City of Auburn, Maine

"Maine's City of Opportunity"

Recreation Department

Recreation & Special Events Advisory Board
Community Room, Auburn Hall
August 12, 2015
6:30 PM

1. **Review & Approve Minutes**

2. **Ingersoll Update**

3. **New Business**

   A. **Recreation Advisory Board Ordinance**

4. **Open**

5. **Adjourn**

"Auburn Recreation supports a healthy lifestyle through leisure, cultural & physical activity"

RECREATION & SPECIAL EVENTS ADVISORY BOARD
MEETING MINUTES
JULY 8, 2015

ATTENDEES: Dave Gonyea, Ravi Sharma, Phil Savignano, Tizz Crowley, Sue Patneaude

ABSENT: Dan Poisson, Eric Audette, Dave Sterling, Dana Staples

GUEST: Leroy Walker

I. **Review of Minutes** – Minutes were discussed and reviewed. Motion by Tizz. Second by Phil Savignano. All in favor.

II. **New Business**

A. **Program Budgets** – Tabled. No quorum

B. **Recreation Advisory Board Ordinance** – need suggestions for revision.

1. Policies and procedures need to be outlined – Tizz suggested having Ravi send the board a copy of the one that is being developed by the planning board. Dave Gonyea asked that Ravi send out the existing ordinance as well.
2. Winter Festival
   a. Need to plan this event way in advance.
   b. This is a 2 ½ day event with ice sculptures, shovel races, an obstacle course, music events, snow playground, movie, ice skating, etc.
   c. It was felt that this should revert back to an economic development event with assistance from the recreation department, because it draws people to the City of Auburn from all around.
   d. The event will take place during the last weekend in January. In the past, there were cross-country ski races at the middle school, skating at Walton, snowshoe races at Pettengill Park in the past, and it was a week-long event.
   e. Tizz suggested that we establish a Winter Fest committee and solicit volunteers and encourage people to create events. Dave Gonyea asked why Leroy Walker and Tizz Crowley couldn't solicit money from CDBG funding.
   f. Sue stated that what we need to back up and give the event back to the economic development department and offer recreation department assistance, not vice versa.
   g. Total budget is approximately $4,000.00. No tax dollars budgeted.
   h. Recommendation to the manager of the City of Auburn the economic and community development department and the Auburn Recreation Department work together for a successful Winter Festival program, with a call-out for volunteers as soon as possible. This needs to be communicated to the city manager. If economic development doesn't want to accept charge of the event, it was suggested that we check to see if they have any funding available for this event.
   i. Reach out to the Hilton for a pool party, drinks over the falls, etc. for new events for this year.
   j. It was suggested that an annual calendar (a year ahead of time) of all special events be established.

III. **"Alert Me" subscription on the City of Auburn Website.** 140 people are signed up to be alerted when something new comes up through their email.

IV. **Adjournment**

Respectfully submitted,

Jan Biron, Administrative Assistant

DIVISION 3. - PARKS AND RECREATION ADVISORY BOARD

Sec. 2-454. - Established; membership.

(a) There shall be a parks and recreation advisory board, which shall be composed of eight members. All except the ex officio member of the board shall be appointed by the city council.

(b) Of the seven appointed members, there shall be no more than two members from the same ward. A member shall forfeit his membership if he becomes a resident of a ward in which two members of the board already reside.

(c) Serving as the ex officio member shall be the director of parks and recreation, who shall also serve as secretary to the board.

(d) Nothing in this article shall preclude the creation of standing subcommittees.

(Code 1967, § 18-3.1)

Sec. 2-455. - Term of members.

All appointed members of the parks and recreation advisory board shall serve staggered two-year terms from the date of their appointment and thereafter until their successors are appointed beginning with the effective date of this Code. Members of the board may be appointed to succeed themselves.

(Code 1967, § 18-3.3)

Sec. 2-456. - Officers; rules of procedure; vacancies.

The parks and recreation advisory board shall elect a chair, a vice-chair and such other officers as it may require. The board shall develop such rules to govern its meetings and operations as it deems advisable. Upon the death, incapacity or removal from the city of any member, or if any member shall be absent without excuse for three consecutive meetings, the secretary of the board shall advise the city council that a vacancy exists and request the appointment of a replacement.

(Code 1967, § 18-3.4)

Sec. 2-457. - Duties.

The purpose of the parks and recreation advisory board shall be:

(1) The review of existing programs of the parks and recreation department and the planning of revised, supplementary or new programs to meet the present and future needs of the city.

(2) The coordination of existing programs and facilities of the recreation department with those of volunteer and charitable organizations and those of other governmental units.

(3) Developing recommendations for more efficient use of present facilities and personnel.

(4) Improving communication regarding the recreational needs of the city between the people and the recreation department, the city council, and other city departments.

(5) The investigation of federal, state and private programs for financial assistance and the development of recommendations regarding participation in such programs by the city.

(Code 1967, § 18-3.2)

Secs. 2-458—2-465. - Reserved.

Original Version-5/14/02
Repealed on 2/10/15
Adopted on 2/10/15

CITY OF AUBURN PLANNING BOARD POLICIES AND PROCEDURES

ARTICLE I. Objectives

The objectives and purpose of the Planning Board of the City of Auburn, Maine, are those set forth in the Auburn City Charter, those powers and duties delegated to the Planning Board by the City Council in Chapter 60 of the Auburn City Ordinances and those objectives and powers set forth in Maine Revised Statutes.

ARTICLE II. Planning Board Membership

A. The membership and composition of the Planning Board shall be defined in the City of Auburn Code of Ordinances under Chapter 2, Article V, Division 4, Section 2-466.

B. Rules regarding the appointment of Planning Board members shall be defined in the City of Auburn Code of Ordinances under Chapter 2, Article V, Division 4, Section 2-466.

C. Attendance at all Planning Board meetings (Public Hearings and Workshops) shall not drop below 50% within a 12 month period. If attendance does drop below this level, the Planning Board Chairperson may forward a recommendation to the City Council to remove that Board member.

D. If a situation occurs that does not allow a Board member to attend a meeting, a call to the Planning and Development staff is required

E. The Planning Board Chairperson may forward a recommendation to the City Council to remove a single Board member for cause at any time given that such action is taken under the consensus of the Board.

ARTICLE III. Officers and Their Duties

A. The Officers and their Duties of the Planning Board shall be defined in the City of Auburn Code of Ordinances under Chapter 2, Article V, Division 4, Section 2-467.

B. The Chairperson shall preside at all meetings and hearings of the Planning Board and shall have the duties normally conferred by parliamentary usage as written in "Roberts Rules of Order."

C. The Chairperson shall have the privilege of discussing all matters before the Board and to vote thereon.

ARTICLE IV. Election of Officers

A. Officers shall be nominated from the floor and elected at the regular February meeting.

B. If more than one member is nominated for the same position, then the Board shall vote by private ballot

C. A candidate receiving a majority vote of the membership of the Planning Board present at the meeting shall be declared elected and shall serve one year or until his or her successor shall take office.

D. Vacancies in offices shall be filled at the first possible regular meeting after the occurrence of the vacancy in the manner described in the previous Sections of this Article.

ARTICLE V. Planning Board Submissions

A. **Complete Application**
In order to be placed on the Planning Board agenda, an application, petition or amendment must satisfy the conditions contained in Chapter 60 of the City of Auburn Code of Ordinances. The Planning Board authorizes the Planning and Development Staff to review and notify the applicant within 5 working days of submission that either:

1.) The application is not complete and is not accepted for processing and shall enumerate the materials that are missing; or
2.) One or more required minor elements are missing or inadequate and need to be submitted within 8 working days or within 13 days before the planning board meeting or the application will be determined not to be complete; or
3.) the application is complete and a public hearing is scheduled for the date of the next Planning Board meeting to be held after notification requirements have been met.

B. **Corrective Action**
All deficient plans and documents must be submitted to the Planning and Development Staff at least thirteen (13) days prior to the meeting.

C. **Timing of Revisions and Communications**
Additional applicant revisions or communications to the Board must be submitted to the Planning and Development Staff no later than the end of day Wednesday before the Planning Board meeting.

D. **Exceptions**
The Board may nonetheless, in accordance with state and local law and at it's own discretion, consider an application, petition or amendment that fails to meet sections (a) through (c), if the Board finds initially that failure to satisfy this Article was justified or due to excusable error or neglect.

E. **Ex Parte or Outside Communications-**
To be considered by the Board all information, such as evidence, data, reports, positions for and against and the like shall be submitted so as to be available to all Board members, the staff and the public at an open public meeting. If one or more Board members are contacted privately by an individual, such as an applicant or a person potentially affected by a proposed development, outside of an open public meeting, they must respond by saying that to be considered by the Board information has to be submitted so as to be available at an open public meeting. In other words, contact with one or more Board members privately and outside the context of an open public meeting is not allowed.

F. **Site Visits-**
Outside of a duly advertised site visit by the whole Board individual Board members are encouraged to visit the site of applications to the Board to familiarize themselves with the site and the surrounding neighborhood but should discourage the applicant or any neighbors or other interested parties from attempting to privately provide information or argue for or against an application because such information must be submitted so as to be available to all Board members, the staff and the public at an open public meeting.

ARTICLE VI. Meetings

A. **Date of Meeting**
Regular meetings will be held on the second Tuesday of each month at 6:00 p.m. at the Auburn City Building provided that the Board may vote to hold its meeting on any other day in the month, or at any other place, or at any other time of day or upon confirmation of a majority of the Board members.

B. **Quorum and Voting**
The basis for meeting a quorum, as well as taking action by voting, shall be defined in the City of Auburn Code of Ordinances under Chapter 2, Article V, Division 4, Section 2-469. In addition, a tie vote shall be considered final action by the Board and an application, petition or proposed amendment shall be deemed denied if the Board's final action results in a tie vote. Voting shall be by roll call where requested by any member except on unanimous vote. A record of the roll call vote shall be kept as part of the record.

C. **Special Meetings**
Special meetings may be called by the Chairperson. Special meetings shall be called by the Chairperson when requested to do so by four of the members of the Board. The notice of such a meeting shall specify the purposes for which it is called and no other business shall be considered except by unanimous consent if all Board members are present. The Staff Secretary shall notify all members of the Board at least two (2) days in advance of such special meeting.

D. **No New Business**
No new agenda items will begin after 9:00 p.m. except with the unanimous consent of all Board Members present.

E. **Postponement Due to Time**
If during the course of a Planning Board meeting it becomes apparent that the Board will not reach certain agenda items, the Board, prior to or after the 9:00 p.m. cut-off may postpone items or portions of items to the next scheduled meeting of the Board by majority vote of members present at the meeting.

F. **Associate Members**
If seven regular Planning Board Members are not present, then the Associate Board Members will take the place of the absent members for voting purposes in an alternating manner. The participating Associate Member(s) will have full voting privileges

ARTICLE VII. Order of Business

A. The normal **order of business** for the Board shall be as follows:
1. Roll Call
2. Approval of Minutes
3. Public Hearings
4. Old Business
5. New Business
6. Public Comment
7. Miscellaneous
8. Adjournment

B. **Changing the Order of Business**
The normal order of business may be altered by consent of the Board.

ARTICLE VIII. Public Hearings

A. **Additional Public Hearing**
In addition to those required by law, the Board may, at its discretion, hold public hearings when it decides that such hearings will be in the public interest.

B. **Public Notice**
The City shall publish in a newspaper, 2 public notices, the first at least 12 days before the hearing and the second notice at least 7 days before the hearing. Each notice shall state the time, date, place and general information on the subject to be heard.

C. **Notification to Abutters**
Notice of Public Hearings for Subdivisions, Site Plan Reviews, Special Exceptions and Zoning Map and/or Text Amendments shall be made to all abutters at least 14 days prior to the public hearing. Abutters mean owners of property within 500 feet of the land under consideration.

D. **Additional Notification**
The Planning Office shall post all available application materials on the City web site by the Friday prior to the public hearing. In addition, notice may be sent by requests from identified community/neighborhood groups, City Councilors, other interested citizens or public agencies that might be interested or affected.

E. **Policies and Procedures Manual**
The Staff shall make Planning Board's Policies and Procedures Manual available to applicants during the application process and to interested parties on the City's website.

F. **Preparation for the Public Hearing-**
All the information, plans, reports and the like that may be presented or used at the public hearing shall be presented to the Planning Office no later than end of day the Wednesday before the Planning Board meeting and shall be made available to the public by the close of business on the Friday preceding the hearing. The objective is to provide time for the staff, the Board and the public to have a reasonable time period to review and analyze all the material. No information, plan, report or the like may be submitted on the day of or at the public hearing unless approved by the Planning Board.

The staff shall post all meeting materials including the agenda, draft minutes, the staff report, and all application materials, on the City of Auburn/Planning Board web site by the close of business on the Friday preceding the hearing. Applications shall be available for inspection in the offices of the Planning and Development Department during business hours.

Similarly, if members of the public have prepared written material or reports about a petition or application in a compatible electronic format, they should coordinate with the staff in order for it to be included in the meeting material to be posted.

These Policies and Procedures will be posted on the City's website so that the applicant/petitioner and the public will be aware how the hearing will be conducted.

G. Conduct at the Public Hearing

1. Status of Board Members:

Any regular Board member may want to recuse him/her self from acting on the application/petition because of a conflict of interest or personal reason. Any member who does shall surrender his/her seat and either leave the chamber or sit in the back of the room. Such member shall not communicate with other members of the Board who are acting on an application/petition and shall not address the Board if they are a party at interest who is potentially affected by the application/petition.

In the case where a member does not have a conflict of interest, as defined by (Maine Revised Statutes, Title 1, Chapter 25 and M.R.S.A. Section 2605, Chapter 30-A, Conflict of Interest; and Auburn Code of Ordinances-, Chapter 2, Administration, Article III, Officers and Employees, Division 2, Ethics and Conflicts of Interest) but believes he/she may have the appearance of a conflict, the member shall state the situation and the remaining regular members of the Board shall vote whether they believe a conflict does exist and the member should sit or not.

One Associate member shall be selected to hear and act upon the application/petition for each regular member who is absent or recuses him/her self. Sitting in a public hearing shall be alternated between the two Associate members.

In the case where a hearing is continued to a subsequent meeting and all of the members who sat on the original hearing are not present, a regular member who was absent at the earlier hearing may sit on the continued meeting provided he/she certifies that he/she has familiarized themselves with the testimony and proceedings of the previous hearing.

2. Staff Report:

A member of the staff shall present the report prepared by the staff or any other relevant information. Board members may ask questions and seek clarification of the application/petition, potential impacts of the development, if approved, provisions of the Zoning Ordinance or of other applicable regulations and laws. It is not appropriate, at this time, for Board members to comment on the merits of the application/petition and whether it should be approved or not. Those comments should be reserved until after

the presentation by the applicant and testimony given by the public. The Staff Report will also contain draft motions and findings for either approval or disapproval.

3. **Presentation by the Petitioner/Applicant-**
After the presentation of the staff report and questions about it from the Board, the applicant shall make the case for approval of the application or petition and any analysis of the potential impacts of the proposed development. The applicant shall be prepared to respond to questions from the Board or the staff.

   In the case of a petition to amend the Zoning Ordinance or the Zoning Map, everyone should be aware that the potential impacts are not limited to the property of the petitioner but would be applicable to all properties in the city in the same zoning district classification. Similarly everyone should be aware that approval of the petition does not limit the extent of development to a specific proposal described by the petitioner. A change of zoning district designation, or the text of the Zoning Ordinance, entitles the petitioner, or all property owners in the same zoning district classification elsewhere in the city to the full development potential described for that zoning district classification. Other uses or a more intensive development, different than a petitioner's specific proposal, may be authorized in that zoning district classification.

4. **Public Participation and Comments:**
A public hearing is an open meeting as described in (M.R.S.A., Title 1, Section403 and Auburn Code of Ordinances-, Chapter 2 – Administration, Article V, Boards, Commissions and Committees, Divisions 4, Planning Board). The public is entitled to listen to the proceedings. The public is invited to participate in the proceedings at times designated herein. An open meeting does not mean the public is allowed to participate in an ongoing dialogue with the Board or the staff throughout the meeting. Any person may speak; it is not limited to nearby neighbors or to residents of Auburn. Any person who speaks may support, or oppose the application/petition or ask questions of the staff, the Board or the applicant.

   The applicant, any member of the public, or any public official addressing the Board shall use the microphones in the chamber. They shall first give their name and address and if representing and speaking in behalf of another party shall so state. All public hearings are recorded to be available for the record. If a person does not use the microphone their comments may not be recorded.

   Any member of the public or any public official addressing the Board shall be limited in speaking to five minutes. At the Chair's discretion, an additional five minutes may be granted. A speaker should not repeat, at length, arguments or points made by previous speakers. They should briefly state their agreement or support for those positions. Reading of prepared

speeches is not encouraged. The Board welcomes submittal of prepared written statements that will be included in the record.

This part of the hearing is not intended to be a debate, dialogue or rebuttal between the speaker and the Board or staff. Primarily the Board will listen to the testimony but may ask questions of the speaker for clarification of his/her position.

Speakers will be recognized in the order in which they come forward. The hearing is not arranged to hear all of the proponents and then all of the opponents, or vice versa.

It is not the practice of the Board to take a poll of those in favor and those opposed. The number of people with a particular position is not a factor; the strength of their arguments is what matters.

In the interests of an orderly public hearing all persons speaking shall seek recognition from the chair and shall not speak directly to Board members, staff or other members of the public except as the Chair may direct. Board members and staff shall also seek recognition from the chair before speaking to other persons.

The objective of the hearing is to hear testimony. There will be time for dialogue and debate on the merits of the application/petition by the Planning Board later. After all persons who want to speak have done so, the Board will move to close the public comment part of the hearing. After that motion discussion will be limited to Board members and staff.

5. **Discussion, Action by the Board:**
After the presentation by the applicant and public comment, the Chair will call for a general discussion among the Board to gauge their perspective on the application/petition. Members may, through the chair, direct a question to the applicant for clarification. Also, members may think the application/petition might be acceptable if subjected to certain limiting conditions. Through the chair, the member may ask the applicant whether such condition is acceptable.

After general discussion, if it appears there is a consensus, a motion will be in order. After a motion is made and seconded, there will be discussion on the specific motion. Other members may suggest amendment to the original motion and ask the maker of the motion if it is acceptable.

Following parliamentary procedure the Board will decide, by vote, whether to approve, with or without conditions, disapprove or defer action on the application/petition. The vote of the Board on the motion constitutes the decision of the Board and for determining the timing of subsequent actions, such as appeals.

After the vote is taken and the decision made, the Chair shall announce that the applicant will receive written record of the decision within 5 working days of the decision, which shall also be posted on the City's website.

ARTICLE IX. Jurisdiction and Duties

A. The jurisdiction and duties of the Planning Board shall be defined in the City of Auburn Code of Ordinances under Chapter 2, Article V, Division 4, Section 2-475.

ARTICLE IX. Amendments

These Policies and Procedures may be amended by a majority vote of the membership of the Planning Board present, to include both Regular and Associate members of the Board, provided that a quorum, consisting of five members is met. An affirmative vote by at least five members shall be necessary to authorize any action to amend the By-Laws.

The Planning Board will review these Policies and Procedures every two years at its annual meeting in February.

* **Disclaimer:** These Policies and Procedures are for the benefit of the Auburn Planning Board, applicants seeking Planning Board action, and the general public. Any conflict between the Auburn Planning Board's Policies and Procedures and State or Local laws shall be superseded by State or Local law.