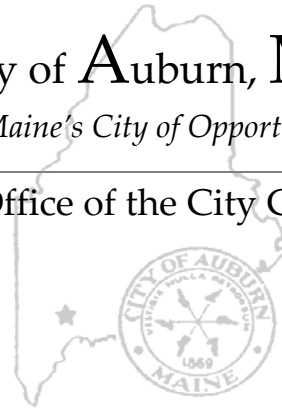


# City of Auburn, Maine

*"Maine's City of Opportunity"*

Office of the City Clerk



## Council Meeting Agenda Packet

February 5, 2007

This packet contains the City Council Agenda and supporting documents. The items in this packet are bookmarked in Adobe Acrobat .pdf format. You may need to click on the Bookmark tab on the left to open the Bookmark window. If you do not see a Bookmark tab on the left, you may need to select the Show/Hide Navigation Pane button in your icon toolbar above or update your version of the Adobe Reader. You can download the free Adobe Reader application at [www.adobe.com](http://www.adobe.com).



# City Council Meeting and Workshop February 5, 2007

## Agenda

### 5:00 p.m. Workshop

- Community Development Block Grant (CDBG) Program
- Zoning Amendment (Eastman Lane)
- Legislative Update
- Joint Services

### 7:00 p.m. Council Meeting

**Consent Items** – All items listed with an asterisk (\*) are considered as routine and will be approved in one motion. There will be no separate discussion of these items unless a Councilor or citizen so requests. If requested, the item will be removed from the consent agenda and considered in the order it appears on the agenda.

### Minutes

\*020507-00 Minutes of January 16, 2007 Council Meeting

### Reports

- **Mayor**
  - ♦ Committee Appointments
  - ♦ Ward Meetings Update
  - ♦ Tax Reform
- **City Councilors**
- **City Manager**
  - General Assistance Quarterly Report

### Communications and Recognitions

- \*020507-00 – Communication from Head Start Re: Waive fee for Day Care Licenses
- \*020507-00 – Communication from Auburn Pawn Re: Renewal of Pawn License
- \*020507-00 – Communication from State of Maine, House of Representatives: Contact information
- \*020507-00 – Communication from Senator Susan M. Collins

### Unfinished Business

020507-01 Ordinance – Amendment to Chapter 24, Section 2.34 (B.1.) – Tattooing  
(2<sup>nd</sup> Reading)

### New Business

020507-02 Resolve – Authorizing the Issuance and Sale of Revenue Obligation Securities for World Harbors and Angostura International Limited Projects  
(Public Hearing and action thereon)

- 020507 -03 Public Hearing and Action on Request for Taxi Rates increase
- 020507-04 Resolve – Amendment to the Citizen Participation Plan of the Community Development Program
- 020507-05 Resolve – Amendment to the 2006 Action Plan of the Community Development Program
- 020507-06 Resolve – Amendment to the 2005-09 Consolidated Plan of the Community Development Program
- 020507-07 Public Hearing and action on Special Amusement Permit applications:
- \*American Legion Post 31, 426 Washington Street
  - \*Auburn Fireside Inn & Suites, 1777 Washington Street
  - \*Black Watch Restaurant, 82 Court Street
  - \*New Auburn American Legion Post 153, 71 So Main Street
  - \*New Auburn Social Club, 7 Second Street
  - \*Veterans of Foreign Wars, 588 Minot Avenue
- 020507-08 Resolve – Appointment of Deputy City Clerk
- 020507-09 Set date for second meeting in February (February 19<sup>th</sup> – Presidents Day)

**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

## ADJOURNMENT

-----

**Executives Sessions:** On occasion, the City Council discusses matters which are required or allowed by State law to be considered in executive session. Executive sessions are not open to the public. The matters that are discussed in executive session are required to be kept confidential until they become a matter of public discussion. In order to go into executive session, a Councilor must make a motion in public. The motion must be recorded, and 3/5 of the members of the Council must vote to go into executive session. An executive session is not required to be scheduled in advance as an agenda item, although when it is known at the time that the agenda is finalized, it will be listed on the agenda.

The only topics which may be discussed in executive session are those that fall within one of the categories set forth in Title 1 M.R.S.A. Section 405. Those applicable to municipal government are:

1. Discussion of personnel issues
2. Discussion or consideration of the condition, acquisition, or the use of real or personal property or economic development if premature disclosure of the information would prejudice the competitive or bargaining position of the body or agency.
3. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators.
4. Consultations between a body or agency and its attorney
5. Discussion of information contained in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute.
6. Discussion or approval of the content of examinations administered by a body or agency for licensing, permitting or employment purposes
7. Consultations between municipal officers and a code enforcement officer relating to enforcement matter pending in District Court.

**CITY OF AUBURN  
JANUARY 16, 2007  
CITY COUNCIL MEETING**

**PRESENT**

Mayor John T. Jenkins, Councilors Richard D. Gleason, Robert P. Hayes, Eric G. Samson, Bruce A. Bickford, Raymond C. Berube, C. Ellen Peters and Robert C. Mennealy, City Manager Pat Finnigan, Assistant City Manager Laurie Smith, City Clerk Mary Lou Magno, and Finance Director Chris Trenholm. There were approximately 50 people in the audience.

Mayor Jenkins called the meeting to order at 7:00 p.m. in the Council Chambers of Auburn Hall with a salute to the flag.

**MINUTES**

Councilor Hayes moved to accept and place on file the minutes of January 2<sup>nd</sup>. Seconded by Councilor Peters. Vote: 6 Yeas, No Nays. (Councilor Mennealy arrived late)

**REPORTS OF THE MAYOR**

Mayor Jenkins noted the need for a workshop to discuss the following items: Fire Department/Ambulance Service; Performance Evaluation of City Manager; L/A Joint Services Report; Approval of Minutes – Old/New Council Minutes; and School Department orientation.

Councilor Mennealy arrives at the meeting

**REPORTS OF CITY COUNCILORS**

Councilor Bickford noted that there will be a Danville Town Meeting on Sunday, Jan. 21<sup>st</sup> 3 pm, at the Danville Grange; he also noted that the workshop held earlier at Public Works was very informative

**REPORTS OF THE CITY MANAGER**

City Manager Pat Finnigan reminded residents of the Ward 4 Neighborhood Meeting that will take place on Jan 22<sup>nd</sup>, 7:00 pm at the Great Falls Performing Arts Center; she also noted that the Winter Festival will take place on February 2, 3 and 4.

**FINANCE REPORT – MONTH OF DECEMBER**

Councilor Gleason moved to accept and place on file the Finance Report for the month of December as prepared and presented by Chris Trenholm, Finance Director. Seconded by Councilor Bickford. Vote: 7 Yeas.

**COMMUNICATIONS AND RECOGNITIONS**

**POLICE DEPARTMENT APPOINTMENTS**

Chief Crowell pinned badges on the following patrol officers: Steven V. Hammerton, Alfred J. Daigle, and Michael R. Richard.

Mayor Jenkins administered the “Oath of Ethics Ceremony” to all three officers.

Mayor Jenkins also recognized Patrol Officer Shawn Carll who was recently involved in a motor vehicle accident on Tuesday, January 9<sup>th</sup>; his cruiser was hit by another vehicle. Officer Carll was transported to the hospital and later discharged. He returned to duty on January 15<sup>th</sup>.

**OPEN SESSION**

The following people spoke during open session: Jonathan Labonte, 41 Third Street; Robert O’Connor, 564 Summer Street; and Dick Bussiere, 9 Winter Street.

**CLOSED OPEN SESSION**

**UNFINISHED BUSINESS**

**1. ORDINANCE – AMENDMENT TO CHAPTER 1, ARTICLE 3, RULES OF PROCEDURE (2<sup>nd</sup> READING)**

Councilor Samson moved for acceptance of second reading and final passage. Seconded by Councilor Hayes. Vote: 7 Yeas.

**NEW BUSINESS**

**2. ORDINANCE – AMENDMENT TO CHAPTER 24, SECTION 2.34 – TATTOOING**

Councilor Gleason moved for acceptance of first reading. Seconded by Councilor Mennealy.

Police Chief Crowell explained the above ordinance and answered Councilors questions.

The following residents made comments: Jonathan Labonte, 41 Third Street; Mike Woodworth, 374-376 Main Street; Robert O’Connor, 564 Summer Street; and Eric Pelletier.

Vote: 7 Yeas.

**3. RESOLVE – APPOINTMENT OF REGISTRAR AND DEPUTY  
REGISTRAR OF VOTERS**

Councilor Samson moved for passage of the resolve. Seconded by Councilor Bickford. Vote: 7 Yeas.

**ADJOURNMENT – 8:35 p.m.**

Councilor Mennealy moved to adjourn. Seconded by Councilor Peters. Vote: 7 Yeas.

**A TRUE RECORD**

**ATTEST:** \_\_\_\_\_  
City Clerk

# Auburn Health & Social Services Department

## General Assistance Summary Report

### Fiscal Year 2006-2007

#### Second Quarter October - December 2006

During the this quarter of Fiscal Year 2006-2007, the General Assistance program encountered **176 Households** of whom **115 requested** General Assistance from this office. The applicants, requesting a total of **\$52,051.00**, were actually assisted with **\$12,502.26 or 24%**. The amount assisted is based on criteria such as an applicant's need, state maximums, whether the status of the situation is an emergency or non-emergency, and other criteria.

Emergency situations such as loss of housing may not be considered an emergency if a repeat applicant had income that could have been used to prevent all or part of an emergency but they spent that income on items that are not basic necessities, which include shelter, heating costs, electric, food, and non-prescription drugs up to the ordinance maximums significant increases in some expenditure.

In the this quarter, the General Assistance program expended:

- 71% on Housing
- 10% on Electric
- 7% on Fuel
- 5% on Burial
- 4% on Food
- 2% on Miscellaneous Items
- <1% on Medical

Of the applicants requesting General Assistance this last quarter, 34% were first-time applicants to any GA office. Of all applicants, 47% were granted assistance. Of the remaining applicants:

- 60% did not qualify primarily as a result of lack of information and
- 37% were not income eligible
- 3% were denied for other reasons

To continue significant cost-saving measures, this office refers applicants to other agencies for services and resources to supplement their needs.

Of the households that applied for General Assistance,

- 40% are involved in extended medical situations
- 15% are employed but do not make enough to meet their basic necessities
- 20% are unemployed
- 16% are receiving State assistance and
- 9% are "others" who may have just been released from jail or are living on other income such as child support

Respectfully Submitted,

Dorothy Meagher

**General Assistance Quarterly Report**

Oct-Dec 06

TOTAL ENCOUNTERS THIS QUARTER		176	FYTD
TOTAL APPLICATIONS FOR THIS QUARTER		115	FYTD
TOTAL CASES THIS QUARTER		100	FYTD
CASES ASSISTED THIS QUARTER		54	FYTD
<i>From GA monthly rpt.</i>			
PERSONS ASSISTED THIS QUARTER	ADULTS	58	FYTD
	CHILDREN	40	FYTD
	TOTALS	98	FYTD
<i>From financial report</i>			
CASES DENIED THIS QUARTER		62	FYTD
<i>From GA monthly rpt.</i>			
REFERRALS THIS QUARTER		60	FYTD
<i>From GA monthly rpt.</i>			

FISCAL YEAR	2006-2007			
	BUDGETTED	Assistance Paid CURRENT QUARTER	FYTD	UNEXPENDED
ELECTRIC	\$4,000.00	\$1,274.07	\$2,902.27	\$1,097.73
MEDICAL	\$2,500.00	\$0.00	\$0.00	\$2,041.14
PRESCRIPTION		\$118.16	\$458.86	
BURIAL	\$1,000.00	\$645.00	\$645.00	\$355.00
FUEL	\$9,618.00	\$810.70	\$710.70	\$8,907.30
NON HEAT				
PROVISIONS	\$2,500.00	\$496.19	\$965.17	\$1,534.83
RENT	\$30,000.00	\$8,836.00	\$17,628.00	\$12,372.00
OTHER	\$2,000.00	\$295.04	\$689.54	\$1,310.46
<b>TOTALS</b>	<b>\$51,618.00</b>	<b>\$12,475.16</b>	<b>\$23,999.54</b>	<b>\$27,618.46</b>
TOTAL ASSISTANCE REQUESTED		\$52,051.00	FYTD	\$116,086.00
TOTAL ASSISTANCE AUTHORIZED		\$12,502.26	FYTD	\$24,227.90

REIMBURSEMENT:			
CLIENT	\$0.00	FYTD	\$0.00
SSI	\$1,852.39	FYTD	\$5,242.47
STATE	\$6,231.13	FYTD	\$12,038.83
<b>TOTAL</b>	<b>\$8,083.52</b>	<b>TOTAL</b>	<b>\$17,281.30</b>

PAID FROM TRUST FUND:			
CASES	7	TOTAL FYTD:	11
AMOUNT	\$1,556.77	TOTAL FYTD:	\$2,145.12

*Authorized expenses and caseload for the previous quarters.*

MONTH	YEAR	EXPENSES	REIMBURSEMENT	CASES Assisted	PERSONS
Jan to Mar	2003	\$ 5,833.26	\$ 2,722.92	40	55
Apr to Jun	2003	\$ 8,260.36	\$ 4,417.74	41	69
Jul to Sept	2003	\$ 8,584.68	\$ 4,292.34	41	81
Oct to Dec	2003	\$ 9,154.95	\$ 9,412.11	46	61
Jan to Mar	2004	\$ 7,314.66	\$ 3,657.77	57	54
Apr to Jun	2004	\$ 7,874.59	\$ 9,012.43	49	69
Jul to Sept	2004	\$ 8,994.44	\$ 5,302.50	49	61
Oct to Dec	2004	\$ 9,430.53	\$ 6,250.87	45	66
Jan to Mar	2005	\$ 10,250.91	\$ 5,198.36	45	55
Apr to Jun	2005	\$ 3,300.76	\$ 4,471.86	20	20
Jul to Sept	2005	\$ 9,430.37	\$ 6,128.11	50	78
Oct to Dec	2005	\$ 14,309.26	\$ 10,942.68	66	98
Jan to Mar	2006	\$ 15,887.69	\$ 8,391.31	74	116
Apr to Jun	2006	\$ 8,841.82	\$ 5,964.51	46	55
Jul to Sept	2006	\$ 11,597.38	\$ 5,807.70	51	113

Trust fund us



352
248
219

105
-----

115
96
<b>211</b>

141
-----

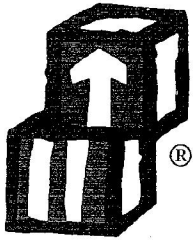
107
-----

=====

=====

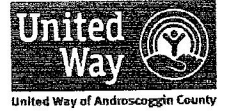
=====

=====



## ANDROSCOGGIN HEAD START AND CHILD CARE

Estelle Rubinstein, Executive Director  
Coburn School 269 Bates Street  
Lewiston, Maine 04240  
(207) 795-4040 • FAX (207) 795-4044  
Email: erubinstein@androhsc.com  
www.androkids.com



January 12, 2007

Mary Lou Magno, City Clerk  
Auburn Hall  
60 Court Street  
Auburn, ME 04210

Dear Mary Lou:

I am requesting that the Child Care license fees be waived for the Family Development Center and the Washburn Head Start Center on Lake Auburn Avenue in Auburn and New Auburn Center at Walton School. The city licenses expire in December 2006 for the Walton Head Start Center; January 2007 for the Family Development Center; and February 2007 for the Washburn Head Start Center.

We are very pleased to be collaborating with the Auburn School Department and the Auburn Housing Authority to meet the needs of the families in the development who need childcare services to continue their goals of self-sufficiency by going to school or working.

We shall continue our commitment to serving the low and moderate-income families of Auburn and we thank you in advance regarding the above-mentioned request.

Sincerely,

Estelle R. Rubinstein  
Executive Director

ERR:cdc

# City Council

## Agenda Information Sheet

---

**Council Meeting Date Feb 5, 2007 Agenda Item No. Consent**

---

**SUBJECT:**

**COMMUNICATION FROM AUBURN PAWN RE: RENWAL OF PAWN  
LICENSE**

---

**INFORMATION:**

Auburn Pawn, 61 Mill Street, is applying for renewal of their Pawn License. State law requires that this license be approved by the Municipal Officers. All appropriate city departments (Treasurer, Fire, and Police) have approved this license.

---

**STAFF COMMENTS/RECOMMENDATION:**

Staff recommends approval of this license.

---

**REQUESTED ACTION:**

Motion to approve this license.

# Auburn Pawn

01/08/07

City of Auburn  
Town Office  
Auburn, Maine 04210

Dear Mayor and Selectman,

I am writing this letter for a license renewal for Auburn Pawn Shop located at 61 Mill St. in New Auburn. I would like to let you know that I conducted my business as required by all laws as a pawn broker. I have been cooperative with State, County and local Police Departments in any investigations regarding any merchandise bought or pawned. I also conducted my business in a professional and gentleman work like manner. If you should have any questions in reference to this I can be reached at 207-795-7983.

Enclosed is two checks for the total sum of \$110.00. Check #209 for \$100.00 is submitted for the pawn-licensing fee. Check #210 for the sum of \$10.00 is submitted for the second hand sellers licensing fee.

Thank you for you time in this matter,

Rene Cloutier  
Auburn Pawn Owner





**STATE OF MAINE**  
 HOUSE OF REPRESENTATIVES  
 CLERK'S OFFICE  
 2 State House Station  
 Augusta, Maine 04333-0002

**MILLICENT M. MACFARLAND**  
*Clerk of the House*  
 (207) 287-1400

TO: Editor, Annual Report  
 City of Auburn  
 60 Court St Ste 243  
 Auburn ME 04210

FROM: *M.M.* Millicent M. MacFarland  
 Clerk of the House

Many municipal annual reports include the category of "Representative to Legislature" at the conclusion of the listing of Municipal Officers.

In the belief you may want to aid citizens to more readily contact their House member, we are hopeful that you will include the following information in the Municipal Officers section:

Representative to the Legislature  
 (term exp. 12/3/08)

<b>District: 68</b>	<b>District: 69</b>
State Rep.: Hon. Michael Gary Beaulieu Home Address: 27 Sherman Avenue Auburn, ME 04210 Residence: (207) 784-0036 E-Mail: mike@mikeformaine.org State House E-Mail: RepMike.Beaulieu@legislature.maine.gov	State Rep.: Hon. Deborah L. Simpson Home Address: 551 Turner Street Auburn, ME 04210 Residence: (207) 777-1379 E-Mail: deborah.simpson4@verizon.net State House E-Mail: RepDeborah.Simpson@legislature.maine.gov
<b>District: 70</b>	
State Rep.: Hon. Mark Paul Samson Home Address: 34 Musket Drive Auburn, ME 04210 Residence: (207) 783-9971 E-Mail: markmariesamson@verizon.net State House E-Mail: RepMark.Samson@legislature.maine.gov	
Capitol Address: House of Representatives 2 State House Station Augusta, ME 04333-0002	Capitol Telephone: (207) 287-1400 (Voice) (207) 287-4469 (TTY)

Year-Round Toll Free House of Representatives Message Center 1-800-423-2900  
 Maine Legislative Internet Web Site - <http://janus.state.me.us/legis>

SUSAN M. COLLINS  
MAINE

461 DIRKSEN SENATE OFFICE BUILDING  
WASHINGTON, DC 20510-1904  
(202) 224-2523  
(202) 224-2693 (FAX)

COMMITTEES:  
HOMELAND SECURITY AND  
GOVERNMENTAL AFFAIRS, CHAIRMAN  
ARMED SERVICES  
SPECIAL COMMITTEE  
ON AGING

# United States Senate

WASHINGTON, DC 20510-1904

January 2007

City of Auburn  
60 Court Street, Suite 243  
Auburn, ME 04210

Dear Friends,

As you gather for your Annual Town Meeting, I welcome this opportunity to share some of the work that has made me proud to represent the people of Auburn and all of Maine in the United States Senate.

As Chairman of the Senate Homeland Security Committee, I am pleased to report that Congress made real progress in 2006 to protect our nation, including major legislation that I coauthored to improve the security of America's seaports. I also led a bipartisan effort to pass chemical security legislation that, for the first time, requires security measures at more than 3,400 chemical facilities nationwide.

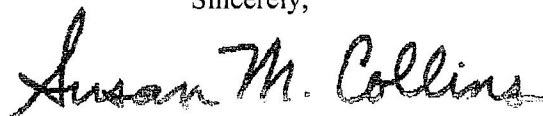
Following the flawed response to Hurricane Katrina, the Homeland Security Committee conducted the most extensive investigation in its history, and I coauthored legislation that reorganizes and reunites the federal government's preparedness and response capabilities to meet the challenges of all aspects of emergency management.

Congress last year passed many pieces of legislation I authored to improve health care, assist those in need, protect our environment, support our economy and our workers, and strengthen our nation's defenses. The Older Americans Act includes my amendment to establish transportation services for America's seniors. I led the successful fight to reject proposed cuts in Medicare home health and hospice payments, and to prevent prescription drug plans from removing a drug from their formulary during the plan year. I have secured increased funding for diabetes and Alzheimer's research, and for support services for patients and their families.

In 2006, I helped secure a record level of funding for the Low Income Home Energy Assistance Program (LIHEAP), and Congress renewed the tax deduction I authored for teachers who spend their own money on classroom supplies and my renewable energy tax credit. The landmark Postal Reform legislation I coauthored will ensure affordable rates and preserve universal service. Major Defense bills include my provisions to help secure the future of Bath Iron Works and the jobs of our skilled shipbuilders.

I remain committed to doing all that I can to address your community's concerns on the federal level. If I may be of assistance to you in any way, I encourage you to contact my Lewiston office at 784-6969.

Sincerely,



Susan M. Collins  
United States Senator

# City Council

## Agenda Information Sheet

---

**Council Meeting Date** Feb 5, 2007      **Agenda Item No.** 1

---

**SUBJECT:**

**ORDINANCE – AMENDMENT TO CHAPTER 24, SECTION 2.34  
TATTOOING**

---

**INFORMATION:**

As discussed at a previous workshop, the tattoo ordinance has been amended to reflect the concerns that a citizen who has been convicted of a felony charge would forever be prohibited from being allowed to obtain a tattoo license in the City of Auburn. Other communities were researched to ensure we are consistent within the State of Maine. The proposed language is more in line with other communities and specifically the City of Lewiston. An added clarification was included to address the issue of being incarcerated; the applicant must have been released for a minimum of five years prior to the application.

---

**STAFF COMMENTS/RECOMMENDATION:**

Staff is recommending the attached ordinance to be approved.

---

**REQUESTED ACTION:**

Motion for acceptance of second reading and final passage.

---

# CITY OF AUBURN

CITY COUNCIL, AUBURN, MAINE

DATE: January 16, 2007

## TITLE: ORDINANCE – AMENDMENT TO CHAPTER 24, ARTICLE 2, SECTION 2.34 – TATTOOING

Be It Ordained by the Auburn City Council, That Chapter 24, Article 2, Section 2.34  
Tattooing be amended to read as follows:

### B. License

#### 1. Required

(a) No individual shall tattoo another, or operate or conduct a tattooing establishment of any kind within the City, without first obtaining a license therefore in accordance with the provisions of this article. Before an applicant receives a license, the City Clerk shall submit the application for certification to the Health Officer, Fire Chief, Chief of Police, City Treasurer, and Code Enforcement Officer. The Health Officer shall inspect the premises to determine whether the facilities are sanitary and in compliance with the provisions of this section. The Fire Chief shall determine whether the premises are free of fire safety hazards and in compliance with fire codes. The Chief of Police shall certify that the applicant has not been convicted within the 5 years prior to his/her application for a license of: (a) any Class A, Class B or Class C crime, or (b) a crime committed under the laws of the United States of America or any other state or territory thereof, which is punishable (whether or not such punishment was actually imposed) by a sentence at least as harsh as that which is authorized for the commission of a Class C crime under Maine law. If an applicant has been convicted at any time of an offense described in (a) or (b) above, the Chief of Police shall certify that the applicant, during the 5 years prior to his/her application for a license, has not been incarcerated or convicted of any crime of any kind or class. ~~provided that such conviction was for an offense which is rationally related to the operation of a tattoo establishment~~ The City Treasurer shall certify that all taxes and monies due to the City of Auburn from the applicant have been paid and/or are current. The Code Enforcement Officer shall determine whether the premises comply with the applicable land use regulations and building codes.

**Motion for acceptance of first reading:** Richard Gleason **Seconded by:** Robert Mennealy

**Vote:** 7 Yeas

**Motion for acceptance of second reading and for final passage:**

**Seconded by:**

**Vote:**

**Action by Council:**

**DATE:**

**ATTEST:**

**CITY CLERK**



# City Council

## Agenda Information Sheet

---

Council Meeting Date 2/5/2007      Agenda Item No. 2

---

**SUBJECT:**

**RESOLVE – AUTHORIZING THE ISSUANCE AND SALE OF REVENUE  
OBLIGATION SECURITIES IN AN AMOUNT NOT TO EXCEED  
\$2,695,000 FOR WORLD HARBORS AND ANGOSTURA INTERNATIONAL  
LIMITED PROJECTS**

---

**INFORMATION:**

World Harbors Inc. and Angostura International Limited Project (located in the Kittyhawk Industrial Park) has requested the City of Auburn to facilitate the issuance of up to \$2,695,000 of revenue obligation securities. The bond proceeds will be used to finance a 21,500 square foot expansion and to refinance the revenue obligation securities the City of Auburn authorized dated December 29, 2000. The City of Auburn will have no liability associated with this action.

---

**STAFF COMMENTS/RECOMMENDATION:**

Staff recommends approval of this resolve.

---

**REQUESTED ACTION:**

Motion for passage of the resolve.

---

# CITY OF AUBURN

CITY COUNCIL, AUBURN, MAINE

DATE: February 5, 2007

**TITLE: RESOLVE – AUTHORIZING THE ISSUANCE AND SALE  
OF REVENUE OBLIGATION SECURITIES IN AN  
AMOUNT NOT TO EXCEED \$2,695,000 FOR WORLD  
HARBORS AND ANGOSTURA INTERNATIONAL  
LIMITED PROJECTS**

Be It Resolved by the Auburn City Council that the issuance and sale of Industrial Revenue Bonds in an amount not to exceed \$2,695,000 for World Harbors and Angostura International Limited Projects capital improvements is hereby approved. A copy of Findings of Fact is attached to and hereby made a part of this resolve.

Motion for passage:

Seconded by:

Vote:

**ACTION BY COUNCIL:**

**DATE:**

**ATTEST:**

**CITY CLERK**

**CITY OF AUBURN, MAINE**

**FINDINGS OF FACT AND A RESOLUTION  
AUTHORIZING THE ISSUANCE OF UP TO  
TWO MILLION SIX HUNDRED NINETY FIVE THOUSAND DOLLARS  
(\$2,695,000)  
OF REVENUE OBLIGATION SECURITIES  
(2007 World Harbors, Inc. and Angostura International Limited Project)**

**WHEREAS**, World Harbors, Inc. and Angostura International Limited, Inc. (collectively, the “Company”) intends to finance the (a) design construction and equipping of an additional 21,500 sq. ft. of warehouse space to handle more SKUs of product as well as more variety of raw materials; equipment includes but is not limited to additional steam jacketed kettles, boiler and new production line to produce hot-packed sauces and marinades and renovation and equipping of existing space from warehousing to manufacturing; (b) refinancing of existing City of Auburn Revenue Obligation Securities (2000 C.V. Finer Foods Project) dated December 29, 2000 and issued in the original principal amount of \$1,500,000 (the “Project”); and

**WHEREAS**, the Finance Authority of Maine Act, 10 M.R.S.A., Ch. 110, §§961 et seq. (the “Act”), authorizes and empowers the City of Auburn, Maine (the “City”), upon receipt of a Certificate of Approval from the Finance Authority of Maine (the “Authority”) to issue revenue obligation securities (referred to as the Bonds, as defined below) in order to provide financing for eligible projects within the corporate limits of the City, and to make and enter into all financing documents, security agreements, mortgages, contracts, and trust agreements necessary or convenient to carryout each such power; and

**WHEREAS**, the Company desires the City of Auburn, Maine (the “City”) to issue the City's revenue bonds, to be designated “City of Auburn, Maine, Revenue Obligation Securities (2007 World Harbors, Inc. and Angostura International Limited Project)” in an aggregate principal amount not to exceed \$2,695,000 (the “Bonds”) and to loan the proceeds thereof to the Company to finance the costs (as defined herein) of the Project or to reimburse the Company for such costs previously incurred or paid by the Company; and

**WHEREAS**, by the Inducement Order adopted by the City Council on October 30, 2006, the City Council authorized the City Manager (or ratified and confirmed the City Manager’s prior actions) to prepare and submit to the Authority a municipal application seeking a Certificate of Approval for the issuance of the City’s Bonds, and further ordered that the Inducement Order constitute the City’s declaration of official intent pursuant to Treas. Reg. § 1.150-2 with respect to the Bonds; and

**WHEREAS**, Section 1064(1) of the Act authorizes the City Council, as the Municipal Officers of the City, to provide by resolution for the issuance the Bonds; and

**WHEREAS**, the Bonds shall not be issued until the City receives a Certificate of Approval issued by the Authority; and

**WHEREAS**, the City Council acting as the “applicable elected representative” of the City held a public hearing at 7:00 p.m. on February 5, 2007, after reasonable public notice published in the *Lewiston Sun Journal* on or before January 22, 2007, which paper is of general circulation in the City, about the proposed issue of the Bonds for the Project as required by Section 147 of the Internal Revenue Code of 1986, as amended, and regulations thereunder;

**NOW, THEREFORE**, following such public hearing held by the City Council held upon due notice, **THE CITY COUNCIL OF THE CITY OF AUBURN HEREBY RESOLVES:**

- 1. THAT** the City Council hereby finds and determines that:
  - a. The City is a duly organized municipality of the State of Maine and the City Council is comprised of the duly elected municipal officers of the City; and
  - b. The Act authorizes and empowers the City to issue the Bonds and loan the proceeds thereof to the Company to finance the cost of the Project; and
  - c. The Act authorizes the City to enter into financing documents including security agreements, mortgages, contracts, and trust agreements and all other contracts and agreements which are necessary or convenient to the exercise of its powers under the Act; and
  - d. The Certificate of Approval, the receipt of which is a necessary precondition to issuance of the Bonds, is expected to be issued and received as required by Section 1064(1)(A) of the Act prior to issuance of the Bonds, which Certificate authorizes the City to proceed to issue the Bonds to finance the Project; and
  - e. The proceeds of the Bonds in an aggregate principal amount not to exceed \$2,695,000 will be required and, when added to the funds provided by the Company, will be sufficient to pay the estimated costs of the Project.
  
- 2. THAT** pursuant to the Act, there is hereby authorized and approved the issuance of revenue obligation securities of the City (and notes in anticipation thereof) in an aggregate principal amount not to exceed \$2,695,000, to be designated “City of Auburn, Maine, Revenue Obligation Securities ([Year] World Harbors, Inc. and Angostura International Limited Project)” (the “Bonds”). The proceeds of the Bonds, if and when issued by the City, shall be loaned to the Company and used to finance the Project. Nothing herein shall obligate the City to issue the Bonds, which shall be issued in the sole discretion of the City.
  
- 3. THAT** the Bonds shall be issued or reissued in denominations of \$5,000 (or \$100,000 at the election of the Company) and any integral multiple of \$5,000 in excess thereof and the date, maturities, interest rate or rates (whether fixed, variable, or subject to multiple modes at the Company’s discretion), place of payment, call features (with or without premium), and other details of the Bonds shall be determined by the Treasurer and/or the Finance Director with the approval of the Company and said Bonds shall be executed in the name of the City by the Treasurer and Finance Director, sealed with the seal of the City, attested to by its Clerk, and be

in such form and contain such terms and provisions, not inconsistent herewith, as they may approve, their approval to be conclusively evidenced by their execution thereof.

**4. THAT** the Bonds shall: (1) consist of registered bonds, without coupons substantially in the form as may be approved by the Treasurer and Finance Director by their execution thereof; and (2) mature not more than twenty-five (25) years from the date of issuance.

**5. THAT** the Bonds and notes hereinbefore authorized be made callable, with or without premiums, prior to their stated dates of maturity.

**6. THAT the Bonds shall be, and shall contain on their face, a statement substantially to the effect that the Bonds are a limited obligation of the City and shall not constitute any debt or liability of the City, the State of Maine or any other political subdivision thereof or municipality therein or a pledge of the faith and credit of the City, the State of Maine or of any other such political subdivision or municipality, but shall be payable solely from revenues of the Project for which they are issued; and the issuance of the Bonds shall not directly or indirectly or contingently obligate the City, the State of Maine or any other political subdivision thereof or municipality therein to levy or to pledge any form of taxation whatever therefor or to make any appropriation for their payment.**

**7. THAT** the Clerk is hereby authorized and directed to cause a true copy of the form of Notice of Intent to issue City of Auburn, Maine, Revenue Obligation Securities (2007 World Harbors, Inc. and Angostura International Limited Project) to be published no later than fourteen (14) days after the date hereof in the *Lewiston Sun Journal*, a newspaper of general circulation in the City, and the *Daily Kennebec Journal*, the state newspaper of the State of Maine. Such publications shall constitute the notice of intent to issue the Bonds required by Section 1064(1)(C) of the Act.

**8. THAT the Company shall pay any fees and expenses incurred by the City with respect to the issuance of the Bonds.**

**9. THAT** the Treasurer and the Finance Director are each hereby individually authorized to negotiate, approve, execute, deliver, and record in the name of and on behalf of the City such contracts, deeds, leases, assignments, certificates, memoranda, abstracts, agreements, and other documents, including but not limited to an Underwriting Agreement, a Loan and Trust Agreement (or a Loan Agreement and Indenture of Trust), a Remarketing Agreement and a Pledge and Security Agreement (the "Bond Documents"), as may be necessary or appropriate as determined and approved by such Treasurer and/or the Finance Director in connection with the financing of the Project to carry out (i) the provisions of this Order, (ii) the execution, sale, and delivery by the City of the Bonds and (iii) the execution and delivery of the bond documents, which documents shall be in such form and contain such terms, provisions, and conditions, not inconsistent herewith, as may be approved by the Treasurer such approval to be conclusively evidenced by her execution thereof;

**10. THAT** the Treasurer and the Finance Director are each hereby individually authorized to approve the appointment by the Company of the underwriter, trustee, registrar, paying agent, transfer agent, and remarketing agent for the Bonds pursuant to the Bond Documents;

**11. THAT** the Treasurer and the Finance Director are each hereby individually authorized to prepare, or cause to be prepared, a Preliminary Official Statement and an Official Statement for use in the offering and sale of the Bonds, such Preliminary Official Statement and Official Statement to be in such form and contain such information as may be approved by the Treasurer and/or Finance Director, and that the distribution of the Preliminary Official Statement and the Official Statement in the name of and on behalf of the City in connection with offering the Bonds be and hereby is approved;

**12. THAT** the Bonds shall be transferable only on the registration books of the City kept by the transfer agent, and said principal amount of the Bonds of the same maturity (but not of other maturity) in the denomination of either \$100,000 and any integral multiple of \$5,000 in excess thereof or, if the Bonds shall be converted to term bonds, in denominations of \$5,000 and any integral multiple in excess thereof, upon surrender thereof at the principal office of the transfer agent, with a written instrument of transfer satisfactory to the transfer agent duly executed by the registered owner or his attorney duly authorized in writing. Upon each exchange or transfer of a bond the City and the transfer agent shall make a charge sufficient to cover any tax, fee or any other governmental charge required to be payable with respect to such exchange or transfer, and with respect to such exchange or transfer, and subsequent to the first exchange or transfer, the cost of preparing new bonds upon exchanges or transfer thereof to be paid by the person requesting the same;

**13. THAT** the Treasurer and the Finance Director are each hereby individually authorized to undertake all acts necessary to provide for the issuance and transfer of such Bonds in book-entry form pursuant to the Depository Trust Company Book-Entry Only System, as an alternative to the provisions of the foregoing paragraph regarding physical transfer of bonds, and the Treasurer and/or the Finance Director be and hereby are individually authorized and empowered to enter into a Letter of Representation or any other contract, agreement or understanding necessary or, in her opinion, appropriate in order to qualify the bonds for and participate in the Depository Trust Company Book-Entry Only System;

**14. THAT** the Treasurer and the Finance Director are each hereby individually authorized from time to time to execute such bonds as may be required to provide for exchanges or transfers of bonds as heretofore authorized, all such bonds to bear the original signature of the Treasurer and the Finance Director, and in case any officer of the City whose signature appears on any bond shall cease to be such officer before the delivery of said bond, such signature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery thereof;

**15. THAT** the Treasurer and the Finance Director are each hereby individually authorized and directed to covenant and certify on behalf of the City that no part of the proceeds of the issue and sale of the Bonds authorized to be issued hereunder shall be used directly or indirectly to acquire any securities or obligations, the acquisition of which would cause such notes to be "arbitrage bonds" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended;

**16. THAT** the Treasurer and the Finance Director are each hereby individually authorized to covenant, certify, and agree, on behalf of the City, for the benefit of the holders of such Bonds, that the City will file any required reports and take any other action that may be necessary to

insure that interest on the notes will remain exempt from federal income taxation, and that the City will refrain from any action that would cause interest on the notes to be subject to federal income taxation;

**17. THAT** the Treasurer and the Finance Director are each hereby individually authorized to covenant, certify and agree, on behalf of the City, for the benefit of the holders of such Bonds, that the City will file any required reports, make any annual financial or material event disclosure, and take any other action that may be necessary to insure that the disclosure requirements imposed by Rule 15c2-12 of the Securities and Exchange Commission, if applicable, are met;

**18. THAT** the term “cost” or “costs” as used herein and applied to the Projects, or any portion thereof, includes, but is not limited to (1) the purchase price or acquisition cost of all or any portion of the Project; (2) the cost of construction, building, alteration, enlargement, reconstruction, renovation, improvement, and equipping of the Project; (3) the cost of all appurtenances and other facilities either on, above, or under the ground which are used or usable in connection with the Project; (4) the cost of landscaping, site preparation and remodeling of any improvements or facilities; (5) the cost of all labor, materials, building systems, machinery and equipment; (6) the cost of land, structures, real property interests, rights, easements, and franchises acquired in connection with the Project; (7) the cost of all utility extensions and site improvements and development; (8) the cost of planning, developing, preparation of specifications, surveys, engineering, feasibility studies, legal and other professional services associated with the Project; (9) the cost of environmental studies and assessments; (10) the cost of financing charges and issuance costs, including premiums for insurance and letters of credit, interest prior to and during construction and for the period ending 3 years from the date of issuance, underwriters' fees and costs, legal and accounting fees and costs, application fees, and other fees and expenses relating to the financing transaction; and (11) the cost of all other financing authorized hereunder, whether related or unrelated to the foregoing; and

**19. THAT** the Treasurer, Finance Director and Clerk and other proper officials of the City be, and hereby are authorized and empowered in its name and on its behalf to do or cause to be done all such other acts and things as may be necessary or desirable in order to effect the issuance, sale and delivery of the Bonds hereinabove authorized.

**20. THAT** if any of the officers or officials of the City who have signed or sealed the Bonds shall cease to be such officers or officials before the Bonds so signed and sealed shall have been actually authenticated or delivered by the City, such Bonds nevertheless may be authenticated, issued, and delivered with the same force and effect as though the person or persons who signed or sealed such Bonds had not ceased to be such officer or official; and also any such Bonds may be signed and sealed on behalf of the City by those persons who, at the actual date of the execution of such Bonds, shall be the proper officers and officials of the City, although at the nominal date of such Bonds any such person shall not have been such officer or official.

**21. THAT** if the Treasurer, the Finance Director or Clerk are for any reason unavailable to approve and execute the Bonds or any of the Bond Documents, the person or persons then acting in any such capacity whether as an assistant, a deputy, as the “acting” official or otherwise, are each individually authorized to act for such official with the same force and effect as if such official had herself or himself performed such act.

**22. THAT** all prior actions of the Treasurer, Finance Director, Clerk and City Manager of the City taken with respect to the Project, including but not limited to the filing of the application for a Certificate of Approval with the Authority, be, and hereby are ratified, approved and confirmed.

**23. THAT** during the term of the Bonds, all authority granted pursuant to these resolves shall be, remain and continue, in full force and effect without the necessity of any further action of the City Council.

Duly adopted on February 5, 2007.

Attest:

---

Clerk



# City Council

## Agenda Information Sheet

---

**Council Meeting Date** Feb 5, 2007    **Agenda Item No.** 3

---

**SUBJECT:**

**PUBLIC HEARING AND ACTION ON REQUEST FOR TAXI RATES INCREASE**

---

**INFORMATION:**

The Twin City Cab Companies are requesting a zone rate increase; a waiting time increase; and a Fuel Adjustment which is based on a starting point of \$2.20 per gallon. According to City Ordinances a public hearing is required to consider this request. The last time there was an increase in rates was September 2005, and that increase was 25 cents per zone.

---

**STAFF COMMENTS/RECOMMENDATION:**

---

**REQUESTED ACTION:**

---

---

# MEMO

TO: Pat Finnigan, City Manager

FROM: Mary Lou Magno, City Clerk

SUBJ: Taxi Rate Increase

DATE: January 24, 2007

The Twin City Taxi Companies are requesting a zone rate increase and a “waiting time” increase as follows:

<u>Zone</u>	<u>Current Rate</u>	<u>Proposed Rate</u>
1	\$3.75	\$4.00
2	4.25	5.00
3	5.00	6.00
4	5.25	7.00
5	5.75	8.00
6	7.25	9.00
7	8.25	10.00
Waiting time: (for each three minutes)	.50 cents	1.00

Fuel Adjustment: Based on a starting point of \$2.20 per gallon of 87 Octane gasoline, a fuel adjustment of \$.10 per call is allowed for every \$.20 per gallon increase or decrease (during a 14 day period).

They indicate the reasons for the increases are operating expenses which include insurance, parts and labor, and workers compensation; and the increased cost of gasoline.

If this proposed increase were approved, the rates would coincide with Lewiston’s rates which went into effect on March 1, 2006. (the City of Lewiston has only five zones).

Staff researched other communities (Augusta, Bangor, Portland, Saco, and South Portland) and found that fares are all determined by meters as follows:

**Augusta** - \$2.50 for first mile or portion thereof; 75 cents for each ½ mile or portion thereof. Waiting time \$15 per hour.

**Bangor** - \$1.50 for first 1/6 mile or portion thereof; 35 cents for each 1/6 mile or portion thereof. Waiting time is \$20 per hour.

**Portland** - \$1.90 for first 1/10 mile or portion thereof; 25 cents for each 1/10 mile or portion thereof. Waiting time is 30 cents per minute.

**Saco** - \$4.00 for first ½ mile or portion thereof; 50 cents for each ½ mile or portion thereof. Waiting time – meter continues to run.

**South Portland** - \$1.40 for first 1/9 mile or portion thereof; 25 cents for each 1/9 mile or portion thereof. Waiting time is 30 cents for every 72 seconds.

Chapter 26, Section 9.8 of the City Ordinances requires that a request for an increase in taxi rates shall be considered by the City Council after giving public notice of a public hearing. The public hearing for this request is tentatively scheduled for the February 5<sup>th</sup> City Council Meeting. The last time the City Council considered and approved a similar request was September 12, 2005.

Attached to this memo is a map of the zones in Auburn.



# AUBURN, MAINE

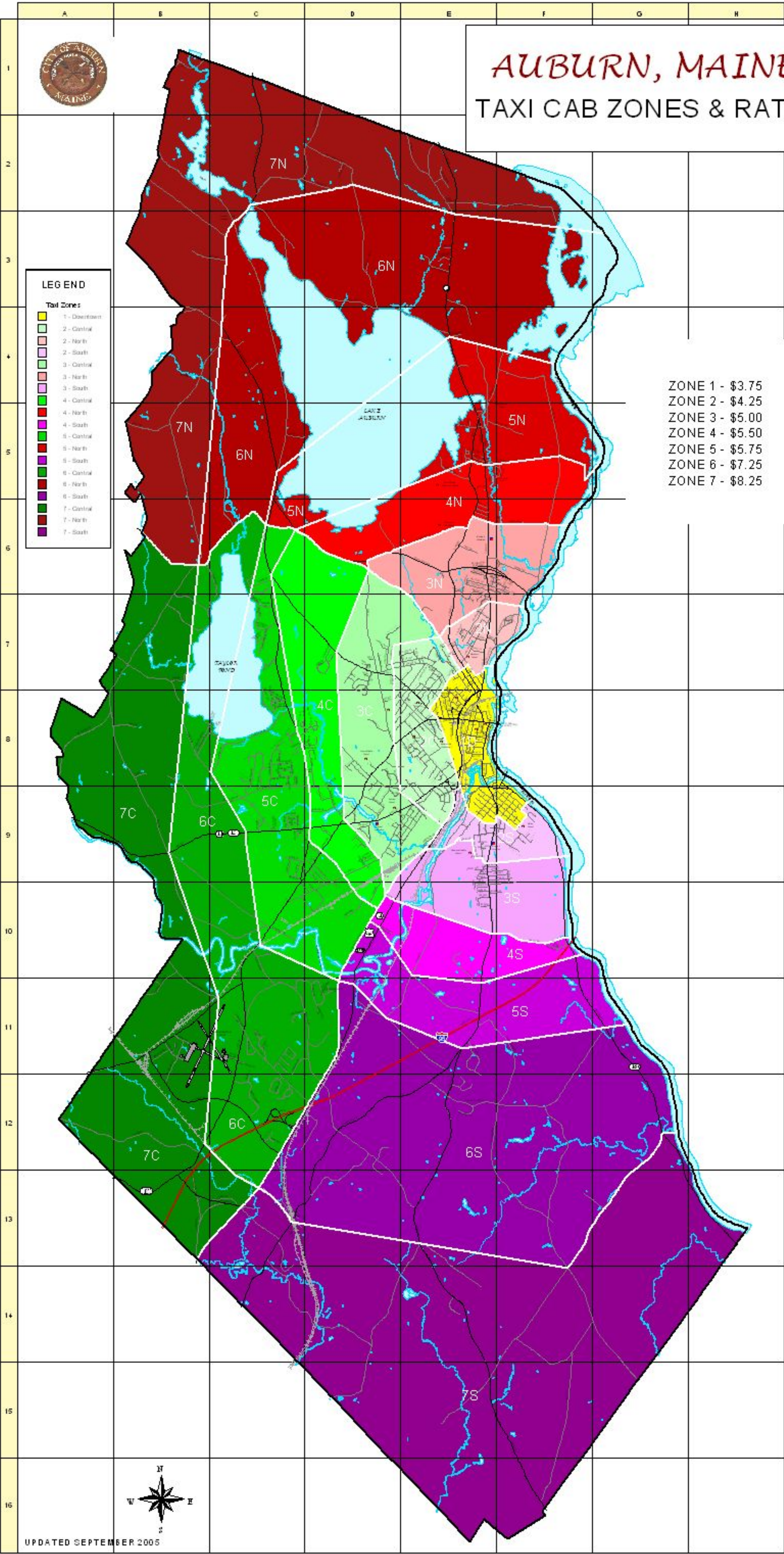
## TAXI CAB ZONES & RATES

**LEGEND**

Taxi Zones

Yellow	1 - Downtown
Light Green	2 - Central
Light Blue	2 - North
Light Purple	2 - South
Light Green	3 - Central
Light Blue	3 - North
Light Purple	3 - South
Light Green	4 - Central
Light Blue	4 - North
Light Purple	4 - South
Light Green	5 - Central
Light Blue	5 - North
Light Purple	5 - South
Light Green	6 - Central
Light Blue	6 - North
Light Purple	6 - South
Light Green	7 - Central
Light Blue	7 - North
Light Purple	7 - South

ZONE 1	- \$3.75
ZONE 2	- \$4.25
ZONE 3	- \$5.00
ZONE 4	- \$5.50
ZONE 5	- \$5.75
ZONE 6	- \$7.25
ZONE 7	- \$8.25



# City Council

## Agenda Information Sheet

---

**Council Meeting Date** 2/5/2007

**Agenda Item No.** 4

---

**SUBJECT:**

**RESOLVE – AMENDMENT TO THE CITIZEN PARTICIPATION PLAN OF  
THE COMMUNITY DEVELOPMENT PROGRAM**

---

**INFORMATION:**

The City Manager be allowed to authorize minor changes to the Action Plan of the Community Development Program with notification to the City Council and Citizen's Advisory Committee one week in advance of the change. (as described in staff memo).

---

**STAFF COMMENTS/RECOMMENDATION:**

Staff recommends approval and passage of the resolve.

---

**REQUESTED ACTION:**

Motion for passage of the resolve.

---

**VOTE:**

**CITY OF AUBURN**

**CITY COUNCIL, AUBURN, MAINE**

**DATE February 5, 2007**

**TITLE: RESOLVE – AMENDMENT TO THE CITIZEN PARTICIPATION  
PLAN OF THE COMMUNITY DEVELOPMENT  
PROGRAM**

Be It Resolved by the Auburn City Council, That the Citizen Participation Plan of the Community Development Program be amended as recommended by Community Development staff.

Motion for passage:  
Vote:

Seconded by:

**Action by Council:**

**DATE**

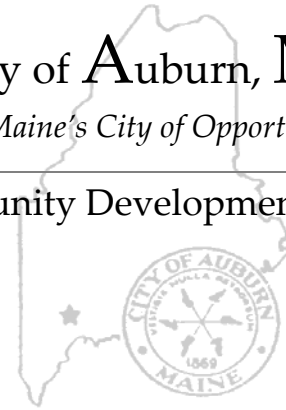
**ATTEST:**

**CITY CLERK**

# City of Auburn, Maine

*"Maine's City of Opportunity"*

## Community Development Program



TO: Patricia A. Finnigan, City Manager

FROM: Reine Mynahan, Community Development Administrator

RE: Community Development Program Amendments

DATE: January 30, 2007

I am proposing three amendments as follows: 1) change of the public notice requirement for minor amendments of the Community Development Program; 2) change in the 2006-07 Action Plan budget to reprogram funds for the Riverpark project; and 3) change in the five-year goals of the Consolidated Plan. These three amendments are scheduled for consideration during the February 5 City Council meeting.

The Citizen's Advisory Committee (CAC) met on January 10, 2007 to discuss these changes. The minutes of the meeting are attached (Attachment A). The Committee supported all three changes and made one recommendation in the amendment to the Citizen Participation Plan. The Citizen's Advisory Committee recommended that they also be notified of a proposed reallocation of funds and if they have a concern, they can contact their City Councilor. This recommendation has been incorporated into the new proposed language.

### 1) Citizen Participation Plan

The current plan calls for a 30-day public notice prior to the City Manager authorizing minor amendments to the Community Development Program. A 30-day comment period and action by the City Council becomes a 45-day delay to address complications when bids come in over budget or there are new projects that are time sensitive. The amendment is on page 7 of the Citizen Participation Plan (Attachment B). The new text is in **bold** and the deleted text has a ~~strikethrough~~.

We are proposing that the City Manager be allowed to authorize minor changes to the budget without the 30-day period. The new process would involve notification of the City Council and Citizen's Advisory Committee one week in advance of the City Manager authorizing the change.

## 2) 2006-07 Action Plan/Budget:

**Auburn.** The amendment to the Action Plan is to transfer funds from two previously funded projects to cover construction cost for improvements to the Riverpark Site Improvement project. The CAC support this change and felt that the clean-up of the riverfront has made a dramatic change in the Downtown. They were pleased that there will be a pedestrian connection to Court Street after the improvements are complete.

The Riverpark project was budgeted two years ago when a portion of the project cost was to be covered by Maine Department of Transportation funds. The Riverpark project is short \$161,300; therefore, only a portion of the contract has been awarded. The funds needed to complete this project will come from two previously funded activities that are inactive. I am proposing transfers funds as follows:

<b>Transfer From:</b>		<b>Transfer To:</b>	
Union Street Skate Park	\$76,300	Riverpark Site Improvements	\$161,300
Day Care Center Set-Aside	\$85,000		
<b>Total</b>	<b>\$161,300</b>		<b>\$161,300</b>

**Lewiston.** The City of Auburn is the lead agency in a consortium to share federal HOME Investment Partnerships Program funds with the City of Lewiston. Therefore, the City of Lewiston's HOME budget is incorporated into Auburn's Action Plan and is subject to Auburn's Citizen Participation Plan.

The 2006-07 Action Plan amendment involves transfers of Lewiston HOME funds. Funds that were previously dedicated to relocation and homebuyer assistance activities will be reallocated to the development of rental housing. The Lewiston transfers are as follows:

<b>Transfer From:</b>		<b>Transfer To:</b>	
Relocation	\$10,000	Rental Set-Aside	\$126,900
Homebuyer Assistance	316,900	Bates Street Elderly Housing	200,000
<b>Total</b>	<b>\$326,900</b>		<b>\$326,900</b>

## 3) 2005-09 Consolidated Plan

Since we are at the mid-point of Auburn's five year Consolidated Plan (strategic plan for the Community Development Program), Community Development staff for both Auburn and Lewiston have reviewed the current housing market and have proposed changes to the goals in the five-year plan. Attachment C demonstrates the changes from current goals to proposed goals of the 2005-09 Consolidated Plan.



**Recommendation**

The Community Development Department recommends the adoption of three amendments to the Citizen Participation Plan, the 2006-07 Action Plan, and the 2005-09 Consolidated Plan.

**Public Hearing**

To comply with the Citizen Participation Plan requirements of the Community Development Program, the Mayor and City Council shall hold a public hearing prior to considering the amendments.

# CITIZEN PARTICIPATION PLAN

## 2005-2010

### Amended 1-23-2006

#### **1. INTRODUCTION**

The City of Auburn received an “entitlement” designation for Community Development Block Grant funds in 1974. These funds are used for a number of loan programs to promote housing and economic development. Funds are also used for public facilities and infrastructure, and for social services. In 2001, Auburn and Lewiston formed a consortium with Auburn as the lead agency to receive HOME Investment Partnerships Program funds. The consortium was formed to meet the funding threshold for HOME funds.

The Department of Housing and Urban Development (HUD) requires recipients of its grant funds to prepare formal plans as a condition of receiving federal funds. These plans are intended to encourage communities to allocate federal resources to address local needs and market conditions.

In the next few months the City will be developing a Consolidated Plan (ConPlan). The ConPlan is a fact-based analysis of local housing needs that reflects the incidence and severity of housing problems among different segments of the population. The ConPlan articulates priorities for addressing the needs that have been documented and defines strategies and activities linked to these priorities. Community representatives and housing practitioners will have opportunities to help shape the development of priorities and strategies. The process is intended to assist with coordination among relevant agencies in both planning and implementation. The City works closely with Auburn Housing Authority (AHA) on housing matters.

Section 104(a) of the Housing and Community Development Act of 1974 requires that the City of Auburn follow a Citizen Participation Plan. In order to comply with HUD regulations, the Community Development Department has prepared the following plan which outlines the process through which citizens will be informed of and involved in the Community Development Program. The Community Development Program involves funding of both the Community Development Block Grant and HOME Investment Partnerships (HOME) Program.

The Citizen’s Participation Plan is an effort to create a collaborative process whereby citizens assist in developing a vision for community development housing actions. The City Council will consider both public comments and recommendations of the Citizen’s Advisory Committee (CAC) in making decisions to allocate Community Development and HOME resources.

To affirmatively encourage citizen participation, the following plan elements shall be implemented in the execution of the Community Development Program.

## **2. GOAL**

The goal of the Citizen Participation Plan is to provide Auburn citizens with an opportunity to participate in various processes of the Community Development Program. Citizen participation shall be conducted in an open manner with appropriate and timely dissemination of information pertinent to all plans and programs. The emphasis of this Citizen Participation Plan to involve persons who are most likely to be affected by and utilize the Community Development Program, especially persons of low income, persons with special needs, and persons living in target areas.

## **3. OBJECTIVES**

The objectives of the Citizen Participation Plan are to:

- Encourage citizen participation with particular emphasis on participation by persons who are of low income, special needs, and persons who live in or own property in a target area;
- Provide citizens with reasonable and timely access to local meetings, information, and records relating to the City's proposed and actual use of funds;
- Provide technical assistance to groups or representative of persons of low income that request such assistance in developing proposals with the level and type of assistance to be determined by the City;
- Obtain citizen views and answer questions at all stages of the Community Development process including development of needs, review of proposed activities and review of program performance;
- Provide for a timely written answer to complaints and grievances; and
- Provide for meeting the needs of non-English speaking residents and persons with special needs for accessibility or communication assistance at public meetings where a significant number of people are expected to participate.

## **4. PUBLIC PARTICIPATION**

### **A. NOTICES OF PUBLIC MEETINGS**

Public meetings are held to obtain views of citizens and public agencies with respect to the Community Development Program. Meeting notices will be published in the local newspaper at least 30 days prior to meetings. This period provides adequate time for Auburn citizens to make arrangements to attend public hearings and public meetings.

At least 30 days before adoption by the City Council, a summary of the proposed Consolidated Plan will be published in the newspaper to give citizens an opportunity to review and comment on the plan. A summary will describe the general contents of the Consolidated Plan. The public notice will indicate the location where copies can be examined.

A public notice will be placed in a local newspaper announcing the availability of the Consolidated Annual Performance and Evaluation Report (CAPER). The CAPER provides a review of program progress and performance of the Community Development Block Grant Program.

## **B. AVAILABILITY OF PUBLIC DOCUMENTS**

Documents will be available at the Community Development Department for perusal in an effort to provide readily accessible information to citizens. Historical records will be available for the previous five-year period. Documents that will be available are:

- Residential Anti-displacement and Relocation Assistance Plan and Affordable Rent Policy;
- Blight Study and Urban Conditions Study;
- Citizen Participation Plan;
- Community Development Block Grant Regulations;
- Environmental Review Records;
- Consolidated Annual Performance and Evaluation Report;
- Guidelines of Economic Stimulus Loan, Rehabilitation, Commercial, Tree Planting, Demolition, Down Payment Assistance, and Lease/Buy Programs; and
- Consolidated Plan and Consolidated Annual Action Plans.

## **C. CITIZENS ADVISORY COMMITTEE**

A Citizen's Advisory Committee will be created to assist in developing the Consolidated Plan. The committee will remain a standing committee for 5 years. Community Development staff shall solicit members and will attempt to achieve the following representation: one person who lives in the each of the target areas Union Street Target Area, Downtown Target Area, and the New Auburn Target Area; a home owner who has participated in the Lease/Buy Program; two persons who are low income renters (preferably tenants living in public housing or in Section 8 subsidized housing); a representative of persons who have special needs; a representative from the Community Development Loan Committee; a City Councilor; a representative from Lewiston-Auburn Alliance for Services to the Homeless; a representative of Auburn Housing Authority; a realtor; a non-profit or for-profit housing developer, and an Auburn landlord. At the first meeting, CAC members shall elect a chairperson amongst them to serve as facilitator of meetings, to serve as spokesperson, and to act as liaison with Community Development staff.

**1) CAC Meetings:**

a) Consolidated Plan

In year 2005, the CAC will be involved in assisting with development of the 5-year Consolidated Plan by considering needs and resources, and prioritizing goals and objectives.

b) Consolidated Annual Action Plan

In the subsequent four years, the CAC will review the annual Consolidated Annual Action Plan for conformance with the Consolidated Plan.

c) Consolidated Annual Performance and Evaluation Report (CAPER)

At the end of each program year, a performance report will be prepared. The CAC will meet after completion of the CAPER to consider progress in meeting the stated goals and objectives of the Consolidated Plan. The CAC will also review program performance, effectiveness, and evaluation.

**2) Consolidated Plan Considerations:**

During the study process, the CAC will consider data on housing needs to establish priorities. The CAC will consider the needs of extremely low-income, low-income, moderate-income, and middle income families; renters and owners; persons who are elderly, disabled, persons with HIV/AIDS and their families; single persons, large families, public housing residents, families on the public housing or section 8 tenant-based waiting list, and homeless; consider specific problems such as cost-burden, severe cost-burden, substandard housing and overcrowding.

**D. COMMUNITY DEVELOPMENT LOAN COMMITTEE**

Review of loans by the Community Development Loan Committee shall be another means of obtaining citizen participation, particularly by persons who are low income and persons who live in target areas. There shall be four persons residing in Auburn appointed by the City Council to the Community Development Loan Committee, two of which are low-income persons and two who own property in target areas. Names of persons wishing to serve may be submitted to the City Council by soliciting involvement from a) clients who have participated in one of the Community Development Programs, b) persons living in federally subsidized housing, or c) persons who live in one of the target areas.

**E. OTHER PUBLIC PARTICIPATION**

Community Development staff shall solicit input from citizens who may be affected by Community Development projects to give them an opportunity to express their views concerning

problems, suggestions and alternatives to the proposed projects. Public meetings will be held where there is an elevator to accommodate handicapped or elderly persons and will be held at a time that is convenient to most people.

Information to be presented to citizens may include:

- amount of Community Development Block Grant funding to be received;
- eligible activities;
- general program requirements;
- previous years' use of funds;
- projected use of funds;
- time schedule for submitting the Consolidated Plan;
- amount of funds that will benefit very low, low, and low-moderate income persons; and plans to minimize displacement of persons and to assist persons.

## **F. PUBLIC HEARINGS**

Public hearings shall be held by the City Council and shall serve as additional forums for citizens to convey their views on community development and housing needs, and to respond to proposed budget. Public hearing shall be held as follows:

**1) Consolidated Plan** - A public hearing will be held prior to adoption of the Consolidated Plan.

**2) Consolidated Annual Action Plan** - A public hearing will be held prior to adoption of each Consolidated Annual Action Plan.

**3) Amendments** - A public hearing will be held prior to adoption of any substantial amendments to the Consolidated Plan and Consolidated Annual Action Plans.

## **G. CONSIDERATION OF COMMENTS**

A summary of comments will be attached to the appropriate document and submitted to the City Council before an action is taken. The City Council shall consider comments of the CAC or others prior to final adoption of the Consolidated Plan or Consolidated Annual Action Plan.

## **H. RESPONSE TO PROPOSALS/COMMENTS**

A staff member of the Community Development Department will respond to citizen comments or proposals. For every written proposal or comment, there will be a written response with reasons stated for whatever action the City has taken on the proposal. Oral proposals will receive oral responses, though they may be in writing.

## **5. SPECIAL CONSIDERATIONS**

### **A. ACCOMMODATIONS**

Where French is the primary language of a significant number of persons living in Auburn, a French-speaking person will be available at the City Building who will provide assistance to translate basic program information. If it is expected that non-English speaking persons will attend a meeting, arrangements will be made to have a translator present.

Persons with special needs for mobility, hearing and visual impairments will be required to contact the Community Development Department in advance so that arrangements can be made to provide adequate communication assistance.

### **B. TECHNICAL ASSISTANCE**

Staff will provide direct assistance to low-income persons or their representative when forming proposals for Community Development activities. The level and type of assistance will be determined by Community Development staff and may not necessarily include the provision of funds to any person, group, or agency.

Staff will provide direct assistance to low income persons in their effort to progress through the various program processes. For the Rehabilitation Program, assistance will include preparing a loan application, submitting financial information, providing advice for soliciting bids, or upon request securing bids for a property owner, comparing and evaluating bids for conformance to required work, assisting to schedule rehabilitation work, managing the escrow account, performing inspections to ensure quality work, acting as liaison between the contractor and property owner for complaints and resolving a variety of other problems. For the Lease/Buy and Down Payment Assistance, assistance will include preparing a loan application, submitting financial information, providing pre-qualification for housing affordability, credit counseling, and guiding the home purchase.

Staff will provide counseling to tenants who are in jeopardy of being displaced because of a federally funded project and provide relocation assistance to those who are being displaced. Tenants will be assisted when required to file relocation claim forms and to secure comparable housing that is decent, safe and sanitary.

Staff will make a credit counseling referral to low-income households to assist them become homeowners.

## **6. COMPLAINTS AND GRIEVANCES**

Citizens who have objections or complaints about the Community Development or HOME Programs may submit a written complaint to:

Community Development Block Grant Program  
City of Auburn  
60 Court Street, Suite 344  
Auburn, ME 04210  
Attention: Community Development Administrator

The complaint should include the date, name, address, telephone number of the complainant, convenient hour to reach that person by telephone, nature of the complaint and location. The complaint may also be given orally. The person initiating the complaint will schedule a meeting with the Community Development Administrator and a formal complaint will be formulated from the interview that will be signed by the complainant.

There will be a written response, within 15 days of receipt, to the complainant. The response will indicate the ultimate disposition of the complaint.

## **7. AMENDMENTS TO CONSOLIDATED PLAN**

Auburn will amend its Consolidated Plan whenever it makes one of the following decisions

- to change a goal, priority, or activity of the Consolidated Plan;
- to carry out an activity using funds from any program covered by the Consolidated Plan (including program income) not previously covered in the Consolidated Annual Action Plan; or
- to change the purpose, scope, location, or beneficiaries of an activity included in the Consolidated Annual Action Plan.

### **a) Minor Amendment**

A minor amendment may be authorized by the City Manager upon advance written notice to the City Council **and Citizen's Advisory Committee**, and then submitted to the U. S. Department of Housing and Urban Development. ~~A public notice of the change will be published 30 days prior to implementation.~~

### **b) Substantial Amendment**

A substantial amendment must be authorized by the City Council and submitted to the U. S. Department of Housing and Urban Development. A substantial amendment is defined as a change that exceeds 10% of the amount of annual Community Development or HOME Program budget (which includes the annual allocation, reprogrammed funds and program income) for the year in which the amendment is being considered. A public notice of the change will be published 30 days before adoption of an amendment by the City Council. An additional public hearing for a program amendment will be held in advance of a City Council vote.



# City Council

## Agenda Information Sheet

---

**Council Meeting Date** 2/5/2007

**Agenda Item No.** 5

---

**SUBJECT:**

**RESOLVE – AMENDMENT TO THE 2006 ACTION PLAN OF THE  
COMMUNITY DEVELOPMENT PROGRAM**

---

**INFORMATION:**

The amendment to the 2006 Action Plan transfers funds from the Union Street Skate Park and Day Care Center Set-aside to the Riverpark Site Improvements project for Auburn, and from Relocation and Homebuyer Assistance to Rental Housing for Lewiston (as described in staff memo).

---

**STAFF COMMENTS/RECOMMENDATION:**

Staff recommends approval and passage of the resolve.

---

**REQUESTED ACTION:**

Motion for passage of the resolve.

---

**VOTE:**

**CITY OF AUBURN**

**CITY COUNCIL, AUBURN, MAINE**

**DATE February 5, 2007**

**TITLE: RESOLVE – AMENDMENT TO THE 2006 ACTION PLAN OF THE  
COMMUNITY DEVELOPMENT PROGRAM**

Be It Resolved by the Auburn City Council, that the Citizen Participation Plan of the Community Development Program be amended as recommended by Community Development staff.

Motion for passage:  
Vote:

Seconded by:

**Action by Council:**

**DATE**

**ATTEST:**

**CITY CLERK**

# City Council

## Agenda Information Sheet

---

Council Meeting Date 2/5/2007

Agenda Item No. 6

---

**SUBJECT:**

**RESOLVE – AMENDMENT TO THE 2005-09 CONSOLIDATED PLAN OF THE  
COMMUNITY DEVELOPMENT PROGRAM**

---

**INFORMATION:**

The amendment to the Consolidated Plan incorporates changes to the five-year goals for both Auburn and Lewiston (as described in staff memo). The revised goals are more realistic in view of the current housing market conditions.

---

**STAFF COMMENTS/RECOMMENDATION:**

Staff recommends approval and passage of the resolve.

---

**REQUESTED ACTION:**

Motion for passage of the resolve.

---

**VOTE:**

**CITY OF AUBURN**

**CITY COUNCIL, AUBURN, MAINE**

**DATE February 5, 2007**

**TITLE: RESOLVE – AMENDMENT OF THE 2005-09 CONSOLIDATED PLAN  
OF THE COMMUNITY DEVELOPMENT PROGRAM**

Be It Resolved by the Auburn City Council, that the 2005-09 Consolidated Plan be amended as recommended by Community Development staff.

Motion for passage:

Seconded by:

Vote:

**Action by Council:**

**DATE**

**ATTEST:**

**CITY CLERK**

# **City Council**

## **Agenda Information Sheet**

---

**Council Meeting Date** Feb 5, 2007    **Agenda Item No.** 7

---

**SUBJECT:**

**PUBLIC HEARING – SPECIAL AMUSEMENT PERMITS**

**American Legion Post 31, 426 Washington Street**  
**Auburn Fireside Inn & Suites, 1777 Washington Street**  
**Black Watch Restaurant, 82 Court Street**  
**New Auburn American Legion Post 153, 71 South Main Street**  
**New Auburn Social Club, 7 Second Street**  
**Veterans of Foreign Wars, 588 Minot Avenue**

---

**INFORMATION:**

The above noted establishments have applied for the renewal of their Special Amusement Permits. The annual fee for this permit is \$100. A Special Amusement Permit is a permit that allows entertainment such as a band, pianist, guitarist, and/or DJ etc. on premises that hold a liquor license. These six businesses have all had the approval of the Treasurer, Fire, Planning & Permitting, and Police Departments.

---

**STAFF COMMENTS/RECOMMENDATION:**

Staff recommends approval of these licenses.

---

**REQUESTED ACTION:**

Motion for approval of the above licenses.

# City Council

## Agenda Information Sheet

---

**Council Meeting Date** Feb 5, 2007      **Agenda Item No.** 8

---

**SUBJECT:**

**RESOLVE – APPOINTMENT OF DEPUTY CITY CLERK**

---

**INFORMATION:**

Lynn Berube is a new employee to the City of Auburn and started her duties in the City Clerk's Office on January 22<sup>nd</sup>. Historically the City has appointed a Deputy to fulfill the duties during any absence(s) of the City Clerk.

---

**STAFF COMMENTS/RECOMMENDATION:**

Staff recommends approval of this resolve.

---

**REQUESTED ACTION:**

Motion for passage of the resolve.

---

**CITY OF AUBURN**

**CITY COUNCIL, AUBURN, MAINE**

**DATE: February 5, 2007**

**TITLE: RESOLVE – APPOINTMENT DEPUTY CITY CLERK**

Be It Resolved by the Auburn City Council that Lynn Berube be appointed Deputy City Clerk.

Motion for passage:

Seconded by:

Vote:

**ACTION BY COUNCIL:**

**DATE:**

**ATTEST:**

**CITY CLERK**