

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. Pealatore 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

