

IN COUNCIL REGULAR MEETING JANUARY 13, 2014 VOL. 34 PAGE 1

This meeting was scheduled for 1/6/2014 but due to inclement weather, was postponed until 1/13/2014.

Mayor LaBonte called the meeting to order at 7:05 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

I. Consent Items*

1. Order 01-01062014*

Confirming Police Chief, Phil Crowell's appointment of Greg S. Pealatero as Constable with a firearm for the Auburn Police Department.

2. Order 02-01062013*

Confirming Chief Crowell's appointment of Constables without firearms for the Auburn Police Department.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to approve the consent items. Passage 7-0.

II. Minutes - December 16, 2013 Regular Council Meeting

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to approve the minutes of December 16, 2013 as presented. Passage 7-0.

III. Reports

Mayor's Report – reported

City Manager's Report – reported

- Update on the Downtown Auburn Transportation Center
- Council Code of Conduct
- Memo on Mission Statements
- Council Library on Network

City Committee Reports – Councilor Hayes submitted a written report. Councilor LaFontaine reported on the Auburn School Committee and the Auburn Public Library. Councilor Crowley reported on the Auburn Water District and the Auburn Sewer District. Councilor Walker reported on Mid Maine Waste Action Corp.

Councilor Reports - Councilor Crowley reported.

IV. Communications, Presentations and Recognitions

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- Presentation – Alan Manoian on the Downtown Walking Tour

V. Open Session - No one from the public spoke.

VI. Unfinished Business - None

VII. New Business

1. Order 03-01062014

Authorizing the City Manager, or his designee, to solicit bids and to authorize the expenditure of up to \$45,000 from the Municipal Fund Balance for the demolition and removal of the Dangerous Building at 9 Gamage Avenue.

This item will carry forward to a future meeting.

VIII. Open Session – Joe Gray, Sopers Mill Road

IX. Executive Session

- Discussion regarding County Dispatch, pursuant to 1 M.R.S.A. §405(6)(E).

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to enter into executive session. Passage 6-0-1 (Councilor Lee abstained), 8:36 P.M.

Mayor LaBonté declared Council out of Executive Session at 8:55 P.M.

- Discussion regarding Monty Hydro Canal negotiations, pursuant to 1 M.R.S.A. §405(6)(C).

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to enter into executive session. Passage 6-0-1 (Councilor Gerry was not in the room), 8:55 P.M.

Mayor LaBonté declared Council out of Executive Session at 9:29 P.M.

- Discussion regarding labor negotiations I.A.F.F. (International Association of Firefighters) Local 797 pursuant to 1 M.R.S.A. §405(6)(D).

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to enter into executive session. Passage 5-1-1 (Councilor Crowley opposed, Councilor Lee abstained), 9:30 P.M.

Mayor LaBonté declared Council out of Executive Session at 9:53 P.M.

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X. Adjournment

Motion was made by Councilor Crowley and seconded by Councilor Young to adjourn. No one in opposition, 9:54 P.M.

A True Copy.

ATTEST _____
Susan Clements-Dallaire, City Clerk

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Mayor LaBonte called the meeting to order at 7:05 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

I. Consent Items* - None

II. Minutes - January 13, 2014 Regular Council Meeting (meeting was postponed from January 6, 2014).

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to accept the minutes of January 13, 2014 as presented. Passage 7-0.

III. Reports

Mayor's Report - Reported

City Councilors – Councilors Crowley, Gerry, Lee, and Walker reported.

City Manager's Report - Reported

- Revenue Sharing Impacts Memo
- 2014 State Revenue Sharing (2013 Resolve attached as a reference)

Finance Director, Jill Eastman – December 2013 Monthly Finance Report

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley to accept and place on file the December 2013 finance report as presented. Passage 7-0.

IV. Communications, Presentations and Recognitions

- Stormwater – Dan Goyette and Barry Sheff with Woodard & Curran.

V. Open Session – No one from the public spoke

VI. Unfinished Business - None

VII. New Business

2. Order 04-01212014

Approving a new Liquor License (Food Service Class I - Spirituous, Vinous, Malt) application for Xinglong Corporation, DBA: Lotus Restaurant located at 279 Center Street (public hearing).

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry to approve the liquor license for Xinglong Corporation, DBA: Lotus Restaurant located at 279 Center Street.

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Public Hearing – no one from the public spoke

Passage 7-0.

3. Order 05-01212014

Authorizing the Finance Director to extend the contract for Audit Services for 3 years, (FY14, FY15 and FY16) with Runyon Kersteen Ouellette, the City's current auditor.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes.

Motion was made by Councilor Walker and seconded by Councilor Lee to postpone until a recommendation is made by the Audit Committee. Passage 6-1 (Councilor Young opposed).

4. Order 06-01212014

Setting the date for a Special Municipal Election to elect three members of a Joint Charter Commission for the proposed consolidation of the Cities of Auburn and Lewiston to be held on Tuesday, June 10, 2014.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to set the date for a Special Municipal Election to elect three members of a Joint Charter Commission for the proposed consolidation of the Cities of Auburn and Lewiston to be held on Tuesday, June 10, 2014.

Motion was made by Councilor Crowley and seconded by Councilor Walker to amend by postponing the election until the November General Election. The motion to amend failed, 3-4 (Councilors Hayes, LaFontaine, Lee, and Young opposed).

Passage of the original motion 4-3 (Councilors Crowley, Walker, Gerry opposed).

5. Order 07-01212014

Approving the establishment of a Charter Commission for the purpose of revising the City of Auburn Charter.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes. Motion failed 0-7 (all Councilors opposed).

6. Order 08-01212014

Submitting the question, for the establishment of a Charter Commission to revise the City of Auburn Charter, to the voters at a Special Election to be held on June 10, 2014.

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This item was no longer on the table due to Order 07-01212014 failing.

7. Order 09-01212014

Setting the date for a Special Municipal Election to elect the members of the City of Auburn Charter Commission for June 10, 2014.

This item was no longer on the table due to Order 07-01212014 failing.

8. Order 10-01212014

Authorizing the City Manager to execute the collective bargaining agreement with I.A.F.F. (International Association of Firefighters) Local 797.

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry. Passage 4-3 (there was a tie vote 3-3-1 with Councilors Crowley, Walker, and Gerry opposed, and Councilor Lee abstaining, and in accordance the City Charter, Article III, Section 3.3 the Mayor voted to break the tie vote). A roll call vote was taken.

VIII. Executive Session - None

IX. Open Session – No one from the public spoke

X. Adjournment

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to adjourn. No one in opposition, 9:02 P.M.

A True Copy.

ATTEST _____
Susan Clements-Dallaire, City Clerk

IN COUNCIL REGULAR MEETING FEBRUARY 3, 2014 VOL. 34 PAGE 7

Mayor LaBonte called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Councilor Hayes had an excused absence. All other Councilors were present.

I. Consent Items* - None

II. Minutes

- January 21, 2014 Regular Council Meeting

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to approve the minutes of January 21, 2014 as presented. Passage 6-0.

III. Reports

Mayor's Report – reported

City Manager's Report – reported on the items below and provided an update on the transportation center.

- Sale of the Chilling System at Ingersoll Arena being put out with bid process
- Joint School and City Budget calendar

City Committee Reports – Councilors Walker and Crowley reported. Councilor Crowley also had a Sewer District slide presentation.

Councilor Reports- Councilors Gerry and Crowley reported.

IV. Communications, Presentations and Recognitions - None

V. Open Session

Dom Casavant, 158 Valview Drive
Dan Herrick, 470 Hatch Road
Ginger Lee Smith, River Road

VI. Unfinished Business - None

VII. New Business

1. Public Hearing

Public hearing on Solid Waste and Recycling contracts.

Dom Casavant, 158 Valview Drive
Robert Hansen, 376 Lake Street
Larry Pelletier, 129 Second Street
Deb Desjardins, Turner Road
Betty Ann Sheets, 32 Waterboro Drive

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2. Order 11-02032014

Naming the ball field at Pettengill Park. Public hearing.

Colby Dill, post 153 vice commander who would like to name the field The Ted Ricker Memorial Field.

Motion was made by Councilor LaFontaine and seconded by Councilor Young not to name the ball field at Pettengill Park. Passage 6-0.

3. Ordinance 01-02032014

Amending an Ordinance – Chapter 2, Article VI, Division 2, Section 2-514). First reading.

Motion was made by Councilor LaFontaine and seconded by Councilor Lee to amend the Ordinance (Chapter 2, Article VI, Division 2, Section 2-514) by striking the second line as presented. Passage 6-0. A roll call vote was taken.

4. Resolve 01-02032014

Supporting the Rail to Trail Project.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker supporting the Rail to Trail Project. Passage 6-0.

5. Resolve 02-02032014

Opposing the State Revenue Sharing Reduction.

The City Manager will rewrite this Resolve and will bring it back to the February 18, 2014.

6. Order 12-02032014

Authorizing the City Manager to reinstate funding (\$2,205 to be taken from the Fund Balance) to support five polling places instead of one for the June 10, 2014 election.

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley authorizing the City Manager to reinstate funding (\$2,205 to be taken from the Fund Balance) to support five polling places instead of one for the June 10, 2014 election. Passage 6-0.

VIII Open Session

Betty Ann Sheets on behalf of Colby Dill.

IX. Executive Session

IN COUNCIL REGULAR MEETING FEBRUARY 3, 2014 VOL. 34 PAGE 9

- Discussion regarding a personnel matter, pursuant to 1 M.R.S.A. §405(6)(A).

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley to enter into Executive Session. Passage 4-0-1 (Councilor Lee abstained and Councilor Walker was out of the room during the vote). Time 9:25 P.M.

The Mayor declared Council out of Executive Session at 10:25 P.M.

X. Adjournment

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley to adjourn. Passage 5-0 (Councilor Young was not present for this vote), 10:25 P.M.

A True Copy.

ATTEST _____
Susan Clements-Dallaire, City Clerk

IN COUNCIL SPECIAL MEETING FEBRUARY 10, 2014 VOL. 34 PAGE 10

Mayor LaBonté called the meeting to order at 7:25 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Councilor LaFontaine had an excused absence. All other Councilors were present.

I. New Business

1. Order 13-02102014

Authorizing the City Manager to sign an easement with Slap Shot, LLC.

Motion was made by Councilor Lee and seconded by Councilor Walker to authorize the City Manager to sign an easement with Slap Shot, LLC.
Passage 6-0.

II. Adjournment

Motion was made by Councilor Walker and seconded by Councilor Crowley to adjourn. Passage 6-0, 7:30 P.M.

A True Copy.

ATTEST _____
Susan Clements-Dallaire, City Clerk

IN COUNCIL REGULAR MEETING FEBRUARY 24, 2014 VOL. 34 PAGE 11

This meeting was scheduled for 2/18/2014 but due to inclement weather, was postponed until 2/24/2014.

Mayor LaBonte called the meeting to order at 7:20 P.M. (due to the Council Workshop running late) in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

II. Consent Items*

2. Order 14-02182014*

Accepting the transfer of \$4,491.00 forfeiture assets in U.S. currency (Gary Wallace).

3. Order 15-02182014*

Accepting the transfer of \$6,250.00 forfeiture assets in U.S. currency (Herbert Simmons).

4. Order 16-02182014*

Accepting the transfer of \$2,634.00 forfeiture assets in U.S. currency (Taurus Allen).

Motion was made by Councilor Lafontaine and seconded by Councilor Hayes to approve the consent items as presented. Passage 7-0.

II. Minutes

- February 3, 2014 Regular Council Meeting
Motion was made by Councilor LaFontaine and seconded by Councilor Walker to approve the minutes of February 3, 2014. Passage 6-1 (Councilor Hayes abstained because he not present for the meeting of February 3, 2014 due to an excused absence).
- February 10, 2014 Special Council Meeting
Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to approve the minutes of February 10, 2014. Passage 7-0.

III. Reports

Reports

Mayor's Report – reported

City Councilors' Reports – Councilor's Crowley, Young, Lee, and Walker reported.

City Manager Report

- Street Lights Ownership Update

Finance Director, Jill Eastman

- January 2014 Monthly Finance Report

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Motion was made by Councilor Crowley and seconded by Councilor LaFontaine to accept and place on file the January 2014 monthly finance report as presented.
Passage 7-0.

IV. Communications, Presentations and Recognitions

- Recognition – Stephen Martelli
- Coffee with a Cop – presented by Sgt. Barry Schmieks and Chief Phil Crowell, Jr.

V. Open Session – Larry Pelletier, New Auburn resident spoke

VI. Unfinished Business

7. Ordinance 01-02032014

Amending an Ordinance – (Chapter 2, Article VI, Division 2, Section 2-514).
Second reading.

Motion was made by Councilor LaFontaine and Second by Councilor Crowley to amend the Ordinance – Chapter 2, Article VI, Division 2, Section 2-514).
Public comment – no one spoke
Passage 7-0 (a roll call vote was taken).

VII. New Business

8. Order 17-02182014

Reappointing Renee LaChapelle as the City Assessor for a two year term beginning March 15, 2014 through March 15, 2016.

Motion was made by Councilor LaFontaine and seconded by Councilor Young to reappoint Renee LaChapelle as the City Assessor for a two year term beginning March 15, 2014 through March 15, 2016.

Motion failed 3-4. There was a tie vote 3-3-1 (Councilors Walker, Gerry, and Crowley opposed, Councilor Lee abstained) and in accordance to the City Charter, Article III, Section 3.3 the Mayor voted to break the tie vote. He voted in opposition and the motion failed. A roll call vote was taken.

VIII. Executive Session - None

IX. Open Session – No one from the public spoke

X. Adjournment - After the meeting, the Council workshop continued (city budget presentations and discussions), adjourning at 9:40 P.M.

A True Copy.

ATTEST _____
Susan Clements-Dallaire, City Clerk

IN COUNCIL REGULAR MEETING MARCH 3, 2014 VOL. 34 PAGE 13

The City Manager, Clint Deschene called the meeting to order at 7:10 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Mayor LaBonté was not in attendance due to an excused absence.

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry to nominate Councilor Crowley as the Mayor Pro Tempore in the absence of Mayor LaBonté. There were no other nominations so a vote was not needed.

II. Consent Items*

9. Order 18-03032014*

Confirming Chief Crowell's appointment of Constables without firearms for the Auburn Police Department.

Motion was made by Councilor LaFontaine and seconded by Councilor Lee to approve the consent agenda item confirming Chief Crowell's appointment of Constables without firearms for the Auburn Police Department. Passage 7-0.

II. Minutes

February 24, 2014 Regular Council Meeting (postponed from February 18, 2014).

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to approve the minutes of February 24, 2014 as presented. Passage 7-0.

III. Reports

Mayor's Report – none

City Manager's Report – reported

City Committee Reports – Councilor LaFontaine reported on the Auburn School Committee and the Auburn Public Library, and Councilor Crowley reported on the Auburn Water and Sewer Districts.

Councilor Reports- Councilors Young, Gerry, and Crowley reported.

IV. Communications, Presentations and Recognitions

- Target Zero – Teen Driving Grant Presentation – SRO Shawn Carll
- Recognition – Mike Lecompte-**postponed to 3/17 due to the Mayors absence**

- Proclamation – Women’s History Month-**postponed to 3/17 due to the Mayors absence**

V. Open Session

Larry Pelletier, 129 second Street

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Joe Gray, Sopers Mill Road

Andy Titus, 17 Lamplighter Circle

VI. Unfinished Business - None

VII. New Business

1. Order 19-03032014

Authorizing the City Manager to transfer funds \$35,000 from the “Parking Permit Fees” revenue account to purchase a Parking Enforcement vehicle with detailing equipment.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes.

After much debate Councilor Hayes made a motion to move the question. Motion failed 2-4 (Gerry, LaFontaine, Lee, and Walker opposed).

Passage of the original order as presented, 4-3 (Councilors Walker, Gerry, and Crowley opposed). A roll call vote was taken.

2. Ordinance 02-03032014

Adopting the newly proposed ward maps and descriptions. First reading.

Motion was made by Councilor Walker and seconded by Councilor Hayes to adopt the newly proposed ward maps (that were originally presented at the 2/20/2014 workshop) and descriptions as presented.

Motion was made by Councilor Lee and seconded by Councilor Crowley to postpone to a date uncertain. Motion to postpone this item failed 3-4 (Councilors Gerry, Young, Walker and Hayes opposed).

Public comment Tegan Lake, South Main Street
Eric Brakey, Pleasant Street

Passage of the first reading to adopt the newly proposed ward maps and descriptions as presented, 6-1 (Councilor Lee opposed).

3. Resolve 03-03032014

Authorizing the Auburn Water District to issue its bonds in the aggregate principal amount not to exceed \$1,000,000 to finance treatment to Lake Auburn.

Motion was made by Councilor LaFontaine and second by Councilor Walker to authorize the Auburn Water District to issue its bonds in the aggregate principal amount not to exceed \$1,000,000 to finance treatment to Lake Auburn.

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Public comment no one from the public spoke, passage 6-0-1 (Councilor Lee abstained).

VIII Open Session - Andy Titus, 17 Lamplighter Circle.

IX. Executive Session

Discussion regarding labor negotiations (Public Services), pursuant to 1 M.R.S.A. §405(6)(D).

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry to enter into Executive Session. Passage 7-0, time 9:12 P.M.

The Mayor Pro Tem declared Council out of Executive Session at 9:39 P.M.

X. Adjournment

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to adjourn. Passage 6-0, Councilor Gerry was out of the room. Time 9:39 P.M.

A True Copy.

ATTEST _____
Susan Clements-Dallaire, City Clerk

IN COUNCIL REGULAR MEETING MARCH 17, 2014 VOL. 34 PAGE 16

Mayor LaBonté called the meeting to order at 7:10 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

Great Falls TV and Library Budget presentations carried over from the workshop followed by public comment. No one from the public spoke.

I. Consent Items*

1. Order 20-03172014*

Approving the temporary sign request for Safe Voices for the Walk/Run to End Domestic Violence to be held on June 1, 2014.

2. Order 21-03172014*

Approving the temporary sign request for the Kora Shrine for the 2014 circus to be held in April.

3. Order 22-03172014*

Approving the temporary sign request for the Auburn Business Association for the Auburn Citizen of the Year signs.

4. Order 23-03172014*

Approving the new retirement plan for the Firefighters that was approved as part of the collective bargaining agreement.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to approve the consent items as presented. Passage 6-1 (Councilor Crowley opposed).

II. Minutes

- March 3, 2014 Regular Council Meeting

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley to approve the minutes of March 3, 2014.

III. Reports

Reports

Mayor's Report – no report

City Councilors' Reports – Councilor Crowley reported.

City Manager Report

- EMS (Emergency Management Service) update
- Review of the costs for privatization of Assessment Services
- Transportation Center

Finance Director, Jill Eastman

- February 2014 Monthly Finance Report

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Motion was made by Councilor LaFontaine and seconded by Councilor Crowley to accept and place on file the February 2014 monthly finance report as presented. Passage 7-0.

IV. Communications, Presentations and Recognitions

- Recognition – Mike Lecompte
- Proclamation – Women's History Month
- Proclamation – Boy's and Girl's Club Week in Auburn (March 23-29, 2014)

V. Open Session — Larry Pelletier-129 Second Street, Joe Gray-Sopers Mill Road

VI. Unfinished Business

1. Ordinance 02-03172014

Adopting the newly proposed ward maps and descriptions. Public hearing and second reading.

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry.

Public hearing – no one from the public spoke.

Motion was made by Councilor Lee to postpone this item until June of 2015. No one seconded the motion so the motion failed.

Motion was made by Councilor Crowley and seconded by Councilor LaFontaine to amend by adding an effective date of July 1, 2015. Passage 6-1 (Councilor Gerry opposed).

Passage of the order as amended, adopting the newly proposed ward maps and descriptions with an effective date of July 1, 2015, 7-0. A roll call vote was taken.

VII. New Business

1. Order 24-03172014

Authorizing the City Manager to sign the lease agreement for the PAL Center building located at 24 Chestnut Street.

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry to postpone to date uncertain. Passage 6-1 (Councilor Lee opposed).

2. Resolve 04-03172014

Supporting the hotel train service between Montreal and Boston which would pass through Auburn.

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Motion was made by Councilor Hayes and seconded by Councilor LaFontaine authorizing Mayor LaBonté to draft and send a letter of support for the establishment of a Hotel Train service that would pass through Auburn. Passage 7-0.

3. Order 25-03172014

Appointing Renee LaChapelle as Interim Tax Assessor from 3/16/2014 to 6/30/2014.

Motion was made by Councilor Crowley and seconded by Councilor Walker.
Passage 5-1-1 (Councilor Gerry opposed, Councilor Lee abstained).

VIII. Executive Session

- Discussion regarding a personnel matter (City Manager's review), pursuant to 1 M.R.S.A. §405(6)(A).

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes.
Passage 6-1 (Councilor Walker opposed), time 8:39 P.M.

The Mayor declared Council out of executive session at 8:59 P.M.

- Discussion regarding a personnel matter (Norway Savings Bank Arena Management), pursuant to 1 M.R.S.A. §405(6)(A). This item will be discussed at the March 31, 2014 workshop.

IX. Open Session – Joe Gray-Sopers Mill Road, Andy Titus-Lamplighter Circle

- X. Adjournment** – Motion was made by Councilor Crowley and seconded by Councilor LaFontaine to adjourn, with Council unanimously in favor, time 9:09 P.M.

A True Copy.

ATTEST _____
Susan Clements-Dallaire, City Clerk

IN COUNCIL SPECIAL MEETING MARCH 20, 2014 VOL. 34 PAGE 19

A workshop was held to go over budget presentations (Planning and Permitting, community Development Block Grant (CDBG) which also included an update on the Citizen Participation Plan and Curb Appeal update, Economic Development, followed by public comment.

Mayor LaBonté called the meeting to order at 7:07 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Councilors LaFontaine, Crowley, and Gerry had excused absences. All other Councilors were present.

I. New Business

1. Capital Improvement Plan (CIP) Presentation and Public Hearing

No one from the Public Spoke.

Workshop discussions followed and the School Committee presented their budget to Council which was followed by public comment.

II. Adjournment – 9:27 P.M.

A True Copy.

ATTEST _____
Alison Pepin, Deputy City Clerk

IN COUNCIL REGULAR MEETING APRIL 7, 2014 VOL. 34 PAGE 20

Mayor LaBonté called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

III. Consent Items*

10. Order 26-04072014*

Appointing Election Clerks from May 1, 2014 through April 30, 2016.

11. Order 27-04072014*

Setting the date for the School Budget Validation Referendum Election for June 10, 2014.

12. Order 28-04072014*

Setting the date for the Special Municipal Election to fill the vacant Ward 1 School Committee seat for August 12, 2014.

13. Order 29-04072014*

Appointing Richard Trafton to the Lewiston Auburn Railroad Company for a term of 3 years from April 2014 through April 2017.

Per Council request, item #4, Order 29-04072014* was moved under New Business as the first item.

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry for passage of consent item numbers 1 through 3 as presented. Passage 7-0.

II. Minutes

March 17, 2014 Regular Council Meeting

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to accept the minutes of March 17, 2014 as presented. Passage 7-0.

March 20, 2014 Special Joint Meeting (City Council and School Committee).

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to accept the minutes of March 17, 2014 as presented. Passage 5-0-2 (Councilors Crowley and Gerry abstained as they were not present for this meeting).

III. Reports

Mayor's Report – The Mayor reported and gave a slide show presentation on Economic Development and the transportation system in Lewiston/Auburn.

City Manager's Report

- Public Services FY 14 Budget Status
- Recreation and Special Events Advisory Board Memo

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City Committee Reports – Councilors Lee, Gerry, Hayes, LaFontaine, Young, and Crowley reported.

Councilor Reports- Councilor Crowley reported.

IV. Communications, Presentations and Recognitions

- Proclamation - National Distracted Driving Enforcement Campaign
- Proclamation – Housing

V. Open Session

Larry Pelletier, 129 Second Street; Ron Potvin, 82 Northern Avenue; Bonnie Rousseau, 45 Reginald Street; Norman Rousseau, Lewiston resident; Joe Gray Sopers Mill Road.

VI. Unfinished Business - None

VII. New Business

Order 29-04072014 (was removed from the Consent Agenda to New Business)

Appointing Richard Trafton to the Lewiston Auburn Railroad Company for a term of 3 years from April 2014 through April 2017.

Motion was made by Councilor Lee and seconded by Councilor LaFontaine to appoint Richard Trafton to the Lewiston Auburn Railroad Company for a term of 3 years from April 2014 through April 2017.

Public comment – Joe Gray, Sopers Mill Road

Passage 7-0.

2. Order 30-04072014

Approving the liquor license for Twin Cities Group, Inc., DBA The Munroe Inn located at 123 Pleasant Street, Auburn, Maine. Public hearing.

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry to approve the liquor license for Twin Cities Group, Inc., DBA The Munroe Inn located at 123 Pleasant Street.

Public hearing - Olga Dolgicer (owner) spoke.

Passage 7-0

- 3. Public Hearing**
Community Development Block Grant Budget.

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Joe Gray, Sopers Mill Road; Bettyann Sheats, Waterview Drive.

- 4. Order 31-04072014**
Adopting the Citizen Participation plan as recommended by the Community Development Director.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes.

Motion was made by Councilor Lee and seconded by Councilor Crowley to amend the language on page 4 to read “at least one person of minority race or ethnic background” instead of “a person of minority race or ethnic background” to avoid the conception that we are recruiting only one person of minority race or ethnic background.

Passage of the amendment 7-0.

Passage of Order 31-04072014 as amended 7-0.

- 5. Resolve 05-04072014**
Expressing Councils support for the Maine Emergency Management Agency (MEMA) in its advocacy for an amendment to the FEMA storm policy.

Motion was made by Councilor Lafontaine and seconded by Councilor Walker. Passage 7-0.

VIII. Executive Session – None

- IX. Open Session - Dave Sawicki, 707 Lake Shore Drive; Joe Gray, Sopers Mill Road.**

- X. Adjournment**
Motion was made by Councilor LaFontaine and seconded by Councilor Walker with a unanimous vote to adjourn. Time 8:51 P.M.

A True Copy.

ATTEST _____
Susan Clements-Dallaire, City Clerk

IN COUNCIL REGULAR MEETING APRIL 22, 2014 VOL. 34 PAGE 23

Mayor LaBonté called the meeting to order at 7:09 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

II. Consent Items*

6. Order 32-04222014*

Approving the temporary sign request for Park Avenue Elementary School's May Fair.

7. Order 33-04222014*

Approving the temporary sign request for United Way.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to approve the consent items as presented. Passage 7- 0.

II. Minutes

- April 7, 2014 Regular Council Meeting

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to approve the minutes of April 7, 2014 as presented. Passage 7-0.

III. Reports

Reports

Mayor's Report – no report

City Councilors' Reports – Councilors Crowley, Walker, and LaFontaine reported.

City Manager Report

- Update on Budget Conversations schedules

Finance Director, Jill Eastman

- March 2014 Monthly Finance Report

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry to accept and place on file the March 2014 monthly finance report as presented. Passage 7-0.

IV. Communications, Presentations and Recognitions

- Proclamation – Sexual Assault Awareness Month

- Recognition - St. Dominic Academy Middle School Hockey Team – Winners of the Southern Maine Middle School Soule Division Championship
- Recognition – Tammie Willoughby, the 2014 Auburn Spirit of America Foundation Award recipient.

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V. Open Session – Larry Pelletier-129 Second Street on revenue sharing, Donna Rowell-95 Monroe Street in support of the Fire based EMS transport, Adam Hill-Danville line in Auburn on meditation.

VI. Unfinished Business - None

VII. New Business

1. Order 34-04222014

Authorizing the City Manager to expend an additional amount up \$150,000 (from TIF revenue) for the Transportation Center to be built on Spring Street.

Motion was made by Councilor Lee and seconded by Councilor LaFontaine.

Motion was made by Councilor Lee and seconded by Councilor Crowley to postpone this item for two weeks (the meeting of May 5, 2014).

Passage 6-1 (Councilor Walker opposed).

2. Order 35-04222014

Approving the Special Amusement permit for Parbaritan, LLC, DBA Naral's located at 34 Court Street. Public hearing.

Motion was made by Councilor Lafontaine and seconded by Councilor Walker to approve the Special Amusement permit for Parbaritan, LLC, DBA Naral's located at 34 Court Street as presented.

Public hearing – Chief Phil Crowell

Passage 7-0.

3. Order 36-04222014

Appointing board and committee members as nominated by either the Mayor or Appointment Committee. Council may enter into executive session, pursuant to 1 M.R.S.A. §405(6)(A).

Motion was made by Councilor Gerry and seconded by Councilor LaFontaine for passage of Option 1 of the two orders presented appointing board and committee members as nominated by either the Mayor or Appointment Committee.

Public comment – none, passage 5-2 (Councilors Crowley and Walker opposed).

VIII. Executive Session

- Discussion regarding economic development, pursuant to 1 M.R.S.A. §405(6)(C).

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Postponed until the City Council Workshop of Monday 4/28/2014.

IX. Open Session – Bonnie Rousseau, 45 Reginald Street – Neighborhood crime watch

X. Adjournment – Motion was made by Councilor LaFontaine and seconded by Councilor Walker to adjourn, with Council unanimously in favor, time 8:03 P.M.

A True Copy.

ATTEST _____
Susan Clements-Dallaire, City Clerk

IN COUNCIL REGULAR MEETING MAY 5, 2014 VOL. 34 PAGE 26

Mayor LaBonté called the meeting to order at 7:07 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

IV. Consent Items* - NONE

II. Minutes

April 22, 2014 Regular Council Meeting

Motion was made by Councilor Crowley and seconded by Councilor LaFontaine to accept the minutes of April 22, 2014 with the addition of the subject for each person who spoke during the open session. Passage 7-0.

III. Reports

Mayor's Report – No report

City Manager's Report

- Business licensing – pre-packaged foods

City Committee Reports – Councilor Crowley will provide a written report in a follow up packet.

Councilor Reports- Councilor Crowley reported.

IV. Communications, Presentations and Recognitions

- Recognition - Central Maine Community College Women's Basketball Team
- Recognition - Central Maine Community College Men's Basketball Team

V. Open Session

- Robert Spencer, 79 year resident of Auburn – possible donation of land for a new high school
- Joe Gray, Sopers Mill Road – business licensing on pre packaged foods
- Bettyann Sheats – Flag retirement ceremonies throughout the city for damaged flags
- Diana Sanzone – supports the Auburn Fire Department proposal on EMS transport

VI. Unfinished Business

4. Order 34-04222014

Authorizing the City Manager to expend an additional amount up \$150,000 (from TIF revenue) for the Transportation Center to be built on Spring Street.

IN COUNCIL REGULAR MEETING MAY 5, 2014 VOL. 34 PAGE 27

Motion was made by Councilor Crowley and seconded by Councilor Walker to postpone this item until the June 2, 2014 meeting. Passage 6-1 (Councilor Gerry opposed).

Motion was made by Councilor Hayes and seconded by Councilor LaFontaine to take out of order item number 6 and place it as the first item under new business. Passage 7-0.

VII. New Business

5. Order 40-05052014

Approving to vacate the paper street known as Foss Street.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker approving to vacate the paper street known as Foss Street.

Public comment – none, Councilor Crowley requested the manager provide an update when this has been recorded with the Registry of Deeds. Passage 7-0.

6. Public Hearing - Municipal Budget

Resolve 06-05052014

Draft Annual Appropriation

Motion was made by Councilor LaFontaine and seconded by Councilor Walker on resolve 06-05052014.

Public hearing;

Dan Herrick, 470 Hatch Road – City cell phones, credit cards, percentage of the City Manager’s pay that comes out of the TIF, firefighter physicals, negotiations.

Nancy Greene, Granite St-Supports recycling.

Dave Sawicki, Lake Shore Drive–School and City Health care costs, fringe benefits.

Dennis Bergeron, Dexter Avenue–Supports recycling, budget concerns, road service maintenance not adequate, building maintenance in school budget missing, supports the City Managers original budget.

Doris Bonneau, 85 West Auburn Road-Supports the school budget and Library budget.

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley to accept the Annual Appropriation resolve (amendments) as presented by the City Manager with a reduction of expenditures by \$167, 604 with additional revenue stated of \$1,134,271 with a net change of a reduction of \$1,301,875 which equates to a total tax increase of 1.22% with School, City, and County combined.

IN COUNCIL REGULAR MEETING MAY 5, 2014 VOL. 34 PAGE 28

Motion was made by Councilor Hayes and seconded by Councilor Young striking the EMS implementation items pending Council deliberation on the item later in the meeting. Passage 6-0-1 (Councilor Lee abstained).

Motion was made by Councilor Crowley and seconded by Councilor Walker to postpone until May 19th meeting. Motion failed 3-4 (Councilors Lee, Young, Hayes, and LaFontaine opposed).

Councilor Crowley moved the question on the amendment to the motion. Mayor LaBonté ruled the question out of order seeing Council was willing to debate.

Motion on the amendment to the budget Resolve failed 2-5 (Councilors Crowley, Hayes, Lee, Walker, and Gerry all opposed).

Motion was made by Councilor Walker and seconded to Councilor Crowley to postpone until May 19. Passage 6-1 (Councilor LaFontaine opposed).

7. Order 37-05052014

Adopting the Community Development Block Grant Budget for FFY14.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to adopt the Community Development Block Grant Budget for Federal Fiscal Year 2014 (Order 37-05052014).

Public comment – no one from the public spoke. Passage 6-1 (Councilor Crowley opposed).

8. Order 38-05052014

Adopting the School Budget for Fiscal Year 2015.

Motion was made by Councilor Crowley and seconded by Councilor LaFontaine.

Public comment;

Jaime Thibodeau, 256 Beech Hill Road in support of the school budget.

Joe Gray, Sopers Mill Road with a question on one of the figures listed on the Resolve (line 17 under crossing guards had a typing error).

Motion was made by Councilor Young and seconded by Councilor Lee to postpone this item until the May 19, 2014 meeting. Passage 7-0.

9. Order 39-05052014

Approving the Auburn Fire Department based Emergency Medical Services (EMS) transport services.

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Motion was made by Councilor LaFontaine and seconded by Councilor Walker on Order 39-05052014 approving the Auburn Fire Department based Emergency Medical Services transport services.

Public comment;

Sherry, 40 Dany Drive - supports EMS transport,

Larry Pelletier, 129 Second Street – supports EMS transport

Mike McKay, resident of Calais Maine but spends much of his time in Auburn - supports Fire based EMS transport.

Dan Herrick, 470 Hatch Road - does not support EMS transport, concerns with 24 hour shifts.

Joe Gray, Sopers Mill Road – stated the City should not rush into the EMS transport, discussed Firefighters base pay and take home pay that was provided in the budget packet, and also stated the City should have a professional negotiator.

Wayne Werts, 556 Pownal Road – supports EMS transport.

Seth Robbins, 1606 Minot Avenue - supports EMS transport.

Frank Roma, West Shore Road (Fire Chief) – he is always available to the public and anyone who would like to express concerns or suggestions regarding the Fire

Department. He stated that the City has an excellent Fire Department serving this community.

Passage 6-0-1 (Councilor Lee abstained).

VIII. Executive Session – None

IX. Open Session – No one from the public spoke.

X. Adjournment

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley with a unanimous vote to adjourn. Time 9:13 P.M.

A True Copy.

ATTEST _____
Susan Clements-Dallaire, City Clerk

IN COUNCIL REGULAR MEETING MAY 19, 2014 VOL. 34 PAGE 30

Mayor LaBonté called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

III. Consent Items*

8. Order 41-05192014*

Setting the time to open the polls for the June 10, 2014 Election.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to approve the consent item as presented. Passage 7- 0.

II. Minutes

- May 5, 2014 Regular Council Meeting

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to approve the minutes of May 5, 2014 as presented. Passage 7-0.

III. Reports

Reports

Mayor's Report – Reported

City Councilors' Reports – Councilors Young, Crowley, Hayes, and Gerry reported.

City Manager Report

- New Auburn Little League
- Athletic Fields Assessment

Finance Director, Jill Eastman

- April 2014 Monthly Finance Report

Motion was made by Councilor Crowley and seconded by Councilor Gerry to accept and place on file the April 2014 monthly finance report as presented.
Passage 7-0.

IV. Communications, Presentations and Recognitions

- Proclamation – Maine Arbor Week May 18 – 24, 2014

- V. Open Session** – Katy Grondin, Superintendent of the Auburn School Department on Bring a Veteran to School Day and the plant sale at the Edward Little High School greenhouse; Bob Spencer, Auburn resident regarding possible land donation.

Motion was made by Councilor LaFontaine and seconded by Councilor Lee to take item number three under new business (Ordinance 03-05192014) out of order and placing it before unfinished business. Passage 5-2 (Councilors Crowley and Walker opposed).

10. Ordinance 03-05192014 (item #3 under new business that was taken out of order)

Approving the zoning text amendment to the Agricultural and Resource Protection Zone (ZOMA 1180-2013). First reading.

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Motion was made by Councilor LaFontaine and seconded by Councilor Hayes.

Public comment-no one from the public spoke. Motion failed 2-5 (Councilors Hayes, LaFontaine, Lee, Young, and Crowley opposed). A roll call vote was taken.

VI. Unfinished Business

11. Order 38-05052014

Adopting the School Budget for Fiscal Year 2015.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes.

Public Comment-no one from the public spoke. Passage 5-2 (Councilors Walker and Gerry opposed). A roll call vote was taken.

12. Resolve 06-05052014

Adopting the Appropriations Resolve for Fiscal Year 2015, First reading.

Motion was made by Councilor Lee and seconded by Councilor Hayes to take this item off the table (this item was postponed at the 5/5/2014 meeting). Passage 7-0.

Motion was made by Councilor LaFontaine and seconded by Councilor Lee to adopt the Resolve (06-05052014).

Motion was made by Councilor Crowley and seconded by Councilor Gerry to amend that no final vote on the budget be taken by the City Council until there is a single published document on each department's budget amount that be made available to the public. The Mayor ruled that out of order as it does not directly pertain to the budget document in front of Council. Councilor Gerry requested a vote. Mayor LaBonté called for a vote of the Council on whether or not to accept this as an appropriate amendment to the City budget. Failed 3-4 (LaFontaine, Hayes, Young, Lee in opposition).

Motion was made by Councilor Lee and seconded by Councilor LaFontaine to amend the resolve in respect to amendment number 2 in the packet to amend the Department of Fire by decreasing expenditures by \$73,000 to fire operations; Amend the Parking Program of the City and Police Budget to initiate greater use of revenues by \$55,000 and institute a non-sworn model for parking enforcement; Amend Police Department Budget to eliminate the shared funding with Lewiston for Animal Control decreasing expenses by \$15,142; Amend the Vehicle Purchases for the Police department to only one new cruiser purchased in this budget, decreasing expenses by \$94,000; Amend the Police Department to delay purchases of special equipment (radar) decreasing expenses by \$49,500; Amend Police Department revenues to utilize \$45,000 of federal drug seizure money.

Passage 6-1 (Councilor Walker opposed).

Motion was made by Councilor Crowley and seconded by Councilor Walker (Councilor Crowley's amendment document item #54) that FY2015 budget amount for the Fire

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Department not exceed \$4,010,133.00. Motion failed 3-4 (Councilors Hayes, LaFontaine, Lee, and Young opposed).

Motion was made by Councilor Lee and seconded by Councilor LaFontaine to amend the resolve in respect to amendment number 3 in the packet to amend the Department of Finance, Administration Program to reduce training by \$500; Amend the Revenues of the City of Auburn, Department of Finance, to increase revenues by \$5,000 for new required fees for lien filings at Androscoggin County registry of deeds; Amend the Department of City Clerk to decrease expenditures by \$23,946 eliminating the switchboard information position; Amend the Department of City clerk to decrease expenditures by \$5,650 to reduce training, mileage reimbursement, office supplies, and records restoration; Amend Health and Social Services to last year's funding level a decrease of expenditures of \$38,399 (this does intentionally under budget but per statute overages are allowed); Amend Fringe Benefits for Medical consulting to decrease expenditures by \$30,000; this sustains investing in a medical consultant at a reduced rate that will yield long-term health savings; Amend the ICT budget to decrease expenditures by \$4,500 to eliminate Council laptop initiative; Amend the Library budget to reduce annual expenditures by \$12,846; Amend Public Services Budget to reduce operating expenditures by \$99,300, leaving money in the budget for spring clean up, herbicide program and mowing at Oak Hill Cemetery; Amend the Revenues from Recreation Program Fund to increase by \$41,720 to fund the cost of the recreation program leader from program income.

Motion was made by Councilor Lee and seconded by Councilor LaFontaine to amend the amendment by striking the reduction in the Library budget and the elimination of the Switchboard position. Passage 4-3 (Councilors Walker, Gerry, and Hayes opposed).

Motion was made by Councilor Gerry and seconded by Councilor Walker to strike the last line of the amendment that states "Amend the revenues from Recreation Program Fund to increase by \$41,720 to fund the cost of the recreation program leader from program income". Motion failed 2-5 (Councilors Hayes, LaFontaine, Lee, Young, and Crowley opposed).

Motion was made by Councilor Crowley to amend (Councilor Crowley's amendment document item #69) that the FY2014 budget be amended so the expenditures for Public Services be \$5,598,179 plus any monies added for a city wide recycling program. The Mayor called the motion out of order as it may conflict with the Public Services budget amendment that is already included in the amendment.

Passage of amendment #3 that was included in the packet, as amended, 5-2 (Councilors Gerry and Walker opposed).

Motion was made by Councilor Crowley (Councilor Crowley's amendment document item #69) that the budget be amended so the expenditures for Public Services be \$5,598,179 plus any monies added for a city wide recycling program. The Mayor called that motion out of order and asked for a specific final number to be referenced to add to the appropriation resolve.

IN COUNCIL REGULAR MEETING MAY 19, 2014 VOL. 34 PAGE 33

Motion was made by Councilor Crowley and seconded by Councilor Walker to set the bottom line of expenditures for Public Services to be \$5,700,179. Motion fails 3-4 (Councilors Young, Hayes, LaFontaine, and Lee opposed).

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley to amend the resolve in respect to amendment number 1 to amend the Department of Fire to expand into the program of EMS transport by increasing expenditures by \$720,468 to implement EMS transport and increase revenue by \$987,551 for EMS transport collections.

Motion was made by Councilor Crowley and seconded by Councilor Gerry to amend the amendment by striking \$85,000 for funding the Deputy Chief position bringing the total increase of expenditures to \$635,468. Passage 4-2-1 (Councilors Walker and Hayes opposed, and Councilor Lee abstained).

Passage of amendment #1 in packet as amended, 6-0-1 (Councilor Lee abstained).

Motion was made by Councilor Lee and seconded by Councilor LaFontaine to amend the resolve in respect to amendment number 4 in the packet to amend the following intergovernmental departments as follows: reduce Airport by \$8,750, reduce LATC by

\$1,648 and reduce LA911 by \$12,535. Passage 5-0-2 (Councilors Walker and Gerry abstained).

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to amend the resolve in respect to amendment number 5 in the packet amending that all City Departments decreasing expenditures by \$335,000 for staff reductions, attrition, or retirements to be implemented by the City Manager. Motion failed 3-4 (Councilors LaFontaine, Lee, Walker, and Gerry opposed).

Motion was made by Councilor Lee and seconded by Councilor LaFontaine to amend that all City Departments decreasing expenditures by \$178,000 for staff reductions, attrition, or retirements to be implemented by the City Manager. Passage 5-2 (Councilors Walker and Gerry opposed).

Motion was made by Councilor Crowley to amend by decreasing all outside funding by the same percentage for personnel costs as done for City employees. The Mayor asked for a specific number at the second reading.

Motion was made by Councilor Lee and seconded by Councilor Hayes to amend the resolve in respect to amendment number 6 in the packet amending the Department of Public Services, Environmental Program to increase expenditures by \$102,000 to sustain and expand curbside recycling; and further amended to state that it is the policy of the City of Auburn to implement a curbside (striking the word “automated”) recycling and solid waste program with a City Ordinance of solid waste and recycling no later than June 30th, 2015. Passage 5-2 (Councilors Gerry and Walker opposed)

Motion was made by Councilor Crowley and seconded by Councilor Gerry (Councilor Crowley’s amendment document item #88) that the FY2015 budget amount for expenditures for the LAEGC be the FY2014 amount reduced by \$27,564 and that no

IN COUNCIL REGULAR MEETING MAY 19, 2014 VOL. 34 PAGE 34

funds be distributed until there is a signed contract for services with the City of Auburn; for each month, or part thereof, that the contract is delayed, the total contract amount due will be reduced by one-twelfth of the total contract amount. Motion failed 3-4 (Councilors Hayes, LaFontaine, Lee, and Young opposed).

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to amend the resolve in respect to amendment number 7 in the packet to amend the operational CIP requested items to decrease expenditures by \$187,427, leaving a total of \$165,863. Passage 7-0.

Motion was made by Councilor Crowley (Councilor Crowley’s amendment document item #94) that all city services used by the Norway Arena be charged out at the overtime rate for that person or machine. It is not reasonable to expect the municipal side to pay overtime when work is being done for the business. The Mayor called the motion out of order without a specific expenditure amount.

Motion was made by Councilor Crowley and seconded by Councilor Gerry (Councilor Crowley’s amendment document item #82) that the FY2015 budget amount for County

Taxes be \$2,046,880 and that at least \$800,000 of this amount not be distributed until the City of Auburn gets a satisfactory solution to the unfair cost allocation to Auburn for dispatch services. The Mayor said he will not recognize the motion as it would violate State law.

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley to amend the resolve in respect to amendment number 8 in the packet to amend the FY 2015 Appropriation Resolve to include the following statements: the FY15 budget implements up to a 2% COLA for employees. The City Manager is authorized to update the 2007 Pay Scales for the City of Auburn by the CPI-U for each year through 2014. Passage 7-0.

Motion was made by Councilor Crowley and seconded by Councilor Walker (Councilor Crowley's amendment document item #86) that the reference to LA Arts in the budget be struck and replaced with Arts and Culture allowing those funds to be reserved for Arts and Culture projects in Auburn and not restricted to LA Arts. Passage 5-2 (Councilors Lee and LaFontaine opposed).

Public comment; Gary Simard, Cook Street, Auburn – Concerns with the Quint option for the Fire Department.

Passage of the appropriation resolve 06-05052014 as amended, 4-3 (Councilors Walker, Gerry, Crowley opposed). A roll call vote was taken.

VII. New Business - Ordinance 03-05192014 was taken out of order as the first item before unfinished business.

VIII. Open Session – the last open session was taken out of order and placed before the Executive Session. Gary Simard, Cook Street regarding what he considered inappropriate remarks made by a previous City Councilor at the last Council meeting about city staff.

IN COUNCIL REGULAR MEETING MAY 19, 2014 VOL. 34 PAGE 35

IX. Executive Session

- Discussion regarding economic development (TIF), pursuant to 1 M.R.S.A. §405(6)(C).

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry to enter into Executive Session. Passage 6-1 (Councilor Crowley opposed). Time 9:08 P.M.

Council was declared out of Executive Session at 9:50 P.M.

X. Adjournment – Motion was made by Councilor Crowley and seconded by Councilor LaFontaine to adjourn, with all Councilors present in favor (Councilor Gerry was not in the room), time 9:50 P.M.

A True Copy.

ATTEST _____
Susan Clements-Dallaire, City Clerk

IN COUNCIL REGULAR MEETING JUNE 2, 2014 VOL. 34 PAGE 36

Mayor LaBonté called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Councilor Crowley had an excused absence. All other Councilors were present.

V. Consent Items*

Item number one was moved from the consent agenda and placed under new business. A motion was made by Councilor LaFontaine and seconded by Councilor Walker to accept consent item #2 as presented. Passage 6-0.

1. Order 42-06022014*

Nominating Jonathan LaBonté and appointing City Manager Clint Deschene as the MMA LPC (Maine Municipal Association's Legislative Policy Committee) members for the 2014-2016 term.

2. Order 43-06022014*

Accepting the transfer of Forfeiture Asset (William Tardif).

II. Minutes

May 19, 2014 Regular Council Meeting.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to accept the minutes of May 19, 2014 as presented. Passage 6-0.

III. Reports

Mayor's Report – reported on Blackstone start up weekend in the Lewiston-Auburn area.

City Manager's Report

- Edward Little Statue Update
- FY15 Budget Impact Update
- Future of Downtown Auburn, (form based code)-Alan Manoian

City Committee Reports – Councilor LaFontaine reported (Library), Councilor Hayes reported (Railroad), Councilor Gerry reported (LATC, and the ELHS plant sale), and Councilor Young reported (Great Falls TV).

IV. Communications, Presentations and Recognitions

- Communication – The Liberty Festival Mass Gathering application – this item will be placed on the June 16, 2014 agenda for a public hearing and action.

V. Open Session

- Melissa Dunn, tenant organizer for the Neighborhood Housing League in Lewiston, Howa Abdil, resident of Auburn delivered a message from a tenant in Auburn regarding living conditions.

IN COUNCIL REGULAR MEETING JUNE 2, 2014 VOL. 34 PAGE 37

- Peter Rubins and Jarrod Lussier of Grow LA and Androscoggin River task force on upgrading the use of the Androscoggin River for recreational and aesthetic purposes.
- Jim Tierney, Drummond Street on crossing at walkways, pedestrian right of ways, and wanted to encourage planting fruit and nut trees, Whitewater Park that Westbrook is establishing.

VI. Unfinished Business

13. Ordinance 03-05192014

Approving the zoning text amendment to the Agricultural and Resource Protection Zone (ZOMA 1180-2013). Public hearing and second reading.

Motion was made by Councilor Lee and second by Councilor LaFontaine on approving the zoning text amendment to the Agricultural and Resource Protection Zone (ZOMA 1180-2013).

Public hearing - no one from the public spoke, the motion failed 0-6 with all Councilors present opposed. A roll call vote was taken.

14. Resolve 06-05052014

Adopting the Appropriations Resolve for Fiscal Year 2015, second reading.

Motion was made by Councilor LaFontaine and seconded by Councilor Lee who clarified that the motion was made without the two enterprise accounts that were included in the packet.

Motion was made by Councilor LaFontaine and seconded by Councilor Lee to amend by adding the two enterprise accounts included in packet (Norway Arena, and Ingersoll Arena as provided in the agenda packet). Passage 6-0.

Motion by Councilor Gerry and seconded by Councilor Walker to reduce the FY15 LATC budget by \$23,996 and use the \$23,996 funds saved toward other transport improvements in Auburn. Passage 5-1 (Councilor Hayes opposed).

Motion was made by Councilor Gerry and seconded by Councilor LaFontaine to amend FY15 Municipal budget to fund the 3 snowmobile clubs who operate in Auburn (Snow Gypsies, Andy Valley, and New Auburn Snowmobile Clubs) by reducing the other State aid line by \$3,000 and to create a new budget line in the amount of \$3,000 for snowmobile grant clubs to be used solely on projects in Auburn. Motion failed 3-4 (there was a tie vote 3-3 with Councilors LaFontaine, Hayes, and Lee opposed, and in accordance the City Charter, Article III, Section 3.3 the Mayor voted to break the tie vote, he voted in opposition).

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to amend the appropriations resolve to endorse the creation of the Deputy Chief
IN COUNCIL REGULAR MEETING JUNE 2, 2014 VOL. 34 PAGE 38

position without the fiscal note. Passage 4-1-1 (Councilor Gerry opposed, and Councilor Lee abstained).

Motion was made by Councilor Walker and seconded by Councilor Gerry to amend the FY15 budget to allocate \$10,000 in FY15 to begin a four year effort to mark and have flags placed for all veteran graves in all public and private cemeteries in Auburn. Passage 6-0.

Public comment – Joe Gray Sopers Mill Road, on marking the veteran graves, the reduction of Animal Control and Auburn’s investment on the Animal Control Officers truck, the CPIU formula put in to curb expenses, and the snowmobile clubs; Larry Pelletier, 129 Second Street, student work at the cemeteries.

Motion was made by Councilor Lee and seconded by Councilor Gerry to postpone action on the second reading of the Appropriations resolve until the June 16, 2014 City Council meeting. Passage 6-0.

VII. New Business

Consent item 42-06022014 that was moved under New Business

Motion was made by Councilor LaFontaine and seconded by Councilor Lee to amend the order and appoint City Manager Clint Deschene as the MMA LPC (Maine Municipal Association’s Legislative Policy Committee) members for the 2014-2016 term (excluding the nomination of Jonathan LaBonte). Passage 5-0 (Councilor Walker was out of the room during the vote).

15. Order 44-06022014

Approving the liquor license for The Penalty Box. Public hearing.

Motion was made by Councilor Hayes and seconded by Councilor LaFontaine to approve the liquor license for The Penalty Box.
Public hearing - Kevin Pratt, owner responded to questions asked by Council.
Passage 6-0.

16. Ordinance 04-06022014

Approving the Spring Street zoning amendment. Public hearing and first reading.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to approve the Spring Street zoning amendment as presented.
Public hearing - no one from the public spoke.
Passage of the first reading 6-0. A roll call vote was taken.

17. Resolve 07-05052014

IN COUNCIL REGULAR MEETING JUNE 2, 2014 VOL. 34 PAGE 39

Supporting the Community Fundraising Campaign to acquire the historic 1915 Bells of St. Louis Church.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to support the Community fundraising campaign to acquire the historic 1915 bells of St. Louis Church.

Public comment - no one from the public spoke. Passage 6-0.

VIII. Executive Session

- Discussion regarding economic development (TIF), pursuant to 1 M.R.S.A. 405(6)(C).
This was not needed and was removed from the agenda.

IX. Open Session – Joe Gray, Sopers Mill Road in regards to comments made during the earlier open session on fruit and nut trees, pedestrian walk ways, and support for the Library.

X. Adjournment

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to adjourn. There were no objections. Time 8:50 P.M.

A True Copy.

ATTEST _____
Susan Clements-Dallaire, City Clerk