles	(3,000)
24	43810	4027000	MGarage - Repairs to Equipment	(8,000)
25	43810	4052000	MGarage - Shop Equipment	(8,900)
26	44250	4041000	Social Services - Rent	(280,350)
27	45190	4058000	Armory - Buildings	(14,500)
28	45520	4012500	Library - Temporary Wages	1,545
29	45590	4058000	Library - Buildings	(5,660)
30	48120	4049000	Intergov. - Transit Contribution	11,455
31	48130	4043000	Intergov. - 911 Contribution	(2,350)
32	49110	4023200	Private & Parochial - Trans.	61,250
33	49210	4046004	Insurances - MMEHT Ins	(31,875)
34	49310	4044001	Retirement - MEPERS	(825)
35	49310	4044500	Retirement - FICA	(120)
36	49410	4046500	Unemployment Compensation	(5,000)
37	49510	4043000	Municipal Dues & Donations	3,630
38	49810	4049000	Contingency	(5,000)

Passed - Vote 7-0

ORDER AUTHORIZING THE CITY ADMINISTRATOR TO PROVIDE CITY SERVICES AND FUNDING FOR CITY NON-PROFIT ORGANIZATION ACTIVITIES IN ACCORDANCE WITH FY2013 CITY COUNCIL APPROVED LIST

VOTE (139-2012)

Motion by Councilor Cayer, seconded by Councilor Saddlemire:

To approve the Order authorizing the City Administrator to provide city services and funding for City Non-Profit Organization Activities in accordance with the FY2013 City Council approved list:

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

Whereas, the organizations who will receive FY 2013 city support have complied with the application requirements set forth in the "Charitable Organization Support Policy;" and

Whereas, requests for such City support have been reviewed by the City Council as a part of the FY 2013 budget process;

Now, Therefore, Be It Ordered by the City Council of the City of Lewiston that the City Administrator is authorized to direct city departments to provide applicable city support services and to issue cash payments outlined in the attached "Lewiston Charitable Donations – Summary of Requests for FY 2013", subject to any amendments approved by the City Council, which is hereby adopted and approved.

Passed - Vote 7-0

RESOLVE AUTHORIZING A TWO PERCENT SALARY SCALE ADJUSTMENT FOR NON-UNION EMPLOYEES TO BECOME EFFECTIVE JANUARY 1, 2013

VOTE (140-2012)

Motion by Councilor Butler, seconded by Councilor Christ:

To approve the Resolve authorizing a two percent salary scale adjustment for non-union employees to become effective January 1, 2013:

Whereas, the impact of a 2% adjustment effective on January 1st will have the equivalent budgetary impact of a 1% annualized wage adjustment; and

Whereas, while the City has been financially constrained due to the state of the local and national economy and the reduction in state aid to municipalities, an adjustment to the non-union salary scale reflects a similar change recently approved for a city bargaining unit and recognizes the on-going commitment of these employees to the City of Lewiston during a time when the City has

reduced staff and faced challenges to maintain public services;

Now, Therefore, Be It Resolved by the City Council of the City of Lewiston that there is hereby authorized a two percent (2%) general pay adjustment to the established City Pay Plan for non-unionized employees; and

Be It Further Resolved That this adjustment shall be effective for the pay checks issued January 9, 2013.

Passed - Vote 7-0

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

VOTE (141-2012)

Motion by Councilor Cayer, seconded by Councilor Butler:

To approve the propose amendments to the Policy Manual 78, Storm Water Utility Fee Schedule and Credit Policy, as recommended by the Director of Public Services and City Administration.

Passed - Vote 7-0

**ADOPTION OF MUNICIPAL BUDGET APPROPRIATION RESOLVE FOR
FISCAL YEAR 2013**

Councilors thanked city staff for their work on the budget and complimented them for getting the budget down to a zero tax increase while maintaining a high level of service.

VOTE (142-2012)

Motion by Councilor Butler, seconded by Councilor Saddlemire:

To approve the Municipal Budget Appropriation Resolve for Fiscal Year 2013:

Be It Resolved by the City Council of the City of Lewiston that the sum of forty-three million, seven hundred forty-seven thousand, seven hundred and eighty-six dollars (\$43,747,786) is hereby appropriated in the General Fund for the municipal year 2013 in accordance with the schedule of appropriations; and

Be It Further Resolved by the City Council of the City of Lewiston that in addition to such other revenues as are estimated to be available to meet the above appropriations including the Homestead and Business Equipment Tax Exemption reimbursement, the sum of thirty million, five hundred thirteen thousand, three hundred and seventeen dollars (\$30,513,317) be raised by assessment upon the estates of the inhabitants of the City of Lewiston and upon the estates of non-resident proprietors within said City for the present municipal year; and

Be It Further Resolved by the City Council of the City of Lewiston that the sum of thirteen million, two hundred and thirty-four thousand, four hundred and sixty-nine dollars (\$13,234,469)

be appropriated as non-tax revenues in the General Fund for the municipal year 2013 in accordance with the schedule of appropriations; and

Be It Further Resolved by the City Council of the City of Lewiston that the list of tax assessment upon the estates in Lewiston for all city taxes, together with all assessments and charges made under the provisions of the Maine Revised Statutes annotated, Title 30A, Section 3406 and 3442 to 3445 inclusive, and the City's due proportion of the County Tax, in the amount of two million, three hundred fifteen thousand, three hundred and ninety-nine dollars (\$2,315,399) for the period of July 1, 2012 through June 30, 2013, shall be committed by the Assessor to the Finance Director and one-half of said taxes shall be due and payable on the 17th day of September 2012 with the remaining one-half of said taxes due and payable on the 15th day of March 2013; and

Be It Further Resolved by the City Council of the City of Lewiston that interest at the maximum State approved rate of 7% per annum for fiscal year 2013 shall be collected on the first half of said taxes from September 18, 2012, if not voluntarily paid to the Finance Director on or before September 15, 2012 and on the second half of said taxes from March 18, 2013, if not voluntarily paid to the Finance Director on or before March 15, 2013; and

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

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

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

Be It Further Resolved by the City Council of the City of Lewiston that the appropriation for municipal year 2013 for the following Enterprise Funds is hereby authorized and approved: the Water Fund in the amount of \$4,765,389, the Sewer Fund in the amount of \$5,160,778, and the Stormwater Fund in the amount of \$2,374,755; and

Be It Further Resolved by the City Council of the City of Lewiston that the appropriation for municipal year 2013 for the following Special Revenue Funds is hereby authorized and approved: the Tax Increment Financing Fund in the amount of \$772,941, the Recreation & Multi-purpose Center Fund in the amount of \$172,525, and the Police Drug Forfeiture Fund in the amount of \$50,566; and

Be It Further Resolved by the City Council of the City of Lewiston that the Council hereby formally appropriates any cash contributions received during this budget year to the appropriate

department and purpose for which such contribution has been made and, where such contribution is equal to or less than \$10,000, such appropriation will become effective upon formal Council action to accept such contribution; and

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

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

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

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

Be It Further Resolved by the City Council of the City of Lewiston that an appropriation is authorized to transfer the amount of \$6.62 or the current State reimbursement rate per snowmobile registration, to the Hillside Snowmobile Club. Payment will be made annually to the Hillside Snowmobile Club by June 30, 2013.

Be It Further Resolved by the City Council of the City of Lewiston that the City Council deems it necessary to adopt a budget which exceeds the percent increase of the Gross National Product-Implicit Price Deflator, and hereby waives the provisions of Section 6.06(f) of the City Charter.

Passed - Vote 7-0

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

VOTE (143-2012)

Motion by Councilor Libby, seconded by Councilor Saddlemire:

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

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

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

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

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

Whereas, the past year's appropriation of \$2,500 is again recommended with additional funding for this amount over and above the interest earned in the prior year coming from interest earnings accumulated and retained over time;

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

Passed - Vote 7-0

REPORTS AND UPDATES

The City Administrator reminded the Council they will be addressing the city and school LCIP requests on May 8 and the bond order on May 15.

OTHER BUSINESS

No other business was presented at this time.

VOTE (144-2012)

Motion by Councilor Cayer, second by Councilor Butler:

To adjourn at 7:35P.M. Passed - Vote 7-0

A true record, Attest:

Kathleen M. Montejo, MMC
City Clerk
Lewiston, Maine