

City of Auburn, Maine

"Maine's City of Opportunity"

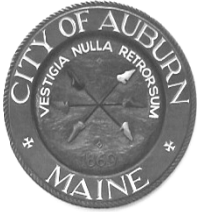
Office of the City Clerk



Council Meeting Agenda Packet

January 5, 2009

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.



City Council Meeting and Workshop January 5, 2009

"While your responsibility may
be individual, your authority is
collective" ¹

Agenda

5:00 p.m. Dinner

5:30 p.m. Workshop

- A. Information: Tax Acquired Property
- B. Discussion: Agenda for Council Council/Planning Board Workshop
- C. Discussion: Certified Copies of Vital Records
- D. Open

If necessary Workshop will continue following adjournment

7:00 p.m. City 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

*010509-00 Minutes of December 15, 2008

Reports

Mayor

Moment of Silence for Peter Wallingford

City Councilors

- **Michael Farrell:** Water Dist., L/A Jt. City Council Planning, Audit and Procurement
- **Bob Hayes:** Railroad, Library, Audit and Procurement
- **Dan Herrick:** MMWAC, Auburn Housing
- **A-L Airport, ABDC, L/A Joint City Council Planning, AVCOG**
- **Ray Berube:** LAEGC, Planning Board, L/A Joint City/School
- **Bob Mennealy:** Sewer District, University of Maine L-A,
- **Ron Potvin:** School Committee, 9-1-1, LATC, L/A Joint City/School

City Manager

Report: 133 Hampshire Street

Communications, Presentations and Recognitions

- *010509-00 Communication from Joseph h. Mailey Re: Sale of Property at 133 Hampshire Street
- *010509-00 Communication from Noella Potvin Re: Resignation from Zoning Board of Appeals
- *010509-00 Communication from Normand Lamie, Water District Superintendent Re: Amendment to Sprinkler System Ordinance
- *010509-00 Communication from Habitat for Humanity Re: 133 Hampshire Street

¹ Denis Culley, Attorney/Planning Board Member, Town of Mercer

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

Unfinished Business

010509-01 Resolve – (Tabled 11/17/2008 until 1/5/2009) Conveyance of 133 Hampshire Street – Habitat for Humanity

010509-02 Ordinance – Amendment to Chapter 21, Sections 1.15 and 1.9 – Sprinkler Systems (2nd Reading)

New Business

010509-03 Resolve - Conveyance of 133 Hampshire Street

010509-04 Resolve – Authorize Treasurer to Write Off a 2006 Real Estate Tax

010509-05 Resolve – Authorize Treasurer to Sell and Dispose of Real Estate Acquired by the City for Non-Payment of Taxes

010509-06 Resolve – Appointment of Registrar and Deputy Registrar of Voters

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

Future Agenda/Workshop Items

ADJOURNMENT

Executive Session: 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
DECEMBER 15, 2008
CITY COUNCIL MEETING**

PRESENT

Mayor John T. Jenkins, Councilors Michael J. Farrell, Robert P. Hayes, Daniel R. Herrick, Raymond C. Berube, Ronald W. Potvin and Robert C. Mennealy, City Manager Glenn Aho, Assistant City Manager Laurie Smith and City Clerk Mary Lou Magno. There were 14 people in the audience.

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

CONSENT AGENDA

Councilor Berube moved to accept, approve and place on file the items marked with an asterisk. Seconded by Councilor Herrick. Vote: 5 Yeas, No Nays.

***MINUTES OF DECEMBER 1, 2008**

Approved under consent agenda.

REPORTS OF THE MAYOR

Mayor Jenkins thanked Jennifer Turner for the gifts she left on the Mayor and Councilors desks; he also noted that Tracey Steuber, Community & Business Specialist, congratulations for recently completing the Androscoggin Leadership Development Program; Mayor Jenkins suggested that residents check the City's website for activities occurring at the Parks and Recreation Department.

Mayor Jenkins introduced the "Business Ambassador Project"; a copy of the document is on file with the other documents relating to this meeting.

Councilor Potvin joins the meeting.

REPORTS OF CITY COUNCILORS

Councilors reported on their respective Council Committee Assignments.

REPORTS OF THE CITY MANAGER

2008 COMPREHENSIVE ANNUAL FINANCE REPORT AND ANNUAL AUDIT

Councilor Berube moved to accept the report and place it on file. Seconded by Councilor Herrick. Vote: 6 Yeas, No Nays.

Note: Earlier during the Workshop, Kathy Tyson, a partner with Runyon Kersteen Ouellette, gave a presentation to the Mayor and Council summarizing the report.

FINANCE REPORT – MONTH OF NOVEMBER

Councilor Hayes moved to accept and place on file the Finance Report for the month of November as presented by Glenn Aho, City Manager. Seconded by Councilor Berube. Vote: 6 Yeas, No Nays.

COMMUNICATIONS, PRESENTATIONS, AND RECOGNITIONS

***COMMUNICATION FROM POLICE CHIEF CROWELL RE: CONSTABLES**

Approved under consent agenda.

***COMMUNICATION FROM STEVE BRYANT RE: RESIGNATION FROM COMMUNITY DEVELOPMENT LOAN COMMITTEE**

Approved under consent agenda.

OPEN SESSION

Jonathan Labonte, 41 Third Street,

CLOSED OPEN SESSION

UNFINISHED BUSINESS

1. RESOLVE – (TABLED 11/17/2008) 133 HAMPSHIRE STREET – HABITAT FOR HUMANITY

City Manager Aho requested that this item remain on the table until January 5, 2009.

NEW BUSINESS

2. ORDINANCE – AMENDMENT TO CHAPTER 21, SECTIONS 1.15 AND 1.9 SPRINKLER SYSTEMS (1ST READING)

Councilor Berube moved for acceptance of first reading. Seconded by Councilor Herrick.

Gary Simard, Fire Prevention Officer, made comments regarding the above ordinance and answered Councilors questions.

Jonathan Labonte, 41 Third Street and Ken Bellefleur, 100 Royal River Road, both made comments regarding the above ordinance.

Glenn Aho, City Manager, commented on the above ordinance.

Vote: 5 Yeas with Councilor Hayes voting Nay.

3. RESOLVE – WAIVE FORECLOSURE OF PROPERTY ON A 2006 REAL ESTATE TAX LIEN – 12 STEVENS MILL PARK ROAD

Councilor Berube moved for passage of the resolve. Seconded by Councilor Hayes.

Glenn Aho, City Manager, explained the above resolve and answered Councilors questions.

Vote: 6 Yeas, No Nays.

4. PUBLIC HEARING – SPECIAL AMUSEMENT PERMIT APPLICATIONS FOR: AMERICAN LEGION, AUBURN FIRESIDE INN & SUITES, LOST VALLEY, MARTINDALE COUNTRY CLUB, NEW AUBURN AMERICAN LEGION, NEW AUBURN SOCIAL CLUB AND VFW CAPT. FRANK W. HULETT POST #1603

Mayor Jenkins opened and closed the public hearing with no public comments. Councilor Berube moved to approve all of the permits. Seconded by Councilor Hayes. Vote: 6 Yeas, No Nays.

5. EXECUTIVE SESSION – POVERTY ABATEMENT (TITLE 36 MRSA SS 841(2))

Councilor Farrell moved to go into Executive Session for the above stated reason. Seconded by Councilor Berube. Vote: 6 Yeas, No Nays.

Councilor Farrell moved to come out of Executive Session. Seconded by Councilor Herrick. Vote: 6 Yeas, No Nays.

Councilor Berube moved to deny an abatement for Case #0607-5 in the amount of \$2,710.04 plus interest \$405.92 for a total of \$3,116.66 pursuant of Title 36, MRSA subsection 841(2), because the applicant does not meet the guidelines. Seconded by Councilor Mennealy. Vote: 6 Yeas, No Nays.

OPEN SESSION

No one spoke

CLOSED OPEN SESSION

FUTURE AGENDA/WORKSHOP ITEMS

Discussion regarding Great Falls Performance Arts Center

ADJOURNMENT – 8:40 P.M.

Councilor Berube moved to adjourn. Seconded by Councilor Potvin. Vote: 6 Yeas, No Nays.

A TRUE RECORD

ATTEST: _____
CITY CLERK

To the members of the Auburn city council,

I am writing this letter in regards to the sale of property at 133 Hampshire street.

I have a few concerns regarding the sale of said property to the Habitat Community and the building of a home on that site. They are as follows;

A. Assuming this built home would consist of (2) children, would the new taxes generated by the new owners cover the cost of the education of the children, trash collection and /or other unforeseen cost associated with having a home built on that site?

B. While the estimated market value of this property is at roughly \$20,000.00 and considering the depressed housing markets of today is that number valid or would the city consider a lower (non-contribution) sale price?

C. With the Webster School development into low income housing coupled with other low income/subsidized housing already in place in the neighborhood would it be wise to add yet another low income situation in the area. It seems like the whole area is being sighted as a lower income area which could have negative effects throughout the neighborhood.

D. I do feel that the sale of this property to Joanne and Patrick could only better the area as it would provide for a "green place" for many of the neighborhood's younger children to play at no cost to the city. While we know there are parks near by, I can attest to the fact that not only are the parks available to the kids but also drugs and alcohol. Being an abutter to the property, I have first hand knowledge of the kids activities in this open space and have nothing but good words to say about. Not only do the parents of the kids who play there exhibit very good manners and are respectful of their neighbors rights to privacy and quiet but the kids themselves are great kids and rarely if ever play outside without adult supervision. I would like to say at this point that due the present house design and lot size, Patrick and Joanne's yard offers very little in actual play space and as any parent can tell you--a kid who has a safe place to play is a happy kid.

While I can appreciate the city of Auburn's desire to remove this site from their possession and do commend the possible contribution of this land to a noble cause I do feel that the best interest of the neighborhood as a whole would be much better served if some kind of workable deal could be made with the present abutters in question--namely, Patrick and Joanne. Since the demolition of the building on that site six years ago, Patrick, Joanne and the abutters on the other side of the property have done an excellent job of maintaining the property and has given the neighborhood a clean, green and safe place for kids to play and for family bonding time. To me, it is a rare moment when the city government can move an issue in a way that satisfies theirs needs, the needs of a few and the needs and desires of a neighborhood as a whole in a positive manner in which everyone may benefit.

Below are the Names, addresses and phone numbers of some of the people in the area who I have shared this letter with and are in agreement with it.

THANK-YOU
JOSEPH H. MAILLET
87 WEBSTER STREET

Mark Niskanen
12/5/00 Mark Niskanen

Joanne Luizzo
Joanne Luizzo
131 Hampshire Street

12/5/08 Mr Ralph Smith 70 Webster St

Glen D. Wilton 12-11-08
127 Hampshire St #3

12/8/08 Joseph D. Tardif

12 " Ronald J. Harding

12/8/08 Paul L. Bedard

12/9/08 Bernadette Colon
Bernadette Colon

141 Hampshire Street
1st Floor Aub ME
04210.

12/9/08 Melissa Perry

Melissa Perry 141 Hampshire St
second floor
Auburn Maine 04210

12-9-08 - Nicole Bussiere father in law owns 145 & 143
Nicole Bussiere Hampshire St.

12-9-08 Elizabeth Durgin
Elizabeth Durgin 141 Hampshire St #3
Auburn, Me. 04210

12-9-08 Roxanne Langley

Roxanne Langley 127 Hampshire St #1
Auburn, Me 04210

12/26/08
Noella Potvin
85 Heather Drive
Lewiston, Maine
04240

Auburn Zoning Board
Court St.
Auburn, Maine 04210

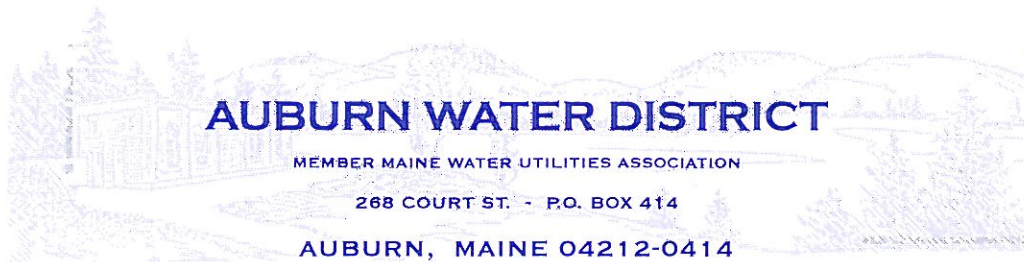
Dear Zoning Board,

It is with much regret, that I must resign from my position on the Zoning Board, due to the reason that I have changed residency. I have recently moved to Lewiston and understand that I cannot serve Auburn, while living in Lewiston.

I have enjoyed serving on the board immensely and thank-you for the opportunity.

Good Luck to you all,
Sincerely-

Noella Potvin



To: Glenn Aho, City Manager

From: Normand Lamie, Water District Superintendent

Date: 12/22/2008

Re: Amendment to Chapter 21, Sections 1.15 and 1.9 – Sprinkler Systems

In reviewing a recent City Council agenda package for the meeting of December 15th, I observed consideration is being given to amending Section 1.15 of the ordinance which would eliminate the need to provide a sprinkler system in new “buildings over 200,000 cubic feet in volume”. As noted in the information provided, this ordinance has been in existence since 1982.

Before the Council adopts this change I want to provide information to the Council that they may not have been aware of regarding potential ramifications that this ordinance may have.

In addition to the previously discussed public safety and fire fighter safety issues, the Council may not have been aware that the proposed ordinance change will also result in a cost shift from private business to the general public in Auburn .

Impact on Fire Insurance Ratings:

The presence of private sprinkler systems in large buildings has a direct impact on fire insurance ratings for the entire community. The lack of sprinkler systems may result in time with a change in Auburn’s ISO rating. A lowering of Auburn’s ISO rating will result in higher insurance premiums for all properties in Auburn.

ISO provides information through the Public Protection Classification (PPC) program to help establish appropriate fire insurance premiums for residential and commercial properties. Insurance companies rely on ISO for reliable, up-to-date information about a community's fire-protection services. ISO collects information on municipal fire-protection efforts in communities throughout the United States. In each of those communities, ISO analyzes the relevant data using our Fire Suppression Rating Schedule (FSRS), and assigns a Public Protection Classification from 1 to 10. Class 1 generally represents superior property fire protection, and Class 10 indicates that the area's fire-suppression program doesn't meet ISO's minimum criteria. Auburn currently has a 7 FSRS.

By classifying communities' ability to suppress fires, ISO helps the communities evaluate their public fire-protection services. The program provides an objective, countrywide standard that helps fire departments in planning and budgeting for facilities, equipment, and

training. And by securing lower fire insurance premiums for communities with better public protection, the PPC program provides incentives and rewards for communities that choose to improve their firefighting services.

ISO typically rates communities every 7 to 10 years. I have been involved in the last two Auburn ratings. I recall specific large buildings (constructed prior to 1982 with adoption of the current ordinance) that were identified as “deficiencies” in the last rating and impacting the City’s overall rating. I suggest the City officials may want to talk with representatives from ISO before adoption of the ordinance change.

Impact on Public Fire Hydrant User Rate:

The proposed ordinance change will over time have an impact on water user rates. The current \$2.9M water budget includes 17% of total revenues from public fire protection fees for public fire protection hydrants. Nearly 8% of the total budget revenues come from Private Fire Protection charges for private sprinkler and fire hydrants.

The reduction in revenues from private fire protection charges (sprinklers) will result over time in a cost shift to other users including public fire hydrant charges as well as other private fire protection customers. This will not happen overnight; the shift in cost will probably be slow but consistent.

In discussing the proposed ordinance change, I understanding the Council also considered the low percent (22%) of area served by the current water distribution system. Please note this reflects 22% of the land area not the population served. In fact the public water system consisting 140 miles of water mains and 616 public fire hydrants serves 6,539 individual service accounts. The current water service area represents 80% of the population in Auburn.

I would like to suggest instead of complete elimination of Section 1.15 of the ordinance, the Council consider amendment to the appeal process described in Section 1.9 that would allow greater flexibility to the Fire Chief in reviewing specific project needs and impacts.

Please let me know if you want to discuss this in more detail.



December 30, 2008

Glenn Aho
City of Auburn
60 Court Street
Auburn, Maine 04210

Dear Mr. Aho:

Habitat for Humanity is hopeful about the opportunity to again partner with the City of Auburn. As you know, we are a volunteer-run, local non-profit. Our mission is to partner with volunteers and low-income families to build housing in Androscoggin County for families in need of decent and affordable housing.

This City Council has joined previous Auburn City Councils in strong support for the aims of our organization. We thank them.

In anticipation of next week's decision regarding 133 Hampshire, we would like to present a basic comparison of property tax revenues. The below table compares 133 Hampshire (with no improvements) to the Lewiston home Habitat completed in 2008.

	Assessed Value	Est 2008-2009 Taxes
133 Hampshire	20,100	\$370
2008 Habitat Home in Lewiston	124,800	\$3,108

Please feel free to contact either of us with questions regarding this proposal, or to follow-up.

Sincerely,

Allen Sterling
President, Androscoggin Habitat for Humanity
President & CEO of Auburn Savings Bank

Michael Carey
Member of Board of Directors

City Council

Agenda Information Sheet

Council Meeting Date 11/17/2008

Agenda Item No. 1

SUBJECT:

**RESOLVE – DISPOSITION OF 133 HAMPSHIRE STREET TO ANDRO-
SCOGGIN HABITAT FOR HUMANITY**

INFORMATION:

Androscoggin Habitat for Humanity is interested in purchasing the land at 133 Hampshire Street. They will construct in the spring of 2009. The home will be sold to a low-income household. They have submitted an offer of \$3,000.

STAFF COMMENTS/RECOMMENDATION:

Staff recommends selling the land to Androscoggin Habitat for Humanity for the offering price.

City Manager recommends leaving this item on the table.

REQUESTED ACTION:

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VOTE:

CITY OF AUBURN

CITY COUNCIL, AUBURN, MAINE

DATE November 17, 2008

**TITLE: RESOLVE – CONVEYANCE OF 133 HAMPSHIRE STREET
PROPERTY TO ANDROSCOGGIN HABITAT FOR
HUMANITY**

Be It Resolved by the Auburn City Council, That the City Manager is authorized to sell land at 133 Hampshire Street to Habitat for Humanity through a Quit Claim Deed.

Nov 17, 2008 – Councilor Farrell moved to table for 30 days. Seconded by Councilor Potvin. Vote: 6 Yeas with Councilor Bickford voting Nay.

Motion for passage: Raymond Berube

Seconded by: Robert Hayes

Vote:

Action by Council:

Date:

ATTEST:

CITY CLERK

City Council

Agenda Information Sheet

Council Meeting Date: 12/15/2008 **Agenda Item No.** 2

SUBJECT:

ORDINANCE – AMENDMENT TO CHAPTER 21, SECTION 1.15 AND 1.9 –
SPRINKLER SYSTEMS (2nd Reading)

INFORMATION:

The City Council has discussed this issue in workshop session on November 17th and December 1st. At those meetings they received information from staff and members of the public.

STAFF COMMENTS/RECOMMENDATION:

At the request of the City Council, staff is forwarding these amendments to this ordinance.

REQUESTED ACTION:

Motion for acceptance of first reading.

VOTE:

CITY OF AUBURN

CITY COUNCIL, AUBURN, MAINE

DATE: December 15, 2008

**TITLE: ORDINANCE – AMENDMENTS TO CHAPTER 21 – SECTIONS 1.15
AND 1.9**

Be It Ordained by the Auburn City Council, Chapter 21, Sections 1.15 and 1.9 of the Auburn Ordinances are hereby amended as attached:

Motion for acceptance of first reading: Raymond Berube **Seconded by Daniel Herrick**

Vote: 5 Yeas with Councilor Hayes voting Nay

Motion for second reading and final passage: **Seconded by:**

Vote:

Action by Council:

Date:

ATTEST:

CITY CLERK

Section 1.15 Sprinkler and Alarm Systems Required*

- a. Approved automatic sprinkler systems shall be installed in all buildings in which construction exceeds any of the following criteria:
 - 1. Three (3) stories in height
 - 2. Forty (40) feet in height
 - ~~3. Two hundred thousand (200,000) cubic feet in volume~~
 - 4.3. Five (5) dwelling units but only when the structure housing such dwelling units exceeds two (2) stories in height.
- b. All such sprinkler systems shall be equipped with approved supervisory equipment which will transmit an alarm to an approved receiver.
- c. This section shall apply only to applications for building permits after the effective date of this section for the construction of new buildings or to make substantial renovations in existing buildings where the remodeled building will exceed the criteria set forth in subsection (a). In the case of existing buildings being substantially remodeled, the Fire Chief or the Deputy Chief in charge of fire prevention may grant a waiver from compliance with the requirements of this section where it is determined that the permittee will suffer economic hardship and the cost of the system will be disproportionate to the cost of the renovations and/or the fire danger involved.
- d. In all cases where sprinkler systems are installed, whether or not required by this section, no such system shall be modified, extended or altered without notification to the Auburn Fire Department.
- e. Once an automatic sprinkler system has been installed and is operational, no one shall remove it or cause the water supply to be disconnected or interrupted without first notifying the Fire Department nor shall any such system be tested without the knowledge of the Fire Department.
- f. Approvals of sprinkler systems and supervisory equipment shall be made by the Chief of the Fire Department or the Deputy Chief in charge of fire protection in accordance with standards of quality and efficiency generally accepted in the industry.

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*Added 6/7/82

Section 1.9 APPEALS

Appeals from determinations of the Fire Inspector that violations of the Fire Prevention Code of the Life Safety Code have occurred shall be taken to the Auburn Fire Chief. ~~Appeals from decisions of the Fire Chief shall be taken to Superior Court.~~

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Any person shall have the right to appeal determinations of the Fire Inspector to the: 1) Auburn Fire Chief, then 2) Auburn City Manager, and/or 3) the Board of Appeals and/or 4) to the Superior Court.

An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted there under have been incorrectly interpreted, the provisions of this code do not fully apply, or an equivalent form of construction is to be used.

City Council

Agenda Information Sheet

Council Meeting Date: Jan 5, 2009

Agenda Item No. 3

SUBJECT:

RESOLVE - CONVEYANCE OF 133 HAMPSHIRE STREET

INFORMATION:

At the November 3rd City Council Workshop Mike Carey on behalf of Habitat for Humanity expressed an interest in the 133 Hampshire Street lot. The City Council requested that staff prepare an action item for the November 17th meeting to convey this property to Habitat for Humanity. During the public portion of the November 17th meeting, an abutter to the property expressed an interest in purchasing this lot. The City Council tabled the item for 30 days and requested staff to notify abutters of this conveyance. Staff contact the four abutters and received one response from Patrick and Joanne Luizzo.

STAFF COMMENTS/RECOMMENDATION:

The City Manager originally recommended that the Council convey the property to Habitat for Humanity in order to meet the Council's goals of affordable housing and increased tax revenue for the community. Due to the new information provided by abutters the Council may pursue alternate goals including open space in downtown neighborhoods.

REQUESTED ACTION:

VOTE:

City of Auburn

City Council, Auburn, Maine

Date: January 5, 2009

TITLE: RESOLVE – CONVEYANCE OF 133 HAMPSHIRE STREET

Be It Resolved by the Auburn City Council , that the City Manager is authorized to sell land at 133 Hampshire Street through a Quit Claim Deed to _____.

Motion for acceptance:

Seconded by:

Vote:

Action by the City Council:

Date:

Attest:

City Clerk

City Council

Agenda Information Sheet

Council Meeting Date Jan 5, 2008

Agenda Item No. 4

SUBJECT:

RESOLVE – AUTHORIZE TREASURER TO WRITE OFF A 2006 REAL ESTATE TAX

INFORMATION:

The City Council is being requested to take this action because this older mobile home was removed from the City of Auburn sometime after April 2006. Staff is unable to locate the owner of the mobile home, and therefore is requesting that the City Council authorize the Treasurer to take this action.

STAFF COMMENTS/RECOMMENDATION:

The City Manager recommends passage of this order.

REQUESTED ACTION:

Motion for passage of the resolve.

VOTE:

City of Auburn

City Council, Auburn, Maine

Date: Jan 5, 2009

TITLE: RESOLVE – AUTHORIZE TREASURER TO WRITE OFF A
2006 REAL ESTATE TAX

Be It Resolved by the Auburn City Council that the Treasurer is hereby
authorized to write off the following 2006 real estate tax:

Property ID #312-002-000-360 \$153.30

Motion for acceptance:

Seconded by:

Vote:

Action by the City Council:

Date:

Attest:

City Clerk

City Council

Agenda Information Sheet

Council Meeting Date Jan 5, 2009

Agenda Item No. 5

SUBJECT:

RESOLVE – AUTHORIZE TREASURER TO SELL AND DISPOSE OF REAL ESTATE ACQUIRED BY THE CITY FOR NON-PAYMENT OF TAXES

INFORMATION:

The City Council is being requested to authorize the Treasurer to accept payment after the tax lien foreclosure date (Dec 29, 2008).

This action will be handled as follows:

1. Property ID #347-016-000-000 and 2. Property ID #217-028-000-000 – Both property owners have requested payment plan.
 3. Property ID #277-030-001-000 – Accept payment made in full
-

STAFF COMMENTS/RECOMMENDATION:

The City Manager recommends passage of the resolve.

REQUESTED ACTION:

Motion for passage of the resolve

VOTE:

City of Auburn

City Council, Auburn, Maine

Date: Jan 5, 2009

TITLE: RESOLVE – AUTHORIZE TREASURER TO SELL AND DISPOSE OF REAL ESTATE ACQUIRED BY THE CITY FOR NON-PAYMENT OF TAXES

Be It Resolved by the Auburn City Council that the Treasurer is authorized to sell and dispose of real estate acquired by the City for non-payment of taxes in the following manner (Title 36 MRSA Sections 943 and 946):

1. Send letters to the previous owners of record for tax acquired property offering the opportunity to redeem his/her/their property for a cash payment of at least equal to back taxed owed, all interest, legal fees and lien charges for the conveyance of said transaction to be completed within 30 days from the mailing of the letter and to include the issuance of a release deed.
2. At the discretion of the City Council when the case warrants, there shall be an opportunity for the City Council to enter into a land purchase installment contract with a prior owner that may request and meets the criteria as determined by the City Council. The contact may vary depending on each case at the discretion of the City Council.
3. If the property is not transacted in accordance with the above, the Treasurer is to initiate the bid process to the public using the City's existing bid procedures with the City Council making the final decision.

Property (1) ID#347-016-000-000 – Property owner has requested payment plan to be paid in full by January 30, 2009

Property (2) ID#217-028-000-000 – Property owner has requested payment plan to be paid in full by December 2009

Property (3) ID#277-030-001-000 – Accept payment made in full

Motion for acceptance:

Seconded by:

Vote:

Action by the City Council:

Date:

Attest:

City Clerk

City Council

Agenda Information Sheet

Council Meeting Date Jan 5, 2009 **Agenda Item No.** 6

SUBJECT:

RESOLVE – APPOINTMENT OF REGISTRAR AND DEPUTY REGISTRAR OF VOTERS

INFORMATION:

Pursuant to Title 21-A, Maine Law on Elections, the municipal officers of each municipality shall appoint a registrar of voters by January of each odd-numbered year. The term will be valid through December 31, 2010. Historically the City of Auburn has appointed a Deputy to fulfill duties during any absence(s) of the Registrar.

STAFF COMMENTS/RECOMMENDATION:

City Manager recommends approval of this resolve.

REQUESTED ACTION:

Motion for passage of the resolve.

CITY OF AUBURN

CITY COUNCIL, AUBURN, MAINE

DATE: January 5, 2009

TITLE: RESOLVE – APPOINTMENT OF REGISTRAR AND DEPUTY REGISTRAR OF VOTERS

Be It Resolved by the Auburn City Council that pursuant to M.R.S.A. Title 21-A, Subsection 101.2 Maine Law on Elections, Mary Lou Magno be appointed Registrar and Susan Clements-Dallaire be appointed Deputy Registrar of Voters until December 31, 2010.

Motion for passage:

Seconded by:

Vote:

ACTION BY COUNCIL:

DATE:

ATTEST:

CITY CLERK