

IN COUNCIL REGULAR MEETING JANUARY 5, 2015 VOL. 34 PAGE 90

Mayor LaBonté called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall. Cub Scout Pack 111 performed a flag ceremony and led the assembly in the salute to the flag. Councilor Lee had an excused absence. All other Councilors were present.

I. Consent Items

1. **Order 01-01052015***
Appointing Karen Scammon as City Assessor for a two year term beginning 2/1/2015 with an expiration of 1/31/2017.
2. **Order 02-01052015***
Confirming Chief Crowell's appointment of Constables without firearms for the Auburn Police Department.
3. **Order 03-01052015***
Accepting the transfer of \$699.00 forfeiture assets in U.S. currency (Jermaine Motley).
4. **Order 04-01052015***
Confirming Chief Crowell's appointment of James S. Davison as a Constable with a firearm for the Auburn Police Department.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to accept the consent items as presented. Passage 6-0.

II. Minutes

- December 15, 2014 Regular Council Meeting

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to accept the minutes of December 15, 2014 as presented. Passage 6-0.

III. Reports*

**For trial period, Council agrees to shift Reports to the last item on the meeting agenda. To do so, a motion should be made "To suspend the rules and move item III. Reports on the agenda to immediately after item VIII. Executive Session".*

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to suspend the rules and move item III, Reports on the agenda to immediately after item VIII, Executive Session. Passage 4-2 (Councilors Walker and Crowley opposed).

IV. Communications, Presentations and Recognitions

- Cub Scout Pack 111 presented a bronze memorial plaque to the City. The plaque is dedicated to the 17 victims that perished in a tragic fire in Auburn in 1945.

V. Open Session

Andy Titus, 17 Lamplighter Circle commented on the light agenda, the road projects on South Main Street and Park Avenue, and committee reports, and economic development.

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Joe Gray, Sopers Mill Road commented on Councilor reports, and on the first workshop item on the Future Land Use Map amendment proposal.

VI. Unfinished Business - None

VII. New Business - None

VIII. Executive Session - None

Reports*

Mayor's Report – Commented on scheduling workshop and agenda items, staff preparation, meetings with John Holden (President of LAEGC), meeting with the Town of Poland to talk about economic development partnerships, discussions with St. Lawrence and Atlantic Railroad, negotiations between the City and National Guard regarding the land in the Mt. Apatite and Auburn Suburban ball field area and determining the land value, workforce development, an upcoming meeting with University of Maine system (USM and Lewiston Auburn College officials), and the Airport's Strategic Planning and possible land acquisition.

City Manager's Report – Municipal Wireless Network update, CIP (Capital Improvement Program) for requests have been turned in by Department heads, thanked City Staff who took part in delivering gifts and meals at Christmas time, meetings to be videotaped by chapter moving forward, on Monday nights without a scheduled City Council meeting, he will be available until 8pm to take concerns or to meet with residents.

Committee and City Councilor Reports

Councilor LaFontaine – On scheduling a meeting with Council and the School Committee to talk about process, members of the School Committee and high school administration visited a school in Worcester, Massachusetts; she encouraged School Administration to not think about building only when talking about curriculum for high school students. She also commented on the Auburn Public Library activities and events, and on the labor shortage in our community (and all of Maine).

Councilor Walker - On Mid Maine Waste Action Corporation and a price increase which we'll see. The increase will be approximately \$40 - \$41 per ton. Also, the Recycling Committee will be coming forward with a new plan for recycling.

Councilor Gerry - On the Lewiston Auburn Transit Committee will meet next week, the Citizens Advisory Committee will meet tomorrow, the Auburn Housing authority generally meet the last Wednesday of the month. The Mayor requested to see AVCOG's total expenditures relating to transit including any indirect charges, and in regards to the Auburn Housing Authority, he would like a briefing on the Spring Street Project.

Councilor Young – no report.

Councilor Crowley - On Auburn Recreation and Special Events meeting, posting on message board, the Winter Festival, the First Auburn Senior Citizens group activities, Ingersoll update report, programming updates, Auburn Water and Sewerage District report included budget, cell tower lease agreement, Auburns share of the Lewiston-Auburn Water Pollution Control

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Authority and her Sewer tip. Written reports were provided and were posted on our website. She also provided her Ward 1 report which included the lighting of St. Louis church on New Year's Eve, thanked the new owners of the church, thanked Auburn residents for giving gifts and food during the holidays, dates to watch, visiting hours at the Library, calls regarding recycling and the Norway Savings Bank Arena, Salute to Denny Sullivan Day, and City Council schedule.

Councilor Hayes – Commented on an article that was in the newspaper regarding the Airport. He also stated that the Airport Board is in the process of strategic planning and the public is invited to attend and participate during the open session. The Railroad received national press in a transportation magazine on the length of track, and increased services, and at the next Airport session they should be able to discuss another contract (an eatery).

IX. Open Session - Members of the public are invited to speak to the Council about any issue directly related to City business which is *not on this agenda*.

Jim Tierney, 7 Drummond Street commented on snow removal.

Joe Gray, Sopers Mill Road had questions on the Airport and Railroad, and the Spring Street project, recommended looking at our economic development strategy, and commented on TIF's.

Andy Titus, 17 Lamplighter Circle asked if there would be an open session at the January 12th workshop.

X. Adjournment – Motion was made by Councilor Crowley and seconded by Councilor LaFontaine to adjourn. All were in favor and the meeting adjourned at 8:57 PM.

A True Copy.

ATTEST _____
Susan Clements-Dallaire, City Clerk

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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 Young had an excused absence. All other Councilors were present.

I. Consent Items

5. Order 05-01202015*

Setting June 9, 2015 as the date for the School Budget Validation Referendum and Special Municipal Election.

Motion was made by Councilor Gerry and seconded by Councilor LaFontaine to accept the one consent item as presented. Passage 6-0.

II. Minutes - January 5, 2015 Regular Council Meeting

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to accept the minutes of January 5, 2015 as presented. Passage 5-0-1 (Councilor Lee abstained as he was not present at that meeting).

III. Reports

Motion was made by Councilor Lee and seconded by Councilor LaFontaine to suspend the rules to move item III. Reports on the agenda to immediately after item VIII. Executive Session. Passage 5-1 (Councilor Crowley opposed).

IV. Communications, Presentations and Recognitions

- Introduction of John Holden, President of the Lewiston-Auburn Economic Growth Council
- EMS (Emergency Medical Services) update by Chief Roma

Public comment - Joe Gray, Sopers Mill Road with billing questions

V. Open Session – No one from the public spoke

VI. Unfinished Business - None

VII. New Business

1. Order 06-01202015

Approving the proposed amendment to the 2010 Comprehensive Plan's Land Use Plan from Agricultural/Rural to Low Density Residential for the property located at 113 Woodbury Road. First reading.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to approve order 06-01202015 as presented.

Public comment – no one from the public spoke

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Passage 4-2 (Councilors Crowley and Gerry opposed). A roll call vote was taken.

2. Ordinance 01-01202015

Adopting the proposed amendment to Part II, Code of Ordinance, Chapter 2, Administration, Article V, Boards, Commissions and Committees, Division 4, Planning Board. First reading.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to adopt Ordinance 01-01202015 as presented.

Public comment – no one from the public spoke

Passage 4-2 (Councilors Walker and Gerry opposed). A roll call vote was taken.

3. Ordinance 02-01202015

Adopting the proposed amendment to Part II, Code of Ordinance, Chapter 2, Administration, Article Article II, Mayor and City Council, Division 2, Rules of Procedure, Section 2-59, Order of Business. Public hearing and first reading.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to adopt Ordinance 02-01202015 as presented.

Passage 5-1 (Councilor Walker opposed). A roll call vote was taken.

4. Ordinance 03-01202015

Adopting the proposed amendment to Part II, Code of Ordinance, Chapter 2, Administration, Article Article V, Boards, Commissions, and Committees, Division 1, Generally. Public hearing and first reading.

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry to postpone this item for a future workshop. Passage 6-0.

VIII. Executive Session - Discussion regarding real estate matter, pursuant to 1 M.R.S.A. 405(6)(C) with possible action to follow.

Motion was made by Councilor LaFontaine and seconded by Councilor Lee to enter into executive session to discuss a real estate matter, pursuant to 1 M.R.S.A. 405(6)(C) with possible action to follow. Passage 4-1 (Councilor Crowley opposed and Councilor Walker was not in the room for the vote). Time 8:19 P.M.

Council was declared out of Executive Session at 8:44 P.M. and no action was taken.

Mayor's Report – No report

City Councilor Reports

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Councilor LaFontaine – Teen Life Series at the Auburn Public Library and Saturday is National Read-a-thon day.

Councilor Lee – Bike Ped Committee has not met recently, LAEGC – met with John Holden, the Citizens Advisory Committee will be meeting January 27, 2015.

Councilor Gerry – no report

Councilor Walker – no report

Councilor Crowley – Dates to watch, Winter Festival, history of skiing at the Auburn Public Library, Bunko at the Women's Literary Union, Recreation Advisory Committee meeting on February 11th, Valentine's Day, Salute to Denny Sullivan Day is March 14th, no committee reports tonight, trash and recycling calls, a newspaper article in regards to follow up from her previous Sewerage report, and calls regarding Great Falls TV.

Councilor Hayes - an announcement regarding the Airport Café which is reopening.

City Manager's Report – Commended the Police Department on the well organized effort with the Lewiston Police Department, the Lisbon Police Department, the County Sheriff's

office and various State and Federal agencies on the arrest of 24 individuals who were selling drugs in the area.

Finance Director, Jill Eastman - December 2014 Monthly Finance Report

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to accept and place on file the December 2014 monthly finance report. Passage 6-0.

IX. Open Session – No one from the public spoke

X. Adjournment – Motion was made by Councilor LaFontaine and seconded by Councilor Walker with a unanimous vote to adjourn. Time 9:07 P.M.

A True Copy.

ATTEST _____

Susan Clements-Dallaire, City Clerk

IN COUNCIL SPECIAL MEETING JANUARY 26, 2015 VOL. 34 PAGE 96

Mayor LaBonté called the meeting to order at 5:49 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Councilors Young and Crowley had excused absences. All other Councilors were present.

I. New Business

1. Ordinance 04-01262015

Amending the Code of Ordinances Chapter 14, Article IX - Mass Gatherings, section 14-275 – Alcoholic Beverages. Public hearing and first reading.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to approve amending the Code of Ordinances Chapter 14, Article IX - Mass Gatherings, section 14-275 – Alcoholic Beverages as presented.

Public hearing – Andy Titus, 14 Pinnacle Drive – asked if this open the door to all festivals or just this one event.

Passage 4-1 (Councilor Hayes opposed). A roll call vote was taken.

II. Executive Session

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

Motion was made by Councilor LaFontaine seconded by Councilor Walker to enter into executive session to discuss a personnel matter, pursuant to 1 M.R.S.A. Section 405(6)(A). Passage 5-0, time 5:54 P.M.

Council was declared out of executive session at 7:00 P.M.

III. Adjournment

Motion was made by Councilor Walker and seconded by Councilor Gerry to adjourn. There were no objections and the meeting adjourned at 7:00 P.M.

A True Copy.

ATTEST _____
Susan Clements-Dallaire, City Clerk

IN COUNCIL REGULAR MEETING FEBRUARY 9, 2015 VOL. 34 PAGE 97

This meeting was scheduled for 2/2/2015 but due to inclement weather, was postponed until 2/9/2015.

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. Councilors Young and Crowley had excused absences. All other Councilors were present.

II. Consent Items

5. Order 07-02022015*

Setting the date for the Special Municipal Election for the vacant Ward 5 School Committee seat as June 9, 2015.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to approve the consent item as presented. Passage 5-0.

II. Minutes

- January 20, 2015 Regular Council Meeting

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to accept the minutes of January 20, 2015 as presented. Passage 5-0.

IV. Reports*

**For trial period, Council agrees to shift Reports to the last item on the meeting agenda. To do so, a motion should be made "To suspend the rules and move item III. Reports on the agenda to immediately after item VIII. Executive Session".*

Motion was made by Councilor Lee and seconded by Councilor Gerry to suspend the rules and move item III, Reports on the agenda to immediately after item VIII, Executive Session. Passage 5-0.

IV. Communications, Presentations and Recognitions

- Community Little Theater Presentation – E. Chris L’Hommedieu presenter
- LA Arts Presentation – Josh Vink presenter
- LA Harley and The Wolf Mass Gathering application - was reviewed during the workshop
- Council Meeting Calendar – was reviewed during the workshop

V. Open Session

Joe Gray, Sopers Mill Road commented on the Community Little Theater and the vacant School Committee seats.

Dan Herrick, 470 Hatch Road commented on the budget, EMS (Emergency Management Services), and the Comprehensive Plan.

VI. Unfinished Business

IN COUNCIL REGULAR MEETING FEBRUARY 9, 2015 VOL. 34 PAGE 98

1. Order 06-01202015

Approving the proposed amendment to the 2010 Comprehensive Plan's Land Use Plan from Agricultural/Rural to Low Density Residential for the property located at 113 Woodbury Road. Public hearing and second reading.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to approve the proposed amendment to the 2010 Comprehensive Plan's Land Use Plan from Agricultural/Rural to Low Density Residential for the property located at 113 Woodbury Road.

Public hearing – Rick Lanman, Auburn Lewiston Airport Manager and Dan Herrick, 470 Hatch Road both spoke.

Passage 4-1 (Councilor Gerry opposed). A roll call vote was taken.

2. Ordinance 01-01202015

Adopting the proposed amendment to Part II, Code of Ordinance, Chapter 2, Administration, Article V, Boards, Commissions and Committees, Division 4, Planning Board. Public hearing and second reading.

Motion was made by Councilor LaFontaine and seconded by Councilor Lee to adopt the proposed amendment to Part II, Code of Ordinance, Chapter 2, Administration, Article V, Boards, Commissions and Committees, Division 4, Planning Board.

Public hearing – no one from the public spoke.

Motion was made by Councilor Lee and seconded by Councilor LaFontaine to amend by restoring the original language under section 2-474. Passage of the amendment 5-0.

Passage of Ordinance 01-01202015 as amended 5-0. A roll call vote was taken.

3. Ordinance 02-01202015

Adopting the proposed amendment to Part II, Code of Ordinance, Chapter 2, Administration, Article II, Mayor and City Council, Division 2, Rules of Procedure, Section 2-59, Order of Business. Second reading.

Motion was made by Councilor LaFontaine and seconded by Councilor Lee to adopt the proposed amendment to Part II, Code of Ordinance, Chapter 2, Administration, Article II, Mayor and City Council, Division 2, Rules of Procedure, Section 2-59, Order of Business.

Public comment – no one from the public spoke.

Passage 4-1 (Councilor Walker opposed). A roll call vote was taken.

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4. Ordinance 04-01262015

Amending the Code of Ordinances Chapter 14, Article IX - Mass Gatherings, section 14-275 – Alcoholic Beverages. Second reading.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to amend the Code of Ordinances Chapter 14, Article IX - Mass Gatherings, section 14-275 – Alcoholic Beverages.

Public comment – no one from the public spoke.

Motion was made by Councilor Lee and seconded by Councilor Gerry to amend by providing a full replacement by redrafting the original version making it easier for applicants (a draft copy was handed out). The amendment had no substantive changes, but rather format changes which create more of a checklist for applicants. The amendment also included 2 minor modifications. 1. On the first line the word “of” should be part of the deletion and 2. A colon should follow the word under on the second line.

Passage of the amendment 5-0.

Passage of Ordinance 04-01262015 as amended 5-0. A roll call vote was taken.

VII. New Business

5. Order 08-02022015

Authorizing the Interim City Manager to execute all documents for a license agreement to lease property within the Auburn intermodal terminal.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to authorize the Interim City Manager to execute all documents for a license agreement to lease property within the Auburn intermodal terminal.

Public comment – Andy Titus 14 Pinnacle Drive

Passage 4-1 (Councilor Lee was opposed).

6. Ordinance 05-02022015

Adopting the proposed amendment change to Part II, Code of Ordinance, Chapter 56, Vegetation, Article II – Trees and Shrubs, Section 56.19 - Tree Maintenance. Public hearing and first reading.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to adopt the proposed amendment change to Part II, Code of Ordinance, Chapter 56, Vegetation, Article II – Trees and Shrubs, Section 56.19 - Tree Maintenance.

Public hearing – no one from the public spoke.

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Failed 3-2 (Councilors Walker and Gerry opposed and 4 affirmative votes are required for passage). A roll call vote was taken.

7. Ordinance 06-02022015

Adopting the proposed amendment change to Part II, Code of Ordinance, Chapter 56, Vegetation, Article II – Trees and Shrubs, Section 56.21 – Shade Trees. Public hearing and first reading.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to adopting the proposed amendment change to Part II, Code of Ordinance, Chapter 56, Vegetation, Article II – Trees and Shrubs, Section 56.21 – Shade Trees.

Public hearing-no one from the public spoke.

Passage 5-0. A roll call vote was taken.

8. Ordinance 07-02022015

Adopting the proposed ordinance for a Conservation Commission (Part II – Code of Ordinance, Chapter 2 – Administration, Article V – Boards, Commissions and Committees, Division 5). Public hearing and first reading.

Motion was made by Councilor LaFontaine and seconded by Councilor Lee to adopt the proposed ordinance for a Conservation Commission (Part II, Code of Ordinance, Chapter 2, Administration, Article V – Boards, Commissions and Committees, Division 5).

Public hearing – no one from the public spoke.

Failed 3-2 (Councilors Walker and Gerry opposed and 4 affirmative votes are required for passage). A roll call vote was taken.

9. Ordinance 08-02022015

Adopting the proposed amendment change to Part II, Code of Ordinance, Chapter 2 – Administration, Article III – Officers and Employees, Division 7 – Tax Assessor, Section 2-256 (a) Powers and Duties. Public hearing and first reading.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to adopt the proposed amendment change to Part II, Code of Ordinance, Chapter 2 – Administration, Article III – Officers and Employees, Division 7 – Tax Assessor, Section 2-256 (a) Powers and Duties.

Public hearing – no one from the public spoke.

Passage 5-0. A roll call vote was taken.

10. Ordinance 09-02022015

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Adopting the proposed amendment change to Part II, Code of Ordinance, Chapter 2 – Administration, Article IV – Departments, Division 3 – Finance, Section 2-359 -Established. Public hearing and first reading.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to adopt the proposed amendment change to Part II, Code of Ordinance, Chapter 2 – Administration, Article IV – Departments, Division 3 – Finance, Section 2-359 - Established.

Public hearing – no one from the public spoke.

Passage 5-0. A roll call vote was taken.

11. Order 09-02092015

Approving the Mass Gathering permit request for LA Harley and The Wolf Country Festival to be held August 1, and August 2, 2015 at the Auburn Lewiston Airport, pending all Ordinance requirements, applicable department approvals and conditions are met. Public hearing.

Motion was made by Councilor LaFontaine and seconded by Councilor Lee to approve the Mass Gathering permit request for LA Harley and The Wolf Country Festival to be held August 1, and August 2, 2015 at the Auburn Lewiston Airport, pending all Ordinance requirements, applicable department approvals and conditions are met.

Public hearing – Dan Herrick 470 Hatch Road in support, Andy Titus 14 Pinnacle Drive in support, and Dean Staffieri (one of the organizers) commented that he was hopeful that this will be an ongoing and successful event.

Passage 4-1, Councilor Hayes opposed.

VIII. Executive Session - Discussion regarding labor negotiations (Fire), pursuant to 1 M.R.S.A. Section 405(6)(D).

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to enter into executive session regarding labor negotiations (Fire), pursuant to 1 M.R.S.A. Section 405(6)(D). Passage 5-0, time 9:05 PM.

Council was declared out of executive session at 9:57 PM.

Reports*

Mayor's Report – No report (the Mayor was not present for this portion of the meeting).

City Manager's Report – commented on a program offered by the Public Services Department called “Sand for Seniors”, and he also advised Council that the Public Services winter

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maintenance and salt budget is close to being depleted due to the number of recent storms. He would like to request money from the emergency reserve fund at the next meeting.

Committee and City Councilor Reports

Councilor Hayes – reported that the Airport restaurant will be opening on the 24th of the month, and in the terminal, a conference room was going to be upgraded with furniture for small group meetings.

Councilor LaFontaine – reported on the School Committee and the National Science Foundation has funded a project designed to close the gap between research and practice in Math and STEM (Science, Technology, Engineering, and Math) activities in the schools and Auburn was selected as one of three nationwide sites to participate in this grant. The school is also considering placing a sign somewhere in the community and they are hoping that the city will partner in that process. She also commented on the upcoming Farmers Market that will be held at the Library Friday, February 27th.

Councilor Lee – reported on the recent LAEGC meeting and stated that he would be sharing with Council a document that was provided by John Holden, LAEGC President. He also reported that the Business to Business trade show will be held on June 18th and the annual dinner will be held on May 7th. He stated that it would be nice to hold a joint meeting with Lewiston to discuss the Bike-Ped Committee.

Councilor Walker – submitted a written report which has been placed on file.

Councilor Gerry – reported on the upcoming meetings of the LATC (Lewiston Auburn Transportation Center), and the Citizens Advisory Committee.

X. Adjournment – Motion was made by Councilor Lee and seconded by Councilor Walker to adjourn. All were in favor and the meeting adjourned at 10:10 PM.

A True Copy.

ATTEST _____
Susan Clements-Dallaire, City Clerk

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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 Lee arrived at 8:20 P.M. All other Councilors were present.

III. Consent Items

6. Order 10-02172015*

Approving the temporary sign request for the Kora Shriners for the 2015 circus to be held in April.

7. Order 11-02172015*

Confirming the appointment of Sean Scully as Constable without a firearm as a process server.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to accept the consent item as presented. Passage 6-0.

II. Minutes - January 26, 2015 Special Council Meeting

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to accept the minutes of January 26, 2015 as presented. Passage 5-0-1 (Councilor Crowley abstained as she was not present at that meeting).

III. Communications, Presentations and Recognitions

- Recognition - Auburn Wellness Team

IV. Open Session – No one from the public spoke

V. Unfinished Business

12. Ordinance 05-02022015

Adopting the proposed amendment change to Part II, Code of Ordinance, Chapter 56, Vegetation, Article II – Trees and Shrubs, Section 56.19 - Tree Maintenance. Second reading.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to adopt the proposed amendment change to Part II, Code of Ordinance, Chapter 56, Vegetation, Article II – Trees and Shrubs, Section 56.19 - Tree Maintenance.

Public comment - no one from the public spoke.

Passage 6-0. A roll call vote was taken.

13. Ordinance 06-02022015

Adopting the proposed amendment change to Part II, Code of Ordinance, Chapter 56, Vegetation, Article II – Trees and Shrubs, Section 56.21 – Shade Trees. Second reading.

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Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to adopt the proposed amendment change to Part II, Code of Ordinance, Chapter 56, Vegetation, Article II – Trees and Shrubs, Section 56.21 – Shade Trees.

Public comment - no one from the public spoke.

Passage 6-0. A roll call vote was taken.

14. Ordinance 07-02022015

Adopting the proposed ordinance for a Conservation Commission (Part II – Code of Ordinance, Chapter 2 – Administration, Article V – Boards, Commissions and Committees, Division 5). Second reading.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to adopt the proposed ordinance for a Conservation Commission (Part II, Code of Ordinance, Chapter 2 – Administration, Article V – Boards, Commissions and Committees, Division 5).

Public comment - no one from the public spoke.

Passage 5-1 (Councilor Walker opposed). A roll call vote was taken.

15. Ordinance 08-02022015

Adopting the proposed amendment change to Part II, Code of Ordinance, Chapter 2 – Administration, Article III – Officers and Employees, Division 7 – Tax Assessor, Section 2-256 (a) Powers and Duties. Second reading.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to adopt the proposed amendment change to Part II, Code of Ordinance, Chapter 2 – Administration, Article III – Officers and Employees, Division 7 – Tax Assessor, Section 2-256 (A) Powers and Duties.

Public comment - no one from the public spoke.

Passage 6-0. A roll call vote was taken.

16. Ordinance 09-02022015

Adopting the proposed amendment change to Part II, Code of Ordinance, Chapter 2 – Administration, Article IV – Departments, Division 3 – Finance, Section 2-359 - Established. Second reading.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to adopt the proposed amendment change to Part II, Code of Ordinance, Chapter 2 – Administration, Article IV – Departments, Division 3 – Finance, Section 2-359 - Established.

Public comment - no one from the public spoke.

Passage 6-0. A roll call vote was taken.

VI. New Business

17. Order 12-02172015

Adopting the lead loan guidelines as recommended by Community Development staff.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to adopt the lead loan guidelines as recommended by the Community Development staff.

Public comment – no one from the public spoke.

Passage 6-0.

18. Order 13-02172015

Adopting the 2014 New Auburn Village Center Plan as an amendment to the 2010 Comprehensive Plan.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to adopt the 2014 New Auburn Village Center Plan as an amendment to the 2010 Comprehensive Plan.

Public comment – no one from the public spoke.

Passage 4-1-1 (Councilor Gerry opposed and Councilor Hayes abstained).

19. Order 14-02172015

Approve funding \$250,000 to implement a portion of the Comprehensive Plan, specifically design and permitting of the New Auburn Riverway Road.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to approve funding \$250,000 to implement a portion of the Comprehensive Plan, specifically design and permitting of the New Auburn Riverway Road.

Public comment – no one from the public spoke.

Passage 5-1 (Councilor Crowley opposed).

20. Order 15-02172015

Approve funding \$12,691 to LA Arts.

Motion was made by Councilor LaFontaine and seconded by Councilor Young to approve funding \$12,691 to LA Arts.

Motion was made by Councilor Hayes and seconded by Councilor Crowley to amend by reducing the amount to \$8,500.

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Motion by Councilor Hayes and seconded by Councilor Crowley to further amend with the funding to be taken out of the Economic Development consulting services budget.

Motion on the amendment to the amendment (for the funding to be taken out of the Economic Development consulting services budget) failed 2-4 (Councilors Young, LaFontaine, Walker, and Gerry opposed).

Motion on the original amendment (to reduce the amount from \$12,691 to \$8,500) failed 2-4 (Councilors Young, Crowley, LaFontaine, and Gerry opposed).

Motion was made by Councilor Crowley and seconded by Councilor Walker to postpone allowing time for the City Manager provide funding alternatives. Passage 4-2 (Councilors Young and Gerry opposed).

21. Ordinance 10-02172015

Adopting additional language to the Code of Ordinances Chapter 14, Article IX - Mass Gatherings, under section 14-251 (e) (22). Public hearing and first reading.

Motion was made by Councilor Hayes and seconded by Councilor Walker to adopt additional language to the Code of Ordinances Chapter 14, Article IX - Mass Gatherings, under section 14-251 (e) (22) as proposed.

Public hearing - no one from the public spoke.

Passage 4-1 (Councilor Crowley opposed). A roll call vote was taken.

22. Order 16-02172015

Authorize the City Manager to fund the Public Services department with an additional \$150,000 from the Emergency Reserve Account.

Motion was made by Councilor Walker and seconded by Councilor Crowley to authorize the City Manager to fund the Public Services department with an additional \$150,000 from the Emergency Reserve Account.

Public comment - no one from the public spoke.

Passage 6-0.

VII. Reports

Mayor's Report – discussed scheduling time to talk about the State budget and City impacts, funding LA Arts, and a multi page report he is working on regarding economic development.

City Councilors' Reports

IN COUNCIL REGULAR MEETING FEBRUARY 17, 2015 VOL. 34 PAGE 107

Councilor LaFontaine – on programs offered at the Auburn Public Library, she has been attending the Lewiston Auburn Public Health ad-hoc committee, and recommended adding signage to the joint workshop with the School Department.

Councilor Crowley – thanked all of the emergency preparedness personnel for readying the community for the blizzard that was expected to hit, congratulated Mechanic Savings Bank for 140 years of service in the Community. They are now in the process of renovating and merging with Biddeford Savings Bank, she spoke about today being Fat Tuesday and talked about Mardi Gras, visiting hours at the Library, National Heart Month, Wear Red Day, dates to watch, budget workshops, Lewiston Auburn Public Health Committee/ad-hoc committee.

City Manager Report – recognized resident Debbie Berry who has been tying mittens, hats, and scarves around light poles for citizens who may not have those items, the Edward Little High School Class A boys and girls basket ball teams are playing in Bangor on Tuesday. He encouraged people to attend if they are able as a show of support. He has requested a meeting with MDOT Commissioner Bernhardt on the New Auburn Bridge and the Intermodal facility at the Airport, he thanked Public Service staff for keeping roads clear, he is still researching the issue brought forward by Dan Herrick at the last Council meeting regarding residents billed by EMS (Emergency Management Services) in error, and there will be a Joint School and City meeting Monday, February 23rd to discuss CIP (Capital Improvement Plan).

Finance Director, Jill Eastman – January 2015 Monthly Finance Report

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley to accept and place on file the January 2015 Monthly Finance report. Passage 7-0.

VIII. Open Session (taken out of order) – No one from the public spoke

IX. Executive Session - Discussion regarding labor negotiations (Fire), pursuant to 1 M.R.S.A. Section 405(6)(D).

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to enter into executive session regarding labor negotiations (Fire), pursuant to 1 M.R.S.A. 405(6)(D). Passage 5-1-1 (Councilor Crowley opposed and Councilor Walker was not in the room for the vote). Time 8:27 P.M.

Council was declared out of Executive Session at 9:33 P.M.

X. Adjournment – Motion was made by Councilor LaFontaine and seconded by Councilor Young with a unanimous vote to adjourn. Time 9:33 P.M.

A True Copy.

ATTEST _____
Susan Clements-Dallaire, City Clerk

IN COUNCIL REGULAR MEETING MARCH 2, 2015 VOL. 34 PAGE 108

Mayor LaBonté called the meeting to order at 7:08 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

The Mayor asked that Council take item 3 out of order to address first on the agenda. There were no objections from Council.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to enter into executive session to review and discuss an examination conducted by the City for licensing purposes pursuant to 1 M.R.S. § 405 (6) (G). Passage 7-0, 7:10 PM.

Council was declared temporarily out of executive session at 8:02 PM and will resume the executive session at approximately 8:30 PM.

IV. Consent Items - None

II. Minutes

- February 9, 2015 Regular Council Meeting
- February 17, 2015 Regular Council Meeting

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to accept the minutes of February 9, 2015 and February 17, 2015 as presented. Passage 6-0-1 (Councilor Lee abstained).

III. Communications, Presentations and Recognitions - None

IV. Open Session

- Dan Herrick, 470 Hatch Road on tax acquired properties, the Agricultural Resource Protection Zone, Emergency Management Service transport issue.
- Clem Clements, 28 First Street, Lewiston with positive comments on the Norway Savings Bank Arena and the tournaments that are taking place.

V. Unfinished Business

1. Ordinance 10-02172015

Adopting additional language to the Code of Ordinances Chapter 14, Article IX - Mass Gatherings, under section 14-251 (e) (22). Second reading.

Motion by Councilor Crowley seconded by Councilor Hayes to table this to the end of this meeting. Passage 4-3 (Councilors Hayes, LaFontaine, and Lee opposed).

2. Order 15-02172015

Approve funding \$12,691 to LA Arts.

Motion was made by Councilor Gerry and seconded by Councilor Crowley to table this item to end of meeting. Passage 6-1 (Councilor Lee opposed).

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V. New Business

3. Order 18-03022015

Approve consolidating to one voting place for the June 9, 2015 election (pending a statewide election on the same date). Public hearing.

Motion was made by Councilor Lee and seconded by Councilor LaFontaine for passage of Order 18-03022015 as presented.

Public hearing – no one from the public spoke.

Passage 4-3 (Councilors Crowley, Walker, and Gerry opposed).

4. Order 19-03022015

Appointing Board and Committee members.

Council may enter into executive session, pursuant to 1 M.R.S.A. §405(6)(A).

Motion was made by Councilor Crowley and seconded by Councilor LaFontaine to postpone this item to the March 16, 2015 Council meeting. Passage 7-0.

5. Order 20-03022015

Authorizing the agreement to share health officer services with Lisbon.

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley to authorize the agreement to share health officer services with Lisbon.

Public comment – no one from the public spoke.

Passage 6-1 (Councilor Walker opposed).

6. Order 21-03022015

Authorizing the reallocation of bonds in the amount of \$350,000 for the repurposing of Ingersoll Arena. Public hearing and first reading. *Council may enter into executive Session regarding a real estate matter, pursuant to 1 M.R.S.A. §405(6)(C).*

Motion was made by Councilor Crowley and seconded by Councilor Walker to authorize the reallocation of bonds in the amount of \$350,000 for the repurposing of Ingersoll Arena.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to enter into executive session pursuant to 1 MRSA Sec. 405 (6) (C). Passage 5-2 (Councilors Walker and Crowley opposed), 8:22 PM.

Council was declared out of executive session at 8:29 PM.

Public hearing - no one from the public spoke.

Passage of order 21-03022015 as presented, 7-0. A roll call vote was taken.

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Motion was made by Councilor LaFontaine and seconded by Councilor Lee to resume the earlier executive session to review and discuss an examination conducted

by the City for licensing purposes pursuant to 1 M.R.S. § 405 (6) (G). Passage 7-0, 8:31 PM.

Council was declared out of executive session at 9:02 PM.

7. Order 17-03022015

Potential suspension or revocation of combined massage establishment/massage therapist license of Chinese Massage and Body Work, Inc.

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley to revoke the massage establishment license issued to Chinese Massage and Body Work, Inc. Passage 6-0-1 (Councilor Walker abstained).

VIII. Executive Session - Discussion regarding labor negotiations (Fire), pursuant to 1 M.R.S.A. Section 405(6)(D).

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to enter into executive session regarding labor negotiations (Fire), pursuant to 1 M.R.S.A. Section 405(6)(D). Passage 6-1 (Councilor Crowley opposed), time 9:08 PM.

Council was declared out of executive session at 9:15 PM.

Reports*

Mayor's Report – no report

City Councilors' Reports

Councilor Walker - submitted a written report which has been placed on file

Councilor Gerry – reported that she was unable to attend the Auburn Housing Authority meeting last week as she was sick

Councilor Crowley – reported on the Auburn Sewerage District (also submitted a written copy which has been placed on file), discussed their budget, hydrant maintenance, ASD Trustee Jeff Preble's term has expired and he will not be re-applying, CSO Master plan 5 year update, RFQ for team building and leadership development, Sewer tip of the month – flooding basements, Auburn Water District Report (also submitted a written copy which has been placed on file), Water District budget, slow flowing water lines to prevent freezing, mortgage on the Brackett House, FOAA fees, purchase of trucks, Recreation and Special Events Advisory Board, business plan repurposing Ingersoll Arena, the mission statement of the board, special events under recreation or economic and community development, Ward 1 report, thanked Alfreda Fournier for photos, working with Chris Langis (School Committee) regarding communications, dates to watch, Dinny Sullivan Day - A Salute to Neighborhood Businesses.

Councilor Young – no report

Councilor Hayes – no report

Councilor LaFontaine – no report

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Councilor Lee – no report

City Manager's Report – no report

IX. Open Session – no one from the public spoke

Ordinance 10-02172015

Adopting additional language to the Code of Ordinances Chapter 14, Article IX - Mass Gatherings, under section 14-251 (e) (22). Second reading. This item was tabled earlier on in the meeting.

Motion was made by Councilor LaFontaine and seconded by Councilor Lee to adopt additional language to the Code of Ordinances Chapter 14, Article IX - Mass Gatherings, under section 14-251 (e) (22) as presented.

Public hearing - no one from the public spoke.

Passage 6-1 (Councilor Crowley opposed).

Order 15-02172015

Approve funding \$12,691 to LA Arts. This item was tabled earlier on in the meeting.

Motion was made by Councilor LaFontaine and seconded by Councilor Lee to approve funding \$12,691 to LA Arts.

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry to enter into executive session regarding a personnel matter, pursuant to 1 M.R.S.A. Section 405(6)(D). Passage 4-3 (Councilors Crowley, Walker, and Hayes opposed), 9:35 PM. Council was declared out of executive session at 9:44 PM.

Motion to approve funding \$12,691 to LA Arts failed 3-4 (Councilors Crowley, Hayes, Walker, and Gerry opposed).

X. Adjournment – Motion was made by Councilor LaFontaine and seconded by Councilor Walker to adjourn. All were in favor and the meeting adjourned at 9:59 PM.

A True Copy.

ATTEST _____
Susan Clements-Dallaire, City Clerk

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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. Councilor LaFontaine had an excused absence. All other Councilors were present.

V. Consent Items

1. Order 22-03162015

Appointing the Registration Appeals Board members.

Motion was made by Councilor Hayes and seconded by Councilor Walker to approve the one consent item, Order 22-03162015 as presented. Passage 6-0.

II. Minutes - March 2, 2015 Regular Council Meeting

Motion was made by Councilor Crowley and seconded by Councilor Walker to accept the minutes of March 2, 2015 as presented. Passage 6-0.

III. Communications, Presentations and Recognitions

Lewiston Auburn Economic Growth Council - postponed to April.

IV. Open Session – Bruce Bickford, Resident of 64 Cameron Lane, State Representative District 63, and Taxation Committee member. Mr. Bickford provided Council with an update on the Governors taxation plan.

V. Unfinished Business

8. Order 19-03022015

Appointing Board and Committee members.

Motion was made by Councilor Lee and seconded by Councilor Walker to postpone this item to the April 6, 2015 meeting. Passage 6-0.

9. Order 21-03022015

Authorizing the reallocation of bonds in the amount of \$350,000 for the repurposing of Ingersoll Arena. Second reading.

Motion was made by Councilor Lee and seconded by Councilor Crowley authorizing the reallocation of bonds in the amount of \$350,000 for the repurposing of Ingersoll Arena.

Public comment - no one from the public spoke.

Passage 6-0. A roll call vote was taken.

Motion was made by Councilor Hayes and seconded by Councilor Lee to suspend the rules and reconsider the vote on Order 15-02172015 for funding LA Arts. Passage 4-2 (Councilors Gerry and Walker opposed).

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Motion was made by Councilor Hayes and seconded by Councilor Lee to amend the language of the original order by changing the amount of funding from \$12,691 to \$8,000 for work accomplished this budget year to date and that funding be appropriated from the Economic Development Consulting line of the FY2015 budget.

Public comment – no one from the public spoke.

Passage 5-1 (Councilor Gerry opposed).

VI. New Business

10. Order 23-03162015

Authorizing the funding for the Downtown Transportation Center (DATC) related design and construction costs.

Motion was made by Councilor Gerry and seconded by Councilor Crowley to postpone to the next available meeting after more discussion.

Motion failed 2-4 (Councilors Young, Crowley, Hayes, and Lee opposed).

Motion was made by Councilor Lee and seconded by Councilor Hayes to approve Order 23-03162015 authorizing the funding for the Downtown Transportation Center (DATC) related design and construction costs as presented.

Public comment - Andy Titus 14 Pinnacle Drive

Motion was made by Councilor Lee and seconded by Councilor Crowley to postpone to the April 6, 2015 meeting. Passage 5-1 (Councilor Hayes opposed).

VII. Executive Session

- Discussion regarding a real estate matter, pursuant to 1 M.R.S.A. Section 405(6) (C). *This item was taken up at the end of the workshop. Motion was made by Councilor Lee and seconded by Councilor Walker to enter into executive session for discussion regarding a real estate matter, pursuant to 1 M.R.S.A. Section 405(6) (C). Passage 5-1 (Councilor Crowley opposed). Time 6:29. Council was declared out of executive session at 7:09 PM.*
- Discussion regarding labor negotiations, pursuant to 1 M.R.S.A. Section 405(6) (D). *The executive session was not needed.*
- Discussion regarding economic development, pursuant to 1 M.R.S.A. Section 405(6) (C). *The executive session was not needed.*

VIII. Reports

Mayor's Report – reported on a meeting with the Economic Development leaders of Poland regarding Economic Development opportunities in Auburn and Poland (April 2 at 7:00 at the airport), there has also been interest from Oxford County communities, he also reported on the passenger rail and an article in the newspaper where comments were

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made that the Mayor of Auburn did not weigh in. He communicated that the reason for that was because he was not asked, and Auburn wasn't engaged.

City Councilors' Reports

Councilor Lee - the Citizens Advisory Committee meeting is scheduled for 3/17/15.

Councilor Walker - submitted a written report that will be placed on file.

Councilor Gerry - no report.

Councilor Hayes - no report.

Councilor Young - no report.

Councilor Crowley - submitted a written report which will be placed on file. She thanked volunteers for Dinny Sullivan Day – Salute to neighborhood businesses, next year it will be held on Saturday March 12th, this will be the 5th year for this event and it is the 104th birthday of Girl Scouts, visiting hours, LAEGC is hosting a meeting Tuesday March 31st and people are encouraged to attend, a downtown neighborhood meeting is coming up, she wants to encourage residents to become engaged with City budget discussions, she commented on speed and safety of roads, encouraged residents to use request it report it feature, she thanked finance director for posting the financial reports on the website, she said she was delighted to hear that we are reaching out to Poland and Oxford County, and she wished everyone a happy Easter.

City Manager Report – thanked Councilor Crowley and various staff members for their part with the Dinny Sullivan Day event, he reported that the school and city budget presentations would take place next week 3/23/15, updated Council on an issue that has come up with Health and Human Services and families seeking asylum. Dot Meagher will bring this forward at an upcoming workshop, he also commented on the upcoming meeting with the Town of Poland, and upcoming meetings to be held by AVCOG and the Maine Department of Transportation on future transportation needs. They will be taking public comments.

Finance Director, Jill Eastman – February 2015 Monthly Finance Report

Motion was made by Councilor Crowley and seconded by Councilor Hayes to accept and place on file the February 2015 monthly Finance Report. Passage 6-0.

IX. Open Session

Joe Gray, Sopers Mill Road regarding taxes (1.8% increase), Community Little Theater and the development in the downtown area, Agricultural Zone and the 50% rule, the Norway Savings Bank Arena shortfall, and commented on Council reports and nothing being reported on the railroad, airport, and Great Falls TV.

Andy Titus, 14 Pinnacle Drive had a suggestion to recommend budget changes during the workshop.

Alfreda Fournier, 43 Davis Avenue, praised Councilors Walker and Crowley for the Dinny Sullivan Day event and gave thanks to the Public Works Department for a job well done this past winter.

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X. Adjournment – Motion was made by Councilor Crowley and seconded by Councilor Walker with a unanimous vote to adjourn. Time 8:19 P.M.

A True Copy.

ATTEST _____
Susan Clements-Dallaire, City Clerk

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Councilor Lee called the meeting to order at 7:03 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Mayor LaBonté had an excused absence. All Councilors were present.

Motion was made by Councilor LaFontaine and seconded by Councilor Young to elect Councilor Lee to serve as Mayor Pro Tempore in the absence of Mayor LaBonté. Passage 6-1 (Councilor Lee opposed).

VI. Consent Items

11. Order 24-04062015*

Approving the temporary sign request for Safe Voices.

12. Order 25-04062015*

Approving the temporary sign request for Auburn Business Association.

13. Order 26-04062015*

Approving the temporary sign request for Park Avenue Elementary School (Spring Fest and Auction event).

14. Order 27-04062015*

Accepting the transfer of Forfeiture Asset (Leslie Scott and Robert Scott).

15. Order 28-04062015*

Setting the time to open the polls for the June 9, 2015 Election.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to accept all 5 consent items as presented. Passage 7-0.

II. Minutes

- March 16, 2015 Regular Council Meeting

Motion was made by Councilor Crowley and seconded by Councilor Walker to accept the minutes of March 16, 2015 as presented. Passage 7-0.

III. Communications, Presentations and Recognitions

- Lewiston-Auburn Economic Growth Council – John Holden

IV. Open Session

Larry Pelletier, 129 Second Street spoke in support of the school budget and doesn't want to see their budget cut.

Joshua Howe, 156 Davis Avenue spoke in support of the school budget and doesn't want to see their budget cut.

Bruce Bickford, 64 Cameron Lane, on funding agencies (Economic Development).

Tracey Corey, 21 Fern St spoke in support of the school budget.

Barry Skilling, 1425 Riverside Drive, commented on the workshop topic regarding storing poles, and also commented on the city and school budgets, and stated that now is the time to make road repairs while fuel prices are down.

Mike Davis, 21 Huston Avenue spoke in support of the school budget and he doesn't want to see their budget cut.

Dan Herrick, 470 Hatch Road, commented on the Animal Control Officer and he would like to see it put back in the budget.

V. Unfinished Business

1. Order 19-03022015

Appointing Board and Committee members.

Council may enter into executive session, pursuant to 1 M.R.S.A. §405(6)(A).

Motion was made by Councilor Crowley and seconded by Councilor LaFontaine to enter into Executive Session pursuant to 1 M.R.S.A. §405(6)(A). Passage 7-0, time 7:41.

Council was declared out of Executive Session at 8:07 P.M.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to appoint Board and Committee members as follows:

Charles Morrison – Cable TV Advisory Board, term expiration 1/1/2017
Edward Desgrosseilliers – Cable TV Advisory Board, term expiration 1/1/2017
Stanwood Gray – Cable TV Advisory Board, term expiration 1/1/2017
Daniel Philbrick – Planning Board, term expiration 1/1/2018
Evan Cyr – Planning Board, term expiration 1/1/2018
Susan Patneau – Recreation and Special Events Advisory Board, term expiration 1/1/2017
Dana Staples – Recreation and Special Events Advisory Board, term expiration 1/1/2017
Robert Cavanagh – Auburn Sewerage District, term expiration 3/1/2019
Preston Chapman – Auburn Water District, term expiration 3/1/2019
Lane Feldman – Zoning Board of Appeals, term expiration 10/01/2018
Kenneth Sonogere – Zoning Board of Appeals, term expiration 10/01/2018
Elizabeth Shardlow – Zoning Board of Appeals, term expiration 10/01/2018

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

2. Order 23-03162015

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Authorizing the funding for the Downtown Transportation Center (DATC) related design and construction costs (specifically Great Falls Plaza Lot 5 footings).

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to authorize the funding for the Downtown Transportation Center (DATC) related design and construction costs (specifically Great Falls Plaza Lot 5 footings). Passage 7-0.

V. New Business

3. Order 29-04062015

Authorizing the funding for the Downtown Transportation Center (DATC) related design and construction costs (alternates 1-5 and utilities).

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to authorize the funding for the Downtown Transportation Center (DATC) related design and construction costs (alternates 1-5 and utilities) with a friendly amendment to correct a typographical error (Alternate 3 notes 1,000 square feet but should read 100 square feet).

Public comment – No one from the public spoke.

Passage 7-0.

4. Public Hearing on CDBG's Consolidated Plan and Annual Action Plan/Budget.

Public comment: Camille Parish 42 Lake Street – stated that she was thankful for inclusion of garden spots in the CDBG budget.

5. Order 30-04062015

Approving the Public Services Labor Contract.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to approve the Public Services labor contract as presented.

Public comment – no one from the public spoke.

Passage 7-0.

6. Order 31-04062015

Rescinding the 2004 Bond Order for the Great Falls Plaza Parking Garage.

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

Public comment – no one from the public spoke.

Passage 7-0.

7. Ordinance 11-04062015

Adopting the proposed ordinance language to Chapter 2, Administration, Article VI, Finance, Division 1, Generally, Sec. 2-487, Bond Authorization. Public hearing and first reading.

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry to adopt the proposed ordinance language to Chapter 2, Administration, Article VI, Finance, Division 1, Generally, Sec. 2-487, Bond Authorization with a friendly amendment to change the use of the word “when” to “on which”.

Sec. 2-487 – Bond Authorization

All bond authorization orders shall include a date *on which* the authorization is automatically cancelled if the bonds have not been issued.

Public comment – no one from the public spoke.

Passage 7-0.

8. Order 32-04062015

Approving the addendum to the current Fire Contract (EMS).

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to approve the addendum to the current Fire Contract (EMS).

Public comment – no one from the public spoke.

Passage 5-2 (Councilors Crowley and Gerry opposed).

VIII. Executive Session - None

Reports*

Mayor’s Report - no report

City Councilors’ Reports

Councilor Hayes submitted a written report (Airport Board) which has been placed on file. **Councilor Crowley** gave her Sewer tip of the month (avoid flushing items not designed to be flushed, clean drains once a week), visiting hours at the Library, April is Autism Awareness month, Tuesday April 7th there will be a Public Input Session held regarding yard sales, garage sales, and flea market ordinances.

Councilor Lafontaine announced that The School Department will be holding a Community Conversation meeting on April 16, 2015 at 6pm at Auburn Middle School to discuss the budget, a job fair is to be held on April 10th at Central Maine Community College. There are

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approximately 1200 job openings, and the Lewiston Auburn Transit Committee is providing free bus transportation to the job fair.

Councilor Lee reported on the Bike–Ped Committee Lisbon Street recommendation, and encouraged folks to go to Lewiston Council Meeting on Tuesday to provide input.

Councilor Gerry announced that on April 9th LATC will hold its monthly meeting at Auburn Hall at noon in the Community Room.

Councilor Walker reported that the Auburn-Lewiston Airport will be meeting tomorrow morning, and folks are encouraged to attend the meeting (to discuss their budget).

Councilor Young – no report.

City Manager reported on upcoming meetings/workshops, the budget schedule, 4/22 is the next School Committee meeting and Council will be invited to attend to hear their budget discussion, 4/27 police, public services, and fire budgets will be presented, he thanked the Recreation Department for the Easter egg hunt that was held over the weekend, and the South Main Street project will enter into Phase 2 and will start in the late spring or early summer.

IX. Open Session

Katy Grondin, 261 Beech Hill Road and School Superintendant, addressed Councilor Walkers comment regarding health insurance and stated that they are always looking for ways to reduce their health insurance costs. She also mentioned that there will be a \$300,000 savings on their expenditure line this year for health insurance for the School Department.

Joe Gray, Sopers Mill Road, commented that the City does not seem to be coordinated when coming up with sidewalk figures, he commented on using CDBG funds for recreation scholarships, and on Council voting in favor of the labor contracts. He stated that Council needs to set priorities and cannot fund everything. He added that School is a priority. He also mentioned that the 1.8% increase is an ordinance, not a pie in the sky number and this is in place to protect our older residents who are just as important as the kids.

Jim Berube, 45 Rosewood Road supports both the school and city budgets and said he is trying to get a better understanding of the budget.

Motion was made by Councilor Walker and seconded by Councilor LaFontaine to suspend the rules and vote on workshop item D a Resolve regarding the Downtown Passenger Rail Study. Passage 6-1 (Councilor Crowley opposed).

Motion was made by Councilor Walker and seconded by Councilor LaFontaine to adopt a Resolve # 01-04062015 regarding the Downtown Passenger Rail Study as follows:

WHEREAS, the 1998 Auburn Downtown Action Plan for Tomorrow (ADAPT) identified a preferred location for a rail platform/station within Great Falls Plaza area in conjunction with a hotel development. The platform/station was to be developed to provide integration of transportation at the site including automobile access and parking, bus/trolley service, taxis, bicycle access and storage and pedestrian access; and

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WHEREAS, other agencies funded by the City of Auburn pursued as passenger intermodal facility at the Auburn Lewiston Airport, conducting an Environmental Assessment in 2006,

with a focus on serving intercity bus service, a need soon to be met by the construction of a passenger terminal by Maine DOT for buses at Exit 75; and

WHEREAS, the 2007 economic analysis of bringing the passenger services to the Auburn Lewiston Airport over downtown stated that there would be no substantial impacts on minorities or low-income populations, despite up to 50% of downtown households being without vehicles and unemployment rates among the immigrant population being higher than the population at large. In addition, that analysis concluded that “downtown business districts are not likely to be directly affected,” demonstrating that services needed to be directed where they could impact downtown business and residential districts; and

WHEREAS, In 2012, Maine DOT conducted the Portland North Study as part of a New Starts Transportation Grant from the Federal Transportation Administration, a study that focused on congestion mitigation; this new study will address a broader set of considerations to include land use, economic development, the environment, congestion mitigation, and economic opportunity for lower income individuals; and

WHEREAS, passenger rail can be an added stimulus for mixed use economic development, as well as a convenient mode for leisure and business travel; and

WHEREAS, In January of 2013, the Auburn Council, along with counterparts in Portland and Lewiston passed a shared resolve on making transit service connections including focusing on helping “employment, medical and entertainment opportunities” in addition to addressing “sustainable practices that enhances livability in all three communities.”

WHEREAS the Fiscal Year 2014 Annual budget resolve noting passenger rail service to the downtown as a priority for the City; and

WHEREAS, the 127th Maine Legislature is considering action that would advance passenger rail service planning to Lewiston-Auburn from Portland;

NOW THEREFORE, the City of Auburn hereby expresses the intent to work with the City of Lewiston and the necessary regional, state and federal partners, with a particular focus on private investors and nearby property owners, to explore the transportation advantages, related economic possibilities and financial implications of restoring scheduled passenger rail service to the Cities in accordance with the following:

The City Council directs all of its transportation agencies (Auburn Lewiston Airport, Lewiston Auburn Railroad Company, Androscoggin Transportation Resource Center) to affirm through board resolve, or through the re-alignment of necessary policy documents, within 90 days their support for downtown passenger rail service in Lewiston-Auburn. This will ensure one, consistent voice for Auburn and Lewiston

The City Council commits to identifying local funding, along with Lewiston, as a match towards drawing down state investment in such a planning study. Local funds may include,

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but aren't limited to, use of planning funds allocated to Lewiston-Auburn through the Androscoggin Transportation Resource Center, funding from the Cities shared Lewiston-Auburn Railroad Company fund balance, or Auburn's Downtown Tax Increment Finance Development Program account.

Passage 6-1 (Councilor Crowley opposed).

- X. Adjournment** – Motion was made by Councilor LaFontaine and seconded by Councilor Walker to adjourn. All were in favor and the meeting adjourned at 9:07 PM.

A True Copy.

ATTEST _____
Susan Clements-Dallaire, City Clerk

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Mayor LaBonté called the meeting to order at 7:15 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.

VII. Consent Items

- No Consent items

II. Minutes

- April 6, 2015 Regular Council Meeting

Motion was made by Councilor Hayes and seconded by Councilor Walker to accept the minutes of April 6, 2015 as presented. Passage 6-0.

VIII. Communications, Presentations and Recognitions

- Blue Star Flag Presentation – Chief Frank Roma introduced the program.
 - Mayor LaBonté presented Brian Martin, Auburn Fire Fighter and EMT, with a certificate and blue star flag. On April 27th, Brian will be deploying to the Middle East with his unit the 439th Aero-Medical Evacuation Squadron in support of Operation Freedom Sentinel.
 - Mayor LaBonté presented Scott and Nancy O'Brien, parents of Chris O'Brien, with a certificate and blue star flag. Chris is currently a Specialist serving with Bravo Company One 505th Parachute Infantry Regiment, Third Brigade, Combat Team of the 82nd Airborne Division in Iraq.

- Proposed Tactical New Urbanist Projects – Eric Cousens – moved to workshop

IV. Open Session – Members of the public are invited to speak to the Council about any issue directly related to City business which is *not on this agenda*.

Larry P. Morrisette, 46 High Street spoke about Child Abuse and Child Abuse Awareness month in Maine.

Dr. Susan Stanford, 33 Goff Street spoke about her taxes and the impact it will have on her if they are raised.

V. Unfinished Business

1. Ordinance 11-04062015

Adopting the proposed ordinance language to Chapter 2, Administration, Article VI, Finance, Division I, Generally, Sec. 2-487, Bond Authorization. Public hearing and second reading.

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Motion was made by Councilor Lee and seconded by Councilor Gerry. Public hearing - no one from the public spoke. Passage 6-0. A roll call vote was taken.

VII. New Business – No new business

VIII. Reports

Mayor's Report – Commented on the City of Auburn taking a position in support on the Passenger railway. The Mayor had an opportunity to meet with Francois Robello, the lead developer of the proposed project, along with residents in the Province of Quebec and the Montreal business community that have a strong interest in seeing the Montreal to Boston connection made. Last week he met with Howard, Dick Trafton and John Holden to talk about the Lewiston/Auburn Railroad Company to discuss the role the railroad company could have in passenger rail service. He also commented on the meeting with Poland Officials around Economic Development. There is interest with the Poland Selectman to have a joint committee to talk about shared interests.

Councilor Walker – Announced that United New Auburn Association has a meeting at Rolly's Diner on Tuesday, April 28th and on May 2nd. at 1:00 PM there will be an egg hunt at Walton School; the Neighborhood Watch meeting is 6:00 PM, Thursday, April 23rd at the Tailgate Gourmet.

Councilor Hayes – Commented on the Airport Meeting being held at 8:30 AM, Wednesday, April 22 at Lewiston City Hall.

Councilor Crowley – Commented on Auburn Sewer and Water District meetings. In her Ward 1 she discussed General Assistance program not now being available for certain groups of people.

Dates to watch, Thursday, April 23rd is take your daughter or son to work day; Thursday there will be regular visiting hours from 5-7 at the Library; April is Autism Awareness Month; Friday, April 24th the Recreation Advisory Committee and City Council will be having a groundbreaking ceremony at noon at Pettengill Park for the Ingersoll Turf Facility; Saturday, April 25th the community take back medicine program at Bedard Medical; Saturday, May 2nd there will be a May Day celebration at Walton Elementary from 1-3; Sunday, May 3rd is the Empty Bowl Supper at the Unitarian Universalist Church, on the corner of Pleasant and Elm Street. Councilor Crowley commented on cable television and Great Falls TV, data and income levels that she requested for all of Auburn, and calls and e-mail regarding the budget.

Councilor Young – No report

City Manager Report – The City Manager wanted to thank Auburn, Superintendent of Schools, Katy Grondin for organizing the community conversation that took place Thursday at the Middle School, commented on budget process, Airport Board meeting taking place April 22nd, wanted to remind the public that the Auburn School Board would be holding their budget meeting on April 22nd at 7 pm and the City Council and public are invited to attend. Commented on downtown Auburn Transportation Center, groundbreaking at Ingersoll, next Monday a City Council Workshop will be held to discuss Public Service, Police and Fire Departments. The City Manager wanted to congratulate Detective Jason Moore of the Auburn Police Department for
IN COUNCIL REGULAR MEETING APRIL 21, 2015 VOL. 34 PAGE 125

testifying in Washington, DC regarding the increase of IRS scams with the elderly. Assistant City Manager informed that on May 6th the City will be going through an audit with DEP concerning the MS4 Program Permit and that spring cleanup will begin May 4th and will run for 2 weeks.

Councilor Lee – Wanted to give out a shout to the Auburn Middle School live Tweeters

Finance Director – March 2015 Monthly Finance Report

Motion was made by Councilor Young and seconded by Councilor Gerry to accept and place on file the March 2015 Monthly Finance report. Passage 6-0.

IX. Open Session – Members of the public are invited to speak to the Council about any issue directly related to City business which is *not on this agenda*.

No one spoke.

X. Adjournment – Motion was made by Councilor Young and seconded by Councilor Crowley to adjourn. All were in favor and the meeting adjourned at 8:38 PM.

A True Copy.

ATTEST _____
Alison F. Pepin, Deputy City Clerk

IN COUNCIL REGULAR MEETING MAY 4, 2015 VOL. 34 PAGE 126

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.

IX. Consent Items - None

II. Minutes

- April 21, 2015 Regular Council Meeting

Motion was made by Councilor Crowley and seconded by Councilor Walker to accept the minutes of April 21, 2015 with two small corrections:

1. Under Councilor Crowley's report where it states "*she discussed the General Assistance program not being available for certain groups of people*" it should state "*she discussed General Assistance program not **now** being available for certain groups of people*" and;

2. Under the last Open Session, there was a number 6 at the end of the first line which was a typo.

Passage 7-0.

III. Communications, Presentations and Recognitions

- Proclamation – Declaring Friday, May 15, 2015 Bike to Work Day in Auburn
- Recognition – Auburn's Odyssey of the Mind team

IV. Open Session

Larry Morrisette, Auburn resident congratulated the Royal family on the birth of their daughter, and commented that he was happy to see Councilors sharpening their pencils when it comes to people coming forward and asking the Council for money.

V. Unfinished Business – None

VI. New Business

2. Resolve 02-05042015

Supporting the formation of a joint committee with the City of Auburn and Town of Poland.

Motion was made by Councilor LaFontaine and seconded by Councilor Lee supporting the formation of a joint committee with the City of Auburn and Town of Poland.

Motion was made by Councilor Gerry and seconded by Councilor Walker to amend to add a fourth member (an Auburn resident). Passage 5-2 (Councilors Lee and LaFontaine opposed).

Public comment – no one from the public spoke.

Passage of Resolve 02-05042015 as amended 7-0. A roll call vote was taken.

3. Resolve 03-05042015

Approving the striping changes for downtown streets and use of Festival Plaza for programming that may include food trucks for the Tactical New Urbanism trial period.

Motion was made by Councilor Lee and seconded by Councilor Walker (option 1 in the packet).

Public comment - Jim Drummond, Court St Baptist Church who spoke in support of this item.

Passage 7-0.

4. Order 33-05042015

Adoption the CDBG (Community Development Block Grant) Consolidated Plan and Budget.

Motion was made by Councilor LaFontaine and seconded by Councilor Lee to adopt the CDBG Consolidated Plan and Budget.

Public comment - no one from the public spoke.

Motion was made by Councilor Gerry and seconded by Councilor Walker to include option 2 (\$24,000 which will include the Parks and Recreation scholarships).

Motion failed 3-4 (Councilors Young, Hayes, Lafontaine, and Lee opposed).

Motion was made by Councilor Hayes to separate the Consolidated Plan from the budget to consider separately. No second.

Motion was made by Councilor Walker and seconded by Councilor Young to amend by renaming the New Auburn River Trail line item to the New Auburn River Way/Greenway Acquisition Demolition and Phase I Construction with an increase in funding from \$35,000 to \$200,000 with the additional \$165,000 to be funded through a transfer of \$164,636 from the Sidewalk Project and a \$364 reduction from Shoe-Maker Alley, then an additional friendly amendment was included so rather than take \$164,636 from the sidewalk project fund, they would take \$189,636 (an additional \$25,000) for a total of \$225,000 toward the New Auburn River Way/Greenway Acquisition Demolition and Phase I Construction.

Public comment:

Rob Kilgore, 36 Newbury Street and Citizens Advisory Committee member
Larry Pelletier, 129 Second Street and Citizens Advisory Committee member

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Peter Flanders, 99 Lake St and Citizens Advisory Committee member

Motion on the amendment failed 3-4 (Councilor Gerry, Crowley, Hayes, and Lafontaine opposed).

Motion by Councilor Crowley seconded by Councilor Gerry to move the question. Passage 5-2 (Councilors Lee and Walker opposed).

Passage of the Order 33-05042015 to adopt the CDBG Consolidated Plan and Budget as presented 5-2 (Councilors Gerry and Walker opposed).

5. Order 34-05042015

Authorizing the Acting City Manager to execute the Tree Nursery Lease Agreement.

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley to authorize the Acting City Manager to execute the Tree Nursery Lease Agreement.

Public comment – no one from the public spoke. Passage 7-0.

6. Order 35-05042015

Appointing Board and Committee Members as nominated by the Appointment Committee.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to appoint the Board and Committee members as nominated by the Appointment Committee as follows:

Cable TV Advisory Board – Robert Gardner, term expiration 1/1/2017

Cable TV Advisory Board – Robert Sevigny, term expiration 1/1/2016

Auburn Sewerage District – Charles Sheehan, term expiration 3/1/2019

Ethics Committee – Linda Snyder, term expiration 1/1/2018

Conservation Commission – Jeffrey Preble, term expiration 6/1/2016

Conservation Commission – Maurice Keene, term expiration 6/1/2017

Conservation Commission – Ben Fletcher, term expiration 6/1/2017

Conservation Commission – Nichole White-Matson, term expiration 6/1/2018

Conservation Commission – Tizz E.H. Crowley, term expiration 6/1/2018

Public comment – no one from the public spoke. Passage 5-0-2 (Councilors Walker and Crowley abstained).

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to suspend the rules to add an item to the agenda. Passage 6-0-1 (Councilor Crowley abstained).

Motion was made by Councilor Crowley and seconded by Councilor Hayes on Resolve 04-05042015 as follows;

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WHEREAS, that the Community Little Theater (CLT), located at 164 High Street is an important part of the artistic and cultural vitality our community and;

WHEREAS, that the Community Little Theater has a 99 year lease with the City to use the premises for their operations and;

WHEREAS, the premises includes more building and land than is required for use by CLT for their purposes and that comes with more expenses than the Theater operations can support, and;

WHEREAS, the City wants CLT to remain at 164 High Street and continue providing productions for the benefit of the community and;

WHEREAS, the City's planning goals for downtown Auburn includes the redevelopment of the Old Edward Little High School, located at 164 High Street and;

WHEREAS, that keeping the Community Little Theater operations at 164 High Street and redeveloping the Old Edward Little High School will require the existing lease between the City and Community Little Theater to be modified.

RESOLVED, the Auburn City Council orders staff to negotiate a Conditional Agreement to Modify the Lease with the Community Little Theater by May 11, 2015.

FURTHER RESOLVED, upon the execution of said agreement, the City will work to develop and execute a developer agreement for the redevelopment of 164 High Street and provides CLT continued use of the Theater space, maintains and improves the structure and reduces CLT's overhead costs.

Public comment – Chris L'Hommedieu, President of The Community Little Theater spoke.

Passage 6-1 (Councilor Gerry opposed).

VII. Executive Session - None

VIII. Reports*

Mayor's Report - no report

City Councilors' Reports

Councilor Young, no report

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Councilor Crowley, she will give her Water and Sewer reports at the second meeting of the month, her sewer tip of the month “do not pour grease down the drain”, Ward 1 report, Lake Auburn Watershed Protection, Touch a Truck event (Advocates for Children), United New Auburn Association and the May Day event, Congratulations to Four Seasons Farm Market for their 1 year anniversary, Empty Soup Bowl fundraiser, thank you to Mr. Drummond and others who reached out on the traffic pattern on Court Street, dates to watch, Taber’s ribbon cutting, Fishing Derby, Arbor Day, Memorial Day weekend in New Auburn, parade May 23rd, Decoration Day, ABA Citizen of the Year, visiting hours, budget comments from residents, thank you to the person who left her a chocolate May Day treat.

Councilor Hayes, will be providing minutes from the Railroad and Airport minutes.

Councilor Lee, will provide LAEGC report when there is more time and noted the LAEGC dinner.

Councilor Walker, no report

Councilor Gerry, on LATC

City Manager’s Report – (Denis D’Auteuil) on CIP, Great Falls TV, tracking fields rentals, in Spring Clean up mode, coordinating with Public Services and the School Department on flag placement for Memorial Day Holiday as well as a general clean up.

IX. Adjournment – Motion was made by Councilor Lee and seconded by Councilor Hayes to adjourn. All were in favor and the meeting adjourned at 9:05 PM.

A True Copy.

ATTEST _____
Susan Clements-Dallaire, City Clerk

IN COUNCIL SPECIAL MEETING MAY 11, 2015 VOL. 34 PAGE 131

Mayor LaBonté called the meeting to order at 7:03 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

I. New Business

2. Order 36-05112015

Adopting the School Budget for Fiscal Year 2016.

Motion was made by Councilor LaFontaine and seconded by Councilor Lee to adopt the School Budget for Fiscal Year 2016 as presented.

Public comment:

- Tom Kendall, 221 Stevens Mill Road and chair of the School Committee, and Peter Letourneau, 38 Field Avenue and member of the School Committee presented a slide show which covered the proposed School Budget and the cost per pupil in various communities as well as the State average.

- Cynthia Jalbert, 11 Shepley Street, spoke in support of the SRO's (School Resource Officers) and School budget and commented that the Council and School Committee need to get together on this and set egos aside. She noted that she moved here years ago because Auburn had good schools but feels that is no longer the case.
- Larry Pelletier, 129 Second Street agreed with comments made by Ms. Jalbert and feels that Council and the School Committee need to work collaboratively. He commented that in watching several joint meetings of the Lewiston Council and Lewiston School Committee there was a difference in how they work together. They work as one. He is also in favor of working out the budget for the SRO's (School Resource Officers) because they are needed.
- Jennifer Corey, 1611 Perkins Ridge Road said that she has two students in the Auburn School Department and they deserve better than a reduction of the school budget and all students in Auburn deserve better. She added that that is what the proposed school budget is – a cut and a further deterioration of the schools in Auburn. She said she appreciated the comments made before her and added that it reaffirms things that have been said in the past that people don't want to move to Auburn because of the school system.
- Chief of Police, Phil Crowell spoke about the School Resource Officers and the SRO program. He stated that they are vital to the community, schools, teachers, students and parents. They build relationships and get ahead of things that could potentially take place.

Motion was made by Councilor Gerry and seconded by Councilor Walker to amend article 19 to say "That the City of Auburn will reduce the amount raised in excess to the total cost of the funding public education from Kindergarten to Grade 12 as described in the Essential Programs and Services Funding Act and in accordance with Maine Revised Statutes Title 20-A Section 15688 to the extent of any unanticipated increases to the adjusted State contribution under the Essential Programs and Services

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Funding model", so by adding this amendment, any increases they get back that are unanticipated will go toward lowering the mill rate.

The motion on the amendment failed 3-4 (Councilors Young, Hayes, LaFontaine, and Lee opposed).

Passage of Order 36-05112015 adopting the School Budget for Fiscal Year 2016 as presented 5-2 (Councilors Gerry and Walker opposed).

II. Executive Session

- Discussion of a real estate matter, pursuant to 1 M.R.S.A. Section 405(6)(C).

Motion was made by Councilor LaFontaine seconded by Councilor Hayes to enter into executive session to discuss a real estate matter, pursuant to 1 M.R.S.A. Section 405(6)(C) with possible action to follow. Passage 7-0, time 7:56 P.M.

Council was declared out of executive session at 9:15 P.M.

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley that the City Council hereby authorizes the Acting City Manager to sign a conditional agreement to modify the lease with Community Little Theatre in a form recommended by the City Attorney, including the following conditions:

1. The City will enter a forbearance agreement recommended by the City Attorney, that forbears from the collection of a promissory note dated July 13, 2012 for so long as the agreement is in effect, up to 3 years;
2. That authorizes the paving of the City owned parking lot on Academy Street;
3. That requires any developer of the property to incorporate reasonable sound proofing in its finished project, and to require residential tenants to waive noise related complaints against the theatre;
4. That requests the developer build a second floor in the gym for CLT use;
5. That the City and the Theatre shall execute a revised lease for the Theatrical Space as defined in the agreement; and
6. That allows the City to recover its reasonable costs and attorney fees in enforcing the agreement.

This is order 37-05112015.

Public comment: Chris L'Hommedieu, President of The Community Little Theater spoke.

Passage 7-0.

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III. Adjournment

Motion was made by Councilor Lee and seconded by Councilor Crowley to adjourn. All in favor and the meeting adjourned at 9:18 P.M.

A True Copy.

ATTEST _____
Susan Clements-Dallaire, City Clerk

IN COUNCIL REGULAR MEETING MAY 18, 2015 VOL. 34 PAGE 134

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.

X. Consent Items

1. **Order 38-05182015 ***
Accepting the transfer of \$3,592.62 forfeiture assets in U.S. Currency (Glen Barry).
2. **Order 39-05182015 ***
Accepting the transfer of \$4,932.00 forfeiture assets in U.S. currency, and one 2005 Saab 9-3 VIN #YS3FB49S751054079 (Garrett Griffin).

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

II. Minutes

- May 4, 2015 Regular Council Meeting

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley to accept the minutes of May 4, 2015 as presented. Passage 7-0.

XI. Communications, Presentations and Recognitions

- Proclamation – Maine Arbor Week May 17 to May 23, 2015

- ## IV. Open Session – Members of the public are invited to speak to the Council about any issue directly related to City business which is *not on this agenda*.

No one from the public spoke.

- ## V. Unfinished Business - None

VII. New Business

1. **Order 40-05182015**
Authorizing the Finance Director to reallocate of unspent proceeds in the amount of \$766,000 from the City's general obligation bonds. Public hearing and first reading.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to authorize the Finance Director to reallocate unspent proceeds in the amount of \$766,000 from the City's general obligation bonds.

Public hearing - No one from the public spoke.

Passage 7-0. A roll call vote was taken.

IN COUNCIL REGULAR MEETING MAY 18, 2015 VOL. 34 PAGE 135

2. **Order 41-05182015**
Authorizing the Finance Director to execute issuance of general obligation bonds and a tax levy therefore. Public hearing and first reading.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker authorizing the Finance Director to execute issuance of general obligation bonds and a tax levy therefore.

Public hearing – No one from the public spoke.

Passage 6-1 (Councilor Gerry opposed). A roll call vote was taken.

3. Order 42-05182015

Approving the Lease agreement of two buildings for Power & Construction Group.

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley to approve the lease agreement of two buildings for Power & Construction Group as presented.

Public comment - No one from the public spoke.

Passage 7-0.

4. Order 43-05182015

Approving the Land Lease agreement for Hawkeye Elecnor Group.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to approve the land lease agreement for Hawkeye Elecnor Group as presented.

Public comment – No one from the public spoke.

Passage 7-0.

VIII. Reports

Mayor's Report – No report but he did mention that he was going to meet with the Acting City Manager Howard Kroll and Acting Assistant City Manager Denis D'Auteuil to discuss project planning activities particularly to close the loop on some of the passenger rail discussions.

Councilor Young – No report.

Councilor Crowley gave her Auburn Water and Sewerage report noting that the Auburn Water and Sewerage Superintendant, John Storer has resigned. He has accepted a position out of state. KC Geiger was re-elected as President of the Water District Board of Trustees and Councilor Crowley was elected Treasurer. A written report was provided and placed on file. She also gave her Ward 1 report. She thanked and congratulated the Public Works Department for a successful open house, gave a thank you to the local Girl Scout troops, congratulations to
IN COUNCIL REGULAR MEETING MAY 18, 2015 VOL. 34 PAGE 136

petitesbite.com whose site launched today, dates to watch - May 19 Tree Tea and Talk, May 25 is Decoration Day, the original name for Memorial Day, there will be a Remembrance Service at Oak hill cemetery, and an Open House at the Central Fire Station, Sunday June 14th Flag Day celebration and service at Lake Grove Park starting at 5 PM, visiting hours are at the Foss

Mansion tomorrow and the Library on the 28th, the School Budget Validation vote on June 9, 2015 and all voting will be at Auburn Hall, median value of a single family home in auburn is not \$150,000. Does not have the current value but in 2013 it was \$132,000. She also stated that she thought the information provided about social security benefits at the last meeting was misleading and talked about the 2015 HUD income guidelines.

Councilor Hayes distributed minutes from the April 30th Railroad Board meeting to Councilors as well as the minutes from the Airport Boards March 5th, April 7th, and April 22nd meetings and the Railroad annual breakfast meeting is sometime in June and State Legislators who are sponsoring rail related bills may speak at the breakfast.

Councilor LaFontaine noted that the meeting with the School Committee is on Wednesday, a few things coming up at the Library – thanks to a grant from the Kiwanis, the Library is able to continue the Park and Museum Pass Program, a \$1 million dollar grant has been awarded to the Maine State Library and Cornerstones of Science in Brunswick which helps the Maine State Library create family oriented STEM (Science, Technology, Engineering and Math) programming, coming June 1 is an online auction where you can support your library. Also, coming up on the 28th is a program called *Glimpses of Iran* and there will be a presentation and photos of Iran and Iranian Art.

Councilor Lee had no report but noted that he will be attending the Build Maine Conference on Thursday.

Councilor Walker – no report

Councilor Gerry – there will be a public meeting on the Downtown Transportation Center on Thursday at 6 PM. The meeting is open to the public.

City Manager Report - Howard thanked Denis and his staff on their work coordinating the Public Works Department open house, the Downtown Transportation Meeting is scheduled on Thursday at 6 PM.

Denis noted that Spring Clean Up is officially done with just a few minor things to finish up, Tuesday there will be over 100 high school students who will be going out to Oak Hill Cemetery placing flags, and cleaning up. The Open House was a success, a little over 200 people attended, and he thanked area businesses who donated prizes and food.

Finance Director, Jill Eastman – April 2015 Monthly Finance Report

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry to accept and place on file the April 2015 Monthly Finance Report. Passage 7-0.

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IX. Open Session – Members of the public are invited to speak to the Council about any issue directly related to City business which is *not on this agenda*.

Priscilla Miller, 211 Summer Street thanked everyone for keeping the budget down to the 1.8%.

- X. Adjournment** – Motion was made by Councilor Crowley and seconded by Councilor LaFontaine to adjourn. All were in favor and the meeting adjourned at 7:47 PM.

A True Copy.

ATTEST _____
Susan Clements-Dallaire, City Clerk

IN COUNCIL REGULAR MEETING JUNE 01, 2015 VOL. 34 PAGE 138

Mayor LaBonté 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. Councilor Hayes had an excused absence. All other councilors were present.

- XII. Consent Items** – There were none.

II. Minutes

- May 11, 2015 Special Council Meeting
- May 18, 2015 Regular Council Meeting

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to accept the minutes of May 11, 2015 & May 18, 2015 as presented. Passage 6-0.

III. Communications, Presentations and Recognitions

- Art Therapy – Chief Crowell presented the “Art Therapy Program.”
- Josh Vink, LA Arts presented a proposal to the City of Auburn for 2015-16 funding for two Auburn based initiatives.
- Recognition – Mayor LaBonté publically recognized John Storer, Auburn Water and Sewer District Superintendent for his 13 years of dedicated service to the City of Auburn.

IV. Open Session –

No one from the public spoke.

VII. Unfinished Business

5. Order 40-05182015

Authorizing the Finance Director to reallocate of unspent proceeds in the amount of \$766,000 from the City’s general obligation bonds. Second reading.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to authorize the Finance Director to reallocate unspent proceeds in the amount of \$766,000 from the City's general obligation bonds.

Public Comment – No one spoke

Passage 6-0. A roll call vote was taken.

6. Order 41-05182015

Authorizing the Finance Director to execute issuance of general obligation bonds and a tax levy therefore. Second reading.

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley authorizing the Finance Director to execute issuance of general obligation bonds and a tax levy therefore.

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Public Comment – No one spoke

Passage 5-1 (Councilor Gerry opposed). A roll call vote was taken.

VIII. New Business

Motion was made by Councilor Gerry and seconded by Councilor LaFontaine to suspend rules to add a Resolve supporting the Joint Charter Commission. There was a 3-3 tie vote (Councilors Lee, LaFontaine, and Crowley opposed) and the Mayor voted in favor to break the tie. Passage 4-3. It will be placed on the agenda as Item #5 under New Business.

7. Order 44-06012015

Approving the liquor license for CAVU Restaurant, LLC., DBA CAVU Café located at 80 Airport Drive, Auburn, Maine. Public Hearing.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to approve the liquor license for CAVU Restaurant, LLC., DBA CAVU Café located at 80 Airport Drive, Auburn, Maine.

Public Hearing –

- Delian Valeriani, Manager at CAVU Café.
- Chip Morrison, 46 Lake St. Auburn.

Passage 6-0

8. Resolve 03-06012015

Approving the Appropriations Resolve for Fiscal Year 2016. Public Hearing and first reading.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to approve the Appropriations Resolve for Fiscal Year 2016.

Public Hearing – No one spoke.

Motion was made by Councilor Crowley and seconded by Councilor Gerry to postpone the vote to the next regular Council Meeting.

Motion fails 2-3-1 (Councilor Lee, Councilor LaFontaine and Councilor Young oppose; Councilor Walker abstained)

Passage of original motion 4-2 (Councilor Crowley and Councilor Gerry opposed
A roll call vote was taken.

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9. Resolve 04-06012015

Resolve, Expressing the Support of the City Council of the _____ for the Process Now Underway to develop a Plan and Charter for the Possible Consolidation of the cities of Lewiston and Auburn for Presentation to the voters in November 2016.

Whereas, the Cities of Lewiston and Auburn are recognized leaders in the State of Maine for intergovernmental cooperation, working together to cost effectively provide a wide range of services from water pollution control to public transportation; and

Whereas, at a joint Lewiston Auburn City Council meeting held on May 1, 2013, the Councils discussed the concept of municipal consolidation as the next step in cooperation; and

Whereas, following the discussion held at this joint meeting, residents of both Lewiston and Auburn organized successful petition campaigns for the purpose of creating a Joint Charter commission to explore and formalize a consolidation effort; and

Whereas, members of a Joint Charter Commission were elected in June 2014 and have been working diligently since then; and

Whereas, the Commission has tentatively selected the general election of November 2016 as the date where the communities will vote on a charter that would formally consolidate the two communities into a single local government; and

Whereas, it is right and appropriate that the residents of Lewiston and Auburn have the opportunity to vote on whether to approve a joint charter and consolidate the two communities;

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

We support the process now underway to develop a plan and charter for a consolidated Lewiston Auburn that is tentatively scheduled to be presented to the voters of our community in November 2016. We urge all residents to become informed about and participate in this process in order to be prepared to vote on whether or not to adopt a joint charter and become one municipality.

Motion was made by Councilor Gerry and seconded by Councilor Walker to adopt the resolve as brought forward by the Joint Charter Commission.

Motion was made by Councilor Lee and seconded by Councilor LaFontaine to postpone until the next meeting.

Motion fails 2-4 (Councilor Young, Councilor Crowley, Councilor Walker and Councilor Gerry opposed)

Public Comment –

- Chip Morrison, 46 Lake St., Auburn.
- Andy Titus, 24 Rubellite Lane, Auburn
- Joe Gray, Sopers Mill Rd., Auburn

IN COUNCIL REGULAR MEETING JUNE 01, 2015 VOL. 34 PAGE 141

- Larry Pelletier, 129 Second St., Auburn

Original motion fails 3-3 (Councilor Crowley, Councilor Lee & Councilor Gerry opposed) Mayor LaBonté abstains from voting to break the tie. Motion failed.

IX. Reports

Mayor's Report – Spoke about attending the groundbreaking at Good Shepherd Food Bank, he received a letter from the Human Rights Campaign stating that they have a ranking system for communities in the country and Auburn is on the list of communities they will be reviewing. He attended the Build Maine Conference that was hosted in Lewiston/Auburn and provided a brief presentation on how the work of place and economic development plays out in Auburn. On Wednesday, Howard and Eric and other staff members will be meeting with Commissioner Bernhardt to have a discussion around transportation priorities in the Auburn Community.

Councilor Young reported that he and his wife attended the Edward Little High School Graduation.

Councilor LaFontaine noted that the Special Municipal Election is being held on June 09, 2015, a few things going on with the Library – the Library has expanded funding sources by creating an on-line auction, the Library has started their summer hours closing at 6:00 pm on Thursday's and 1:00 pm on Saturday's, and a telescope was purchased with the Cornerstones Grant.

Councilor Lee commented on attending the Build Maine Conference.

Councilor Walker noted that he attended the Edward Little High School Graduation.

Councilor Gerry noted that the Special Municipal Election is June 9th, absentee ballots are still available, and commented on the School Budget.

Councilor Crowley wanted to say thank you to the Auburn Fire Department and the many volunteers who participated and presented in decoration day events, she appreciates the residents that attended the service at Oak Hill Cemetery and those that stopped by Central Fire Station, dates to watch – Friday June 5th is the Adult Education Graduation at Edward Little High School, Saturday, June 06 is National Trails Day, Tuesday, June 9th is Election Day, Absentee Ballots are still available, Thursday, June 11th at 5:30 pm there will be a neighborhood info session regarding the State plans for Rt. 4 at CMCC, Sunday June 14th Flag Day celebration and service at Lake Grove Park starting at 5 PM, watch for an announcement by the City of Auburn of a Downtown Auburn Architectural Walk, visiting hours will be Tuesday, June 16th from 2-4 and Thursday June 25th from 5-6 at the Auburn Public Library.

Manager Report – The City Manager wanted to thank the Fire Department, Public Services Department, Edward Little Students and educators that came out to Oak Hill Cemetery and placed flags on Veterans markers, next Tuesday, June 9th is the Special Municipal Election, he wanted to thank the Planning Staff for their ongoing effort of working with Community Little Theatre, Sunday June 14th a Flag Day celebration and service will be held at Lake Grove
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Park starting at 5 PM, he congratulated John Storer for his new position he will be taking in Rochester, NH, he congratulated all Edward Little Graduates, he congratulated Jan Biron for her 30th Anniversary with the City of Auburn, and Norway Savings Bank secured the University of Maine Hockey Coach Red Gendron and Staff to facilitate a clinic a 4 day youth hockey camp from August 17-20.

X. Open Session Members of the public are invited to speak to the Council about any issue directly related to City business which is *not on this agenda*.

No one from the public spoke.

XI. Adjournment

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley to adjourn. All were in favor and the meeting adjourned at 8:58 PM.

A True Copy.

ATTEST _____
Alison F. Pepin, Deputy City Clerk

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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.

XIII. Consent Items

1. Order 51-06152015*

Confirming Chief Crowell's appointment of Daniel D. Chabot as Constable with a Firearm for the Auburn Police Department.

Motion was made by Councilor LaFontaine and seconded by Councilor Lee to approve the two consent items as presented. Passage 6-0.

II. Minutes

- June 1, 2015 Regular Council Meeting

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to accept the minutes of June 1, 2015 as presented. Passage 5-1 (Councilor Hayes abstained because he was not present at that meeting).

XIV. Communications, Presentations and Recognitions

- Metro Portland - Auburn/Lewiston Options (Greg Jordan)
- Proclamation – Jim Wellehan, recipient of the Maddie Corson Community Catalyst Award
- County Commission/Budget – Andy Titus this item was discussed during the workshop

IV. Open Session – Members of the public are invited to speak to the Council about any issue directly related to City business which is *not on this agenda*.

Andy Titus, 24 Rubellite Lane commented on the economic development program that was discussed during the workshop. He said that he is still not seeing goals and what we expect to gain or benefit from. He said that he is seeing a lot of “fluff” instead. He does not think anything should be spent unless we see a tangible benefit or goal.

V. Unfinished Business

1. Resolve 03-06012015

Adopting the Appropriations Resolve for Fiscal Year 2016. Second reading.

Motion was made by Councilor Lee and seconded by Councilor Hayes to adopt the Appropriations Resolve for Fiscal Year 2016.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to include the staff amendments as follows:

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We the Council of the City of Auburn adopt and approve the following items to the Appropriation Resolve:

RESOLVED, that the following be, and hereby is the Annual Budget and Revenue Estimate for the City of Auburn Enterprise Fund – Norway Savings Bank Arena for the fiscal year 2015 – 2016, which includes the amounts budgeted herein beginning July 1, 2015 and ending June 30, 2016.

The Enterprise Fund-Norway Savings Bank Arena estimated amount of non-property tax revenue is \$997,000.

The Enterprise Fund-Norway Savings Bank Arena budget is \$1,188,850.

If the Enterprise Fund-Norway Savings Bank Arena has a deficit at the end of the fiscal year, this deficit will be covered by the General Fund and will be considered a loan to the Arena to be paid back in subsequent years.

RESOLVED, that the following be, and hereby is the Annual Budget and Revenue Estimate for the City of Auburn Enterprise Fund – Ingersoll Turf Facility for the fiscal year 2015 – 2016, which includes the amounts budgeted herein beginning July 1, 2015 and ending June 30, 2016.

The Enterprise Fund- Ingersoll Turf Facility estimated amount of non-property tax revenue is \$214,940.

The Enterprise Fund- Ingersoll Turf Facility budget is \$178,639.

We the Council of the City of Auburn adopt and approve the following items to the Appropriation Resolve:

Create a Capital Reserve Equipment Replacement Fund for the EMS Transport program by transferring any unexpended Capital Reserve Funds at fiscal year end, budgeted in the EMS Transport annual budget, to a separate Special Revenue Fund designated to be used for the replacement of EMS Transport Ambulances, only to be spent with approval from the City Council.

Passage of amendments 6-0.

Public comment - Joe Gray, Sopers Mill Road was looking for clarification and asked what were to happen if Ingersoll or the Norway Savings Bank Arena were to lose money? The Mayor provided clarification and stated that as the budget is right now, we are budgeting a deficit for the Norway Savings Bank Arena but not for Ingersoll and if there is a deficit with NSBA, it would be a loan. If Ingersoll had a deficit, it would have to go before the City Council.

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Passage of Resolve 03-06012015 as amended 5-1 (Councilor Gerry opposed).
A roll call vote was taken.

VII. New Business

2. Order 45-06152015

Approving the Special Amusement Request for 84 Court Pizza & Restaurant.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to approve the Special Amusement request for 84 Court Pizza & Restaurant.

Public hearing – no one from the public spoke.

Passage 6-0.

3. Order 46-06152015

Approving the Liquor License and Special Amusement request for the Harsh Hotel, LLC., D/B/A/ The Fireside Inn & Suites.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to approve the Liquor License and Special Amusement request for the Harsh Hotel, LLC., D/B/A The Fireside Inn & Suites.

Public hearing – no one from the public spoke.

Passage 6-0.

4. Order 47-06152015

Approving the Special Amusement Request for The Penalty Box.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to approve the Special Amusement request for The Penalty Box.

Public hearing – no one from the public spoke.

Passage 6-0.

5. Order 48-06152015

Approving the request from L/A Arts for funding Concerts in the Park (\$4,000) and Cultural Plan Lewiston/Auburn (\$5,000 in matching funds).

Motion was made by Councilor LaFontaine and seconded by Councilor Lee to approve the request from L/A Arts for funding Concerts in the Park (\$4,000) and Cultural Plan Lewiston/Auburn (\$5,000 in matching funds).

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Motion was made by Councilor Lee and seconded by Councilor LaFontaine to amend by striking the \$5,000 for the Cultural Plan Lewiston/Auburn.

Passage of the amendment 6-0.

Public comment – Dana Staples, 32 Greenville Drive and member of the Recreation and Special Events Advisory Board commented that they would have liked to have had LA Arts meet with the board and it would be good to use CDBG funds toward this.

Passage of Order 48-06152015 as amended 6-0.

6. Order 49-06152015

Approving the request to transfer \$2,240 of FY2015 unallocated “Art” funds for the Art Therapy Program.

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry to approve the request to transfer \$2,240 of FY2015 unallocated “Art” funds for the Art Therapy Program.

Public comment – no one from the public spoke.

Passage 6-0.

7. Order 50-06152015

Approving the Mass Gathering permit for the 2015 Liberty Festival. Public hearing.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to approve the Mass Gathering permit for the 2015 Liberty Festival.

Public comment – no one from the public spoke.

Passage 6-0.

8. Ordinance 12-06152015

Adopting the proposed amendment to Part II, Code of Ordinance, Chapter 14, Business Licenses and Permits, Article XVII, Garage Sales, Section 14-632, to include Agricultural Barn Sale, Article I, In General, Section 14-2, Definitions, to include Agricultural Barn Sale, and Appendix A – Fees and Charges under Businesses and Business Regulations to include Agricultural Barn Sale. Public hearing and first reading.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to adopt the proposed amendment to Part II, Code of Ordinance, Chapter 14, Business Licenses and Permits, Article XVII, Garage Sales, Section 14-632, to include **IN COUNCIL REGULAR MEETING JUNE 15, 2015 VOL. 34 PAGE 147**

Agricultural Barn Sale, Article I, In General, Section 14-2, Definitions, to include Agricultural Barn Sale, and Appendix A – Fees and Charges under Businesses and

Business Regulations to include Agricultural Barn Sale with a friendly amendment correct a typographical error in the language under section 14-632, the last sentence states “purposes generating more *that* 50% of their household income for 5 years or more. The word “*that*” should be changed to “*then*”.

Public hearing – Roger Gauthier, said he is only asking for 3 more permits that are currently allowed, he has farmed for 38 years there and has given back to the community and he doesn’t feel like he is asking too much for this change.

Motion failed 2-4 (Councilors LaFontaine, Lee, Gerry, and Young opposed). A roll call vote was taken.

9. Ordinance 13-06152015

Adopting the proposed amendment to Part II, Code of Ordinance, Chapter 14, Business Licenses and Permits, Article I, In General, Section 14-2, Definitions, and Appendix A – Fees and Charges under Businesses and Business Regulations (Flea market, craft fairs, swap meets, and bazaars). Public hearing and first reading.

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry to adopt the proposed amendment to Part II, Code of Ordinance, Chapter 14, Business Licenses and Permits, Article I, In General, Section 14-2, Definitions, and Appendix A – Fees and Charges under Businesses and Business Regulations (Flea market, craft fairs, swap meets, and bazaars).

Public hearing – no one from the public spoke.

Passage 6-0. A roll call vote was taken.

Motion was made by Councilor Gerry and seconded by Councilor LaFontaine to suspend the rules to add an item #10 to the agenda, Resolve 05-06152015 Authorizing legal action against Androscoggin County regarding certain elements of the County Charter relating to elected official compensation and benefits and the authority of the County Budget Committee.

Passage 5-0-1 (Councilor Lee abstained).

Motion was made by Councilor Gerry and seconded by Councilor LaFontaine to adopt Resolve 05-06152015 as follows:

Resolve, Authorizing Legal Action Against Androscoggin County Regarding Certain Elements of the County Charter Relating to Elected Official Compensation and Benefits and the Authority of the County Budget Committee.

Whereas, in 2012, the voters of Androscoggin County approved a new county charter changing the nature, responsibilities, and composition of both the Board of County Commissioners (the Board) and the County Budget Committee (the Committee); and

Whereas, the Committee's role was redefined from approving all county budget expenditures to advising on such expenditures, but with two exceptions: a requirement that the County elected officials' compensation and benefits be approved by the Committee (County Charter section 3.7) and authorizing the Committee to override specific line items recommended by the Board by an affirmative vote of 11 of its members (County Charter Section 5.5.2); and

Whereas, when the new charter went into effect, the newly constituted Committee and the transitional Board agreed that Section 3.7 of the Charter ultimately meant that the Board could not set its own salaries or benefits since final authority remained with the Committee; and

Whereas, this same understanding was reiterated without objection at the outset, during, and at the conclusion of this year's budget process; and

Whereas, only following final presentation of the budget and the adjournment of the Committee did the Board (upon an opinion solicited from the County's legal counsel) disregard the Committee's action on Commissioner compensation; and

Whereas, the official version of the charter provided to the municipal clerks prior to the charter election and upon which the voters cast their ballots clearly indicated that the County Budget Committee had the authority to change line items in the budget proposed by the Commissioners with a supermajority vote of 11 of its members; and

Whereas, subsequent to the approval of the charter, the Commissioners requested the legislature to make certain "non-substantive" changes to the voter approved charter to address practical problems in implementing the new charter; and

Whereas, one of the changes requested – to amend the charter to transform the Budget Committee into an advisory body only – constituted a substantive change; and

Whereas, subsequent to the legislature's adoption of a resolve directing the Commissioners to amend the charter as requested by the Commissioners, the Commissioners amended the charter to eliminate the Budget Committee's authority to make changes in the budget by a supermajority vote; and

Whereas, Maine Revised Statutes, 30-A M.R.S.A. § 1353, states that a county charter may give the board the authority to appropriate money according to the budget so long as the budget is approved by the finance committee, and the Budget Committee functions as the finance committee under 30-A M.R.S.A. § 1353 ; and

Whereas, Maine Revised Statutes, 30-A M.R.S.A. §§ 725 and 1352 provide that the Androscoggin County Budget Committee has final approval of the budget unless otherwise provided in a charter adopted by the county.

Whereas, state law also requires that amendments to county charters adopted by referendum must be approved by referendum, a process that was not followed in this case; and

Whereas, the county's municipalities have strongly objected to the County Commission's interpretation of the county charter that, in effect, denies any meaning to Section 3.7 of the charter dealing with the compensation and benefits of elected officials; and

Whereas, the municipalities also object to the Commission taking unilateral action without consultation with its municipalities to pursue a substantive change in the charter to transform the budget committee into a purely advisory body; and

Whereas, the Commission's proposal to place an amendment to section 3.7 of the charter on the November ballot is unacceptable in that it continues to advance the Commission's position that the budget committee is and remains purely advisory; and

Whereas, when presented recently with a proposed charter amendment to clarify the ability of the Budget Committee to make line item budget changes with a supermajority vote, the Commission failed to take action; and

Whereas, these actions of the Commission have undermined the checks and balances intended by the framers of the Charter and the will of the public as expressed in their approval of a county charter that clearly and unequivocally provided authority to the Budget Committee to approve elected official salaries and benefits and to make changes in the county budget with a supermajority vote, actions that have served to undermine the legitimacy of the County's governance structure;

Now, therefore, be it resolved by the City Council of the City of Auburn that the firm of Brann & Isaacson is hereby authorized to initial legal action against Androscoggin County in regard to certain actions of the Commissioners relating to elected official compensation and benefits and the authority of the county budget committee, subject to the participation of the lesser of seven other communities or communities representing two thirds or more of the total municipal assessed value of the county and to share costs and expenses in accordance with the formula used to allocate the County Tax; and

Be It Further Resolved that Lewiston is authorized to act as fiscal agent for the communities joining in this legal action, and the City Manager is authorized to enter into such agreements as the Manager deems necessary to implement the foregoing resolutions; and

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Be It Further Resolved that the Council designates Councilor Gerry as its representative to any meetings of the communities participating in this effort.

Passage 5-0-1 (Councilor Lee abstained).

Motion was made by Councilor Lee and seconded by Councilor Hayes to reconsider a failed motion on Resolve 04-06012015 from the June 1, 2015 Council meeting. This is a Resolve expressing the support of the City Council of the City of Auburn for the process now underway to develop a plan and charter for the possible consolidation of the cities of Lewiston and Auburn for presentation to the voters in November 2016.

There was debate about the vote on that item because the motion to suspend the rules to add the item to the 6/1/2015 agenda was not imposed at the last meeting and did not have the required 2/3 vote of the Council. It has since been brought to our attention that in order to suspend the rules, a 2/3 vote of Councilors present is required. It was determined that because there was not a 2/3 vote of the Council, the item should not have been added and any motion would be a new consideration of that item. Councilor Lee requested this item be placed on the July 6, 2015 Council agenda.

Motion was made by Councilor Walker and seconded by Councilor Gerry to suspend the rules and add the item to the agenda. Passage 4-2 (Councilors LaFontaine and Lee opposed).

Motion was made by Councilor Lee and seconded by Councilor LaFontaine to adopt the Resolve as follows:

Resolve, Expressing the Support of the City Council of the City of Auburn for the Process Now Underway to develop a Plan and Charter for the Possible Consolidation of the cities of Lewiston and Auburn for Presentation to the voters in November 2016.

Whereas, the Cities of Lewiston and Auburn are recognized leaders in the State of Maine for intergovernmental cooperation, working together to cost effectively provide a wide range of services from water pollution control to public transportation; and

Whereas, at a joint Lewiston Auburn City Council meeting held on May 1, 2013, the Councils discussed the concept of municipal consolidation as the next step in cooperation; and

Whereas, following the discussion held at this joint meeting, residents of both Lewiston and Auburn organized successful petition campaigns for the purpose of creating a Joint Charter commission to explore and formalize a consolidation effort; and

Whereas, members of a Joint Charter Commission were elected in June 2014 and have been working diligently since then; and

Whereas, the Commission has tentatively selected the general election of November 2016 as the date where the communities will vote on a charter that would formally consolidate the two communities into a single local government; and

Whereas, it is right and appropriate that the residents of Lewiston and Auburn have the opportunity to vote on whether to approve a joint charter and consolidate the two communities;

Now, therefore, be it resolved by the City Council of the city of Auburn that: We support the process now underway to develop a plan and charter for a consolidated Lewiston Auburn that is tentatively scheduled to be presented to the voters of our community in November 2016. We urge all residents to become informed about and participate in this process in order to be prepared to vote on whether or not to adopt a joint charter and become one municipality.

Public comment – Andy Titus, does not agree with funding coming from the State not knowing how the money will be spent and does not feel it should be spent to promote the merging of the two cities.

Passage 4-2 (Councilors Walker and Gerry opposed).

VIII. Reports

Mayor's Report – the Mayor commented on the Resolve that was just passed and the importance of transparency. He stated that the Resolve was brought to Council in a way that was not transparent and questioned at what point did the Joint Charter Commission put on their agenda or discuss a meeting with the Governor or drafting a Resolve.

City Councilors' Reports

Councilor Young, commented on participating in the Auburn Fit Fest.

Councilor Gerry thanked the Mayor for what he said in his report tonight.

Councilor Walker stated that the consolidation will be defeated in the end.

Councilor LaFontaine commented on the Resolve and stated that personal opinions are just that without information to make good decisions and emotions are leading the conversations more than any factual data provided. She encouraged people to be open to information.

On behalf of Councilor Crowley, the Mayor presented the public with her monthly sewerage tip.

City Manager Report - He apologized to Chip Morrison for the comments and discussion regarding the Joint Charter Commission Resolve. He also commented on the recognition

of the Vietnam Veterans, the Flag Day event and thanked all involved in making that a positive event. He thanked the department heads for the budget in particular Jill Eastman, thanked Greg Jordan for being here tonight, and thanked Council for support given to staff this budget season.

Finance Director, Jill Eastman – May 2015 Monthly Finance Report

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry to accept and place on file the May 2015 Monthly Finance Report. Passage 6-0.

- IX. Open Session** – Members of the public are invited to speak to the Council about any issue directly related to City business which is *not on this agenda*.

Chip Morrison on Concert in the Park in Festival Plaza, an update on the Joint Charter Commission.

Joe Gray, Sopers Mills Road commented on the Joint Charter Commission. He stated that he and 4 other people were going to start a petition to withdraw the Resolve that was just passed. He also talked about the EMS (Emergency Management Services) financial statement that was presented. He asked why the City did not make EMS pay for what they cost us.

- X. Adjournment** – Motion was made by Councilor LaFontaine and seconded by Councilor Walker to adjourn. All were in favor and the meeting adjourned at 9:03 PM.

A True Copy.

ATTEST _____
Susan Clements-Dallaire, City Clerk