

## **CITY OF AUBURN JANUARY 9, 2006 CITY COUNCIL MEETING**

### **PRESENT**

Mayor Normand W. Guay, Councilors Bethel B. Shields, Robert P. Hayes, Eric G. Samson, Donna L. Rowell, Belinda A. Gerry, Robert C. Mennealy, and M. Kelly Matzen, City Manager Pat Finnigan, Assistant City Manager Laurie Smith and City Clerk Mary Lou Magno. There were 18 people in the audience.

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

### **CONSENT AGENDA**

Councilor Gerry moved to accept, approve and place on file the following items listed with an asterisk. Seconded by Councilor Mennealy. Vote: 7 Yeas.

#### **\*MINUTES OF DECEMBER 19, 2005**

Approved under consent agenda.

### **REPORTS OF THE MAYOR**

Mayor Guay noted that he and Councilor Samson recently attended the inaugural for the Lewiston Mayor and City Councilors; he said that on February 13th there will be a joint meeting with the City of Lewiston to receive a report from the Mayors' Commission for Joint Services; he noted that the School Committee continues to work on the Master Plan.

### **REPORTS OF CITY COUNCILORS**

None

### **REPORTS OF THE CITY MANAGER COMPREHENSIVE**

#### **ANNUAL FINANCE REPORT**

Councilor Matzen moved to accept and place on file the Comprehensive Annual Finance Report. Seconded by Councilor Shields. Vote: 7 Yeas.

Pat Finnigan noted that there will be a draft schedule of meetings and workshops for January, February and March posted on the city's website.

### **COMMUNICATIONS AND RECOGNITIONS**

#### **\*COMMUNICATION FROM MAINE DEPARTMENT OF TRANSPORTATION RE: JACKSON HILL ROAD**

Approved under consent agenda.

**\*COMMUNICATION FROM AUBURN PAWN RE: RENEWAL OF PAWN LICENSE**

Approved under consent agenda

**\*COMMUNICATION FROM REID'S GUNS & CIGARS RE: RENEWAL OF PAWN LICENSE**

Approved under consent agenda.

**\*COMMUNICATION FROM POLICE CHIEF SMALL RE: CONSTABLES**

Approved under consent agenda.

**OPEN SESSION**

The following people made comments during the Open Session: Leo Camire, 9 Eastman Lane; Michael Dixon, 126 Everett Road; Ed Desgrosseilliers, 121 Hatch Road; Sheila Desgrosseilliers, 121 Hatch Road; and Mike Adler, 20 Paul Street.

OPEN SESSION CLOSED

**OLD BUSINESS**

None

**NEW BUSINESS**

**1. PUBLIC HEARING AND ACTION ON SPECIAL AMUSEMENT PERMIT APPLICATIONS FOR: BLACK WATCH RESTAURANT AND PUB; MARTINDALE COUNTRY CLUB; VETERANS OF FOREIGN WARS POST #1603; AMERICAN LEGION POST #153; AMERICAN LEGION POST #31; NEW AUBURN SOCIAL CLUB; AND LOST VALLEY**

Mayor Guay opened and closed the public hearing with no public comment.

Councilor Matzen moved that the above-named permits be approved. Seconded by Councilor Samson.

Vote: 7 Yeas

**2. SET DATE FOR SECOND MEETING IN JANUARY**

Councilor Shields moved that the second meeting for this month be held on January 23rd. Seconded by Councilor Matzen. Vote: 7 Yeas.

**EXECUTIVE SESSION – 7:55 P.M.**

Councilor Hayes moved to go into Executive Session to discuss Personnel. Seconded by Councilor Mennealy. Vote: 7 Yeas

**ADJOURNMENT –**

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

TRUE RECORD

ATTEST: \_\_\_\_\_

City Clerk

**CITY OF AUBURN JANUARY 23, 2006 CITY COUNCIL MEETING**

**PRESENT**

Mayor Normand W. Guay, Councilors Bethel B. Shields, Robert P. Hayes, Eric G. Samson, Donna L. Rowell, Belinda A. Gerry, Robert C. Mennealy, and M. Kelly Matzen, City Manager Pat Finnigan, and City Clerk Mary Lou Magno. There were 55 people in the audience.

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

**CONSENT AGENDA**

Councilor Mennealy moved to accept, approve and place on file the following items listed with an asterisk. Seconded by Councilor Rowell. Vote: 7 Yeas.

**ADD TO AGENDA**

Councilor Gerry moved to add item #6 – Resolve – HOME Funding for Handicap Accessible Units at Stevens Mills Condominium Project. Seconded by Councilor Rowell. Vote: 6 Yeas with Councilor Matzen abstaining.

**\*MINUTES OF JANUARY 9, 2006**

Approved under consent agenda.

**REPORTS OF THE MAYOR**

Mayor Guay noted that he will appoint the Citizens Budget Committee.

Councilor Gerry noted that the City Charter does not allow the Mayor to make such appointments.

Councilor Gerry moved to go into Executive Session to discuss appointments. Seconded by Councilor Rowell. Vote: 4 Yeas with Councilor Shields, Hayes and Matzen voting Nay.

Councilor Gerry noted that there is a good cross section of residents and she feels comfortable with the fact that this committee will receive the same budget information as City Councilors.

Mayor Guay named the following people to serve on the Citizens Budget Committee: Jim Berube, Ronald Potvin, Randy Bolduc, Paul Raymond, Anna Camire, Robert Bernier, Larry Comeau, Robert Lussier, Jonathan Labonte, David Burke, Brian Demers, Kathy Leonard, Bill Leighton and Tammy Grieshaber.

Councilor Hayes moved to approve this committee. Seconded by Councilor Shields. Vote: 7

Yeas.

Councilor Mennealy moved to appoint Ed Desgrosseilliers to this committee. Seconded by Councilor Rowell. Vote: 4 Yeas with Councilor Shields, Hayes and Matzen voting Nay.

Mayor Guay noted that he recently gave a key to the City to Emily Beaulieu, a little girl from Litchfield who gave up her birthday gifts so that less fortunate children could have more.

## **REPORTS OF CITY COUNCILORS**

Councilor Shields noted she recently attended a meeting at East Auburn where Pat Finnigan, Laurie Smith and Cheryl Dubois were available to answer questions and concerns expressed by residents.

Councilor Gerry requested that the City Manager, at the workshop on January 30th, report on the use of public buildings as it relates to our public policy and compare it to the cities of Lewiston and Portland.

## **REPORTS OF THE CITY MANAGER FINANCE**

### **REPORT – MONTH OF DECEMBER**

Councilor Hayes moved to accept and place on file the Finance Report for the month of December as presented by Pat Finnigan, City Manager. Seconded by Councilor Samson. Vote: 7 Yeas.

## **GENERAL ASSISTANCE QUARTERLY REPORT**

Councilor Gerry moved to accept and place on file the General Assistance Quarterly Report as prepared and presented by Dot Meagher, Director of Health and Social Services. Seconded by Councilor Rowell. Vote: 7 Yeas.

## **COMMUNICATIONS AND RECOGNITIONS**

### **\*COMMUNICATION FROM POLICE CHIEF SMALL RE: CONSTABLE**

Approved under consent agenda.

## **OPEN SESSION**

The following people made comments during the Open Session: Ed Desgrosseilliers, 121 Hatch Road noted that he would have to decline the nomination to the Citizen Budget Committee due to other personal commitments; Ron Potvin, 82 Northern Avenue; Leo Camire, 9 Eastman Lane; Paul Raymond, 104 Second Street; Cheryl Banyen, 120 Third Street; Dick Bussiere, 9 Winter Street; Brian Demers, 1085 Riverside Drive; Larry Pelletier, 129 Second Street; Gabe Couture, 440 Hatch Road; a gentleman from Carson Street; Dan Herrick, 470 Hatch Road; Deana Chapman, 224 South Main Street; David Rowell, 95 Monroe Street; and Walter Reed, 173 Third Street.

## **OPEN SESSION CLOSED**

Mayor Guay called for a five minute recess. Mayor Guay called the meeting back to order.

## **OLD BUSINESS**

None

## **NEW BUSINESS**

### **1. ORDER – APPOINTMENT OF THE CITY FINANCE DIRECTOR - CHRISTOPHER TRENHOLM**

Councilor Matzen moved for passage of the order. Seconded by Councilor Gerry.

Pat Finnigan, City Manager, introduced Chris Trenholm to the Council and members of the audience.  
Vote: 7 Yeas.

### **2. ORDER – APPOINTMENT OF CITY TREASURER**

Councilor Shields moved for passage of the order. Seconded by Councilor Mennealy. Vote: 7 Yeas.

### **3. RESOLVE – AMENDMENT OF THE CITIZEN PARTICIPATION PLAN OF THE COMMUNITY DEVELOPMENT PROGRAM (PUBLIC HEARING AND ACTION THEREON)**

Councilor Samson moved for passage of the resolve. Seconded by Councilor Shields. Mayor

Guay opened the public hearing.

Fern Lake, 612 South Main Street, questioned on page 7 Section 7a. the deletion of the publication requirement.

Mayor Guay closed the public hearing.

Councilor Samson moved to amend the motion by reinstating the following sentence in Section 7a – A public notice of the change will be published 30 days prior to implementation. Seconded by Councilor Gerry. Vote on the amendment: 6 Yeas with Councilor Matzen abstaining.

Vote on passage of the resolve as amended: 6 Yeas with Councilor Matzen abstaining.

**4. RESOLVE – AMENDMENT OF THE 2005-09 CONSOLIDATED PLAN AND 2005 ACTION PLAN OF THE COMMUNITY DEVELOPMENT PROGRAM (PUBLIC HEARING AND ACTION THEREON)**

Councilor Samson moved for passage of the resolve. Seconded by Councilor Gerry. Mayor Guay opened and closed the public hearing with no public comment.

Vote: 6 Yeas with Councilor Matzen abstaining.

**5. ORDER – AUTHORIZING THE CITY MANAGER TO ENTER INTO EASEMENT AGREEMENTS WITH PUBLIC UTILITY COMPANIES**

Councilor Rowell moved for passage of the order. Seconded by Councilor Mennealy. Vote: 7 Yeas.

**6. RESOLVE – HOME FUNDING FOR HANDICAP ACCESSIBLE UNITS AT STEVENS MILLS CONDOMINIUM PROJECT**

Councilor Shields moved for passage of the resolve. Seconded by Councilor Hayes. Vote: 6 Yeas with Councilor Matzen abstaining.

**ADD TO AGENDA**

Councilor Gerry moved to add an item to the agenda – Acknowledgement of Receipt of Petitions. Seconded by Councilor Rowell. Vote: 7 Yeas.

**ACKNOWLEDGMENT OF RECEIPT OF PETITIONS**

Councilor Gerry moved to acknowledge receipt of the petitions submitted by Deana Chapman, Vice-Chair of the United Citizens of Auburn entitled “We, the taxpayers of the City of Auburn object to the last property evaluation and the anticipated mill rate”.

Seconded by Councilor Rowell. Vote: 7 Yeas.

Councilor Rowell questioned the status of the City Manager’s performance evaluation. Mayor Guay indicated he is still waiting for two Councilors to complete the evaluation.

Councilor Mennealy requested that the City Manager research the cost of a random sampling of the revaluation and report back to the Council.

**ADJOURNMENT** – 10:10 p.m.

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

A TRUE RECORD

ATTEST: \_\_\_\_\_

City Clerk

**CITY OF AUBURN FEBRUARY 13, 2006**

**JOINT AUBURN-LEWISTON CITY COUNCIL MEETING**

**PRESENT**

Mayor Normand W. Guay, Councilors Bethel B. Shields, Robert P. Hayes, Eric G. Samson, Donna L. Rowell, Belinda A. Gerry, Robert C. Mennealy, and M. Kelly Matzen, City Manager Pat Finnigan, Assistant City Manager Laurie Smith and City Clerk Mary Lou Magno. Lewiston Mayor Lionel Guay, Councilors Stavros Mendros, Renee Bernier, Lillian O'Brien, Ronald Jean, Paul Samson, Mark Paradis and Norman Rousseau, City Administrator James Bennett and City Clerk Kathy Montejo. There were approximately 80 people in the audience.

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

**FINAL REPORT – COMMISSION ON JOINT SERVICES**

Both Mayors welcomed the audience to this joint meeting, the purpose of which was for the Commission on Joint Services to present their Final Report. Mayor Guay introduced the members of the Committee: Chairs Robert Clifford and Donna Steckino and members Ronald Bissonnette, Mark Carrier, John Emerson (who was absent this evening) K. C. Geiger, Laurent F. Gilbert, Sr., Jeffrey Harmon, Linda Hertell and George Hess.

Robert Clifford and Donna Steckino gave an overview of the report. Both Mayorsthankeed the members of the committee for their hard work and dedication to this effort.

Both Mayors opened discussion by members of the Councils.

Mayor Normand Guay opened the floor to public discussion and the following people spoke: Roma Girardin, 667 Court Street; Thomas Shields, 375 Maple Hill Road; Tammy Grieshaber, 100 Stony Ridge; Bob Bernier, 17 Lamplighter Circle; Mike Scott, 549 South Witham Road; and Ron Potvin, 82 Northern Avenue.

**JOINT SERVICES COORDINATOR – APPLY FOR GRANT**

Councilor Matzen moved to direct the Auburn staff to cooperate with the Lewiston staff to apply for a grant from the State of Maine to hire a Joint Services Coordinator to be housed at the Lewiston Auburn Economic Growth Council office and be answerable to the Executive Director of the Lewiston Auburn Economic Growth Council and the two City Councils. Seconded by Councilor Shields.

Councilor Gerry moved to table. Seconded by Councilor Rowell. Vote: 4 Nays with Councilors Rowell, Gerry and Mennealy voting Yea.

Councilor Samson moved to amend the motion by deleting the words "Executive Director of the Lewiston Auburn Economic Growth Council and the". Seconded by Councilor Mennealy.

Councilor Gerry moved to table. Seconded by Councilor Mennealy. Vote: 4 Nays with Councilors Rowell, Gerry and Mennealy voting Yea.

Vote on the amendment: 4 Yeas with Councilors Shields, Hayes and Matzen voting Nay. Vote on passage of the motion as amended: 5 Yeas with Councilors Rowell and Gerry voting Nay.

#### **DISCUSSION OF JOINT AGENCY BUDGETS**

The Councils discussed the expectations and potential meeting dates for the joint agency budgets.

**ADJOURNMENT** – 9:00 p.m.

Councilor Mennealy moved to adjourn. Seconded by Councilor O'Brien. Vote: Unanimous. A

TRUE RECORD

ATTEST: \_\_\_\_\_

City Clerk

#### **CITY OF AUBURN FEBRUARY 27, 2006 CITY COUNCIL MEETING**

PRESENT

Mayor Normand W. Guay, Councilors Bethel B. Shields, Robert P. Hayes, Eric G. Samson, Donna L. Rowell, Belinda A. Gerry, Robert C. Mennealy, and M. Kelly Matzen, City Manager Pat Finnigan, Assistant City Manager Laurie Smith and City Clerk Mary Lou Magno. There were 37 people in the audience.

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

## **CONSENT AGENDA**

Councilor Shields moved to accept, approve and place on file the following items listed with an asterisk. Seconded by Councilor Mennealy. Vote: 7 Yeas.

### **\*MINUTES OF FEBRUARY 6TH AND 13TH, 2006**

Approved under consent agenda. TAKE

### **ITEM OUT OF ORDER**

Councilor Matzen moved that item #2 be taken out of order. Seconded by Councilor Shields. Vote: 7 Yeas.

## **2. PUBLIC HEARING – LIQUOR LICENSE APPLICATIONS FOR LONGHORN STEAKHOUSE AND THE FISHERY.**

Mayor Guay opened the public hearing: Barry Gerstein, representing Longhorn Steakhouse and William Hathaway, owner of The Fishery both spoke in favor of the above request. Mayor Guay closed the public hearing.

Councilor Gerry moved that both applications be approved. Seconded by Councilor Hayes. Vote: 7 Yeas.

## **REPORTS OF THE MAYOR**

None

## **REPORTS OF CITY COUNCILORS**

None

## **REPORTS OF THE CITY MANAGER FINANCE**

### **REPORT – MONTH OF JANUARY**

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

## **FIRE DEPARTMENT BUDGET**

Chief Wayne Werts, Deputy Chief Raymond Lussier and Fire Prevention Officer Gary Simard presented the Fire Department Budget for fiscal year 2006-07.

## **UPDATES**

Pat Finnigan, City Manager, noted that the Assessing Staff is now conducting site visits; going to homes that were not visited during the revaluation.

She also noted that a request was recently made to have staff receive quotes for a quality review of the revaluation; staff is pursuing this request, trying to find an appraisal firm that has an interest and the capability of performing this task.

## **COMMUNICATIONS AND RECOGNITIONS**

None

## **OPEN SESSION**

The following people made comments during the Open Session: Edward Desgrosseilliers, 121 Hatch Road; Jonathan Labonte, 40 Reginald Street; Brian Demers, 1085 Riverside Drive; Deana Chapman, 224 South Main Street (Ms Chapman submitted petitions to be made a part of the record); Ron Potvin; 82 Northern Avenue; Andy Titus, 45 Carson Street; and Dan Herrick, 470 Hatch Road (Mr. Herrick read a letter from Reginald Emery Sr. that has been made a part of the record).

## **CLOSED OPEN SESSION**

## **OLD BUSINESS**

None

## **NEW BUSINESS**

### **1. RESOLVE – RESOLUTION OF RECOGNITION (Recognizing Auburn Businesses and Auburn residents that received awards by the Androscoggin Chamber of Commerce)**

Councilor Gerry moved for passage of the resolve. Seconded by Councilor Hayes. Vote: 7 Yeas.

2. (This item was taken out of order and acted on earlier in the meeting.)

### **3. APPOINTMENTS**

#### **ZONING BOARD OF APPEALS**

Councilor Shields moved to appoint Ralph Stetson as an Associate Member to the Zoning Board of Appeals until February 2009. Seconded by Councilor Matzen. Vote: 7 Yeas.

#### **ETHICS COMMITTEE**

Councilor Matzen moved to appoint Robert L. McArthur to the Ethics Committee. Seconded by Councilor Shields. Vote: 7 Yeas.

## TRANSIT COMMITTEE

Councilor Shields moved to appoint Maureen Aube to the Transit Committee until February 2009. Seconded by Councilor Matzen. Vote: 7 Yeas.

## RECREATION ADVISORY BOARD

Councilor Matzen moved to reappoint Roger Laroche, Daniel Poisson, Philip Savignano, Paul Douglass, Steve Myers, Dennis Cormier and Steve Milks until February 2008. Seconded by Councilor Shields. Vote: 7 Yeas.

## PLANNING BOARD

Councilor Shields moved to appoint William K. Skelton as an Associate Member to the Planning Board until Feb. 2009. Seconded by Councilor Matzen. Vote: 7 Yeas.

## ADJOURNMENT – 10:00 p.m.

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

A TRUE RECORD

ATTEST: \_\_\_\_\_

City Clerk

## **CITY OF AUBURN MARCH 6, 2006 CITY COUNCIL MEETING**

### PRESENT

Mayor Normand W. Guay, Councilors Bethel B. Shields, Robert P. Hayes, Eric G. Samson, Donna L. Rowell, Belinda A. Gerry, Robert C. Mennealy, and M. Kelly Matzen, City Manager Pat Finnigan, Assistant City Manager Laurie Smith and City Clerk Mary Lou Magno. There were 43 people in the audience.

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

### CONSENT AGENDA

Councilor Mennealy moved to accept, approve and place on file the following items listed with an asterisk. Seconded by Councilor Shields. Vote: 7 Yeas.

#### **\*MINUTES OF FEBRUARY 27, 2006**

Approved under consent agenda.

### REPORTS OF THE MAYOR

None

## **REPORTS OF CITY COUNCILORS**

Councilor Gerry noted information recently released by the Auburn Housing Authority regarding a lengthy waiting list for 1, 2, 3 and 4 bedroom units for the Section 8 program.

Councilor Mennealy questioned the status of the search for a firm to perform a quality review of the revaluation.

Pat Finnigan, City Manager, indicated she is optimistic about having a report soon.

It was noted that Councilors Rowell, Gerry and Mennealy paid for an ad in "Auburn Highlights" promoting all the programs available to taxpayers.

## **REPORTS OF THE CITY MANAGER**

### **PLANNING & PERMITTING BUDGET**

David Galbraith, Director of Planning & Permitting and Charlie DeAngelis, City Electrician, presented the Planning & Permitting Budget for fiscal year 2006-07.

The following people made comments regarding the above budget: Ron Potvin, 82 Northern Avenue; Bob Bernier, 17 Lamplighter Circle; Dave Burke, 38 Harmons Corner Road; and Jonathan Labonte, 40 Reginald Street.

Councilor Samson requested that the City Clerk read a motion from the January 23rd minutes regarding an Executive Session.

Councilor Gerry questioned the City Manager regarding the Economic Development Budget.

## **COMMUNICATIONS AND RECOGNITIONS**

### **\*COMMUNICATION FROM AUBURN SCHOOL DEPARTMENT RE: WAIVE DAY CARE LICENSE FEES**

Approved under consent agenda.

## **OPEN SESSION**

The following people made comments during the Open Session: Edward Desgrosseilliers, 121 Hatch Road; Ron Potvin, 82 Northern Avenue; Dan Herrick, 470 Hatch Road; Jean Libbey, 753 Perkins Ridge Road, Jonathan Labonte, 40 Reginald Street; Dick Bussiere, 9 Winter Street; and Mike Adler, 20 Paul Street.

## **CLOSED OPEN SESSION**

## **OLD BUSINESS**

None

## **NEW BUSINESS ADD**

### **TO AGENDA**

Councilor Gerry moved to add to the agenda “Discussion regarding communication from Attorney Patrick Scully Re: Initiative Petition Regarding City Parking Garage”. Seconded by Councilor Rowell. Vote: 4 Yeas with Councilors Shields, Samson and Matzen voting Nay.

### **1. RESOLVE – TO AUTHORIZE STATE OF MAINE SCHOOL REVOLVING RENOVATION FUND LOAN FORGIVE- NESS GRANT FOR EDWARD LITTLE HIGH SCHOOL RENOVATIONS**

Councilor Samson moved for passage of the resolve. Seconded by Councilor Rowell. Vote: 6 Yeas, No Nays (Councilor Mennealy out of the room)

### **2. RESOLVE – TO AUTHORIZE A SUPPLEMENTAL APPROPRIATION OF STATE FUNDS FOR SCHOOL CONSTRUCTION DEBT SERVICE**

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

Vote: 7 Yeas.

### **3. ORDER – DESIGNATING CERTAIN AREAS AS “SAFE ZONES”**

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

Councilor Mennealy moved to amend by adding Whitman Spring Road. Seconded by Councilor Hayes.

Vote on the amendment: 7 Yeas.

Vote on passage of the order as amended: 7 Yeas

## **4. APPOINTMENTS**

### **COMMUNITY FOREST BOARD**

Councilor Matzen moved to appoint Judy Webber to the Community Forest Board until March 2009. Seconded by Councilor Shields. Vote: 7 Yeas.

### **SEWER DISTRICT**

Councilor Shields moved to re-appoint Stephen Ness and Joseph DeFilipp to the Sewer District until March 2010. Seconded by Councilor Matzen. Vote: 7 Yeas.

**WATER DISTRICT**

Councilor Matzen moved to re-appoint Roy Farnsworth and K.C. Geiger to the Water District until March 2010. Seconded by Councilor Shields. Vote: 7 Yeas.

**5. RESOLVE – ADOPTING THE NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS)**

Councilor Mennealy moved for passage of the resolve. Seconded by Councilor Shields. Vote: 7 Yeas.

**6. DISCUSSION REGARDING COMMUNICATION FROM ATTORNEY PATRICK SCULLY RE: INITIATIVE PETITION REGARDING CITY PARKING GARAGE**

Councilor Gerry moved to disregard the legal opinion of Attorney Scully, to instruct the City Clerk to prepare petitions and to allow members of the initiative petitioners committee to circulate such petitions. Seconded by Councilor Rowell.

The following people made comments regarding the above matter: Tammie Grieshaber, 100 Stony Ridge; Jonathan Labonte, 40 Reginald Street; Ed Desgrosseilliers, 121 Hatch Road; David Rowell, 95 Monroe Street; Mike Scott, 549 South Witham Road; and Dick Bussiere, 9 Winter Street.

Vote: 4 Nays with Councilors Rowell, Gerry and Mennealy voting Yea.

**ADJOURNMENT – 10:47 p.m.**

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

A TRUE RECORD

ATTEST: \_\_\_\_\_

City Clerk

**CITY OF AUBURN MARCH 20, 2006 CITY COUNCIL MEETING**

**PRESENT**

Mayor Normand W. Guay, Councilors Bethel B. Shields, Robert P. Hayes, Eric G. Samson, Donna L. Rowell, Belinda A. Gerry, Robert C. Mennealy, and M. Kelly Matzen, City Manager Pat Finnigan, Assistant City Manager Laurie Smith and City Clerk Mary Lou Magno. There were approximately 100 people in the audience.

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

Councilor Mennealy moved that the entire agenda not be acted upon this evening, because according to Article II, Section 7 of the City Charter, Council Meeting Agendas shall be available to the public at least two business days prior to the meeting. (Councilor Mennealy indicated that the agenda was not available until Friday.) Seconded by Councilor Rowell.

City Manager Pat Finnigan, and City Clerk Mary Lou Magno, both indicated that the City Council Agenda was posted on the website Thursday afternoon.

Vote: 4 Nays with Councilors Rowell, Gerry and Mennealy voting Yea.

### **CONSENT AGENDA**

Councilor Gerry moved to accept, approve and place on file the following item listed with an asterisk. Seconded by Councilor Samson. Vote: 7 Yeas.

#### **\*MINUTES OF MARCH 6, 2006**

Approved under consent agenda.

### **REPORTS OF THE MAYOR**

None

### **REPORTS OF CITY COUNCILORS**

None

### **REPORTS OF THE CITY MANAGER FINANCE**

#### **REPORT – MONTH OF FEBRUARY**

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

### **COMMUNICATIONS AND RECOGNITIONS**

None

### **TAKE ITEM OUT OF ORDER**

Councilor Shields moved to take item #1 out of order and act on it at this time in the meeting. Seconded by Councilor Gerry. Vote: 7 Yeas.

**1. RESOLVE – RECOGNIZING MARILYN ISAACSON SIMONDS – 2006 RECIPIENT OF THE LEWIS HINE AWARD**

Councilor Shields moved for passage of the resolve. Seconded by Councilor Gerry. Estelle

Rubinstein spoke in support of the above resolve.

Vote: 7 Yeas.

**OPEN SESSION**

The following people made comments during the Open Session: Ron Potvin, 82 Northern Avenue; Robert O'Connor, 564 Summer Street; and Lucien Camire, 9 Eastman Lane.

**CLOSED OPEN SESSION**

**OLD BUSINESS**

None

**NEW BUSINESS**

**2. RESOLVE – AUTHORIZING THE CITY MANAGER TO ENTER INTO A PURCHASE & SALE AGREEMENT FOR LAND LOCATED IN GREAT FALLS PLAZA**

(Councilor Matzen did not participate in the action of this item)

Councilor Gerry feels that according to the City Charter there should be two readings of this item.

Councilor Gerry moved to table. Seconded by Councilor Mennealy. Vote: Councilors Rowell, Gerry and Mennealy voting Yea; and Councilors Shields, Hayes and Samson voting Nay. Motion fails.

Councilor Hayes moved for passage of the resolve. Seconded by Councilor Shields. Pat

Finnigan, City Manager, gave an overview of this project.

The following people made comments regarding the above resolve: Jonathan Labonte, 40 Reginald Street; Robert O'Connor, 564 Summer Street; Michael Scott, 549 South Witham Road; Brian Demers, 1085 Riverside Drive; Ed Desgrosseilliers, 121 Hatch Road; Robert Lamontagne, 1796 Minot Avenue; Andy Titus, 45 Carson

Street; Fred Carpentier, 134 Cook Street; Bruce Rioux, 85 Mary Carroll Street; Charles Morrison, 35 Lake Street; and Gerard Dennison, 28 Seventh Street.

Vote: Councilors Shields, Hayes, and Samson voting Yea; Councilors Rowell, Gerry and Mennealy voting Nay; Mayor Guay voted Yea to break the tie.

### **REPORTS OF THE CITY MANAGER**

Pat Finnigan requested that the Council allow the Police Department to give a report regarding an incident that occurred today. Mayor Guay recognized Deputy Chief Crowell and Lt. Moen who both spoke about the process that occurred regarding the capture and arrest of an individual who robbed the Androscoggin Bank on Turner Street Monday morning. They spoke of collaborative efforts between local area police departments and the FBI and the resources used to make this effort a success.

### **3. RESOLVE – AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE INTERNATIONAL ASSOCIATION OF ASSESSING OFFICERS TO CONDUCT A REVIEW OF THE CITY-WIDE REVALUATION**

Councilor Mennealy moved for passage of the resolve. Seconded by Councilor Gerry. Gary

Baillargeon, 144 Broadview Avenue; Jonathan Labonte, 40 Reginald Street; Cheryl Banyen, 120 Third Street; and Ed Desgrosseilliers, 121 Hatch Road made comments regarding the above resolve.

Vote: 6 Yeas, No Nays (Councilor Gerry out of the room)

### **4. RESOLVE – SUPPORTING TRAILS FOR A HEALTHY MAINE AND ENCOURAGING THE STATE LEGISLATURE TO APPROVE FUNDING FOR SHARED-USE TRAILS**

Councilor Shields moved for passage of the resolve. Seconded by Councilor Mennealy. Jonathan

Labonte, 40 Reginald Street; and Ed Desgrosseilliers, 121 Hatch Road, both made comments regarding the above resolve.

Vote: 7 Yeas.

### **5. RESOLVE – ACCEPTING CERTAIN FORFEITED FUNDS**

Councilor Samson moved for passage of the resolve. Seconded by Councilor Gerry. Deputy

Chief Crowell explained the above resolve.

Vote: 7 Yeas.

### **6. PUBLIC HEARING – SPECIAL AMUSEMENT PERMIT APPLICATION AUBURN FIRESIDE INN & SUITES**

Mayor Guay opened and closed the public hearing with no public comment.

Councilor Mennealy moved that the Special Amusement Permit be approved. Seconded by Councilor Samson. Vote: 7 Yeas.

**COMMENTS BY COUNCILOR GERRY**

Councilor Gerry wished to note for the record that had she been present for the vote on item #3, she would have voted in favor of the action.

**ADJOURNMENT – 9:50 p.m.**

Councilor Shields moved to adjourn. Seconded by Councilor Rowell. Vote: 7 Yeas.

A TRUE RECORD

ATTEST: \_\_\_\_\_

City Clerk

**CITY OF AUBURN APRIL 3, 2006 CITY COUNCIL MEETING**

**PRESENT**

Mayor Normand W. Guay, Councilors Robert P. Hayes, Eric G. Samson, Donna L. Rowell, Belinda A. Gerry, Robert C. Mennealy, and M. Kelly Matzen, City Manager Pat Finnigan, Assistant City Manager Laurie Smith and City Clerk Mary Lou Magno. Councilor Bethel B. Shields was absent. There were approximately 26 people in the audience.

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

**CONSENT AGENDA**

Councilor Mennealy moved to accept, approve and place on file the following item listed with an asterisk. Seconded by Councilor Rowell. Vote: 6 Yeas, No Nays.

**\*MINUTES OF MARCH 20, 2006**

Approved under consent agenda.

**REPORTS OF THE MAYOR**

**PROCLAMATION – BOYS & GIRLS CLUB WEEK APRIL 2 – 8, 2006**

**PROCLAMATION – MULTIPLE SCLEROSIS DAY – APRIL 8, 2006**

**REPORTS OF CITY COUNCILORS**

Councilor Mennealy noted that the School Committee and the City Council should not meet on the same night, as there are citizens who wish to attend both meetings.

### **REPORTS OF THE CITY MANAGER**

None

### **COMMUNICATIONS AND RECOGNITIONS**

None

### **TAKE ITEMS OUT OF ORDER**

Councilor Matzen moved that items 1 and 2 be taken out of order and acted on prior to the Open Session. Seconded by Councilor Samson. Vote: 6 Yeas, No Nays.

### **ADD ITEM TO THE AGENDA**

Councilor Matzen moved to add item 8 to the agenda – Request from Kora Shriners Re: Placement of Temporary Signs. Seconded by Councilor Samson. Vote: 6 Yeas, No Nays.

### **1. ORDER – CONDEMNATION ORDER OF THE MUNICIPAL OFFICERS (PROPERTY IN THE VICINITY OF 3162 HOTEL ROAD)**

Councilor Matzen moved for acceptance of first reading. Seconded by Councilor Mennealy. John

McGonagill, Airport Manager, explained the above order and answered Councilors questions.

Vote on acceptance of first reading: 6 Yeas, No Nays.

Councilor Matzen moved to suspend the rules calling for two readings on two separate dates. Seconded by Councilor Rowell. Vote: 4 Yeas, with Councilor Gerry and Mennealy voting Nay.

Councilor Matzen moved for acceptance of second reading. Seconded by Councilor Hayes. Councilors

Gerry and Mennealy questioned the vote regarding suspension of the rules – they feel a super majority (five votes) is needed to suspend the rules.

Mayor Guay called for a recess.

Mayor Guay called the meeting back to order.

Mayor Guay suggested to the Council that a Special Meeting be held to consider final action of this item. (The Councilors making motions with regard to suspension of the rules and second reading withdrew their motions.)

Councilors agreed to have a Special City Council Meeting on April 10th to take final action regarding this matter.

**2. ORDER – AUTHORIZING THE CITY MANAGER TO TRANSFER PROPERTY ALL OF THE REAL PROPERTY INTERESTS IN A CERTAIN PARCEL OF LAND AT 3162 HOTEL ROAD FROM THE CITY OF TO THE CITIES OF AUBURN AND LEWISTON**

Councilor Gerry moved to table. Seconded by Councilor Samson. Vote: 6 Yeas, No Nays.

**OPEN SESSION**

The following people made comments during Open Session: William Mellish, 56 Carlton Street; Larry Morrisette, Auburn; Fred Sanborn, 78 Riverside Drive; Dan Herrick, 470 Hatch Road; and Jonathan Labonte, 40 Reginald Street.

**CLOSED OPEN SESSION**

**OLD BUSINESS**

None

**NEW BUSINESS**

**3. RESOLVE – AMENDMENT TO THE LEASE-BUY HOME OWNERSHIP PROGRAM (COMMUNITY DEVELOPMENT BLOCK GRANT)**

Councilor Samson moved for passage of the resolve. Seconded by Councilor Gerry. Vote: 6

Yeas, No Nays.

**4. RESOLVE – ADOPTION OF THE HOMEOWNERSHIP PROPERTY REHABILITATION PROGRAM (COMMUNITY DEVELOPMENT BLOCK GRANT)**

Councilor Samson moved for passage of the resolve. Seconded by Councilor Mennealy. Vote: 6 Yeas, No Nays.

**5. RESOLVE – AMENDMENT TO THE REHABILITATION PROGRAM GUIDELINES**

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

Vote: 6 Yeas, No Nays.

**6. PUBLIC HEARING – LIQUOR LICENSE APPLICATION FOR RUBY TUESDAY, 649 TURNER STREET**

Mayor Guay opened and closed the public hearing with no public comment.

Councilor Samson moved to approve the application. Seconded by Councilor Mennealy. Vote: 6 Yeas. No Nays.

#### **7. SET DATE FOR SECOND MEETING IN APRIL**

Councilor Samson moved that the second meeting in April be held on April 24th. Seconded by Councilor Rowell. Vote: 6 Yeas.

#### **8. COMMUNICATION FROM KORA SHRINERS RE: PLACEMENT OF TEMPORARY SIGNS**

Councilor Samson moved to approve the request. Seconded by Councilor Rowell. Vote: 6 Yeas, No Nays.

#### **REQUEST OF COUNCILOR GERRY**

Councilor Gerry read the following and requested that it be placed on the next City Council agenda:

Orders: Prohibiting the Auburn City Manager from closing the Great Falls Plaza land swap agreement until the City Manager produces the updated documentation to support the construction of the parking garage that is to be built in the Great Falls Plaza area.

This documentation is to include:

1. A revised assessment of the actual parking spaces in the Great Falls Plaza area vs. the needs of the businesses and general public in the affected area currently and for future downtown growth.
2. Cost of all infrastructure improvements in preparation for the construction of any proposed buildings and parking garage. (Like the conduit water drainage pipe through the Great Falls plaza area from Pettengill Park to the water front, roads, moving electrical devices, wires, etc.)
3. Cost of designing the propose parking garage and the cost to building both phase 1 and phase 2. and the number of parking spaces in each proposed phase.
4. Cost of all infrastructure improvements along associated with building of the parking garage and those that are to be made after the construction of the parking garage. (Roads, sidewalks, landscaping etc.)
5. List of all Tiff projects both current and expired., their purpose, descriptions, conditions, restrictions as to where and how the revenue they bring in can be spent. The actual amount of money they each bring in, costs associated with each project and their life span.

#### **ADJOURNMENT – 8:35 p.m.**

Councilor Samson moved to adjourn. Seconded by Councilor Matzen. Vote: 6 Yeas, No Nays.

A TRUE RECORD

ATTEST: \_\_\_\_\_

City Clerk

**CITY OF AUBURN APRIL 10, 2006 SPECIAL CITY COUNCIL MEETING**

PRESENT

Mayor Normand W. Guay, Councilors Bethel B. Shields, Robert P. Hayes, Eric G. Samson, Donna L. Rowell, Belinda A. Gerry, Robert C. Mennealy, and M. Kelly Matzen, City Manager Pat Finnigan, and City Clerk Mary Lou Magno. There were 51 people in the audience.

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

Mayor Guay noted that the reason for this special meeting was to act on the following two items:

**1. ORDER – CONDEMNATION ORDER OF THE MUNICIPAL OFFICERS  
(PROPERTY IN THE VICINITY OF 3162 HOTEL ROAD)**

Councilor Samson moved for acceptance of second reading and final passage. Seconded by Councilor Rowell.

The following people made comments regarding the above order: Larry Morrissette; Fern Lake, 612 South Main Street; John McGonagill, Airport Manager; and Brian Demers, 1085 Riverside Drive.

Vote: 7 Yeas.

**2. ORDER – AUTHORIZING THE CITY MANAGER TO TRANSFER ALL OF THE REAL  
PROPERTY INTERESTS IN A CERTAIN PARCEL OF LAND LOCATED AT 3162 HOTEL  
ROAD IN AUBURN, MAINE (TAX MAP 107, LOT 1) FROM THE CITY OF AUBURN TO  
THE CITIES OF AUBURN AND LEWISTON (TABLED 4/3/06)**

Councilor Mennealy moved to remove this item from the table. Seconded by Councilor Hayes. Vote: 7 Yeas.

Councilor Hayes moved for passage of the order. Seconded by Councilor Rowell. Vote: 7 Yeas.

**ADJOURNMENT**

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

A TRUE RECORD

ATTEST: \_\_\_\_\_

City Clerk

## **CITY OF AUBURN APRIL 24, 2006 CITY COUNCIL MEETING**

### **PRESENT**

Mayor Normand W. Guay, Councilors Bethel B. Shields, Robert P. Hayes, Eric G. Samson, Donna L. Rowell, Belinda A. Gerry, Robert C. Mennealy, and M. Kelly Matzen, City Manager Pat Finnigan, Assistant City Manager Laurie Smith and City Clerk Mary Lou Magno. There were 43 people in the audience.

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

### **CONSENT AGENDA**

Councilor Hayes moved to accept, approve and place on file the following items listed with an asterisk. Seconded by Councilor Shields. Vote: 6 Yeas, No Nays. (Councilor Mennealy out of the room)

#### **\*MINUTES OF APRIL 3, 4, & 10, 2006**

Approved under consent agenda.

### **REPORTS OF THE MAYOR**

#### **PROCLAMATION – ELKS NATIONAL YOUTH WEEK REPORTS OF**

#### **CITY COUNCILORS**

Councilor Hayes made comments with regard to the April 11th Planning Board Meeting.

Councilor Rowell recently attended the Danville Grange and was presented a “Community Citizen Award” by the members of the grange.

Councilor Gerry recently attended a Volunteer Recognition Luncheon sponsored by the Auburn Housing Authority.

Councilor Mennealy complimented the Fire Department with regard to the many brush fires that they have had to deal with recently; Councilor Mennealy is concerned because the item that Councilor Gerry had requested (Prohibiting the City Manager from closing the Great Falls Plaza land swap agreement until the City Manager produces the updated documentation to support the construction of the parking garage) to be on the agenda, is not on the agenda, and he feels that there are questions that need to be answered by the City Manager.

Councilor Gerry read from her April 3rd prepared statement, the questions that she had requested that the City Manager answer.

Councilor Mennealy indicated that he had been asked by the citizens tax group to go on record that they feel that the action taken by the City Council on the transfer of land in Great Falls Plaza was an appropriation resolve and requires two votes of the Council.

## **REPORTS OF THE CITY MANAGER FINANCE**

### **REPORT – MONTH OF MARCH**

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

## **PRESENTATION OF PROPOSED FY 2006-07 MUNICIPAL BUDGET**

Pat Finnigan, City Manager, gave an overview of the proposed FY 2006-07 Municipal Budget.

## **COMMUNICATIONS AND RECOGNITIONS**

### **\*COMMUNICATION FROM POLICE CHIEF SMALL RE: CONSTABLES**

Approved under consent agenda.

## **OPEN SESSION**

The following people made comments during Open Session: Andy Titus, 45 Carson Street; Fern Lake, 612 South Main Street; Jonathan Labonte, 40 Reginald Street submitted written comments with regard to the Community Development Block Grant Budget; Ed Desgrosseilliers, 121 Hatch Road, read a letter from Atty. David Lourie which he submitted as part of the record of this meeting; Michael Dixon, 126 Everett Road; Dan Herrick, 470 Hatch Road; Ron Potvin, 82 Northern Avenue; and Peggy Whirley, 92 Gill Street, submitted photos of 153 Seventh Street regarding “illegal dumping”.

## **CLOSED OPEN SESSION**

## **OLD BUSINESS**

None

## **NEW BUSINESS**

### **1. RESOLVE – ACCEPTING CERTAIN FORFEITED FUNDS**

Councilor Matzen moved for passage of the resolve. Seconded by Councilor Mennealy. Vote: 7 Yeas.

**ADJOURNMENT** – 8:50 p.m.

Councilor Samson moved to adjourn. Seconded by Councilor Hayes. Vote: 7 Yeas.

A TRUE RECORD

ATTEST: \_\_\_\_\_

City Clerk

**CITY OF AUBURN MAY 1, 2006 CITY COUNCIL MEETING**

**PRESENT**

Mayor Normand W. Guay, Councilors Bethel B. Shields, Robert P. Hayes, Eric G. Samson, Donna L. Rowell, Belinda A. Gerry, Robert C. Mennealy, and M. Kelly Matzen, City Manager Pat Finnigan, Assistant City Manager Laurie Smith and City Clerk Mary Lou Magno. There were 19 people in the audience.

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

**CONSENT AGENDA**

Councilor Mennealy moved to accept, approve and place on file the following item listed with an asterisk. Seconded by Councilor Shields. Vote: 7 Yeas.

**\*MINUTES OF APRIL 24, 2006**

Approved under consent agenda.

**REPORTS OF THE MAYOR**

Mayor Guay noted that last week he and several Councilors attended the Lewiston-Auburn Economic Growth Council's 25th Anniversary Dinner. Recognition awards were presented to the following: Family Health Care Associates; Frank H. Goss and Shaw's Supermarket; a joint Lewiston/Auburn recognition award was presented to Paul and Kate Landry owners of Mac's Grill and Fishbones. He also noted that the cities of Lewiston and Auburn were recently awarded the Environmental Merit Award "Think Blue Maine Partnership".

**PROCLAMATION – RECOGNIZING MILT SIMON**

Mayor Guay read a Proclamation recognizing Milt Simon for being named the 2006 Maine Recreation and Parks Association Volunteer of the Year for his quarter century of community service as Director of the Auburn Community Band.

**REPORTS OF CITY COUNCILORS**

Councilor Mennealy questioned why the City Manager had not given the City Councilors a copy of David Lourie's letter of April 6, 2006; he also requested that the City Manager request an opinion from the city's attorney regarding the need for a second reading on the transfer of land in Great Falls Plaza.

Councilor Rowell also attended the LAEGC dinner and is proud of the award given to Shaw's Supermarket as she has been an employee there for 23 years; she also noted that this Saturday will be the last "Bean Supper" at the Danville Grange – they will resume again in the fall.

## **REPORTS OF THE CITY MANAGER**

### **GENERAL ASSISTANCE QUARTERLY REPORT**

Councilor Mennealy moved to accept and place on file the General Assistance Quarterly Report as prepared and presented by Dot Meagher, Director of Health and Social Services. Seconded by Councilor Gerry. Vote: 7 Yeas.

Pat Finnigan, City Manager, noted that she and the School Superintendent will be presenting their FY 2006-2007 proposed Municipal/Education Budgets at a Public Hearing that will be held May 8th at 7:00 p.m. here in the Council Chambers.

### **COMMUNICATIONS AND RECOGNITIONS**

None

### **OPEN SESSION**

Larry Morrissette made comments during the open session. CLOSED

### **OPEN SESSION**

### **OLD BUSINESS**

None

### **NEW BUSINESS**

#### **1. RESOLVE - APPROVAL OF 2006-07 ACTION PLAN OF THE COMMUNITY DEVELOPMENT BLOCK GRANT AND HOUSING INVESTMENT PARTNERSHIP PROGRAMS (PUBLIC HEARING)**

Mayor Guay opened and closed the public hearing with no public comments.

Reine Mynahan, Community Development Block Grant Administrator, answered Councilors questions.

The following residents made comments and asked questions of Ms. Mynahan: Bob Bernier, 17 Lamplighter Circle; Dick Bussiere, 9 Winter Street; Fern Lake, 612 So. Main Street; Brian Demers, 1085 Riverside Drive and Tammy Grieshaber, 100 Stony Ridge.

Councilor Matzen moved for passage of the resolve. Seconded by Councilor Gerry. Vote: 7 Yeas.

**2. RESOLVE – ACCEPTING CERTAIN FORFEITED FUNDS**

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

**3. ORDER – NAMING OF POULIN LANE (PRIVATE ROAD)**

Councilor Matzen moved for passage of the order. Seconded by Councilor Mennealy. Vote: 7 Yeas.

**4. ORDER – NAMING OF MILLBROOK LANE (PRIVATE ROAD)**

Councilor Samson moved for passage of the order. Seconded by Councilor Shields. Vote: 7 Yeas.

**REFER TO PLANNING BOARD**

Councilor Shields moved that Chapter 20, Section 3.2 – Damage to Non-Conforming Buildings be referred to the Planning Board for review and recommendation. Seconded by Councilor Gerry. Vote: 6 Yeas, No Nays with Councilor Matzen abstaining.

**ADJOURNMENT – 8:20 p.m.**

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

A TRUE RECORD

ATTEST: \_\_\_\_\_

City Clerk

**CITY OF AUBURN MAY 15, 2006 CITY COUNCIL MEETING**

**PRESENT**

Mayor Normand W. Guay, Councilors Bethel B. Shields, Robert P. Hayes, Eric G. Samson, Donna L. Rowell, Belinda A. Gerry, and M. Kelly Matzen, City Manager Pat Finnigan, Assistant City Manager Laurie Smith and City Clerk Mary Lou Magno. Councilor Robert Mennealy was absent. There were 42 people in the audience.

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

## **CONSENT AGENDA**

Councilor Samson moved to accept, approve and place on file the following items listed with an asterisk. Seconded by Councilor Hayes. Vote: 6 Yeas, No Nays.

### **\*MINUTES OF MAY 1, 2006**

Approved under consent agenda.

## **REPORTS OF THE MAYOR**

Mayor Guay recently attended a Library Gala Celebration Dinner at the Hilton Garden Inn, with Governor Angus King as the keynote speaker and \$15,000 was raised that evening for the endowment fund; the Mayor recently attended the Auburn Business Association celebration where Ron Lebel was named Auburn's Citizen of the Year.

## **PROCLAMATION – MAINE ARBOR WEEK**

Mayor Guay read a Proclamation proclaiming May 22 – 26 as the celebration of Maine Arbor Week.

## **REPORTS OF CITY COUNCILORS**

Councilor Samson explained a misperception recently discussed regarding a check written to a School Department employee.

Councilor Gerry reminded dog owners who walk their dogs to remember to pick up dog waste.

## **REPORTS OF THE CITY MANAGER**

### **FINANCE REPORT – MONTH OF APRIL**

Councilor Matzen moved to accept and place on file the Finance Report for the month of April as prepared and presented by Chris Trenholm, Finance Director. Seconded by Councilor Shields. Vote: 6 Yeas, No Nays.

## **PRESENTATION OF AUBURN PUBLIC LIBRARY BUDGET**

Rosemary Waltos, Librarian, presented the Library's proposed budget for fiscal year 2006-07.

## **COMMUNICATIONS AND RECOGNITIONS**

### **\*COMMUNICATION FROM THE STATION RE: RENEWAL OF PAWN LICENSE**

Approved under consent agenda.

**\*COMMUNICATION FROM WEBSTER’S TRADING CO. RE: RENEWAL OF PAWN LICENSE**

Approved under consent agenda.

**\*COMMUNICATION FROM THE CHAPMAN HOUSE RE: WAIVE FEE FOR GARAGE SALE PERMIT**

Approved under consent agenda.

**\*COMMUNICATION FROM KIWANIS CLUB RE: USE OF CITY PROPERTY AND WAIVE LICENSE FEE**

Approved under consent agenda.

**OPEN SESSION**

The following people spoke during open session: Larry Pelletier, 129 Second Street; Dick Bussiere, 9 Winter Street; Marie Herrick, 470 Hatch Road; and Andy Titus, 45 Carson Street.

CLOSED OPEN SESSION

**OLD BUSINESS**

None

**NEW BUSINESS**

**1. ORDINANCE – CHAPTER 29, TEXT AMENDMENT, NEIGHBORHOOD BUSINESS DISTRICT, SECTION 3.61 PERMITTED USES**

Councilor Samson moved for acceptance of first reading. Seconded by Councilor Rowell.

The following people made comments regarding the above ordinance: David Galbraith, Director of Planning and Permitting; William Mellish, 56 Carlton Street; Lucille Hamel; Samuel Waterman; Jonathan Labonte, 40 Reginald Street; and Jim McPhee, 72 Hillcrest Street.

Councilor Matzen moved to amend by deleting Section 3.61.B.e. and substituting therefore the following:

e. General commercial uses (retail, service and office uses), not necessarily associated with the surrounding neighborhood, may be authorized by the Planning Director upon written application adhering to the following procedure and criteria:

1). The Planning Director, at the applicant’s expense, shall promptly notify by mail all abutters and other property owners within 500 feet of the proposed site that an application has been

submitted and the nature of the application and of the proposed use. The notified property owners shall have a fourteen

(14) day period from the date of the notice within which to comment in writing to the Planning Director regarding the proposed use.

2). Within twenty-one (21) days from the receipt of the application the Planning Director shall provide a written decision to the applicant and to any property owners who commented.

3). If the applicant or one or more property owners disagrees with the decision of the Planning Director, regarding the proposed use, a written request may be submitted to the Planning Board within thirty (30) days of the date of the Planning Director's decision and the Planning Board shall determine whether to grant the use. Both the applicant and the other property owners shall be notified of the Planning Board meeting by mailed notice not less than fourteen (14) days prior to the meeting. The party making such a request shall be responsible for the cost of the notification.

Seconded by Councilor Gerry.

Vote on the amendment: 6 Yeas, No Nays.

Vote on acceptance of first reading as amended: 6 Yeas, No Nays.

Councilor Rowell moved to waive provisions of the Charter calling for first and second readings on two separate dates. Seconded by Councilor Hayes.

Vote: 5 Yeas, with Councilor Samson voting Nay.

Councilor Rowell moved for acceptance of second reading and final passage. Seconded by Councilor Hayes. Vote: 6 Yeas, No Nays.

**2. ORDINANCE – CHAPTER 29, TEXT AMENDMENT, INDUSTRIAL DISTRICT, SECTION 3.71.B.2. SPECIAL EXCEPTION USES TO ADD “CHILD DAY CARE CENTERS OVER 5,000 SQUARE FEET (BUILDING AREA) (1ST READING)**

Councilor Shields moved for acceptance of first reading. Seconded by Councilor Hayes. David

Galbraith, Director of Planning and Permitting, explained the above ordinance and answered Councilors questions.

Vote: 6 Yeas, No Nays.

**3. ORDINANCE – CHAPTER 29, TEXT AMENDMENT, INDUSTRIAL DISTRICT, SECTION 3.71.B.2. SPECIAL EXCEPTION USES TO ADD “HALLS, PRIVATE CLUBS AND LODGES, BOWLING ALLEYS, ICE AND ROLLER SKATING RINKS, INDOOR**

**THEATERS AND SIMILAR PLACES OF INDOOR AMUSEMENT OR RECREATION (1st READING)**

Councilor Samson moved for acceptance of first reading. Seconded by Councilor Hayes. David

Galbraith, Director of Planning and Permitting, explained the above ordinance and answered Councilors questions.

Councilor Samson moved to table. Seconded by Councilor Gerry. Vote: Councilors Samson, Rowell and Gerry voting Yea; Councilors Shields, Hayes and Matzen voting Nay; Mayor Guay voted Nay to break the tie.

Jonathan Labonte, 40 Reginald Street, made comments regarding the above ordinance. Vote on acceptance of first reading: 6 Nays, 0 Yeas.

**4. ORDINANCE – AMENDMENT TO THE ZONING MAP GENERALLY LOCATED ON THE WEST SIDE OF TRAPP ROAD TO THE IMMEDIATE NORTH AND SOUTH OF ROYAL RIVER ROAD (1st READING)**

Councilor Matzen moved for acceptance of first reading. No second.

**5. ORDINANCE – AMENDMENT TO THE ZONING MAP ON PROPERTY LOCATED ON THE SOUTHEAST CORNER OF MT. AUBURN AVENUE AND TURNER STREET (1ST READING)**

Councilor Samson moved for acceptance of first reading. Seconded by Councilor Rowell. David

Galbraith, Director of Planning and Permitting, explained the above ordinance and answered Councilors questions.

Greg Mitchell of Eaton Peabody Consulting Group, spoke in favor of the above ordinance. Vote: 5 Yeas with Councilor Gerry voting Nay.

**ADJOURNMENT – 10:00 p.m.**

Councilor Samson moved to adjourn. Seconded by Councilor Rowell. Vote: 6 Yeas, No Nays. A

TRUE RECORD

ATTEST: \_\_\_\_\_

City Clerk

## **CITY OF AUBURN JUNE 5, 2006 CITY COUNCIL MEETING**

### **PRESENT**

Mayor Normand W. Guay, Councilors Bethel B. Shields, Robert P. Hayes, Eric G. Samson, Donna L. Rowell, Belinda A. Gerry, Robert C. Mennealy, and M. Kelly Matzen, City Manager Pat Finnigan, Assistant City Manager Laurie Smith and City Clerk Mary Lou Magno. There were approximately 130 people in the audience.

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

### **CONSENT AGENDA**

Councilor Gerry moved to accept, approve and place on file the following items listed with an asterisk. Seconded by Councilor Samson. Vote: 7 Yeas.

#### **\*MINUTES OF MAY 15, 2006**

Approved under consent agenda.

### **REPORTS OF THE MAYOR**

Mayor Guay noted the retirement of June E. Thompson after 50 years of employment with the City of Auburn; he read a Proclamation proclaiming June 2 – 5 June E. Thompson days in the City of Auburn.

Mayor Guay attended the Adult Education Graduation at Edward Little High School.

### **REPORTS OF CITY COUNCILORS**

Councilor Gerry requested that an item be added to the agenda regarding the archiving of clippings. Seconded by Councilor Rowell. Vote: 7 Yeas. Mayor Guay indicated that this will be added as Item #4.

### **REPORTS OF THE CITY MANAGER**

None

### **COMMUNICATIONS AND RECOGNITIONS**

#### **\*COMMUNICATION FROM NEW AUBURN LITTLE LEAGUE RE: WAIVE FEE FOR VICTUALER LICENSES**

Approved under consent agenda.

**\*COMMUNICATION FROM LIBERTY FESTIVAL COMMITTEE RE: MASS GATHERING PERMIT**

Approved under consent agenda.

**OPEN SESSION**

The following people spoke during open session: Larry Morrissette, 13 Gamage Avenue; Dick Bussiere, 9 Winter Street; Deana Chapman, 224 South Main Street; Jim Berube, 45 Rosewood Road; Peter Vondell, 153 Broad Street; Leslie Lord, 1154 Minot Avenue; Andy Titus, 25 Carson Street; and Gary Tetreault, 16 Hazel Street.

**CLOSED OPEN SESSION**

**OLD BUSINESS**

**1. ORDINANCE – CHAPTER 29, TEXT AMENDMENT, INDUSTRIAL DISTRICT SECTION 3.71.B.2. SPECIAL EXCEPTION USES TO ADD “CHILD DAY CARE CENTERS OVER 5,000 SQUARE FEET (BUILDING AREA)” (2ND READING)**

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

**2. ORDINANCE – AMENDMENT TO THE ZONING MAP ON PROPERTY LOCATED ON THE SOUTHEAST CORNER OF MT. AUBURN AVENUE AND TURNER STREET (2ND READING)**

Councilor Samson moved for acceptance of second reading and final passage. Seconded by Councilor Hayes.

Dick Bussiere, 9 Winter Street, made comments regarding the above ordinance. Vote: 5

Yeas with Councilors Gerry and Mennealy voting Nay.

**NEW BUSINESS**

**3. RESOLVE – 2006-2007 ANNUAL APPROPRIATION RESOLVE (1ST READING)**

Councilor Matzen moved for acceptance of first reading. Seconded by Councilor Shields.

The following people made comments regarding the above resolve: Deana Chapman, 224 South Main Street; Brian Demers, 1085 Riverside Drive; Bill Leighton, 1052 Washington Street; Bob Bernier, 17 Lamplighter Circle; Jim Berube, 45 Rosewood Road; Mike Adler, 20 Paul Street; Any Titus, 45 Carson Street; Bruce Bickford, 64 Cameron Lane; Dan Herrick, 470 Hatch Road; Janet Theriault, 520 West Auburn Road; Ron Potvin, 82 Northern Avenue; David Rowell, 95 Monroe Street; Robert Lamontagne, 1796 Minot Avenue; and Lori Hebert, 229 Broad Street.

Councilor Mennealy moved to amend the resolve by reducing the School Department operating funds by \$100,000; reducing Public Works operating funds by \$17,000

(Van); and the bonded amount for the boat be reduced from \$35,000 to \$20,000. Seconded by Councilor Samson.

Vote on the amendment: 5 Yeas with Councilors Rowell and Matzen voting Nay.

Vote on acceptance of first reading of the resolve as amended: 4 Yeas with Councilors Rowell, Gerry and Matzen voting Nay. NOT PASSED

Councilor Samson moved for acceptance of 1st reading of the Annual Appropriation Resolve as originally presented. Seconded by Councilor Matzen. Vote: 4 Yeas with Councilors Rowell, Gerry and Mennealy voting Nay. NOT PASSED

#### **4. ARCHIVE CLIPPINGS NOTEBOOK**

Councilor Gerry moved to direct staff to continue to clip articles (related to the city) from the newspapers, store them in a notebook and archive the notebooks. Seconded by Councilor Rowell.

Councilor Matzen moved to amend by changing the word direct to recommend. Seconded by Councilor Mennealy. Vote on the amendment: 5 Yeas with Councilors Rowell and Gerry voting Nay.

Vote on acceptance of motion as amended: 7 Yeas.

**ADJOURNMENT** – 10:30 p.m.

Councilor Matzen moved to adjourn. Seconded by Councilor Rowell. Vote: 7 Yeas.

A TRUE RECORD

ATTEST: \_\_\_\_\_

City Clerk

#### **CITY OF AUBURN JUNE 19, 2006 CITY COUNCIL MEETING**

PRESENT

Mayor Normand W. Guay, Councilors Bethel B. Shields, Robert P. Hayes, Eric G. Samson, Donna L. Rowell, Belinda A. Gerry, Robert C. Mennealy, and M. Kelly Matzen, City Manager Pat Finnigan, Assistant City Manager Laurie Smith and City Clerk Mary Lou Magno. There were approximately 100 people in the audience.

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

## **CONSENT AGENDA**

Councilor Gerry moved to accept, approve and place on file the following item listed with an asterisk. Seconded by Councilor Mennealy. Vote: 7 Yeas.

### **\*MINUTES OF JUNE 5, 2006**

Approved under consent agenda.

## **REPORTS OF THE MAYOR**

Mayor Guay recently attended the closing of Webster Elementary School. In September students will be attending the new elementary school on Park Avenue.

Mayor Guay recognized Lt. Col. Todd Desgrosseilliers for his courage and heroism while serving in the Marines. He received the Silver Star recently for bravery and heroism in Iraq. The **Mayor proclaimed June 20, 2006 as Lt. Col. Todd Desgrosseilliers Day.**

## **REPORTS OF CITY COUNCILORS**

Councilor Mennealy wished to recognize the Edward Little Track Team and St. Dom's Baseball Team for their recent participation in State Championships.

## **REPORTS OF THE CITY MANAGER FINANCE**

### **REPORT – MONTH OF MAY**

Councilor Samson moved to accept and place on the file the Finance Report for the Month of May as prepared and presented by Chris Trenholm, Finance Director. Seconded by Councilor Mennealy. Vote: 7 Yeas.

## **REVIEW OF CITY-WIDE REVALUATION**

Fred Chmurra of the International Association of Assessing Officers, gave an overview of the report that was recently completed regarding a review of the city-wide revaluation.

## **COMMUNICATIONS AND RECOGNITIONS**

None

## **OPEN SESSION**

The following people spoke during open session: Dan Herrick, 470 Hatch Road; Sheryl Banden, 120 Third Street; Larry Pelletier, 129 Second Street; Jim Berube, 45 Rosewood Road; Andy Titus, 45 Carson Street; and Jonathan Labonte, 40 Reginald Street.

## **CLOSED OPEN SESSION**

**OLD BUSINESS**

**1. RESOLVE – 2006-2007 ANNUAL APPROPRIATION RESOLVE (1ST Reading)**

Councilor Matzen moved for acceptance of first reading. Seconded by Councilor Shields. The

following people made comments regarding the above resolve: Brian Demers, 1085 Riverside Drive; Jane Costlow, 104 Fourth Street; Jonathan Labonte, 40 Reginald Street; Dan Herrick, 470 Hatch Road; Ron Potvin, 82 Northern Avenue; and Jim Berube, 45 Rosewood Road.

Vote: 7 Yeas.

Mayor Guay noted that a Special Meeting will be held on June 26th at 7:00 p.m. to consider second reading and final passage of this resolve.

**NEW BUSINESS**

**2. SET DATES FOR JULY COUNCIL MEETINGS**

Councilor Matzen moved that the meeting in July be held on the 10th and 17th. Seconded by Councilor Mennealy. Vote: 7 Yeas.

**ADJOURNMENT – 9:00 p.m.**

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

A TRUE RECORD

ATTEST: \_\_\_\_\_

City Clerk

**CITY OF AUBURN JUNE 26, 2006 SPECIAL CITY COUNCIL MEETING**

**PRESENT**

Mayor Normand W. Guay, Councilors Bethel B. Shields, Robert P. Hayes, Eric G. Samson, Donna L. Rowell, Belinda G. Gerry, Robert C. Mennealy, and M. Kelly Matzen,

City Manager Pat Finnigan and Assistant City Manager Laurie Smith. City Clerk Mary Lou Magno was absent.

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

**MOMENT OF SILENCE**

Mayor Guay called for a moment of silence for the families of the three Lewiston High School students who recently lost their lives in a plane crash. Councilor Rowell also offered her sympathy to the families.

**RESOLVE – 2006-07 ANNUAL APPROPRIATION RESOLVE (2ND READING)**

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

Councilor Mennealy commended the Fire Department for their quick emergency response to Mr. Braley – it saved his life.

**ADJOURNMENT – 7:11 P.M.**

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

A TRUE RECORD

ATTEST: \_\_\_\_\_

City Clerk

**CITY OF AUBURN JULY 10, 2006 CITY COUNCIL MEETING**

**PRESENT**

Mayor Normand W. Guay, Councilors Bethel B. Shields, Robert P. Hayes, Eric G. Samson, Donna L. Rowell, Belinda A. Gerry, Robert C. Mennealy, and M. Kelly Matzen, City Manager Pat Finnigan, Assistant City Manager Laurie Smith and City Clerk Mary Lou Magno. There were 18 people in the audience.

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

**CONSENT AGENDA**

Councilor Gerry moved to accept, approve and place on file the following items listed with an asterisk. Seconded by Councilor Mennealy. Vote: 7 Yeas.

**\*MINUTES OF JUNE 5, 2006**

Approved under consent agenda.

**REPORTS OF THE MAYOR**

Mayor Guay recently participated in the welcoming of the new minister at Court Street Baptist Church; he also participated in the press conference for the Best Buy announcement and noted that the principals of LongHorn and Ruby Tuesday's also attended and indicated that the Auburn restaurants had exceeded business over original projections.

## **REPORTS OF CITY COUNCILORS**

Councilor Samson noted that he had a request from a constituent for the city to provide services for the visually impaired i.e. elevators and computers.

Councilor Rowell asked questions of the City Manager regarding maintenance at Festival Plaza and recognizing the retirement of Police Chief Richard Small; she also asked questions of Cheryl Dubois, Tax Assessor.

Councilor Mennealy questioned the status of the handicapped accessible doors on the walkway from the Parking Garage to Auburn Hall.

## **REPORTS OF THE CITY MANAGER**

Pat Finnigan, City Manager, thanked staff from Parks and Recreation and Public Works and all the citizen volunteers who made the July Fourth Celebration successful.

## **COMMUNICATIONS AND RECOGNITIONS**

### **\*COMMUNICATION FROM GREAT FALLS BALLOON FESTIVAL COMMITTEE FOR USE OF CITY PROOPERTY, AND WAIVING LICENSE AND TIPPING FEES**

Approved under consent agenda.

## **OPEN SESSION**

The following people spoke during open session: Jonathan Labonte, 40 Reginald Street; Fern Lake, 612 South Main Street; Dan Herrick, 470 Hatch Road; Andy Titus, 45 Carson Street; and Dorothy Austin, 59 Whitney Street.

CLOSED OPEN SESSION

## **OLD BUSINESS**

None

## **NEW BUSINESS**

### **1a. RESOLVE – ACCEPTING CERTAIN FORFEITED FUNDS**

Councilor Shields moved for passage of the resolve. Seconded by Councilor Gerry. Deputy Chief Crowell answered Councilors questions.

Vote: 7 Yeas.

### **1b. RESOLVE – ACCEPTING CERTAIN FORFEITED PROPERTY**

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

**EXECUTIVE SESSION**

Councilor Shields moved to go into Executive Session to discuss Personnel Committee Appointment and Labor Negotiations. Seconded by Councilor Mennealy. Vote: 6 Yeas with Councilor Gerry voting Nay.

**ADJOURNMENT – 8:20 p.m.**

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

A TRUE RECORD

ATTEST: \_\_\_\_\_

City Clerk

**CITY OF AUBURN JULY 17, 2006 CITY COUNCIL MEETING**

**PRESENT**

Mayor Normand W. Guay, Councilors Bethel B. Shields, Robert P. Hayes, Eric G. Samson, Donna L. Rowell, Belinda A. Gerry, Robert C. Mennealy, and M. Kelly Matzen, City Manager Pat Finnigan, Assistant City Manager Laurie Smith and City Clerk Mary Lou Magno. There were 43 people in the audience.

Mayor Guay called the meeting to order at 7:00 p.m. in the Council Chambers of Auburn Hall with a salute to the flag. Mayor Guay called for a moment of silence for two former City Councilors who passed away last week, Everett Trask and Alvin Gilbert.

**CONSENT AGENDA**

Councilor Shields moved to accept, approve and place on file the following item listed with an asterisk. Seconded by Councilor Rowell. Vote: 6 Yeas with Councilor Gerry voting Nay.

**\*MINUTES OF JULY 10, 2006**

Approved under consent agenda.

**REPORTS OF THE MAYOR**

**APPOINTMENT OF FIREARMS DISCHARGE COMMITTEE**

Mayor Guay appointed the following to serve on the Firearms Discharge Committee: Councilor Eric

Samson, Chair, William Locke, Scott Davis, Harvey Gagne, Michael Jordan, Steve Damien, Susan Weiss, Barbara Trafton and William Skelton.

## **REPORTS OF CITY COUNCILORS**

Councilor Rowell reminded Councilors that the City Manager's Performance Evaluation should be completed soon.

## **REPORTS OF THE CITY MANAGER**

Pat Finnigan, City Manager, talked about the events taking place at Festival Plaza – Movies, L-A Arts, and Community Band concerts.

## **COMMUNICATIONS AND RECOGNITIONS**

None

## **OPEN SESSION**

The following people spoke during open session: Brian Franck, 20 Pearl Street; Ed Desgrosseilliers, 121 Hatch Road; Francis Bussiere, 9 Winter Street; Brian Demers, 1085 Riverside Drive; Dan Herrick, 470 Hatch Road; Ron Potvin, 82 Northern Avenue; and Timothy Goss, 175 Valview Drive.

## **CLOSED OPEN SESSION**

## **OLD BUSINESS**

None

## **NEW BUSINESS**

### **1. ORDER – AUTHORIZING A CAPITAL IMPROVEMENT BOND TO FUND STREET IMPROVEMENTS (MALL AREA) (1ST READING) (PUBLIC HEARING)**

Councilor Samson moved for acceptance of first reading. Seconded by Councilor Shields. Mayor Guay

opened the public hearing and the following people commented: Jonathan Labonte, 40 Reginald Street; Larry Pelletier, 129 Second Street; Brian Demers, 1085 Riverside Drive; Dan Herrick, 470 Hatch Road; Bob Thorpe, 10 Barkley Avenue; Tammy Grieshaber, 100 Stony Ridge; Gerard Dennison, 28 Seventh Street; Mr. Dennison also read a letter from Charles Morrison, President of the Androscoggin County Chamber of Commerce; Lou Gosselin, Executive Director of the Lewiston-Auburn Economic Growth Council; Bruce Rioux, 85 Mary Carroll Street; Greg Mitchell, representing E. Peabody Consulting Group; and Timothy Goss, 175 Valview Drive. Mayor Guay read a letter from James Pittman.

Mayor Guay closed the public hearing.

David Galbraith, Director of Planning & Permitting, answered Councilors questions; and Tom Gorhill, Traffic Engineer, also answered their questions.

Vote for acceptance of first reading: 5 Yeas with Councilors Gerry and Mennealy voting Nay.

**2. ORDER – AUTHORIZING ANNUAL CAPITAL IMPROVEMENT PROGRAM BOND**

Councilor Hayes moved for acceptance of first reading. Seconded by Councilor Gerry. Mayor Guay opened and closed the public hearing with no public comment.

Vote for acceptance of first reading: 7 Yeas.

**3. ORDER – DISCONTINUANCE OF COTTAGE ROAD AND A PORTION OF CHURCH STREET**

Councilor Shields moved for passage of the order. Seconded by Councilor Hayes. Gary Johnson, Assistant City Engineer, answered Councilors questions.

Vote: 7 Yeas.

**4. RESOLVE – ACCEPTING CERTAIN FORFEITED FUNDS**

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

**5. APPOINTMENTS TO THE PLANNING BOARD**

Councilor Shields moved to reappoint Richard Whiting and Clifton Griem to the Planning Board until November 2008. Seconded by Councilor Matzen. Vote: 7 Yeas.

**6. SET DATE FOR SPECIAL COUNCIL MEETING**

Councilor Shields moved that a Special City Council Meeting be held on July 31st for the purpose of voting on the Police Command Unit Labor Contract. Seconded by Councilor Matzen. Vote: 7 Yeas

**ADJOURNMENT** –9:15 p.m.

Councilor Samson moved to adjourn. Seconded by Councilor Shields. Vote: 7 Yeas.

A TRUE RECORD

ATTEST: \_\_\_\_\_

City Clerk

**CITY OF AUBURN AUGUST 7, 2006 CITY COUNCIL MEETING**

## PRESENT

Mayor Normand W. Guay, Councilors Bethel B. Shields, Robert P. Hayes, Eric G. Samson, Donna L. Rowell, Belinda A. Gerry, Robert C. Mennealy, and M. Kelly Matzen, City Manager Pat Finnigan, Assistant City Manager Laurie Smith and City Clerk Mary Lou Magno. There were 100+ people in the audience.

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

## CONSENT AGENDA

Councilor Shields moved to accept, approve and place on file the following item listed with an asterisk. Seconded by Councilor Rowell. Vote: 7 Yeas.

### **\*MINUTES OF JULY 17, 2006**

Approved under consent agenda. **REPORTS**

### **OF THE MAYOR RECOGNITION OF**

### **DAVID WEBSTER**

Mayor Guay recognized David Webster, a Para transit driver at Western Maine Transportation. For three consecutive years, Mr. Webster has earned the first-play trophy at the Annual Maine State Bus & Van Roadeo. In June of this year, he participated in Orlando, Florida competition and brought home the National Community Transportation Association's Bus Division Title.

Mayor Guay also noted that the filing deadline for candidates for the Municipal Election is August 24th. To date only three residents have taken out nomination papers for seven School Committee openings.

## **REPORTS OF CITY COUNCILORS**

Councilor Rowell noted that she recently attended a function at the Franco Heritage Center, where a 13 year old male performed on the piano recently donated to the center; she also worked (serving hot dogs) at National Night Out and thanked all the City personnel who helped make it a successful event.

Councilor Mennealy reminded the Mayor and Councilors that the Performance Evaluation of the City Manager should be completed soon.

Councilor Samson noted that the Firearms Discharge Committee had their organizational meeting on August 2nd. The Committee has requested that the Acting Police Chief gather material for their consideration before their next meeting. Councilor Gerry suggested

that the notification for the committees' dates and times of meetings be published on the City website.

## **REPORTS OF THE CITY MANAGER NATIONAL**

### **NIGHT OUT**

Acting Police Chief Crowell noted the success of National Night Out which took place on August 1st; over 300 people attended and the Police Department announced their goal for the next year – Neighborhood Watch Groups.

### **UNIFORM CRIME REPORT**

Acting Chief Crowell presented the Uniform Crime Report published annually by the Federal Bureau of Investigation. In 2005 Auburn's clearance rate of crimes was 47%.

## **COMMUNICATIONS AND RECOGNITIONS**

### **COMMUNICATION FROM ROBERT PONTBRIAND RE: RESIGNATION FROM SEWER DISTRICT**

Approved under consent agenda

### **COMMUNICATION FROM ACTING POLICE CHIEF CROWELL RE: CONSTABLE**

Approved under consent agenda

### **TAKE AGENDA ITEM #3 OUT OF ORDER**

Councilor Samson moved that item #3 be taken out of order. Seconded by Councilor Shields. Vote: 7 Yeas.

### **3. RESOLVE – AUTHORIZING CITY MANAGER TO EXECUTE CONTRACT WITH POLICE COMMAND UNIT**

Councilor Matzen moved for passage of the resolve. Seconded by Councilor Samson.

Laurie Smith, Assistant City Manager, gave an overview of the negotiations and the contract. Vote: 7 Yeas.

### **OPEN SESSION**

The following people spoke during open session: Stanley Hines, 13 Hutchins Street; and Roma Girardin, 667 Court Street.

### **CLOSED OPEN SESSION**

## **OLD BUSINESS**

### **1. ORDER – AUTHORIZING A CAPITAL IMPROVEMENT BOND TO FUND STREET IMPROVEMENTS (MALL AREA) (2ND READING) (PUBLIC HEARING)**

Councilor Matzen moved for acceptance of second reading and final passage. Seconded by Councilor Rowell.

The following made comments regarding the above order: Brian Demers, 1085 Riverside Drive; Diane McManus, 19 Coachman Avenue; Diane Moreau, 515 Pond Road, Lewiston/Auburn business owner; Bruce Bickford, 64 Cameron Lane; Dan Thayer, 165 West Shore Road and President of Auburn Business Development Corporation; Liz Oken, 28 Gillander Avenue; Cathy Leonard, 142 Fletcher Road; Dick Doucette, 12 Parkway; Dick Bussiere, 9 Winter Street; Cliff Greim, 48 Longbow Court; and Jonathan Labonte, 40 Reginald Street.

Vote for acceptance of second reading and final passage: 5 Yeas with Councilors Gerry and Mennealy voting Nay.

### **2. ORDER – AUTHORIZING ANNUAL CAPITAL IMPROVEMENT PROGRAM BOND**

Councilor Hayes moved for acceptance of second reading and final passage. Seconded by Councilor Shields.

Mayor Guay opened and closed the public hearing with no public comment.

Vote for acceptance of second reading and final passage: 6 Yeas, with Councilor Gerry voting Nay.

## **NEW BUSINESS**

### **4. PUBLIC HEARING AND ACTION ON LIQUOR LICENSE APPLICATION FOR MIDNIGHT BLUES CLUB & RESTAURANT, 34 COURT STREET**

Mayor Guay opened the public hearing and the following made comments: Paul Morency, owner Midnight Blues Club; Acting Police Chief Crowell; John Reid, 34 Sherry Lane and owner of Black Watch Restaurant; Brian Demers, 1085 Riverside Drive; Gary Dow, Lewiston; Brenda Tarmey, Lisbon; Bob Bernier, 17 Lamplighter Circle; Tammie Grieshaber, 100 Stony Ridge; Dale Blake, 377 South Witham Road; Troy Bernard, 2784 Turner Road; Ralph Stetson, 295 Minot Avenue; Norm Rousseau, Lewiston; Sheryl Bandin, 120 Third Street; Scott Morency, 96 Madison Street; Brenda Lowe, Lewiston; Dusty Bain, Bailey Island; April Turmenne, 14 High

Street; Craig Morency, 96 Madison Street; James Martin, Lewiston; Andrew, Leviathan Rugby Club; and Joe Dunn, Lewiston.

Mayor Guay closed the public hearing

Councilor Matzen moved to extend the Special Amusement Permit until August 21st provided that The Cellar Door closes immediately. Seconded by Councilor Gerry. Vote: 7 Yeas.

Councilor Matzen moved that the Liquor License application be tabled until August 21st. Seconded by Councilor Samson. Vote: 7 Yeas.

**5. PUBLIC HEARING AND ACTION ON SPECIAL AMUSEMENT PERMIT APPLICATIONS FOR GREAT FALLS GRILL; CLUB TEXAS; GRITTY MCDUFF'S AND HILTON GARDEN INN**

Councilor Shields moved that the Special Amusement Permit applications be approved. Seconded by Councilor Samson.

Mayor Guay opened the public hearing.

Justin Oliver, Manager Great Falls Grill spoke in favor of the above permit. Mayor Guay closed the public hearing.

Vote: 7 Yeas.

**6. RESOLVE – AUTHORIZING CITY MANAGER TO ACCEPT STATE URBAN/RURAL INITIATIVE FUNDS FOR ROAD IMPROVEMENTS**

Councilor Gerry moved for passage of the resolve. Seconded by Councilor Mennealy. Vote: 7 Yeas.

**ADJOURNMENT – 10:30 p.m.**

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

A TRUE RECORD

ATTEST: \_\_\_\_\_

City Clerk

**CITY OF AUBURN AUGUST 21, 2006 CITY COUNCIL MEETING**

PRESENT

Mayor Normand W. Guay, Councilors Bethel B. Shields, Robert P. Hayes, Eric G. Samson, Donna L. Rowell, Belinda A. Gerry, Robert C. Mennealy, and M. Kelly Matzen, City Manager Pat Finnigan, Assistant City Manager Laurie Smith and City Clerk Mary Lou Magno. There were 41 people in the audience.

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

## **CONSENT AGENDA**

Councilor Gerry moved to accept, approve and place on file the following items listed with an asterisk. Seconded by Councilor Samson. Vote: 7 Yeas.

### **\*MINUTES OF AUGUST 7, 2006**

Approved under consent agenda.

## **REPORTS OF THE MAYOR**

Mayor Guay thanked the many volunteers that made this weekends' Balloon Festival such a success; he also thanked the city departments that contributed to this success.

## **HEARTSAFE COMMUNITY**

Mayor Guay noted that the Auburn Fire Rescue Department had recently been designated as a Maine HeartSafe Community. Fire Chief Wayne Werts noted that Auburn Fire Rescue had been recognized for its excellent work to improve cardiovascular health and awareness in the City of Auburn.

## **FIREFIGHTER OF THE YEAR**

Mayor Guay awarded Gary Simard, Fire Prevention Officer, the "Firefighter of the Year" Award as sponsored by Liberty Mutual. FPO Simard was nominated by his peers to receive this award.

## **REPORTS OF CITY COUNCILORS REPORTS**

## **OF THE CITY MANAGER COMMUNICATIONS**

## **AND RECOGNITIONS**

### **\*COMMUNICATION FROM NEW ENGLAND SCHOOL OF METALWORK RE:**

### **WAIVE FEE FOR VICTUALERS LICENSE**

Approved under consent agenda.

### **\*COMMUNICATION FROM INTERIM POLICE CHIEF CROWELL RE: CONSTABLE**

Approved under consent agenda. TAKE

## **ITEM OUT OF ORDER**

Councilor Samson moved to take item #1 out of order. Seconded by Councilor Hayes. Vote: 6 Yeas, with Councilor Mennealy abstaining.

**1. PUBLIC HEARING AND ACTION ON LIQUOR LICENSE APPLICATION AND SPECIAL AMUSEMENT PERMIT APPLICATION FOR MIDNIGHT BLUES CLUB AND RESTAURANT (Tabled 8/7/06)**

Councilor Shields moved to remove the Liquor License Application from the table. Seconded by Councilor Rowell. Vote: 7 Yeas.

Mayor Guay opened the public hearing and the following people made comments: Tammie Grieshaber, 100 Stony Ridge; Paul Morency, 96 Madison Street; John Reid, 34 Sherry Lane; and Captain Mulherin and Lt. Moen from the Police Department.

Mayor Guay closed the public hearing.

Councilor Matzen moved to approve the Liquor License Application. Seconded by Councilor Samson. Vote: 7 Yeas.

Councilor Matzen moved to approve the Special Amusement Permit until August 8, 2007, subject to the terms of the agreement reached by Mr. Morency and the Interim Police Chief Crowell. Seconded by Councilor Samson.

Councilor Hayes moved to amend the agreement by adding at the end of paragraph #2 (outdoor café) "\$250 usage fee be charged per month". Seconded by Councilor Mennealy. Vote: 5 Nays with Councilors Hayes and Mennealy voting Yea.

Councilor Shields moved to amend the agreement by excluding paragraph #2 (outdoor café) and request that staff draft a policy and fee structure for use of city property as it relates to outdoor cafes/uses. Seconded by Councilor Rowell. Vote: 5 Yeas with Councilors Mennealy and Matzen voting Nay.

Vote on approval of the Special Amusement Permit as amended: 6 Yeas with Councilor Matzen voting Nay.

**OPEN SESSION**

The following people spoke during open session: Bruce Bickford, 64 Cameron Lane and Brian Demers, 1085 Riverside Drive, presented a written request for information (a copy of the request is on file with the City Council Meeting documents); Pat Holt-Billey, 33

Moose Brook Road, presented a written request (a copy of the request is on file with the City Council Meeting documents); Leo Camire, 9 Eastman Lane; Dan Herrick, 470 Hatch Road; Jonathan Labonte, 40 Reginald Street; and Councilor Gerry.

CLOSED OPEN SESSION

**NEW BUSINESS**

**2. ORDER – 2006-2007 TAX COMMITMENT**

Councilor Shields moved for passage of the order. Seconded by Councilor Mennealy. Vote: 6 Yeas with Councilor Gerry voting Nay.

**3. RESOLVE – AMENDMENT TO THE BOUNDARY OF THE PINE TREE ZONE**

Councilor Mennealy moved for passage of the resolve. Seconded by Councilor Gerry. Roland Miller, Director of Economic Development, answered Councilors questions, Vote: 7 Yeas.

**4. SET DATES FOR MEETINGS IN SEPTEMBER**

Councilor Gerry moved that the meetings in September be held on the 18th and 25th. Seconded by Councilor Rowell. Vote: 7 Yeas

**ADJOURNMENT – 9:25 p.m.**

Councilor Samson moved to adjourn. Seconded by Councilor Gerry. Vote: 7 Yeas.

A TRUE RECORD

ATTEST: \_\_\_\_\_

City Clerk

**CITY OF AUBURN SEPTEMBER 18, 2006 CITY COUNCIL MEETING**

**PRESENT**

Councilors Bethel B. Shields, Robert P. Hayes, Eric G. Samson, Belinda A. Gerry, Robert C. Mennealy, and M. Kelly Matzen, City Manager Pat Finnigan, Assistant City Manager Laurie Smith, Finance Director Chris Trenholm and City Clerk Mary Lou Magno. Mayor Normand W. Guay and Councilor Donna L. Rowell were both absent. There were 41 people in the audience.

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

**APPOINTMENT OF PRESIDING OFFICER**

Councilor Gerry moved to appoint Councilor M. Kelly Matzen to serve as Mayor Pro Tem for this meeting in the absence of Mayor Guay. Seconded by Councilor Hayes. Vote: 5 Yeas, No Nays.

## **ADD TO CONSENT AGENDA**

Councilor Hayes moved to add two items to the consent agenda, the first is a request from Councilor Rowell to be excused from this Council Meeting and the second is from Councilor Shields to be excused from the September 25th Council Meeting. Seconded by Councilor Gerry. Vote: 5 Yeas, No Nays.

## **CONSENT AGENDA**

Councilor Mennealy moved to accept, approve and place on file the following items listed with an asterisk. Seconded by Councilor Shields. Vote: 5 Yeas, No Nays.

### **\*MINUTES OF AUGUST 21, 2006**

Approved under consent agenda.

## **REPORTS OF THE MAYOR**

Mayor Pro Tem Matzen noted the beautiful flowers throughout the City and especially those on Turner Street which is an adopt-a-spot sponsored by Dunkin Donuts.

## **REPORTS OF CITY COUNCILORS**

### **ADMINISTRATION OF OATH OF OFFICE**

City Clerk Mary Lou Magno administered the Oath of Office to Patrol Officers Andrew Feeney and Scott Corey.

## **REPORTS OF THE CITY MANAGER**

Pat Finnigan, City Manager, thanked all staff who participated in the September 11 Remembrance, especially Tracey Steuber, Auburn's Community Relations Manager and

Dot Perham-Whittier from the City of Lewiston; Interim Chief Crowell spoke about the successful "graffiti clean-up" that took place on Saturday, September 9th; Pat Finnigan also noted that today the grant application was filed for the delivery of local and regional services.

## **COMMUNICATIONS AND RECOGNITIONS**

### **COMMUNICATION FROM INTERIM CHIEF CROWELL RE: CONSTABLE**

Approved under consent agenda

### **COMMUNICATION FROM DANVILLE JCT. GRANGE AND DANVILLE UNION CHURCH RE: WAIVE FEE FOR VICTUALERS LICENSE**

Approved under consent agenda

**COMMUNICATION FROM UNITED METHODIST CHURCH RE: WAIVE FEE FOR DAY CARE LICENSE**

Approved under consent agenda

**COMMUNICATION FROM MAYOR GUAY RE: REQUEST TO BE EXCUSED FROM COUNCIL MEETINGS**

Approved under consent agenda

**REQUEST FROM COUNCILOR ROWELL TO BE EXCUSED FROM THIS MEETING**

Approved under consent agenda

**REQUEST FROM COUNCILOR SHIELDS TO BE EXCUSED FROM THE SEPTEMBER 25TH MEETING**

Approved under consent agenda

**OPEN SESSION**

The following people spoke during open session: Brian Demers, 1085 Riverside Drive; Dan Herrick, 470 Hatch Road; Andy Titus, 45 Carson Street; Jonathan Labonte, 40 Reginald Street; Ellen Peters, 15 Shepley Street; and Leo Camire, 9 Eastman Lane.

**CLOSED OPEN SESSION OLD**

**BUSINESS**

None

**NEW BUSINESS**

**1. APPOINTMENT TO THE SEWER DISTRICT UNTIL MARCH 2007**

Councilor Shields moved to appoint Robert Cavanagh to the Sewer District until March 2007. Seconded by Councilor Samson. Vote: 5 Yeas, No Nays.

**2. SET DATES FOR OCTOBER COUNCIL MEETINGS**

Councilor Gerry moved that the meetings in October be held on October 4th and 16th. Seconded by Councilor Mennealy.

Councilor Hayes moved to amend by holding the meetings on October 11th and 23rd. Seconded by Councilor Mennealy.

Vote on the amendment: 5 Yeas, No Nays.

Vote on passage as amended: 5 Yeas, No Nays.

**REQUEST OF COUNCILOR GERRY**

Councilor Gerry requested that a workshop be held in order for the City Manager to answer those questions brought forward by Brian Demers and Dan Herrick.

**APPOINTMENT OF PRESIDING OFFICER**

Councilor Samson moved that Councilor Matzen act as Mayor Pro Tem for the September 25th Council Meeting. Seconded by Councilor Hayes. Vote: 4 Yeas with Councilor Shields abstaining.

**ADJOURNMENT – 8:05 p.m.**

Councilor Hayes moved to adjourn. Seconded by Councilor Mennealy. Vote: 5 Yeas, No Nays A

TRUE RECORD

ATTEST: \_\_\_\_\_

City Clerk

**CITY OF AUBURN SEPTEMBER 25, 2006 CITY COUNCIL MEETING**

**PRESENT**

Mayor Normand W. Guay, Councilors Robert P. Hayes, Eric G. Samson, Donna L. Rowell, Belinda A. Gerry, Robert C. Mennealy, and M. Kelly Matzen, City Manager Pat Finnigan, Assistant City Manager Laurie Smith, Finance Director Chris Trenholm and City Clerk Mary Lou Magno. Councilor Bethel B. Shields was absent. There were 29 people in the audience.

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

**CONSENT AGENDA**

Councilor Samson moved to accept, approve and place on file the following items listed with an asterisk. Seconded by Councilor Mennealy. Vote: 5 Yeas with Councilor Gerry voting Nay.

**\*MINUTES OF SEPTEMBER 18, 2006**

Approved under consent agenda.

**REPORTS OF THE MAYOR**

Mayor Guay thanked Councilor Matzen for representing him at the Grand Opening of the Library; and thanked Councilor Samson for representing him at the September 11 Remembrance.

## **REPORTS OF CITY COUNCILORS REPORTS**

### **OF THE CITY MANAGER**

#### **RECOGNITION OF BARBARA SHIELDS, CDBG LOAN MEMBER**

Mayor Guay presented Barbara Shields with a plaque recognizing her many years of service and dedication to the Community Development Loan Committee. Reine Mynahan, CDBG Administrator gave an overview of her participation on the Committee.

#### **BOND RATING**

Pat Finnigan, City Manager, introduced Joe Cuetara, from Moors & Cabot Investment and Advisory Group who gave a presentation regarding the City's bond rating and how that rating is established.

#### **FINANCE REPORT – MONTH OF JULY AND AUGUST**

Councilor Matzen moved to accept and place on file the Finance Reports for the months of July and August as prepared and presented by Chris Trenholm, Finance Director. Seconded by Councilor Mennealy. Vote: 5 Yeas, No Nays (Councilor Samson was out of the room)

#### **COMMUNICATIONS AND RECOGNITIONS**

##### **COMMUNICATION FROM BARBARA SHIELDS RE: RESIGNATION FROM COMMUNITY**

##### **DEVELOPMENT LOAN COMMITTEE**

Approved under consent agenda

##### **COMMUNICATION FROM HARVEST HILLS DAY CARE RE: WAIVE FEE FOR DAY CARE LICENSE**

Approved under consent agenda

##### **COMMUNICATION FROM COUNCILOR SAMSON RE: REFER ITEM TO PLANNING BOARD**

Approved under consent agenda

##### **COMMUNICATION FROM E.L.H.S. GRANDSTAND CLUB RE: WAIVE FEE FOR VICTUALERS LICENSE**

Approved under consent agenda

#### **OPEN SESSION**

The following person spoke during open session: Tammie Grieshaber, 100 Stony Ridge. CLOSED

OPEN SESSION

**OLD BUSINESS**

None

**NEW BUSINESS**

**1. RESOLVE – AMENDMENT TO TAX INCREMENT FINANCE DISTRICT #9 (Public Hearing and action thereon)**

Councilor Matzen moved for passage of the resolve. Seconded by Councilor Samson. Roland Miller,

Director of Economic Development, answered Councilors questions.

Mayor Guay opened the public hearing and the following people made comments: Ron Potvin, 82 Northern Avenue; Jim Wellehan, 60 Woodlawn Avenue; and Brian Demers, 1085 Riverside Drive. Mayor Guay closed the public hearing.

Vote: 5 Yeas with Councilor Mennealy voting Nay.

**2. RESOLVE – AUTHORIZING CITY MANAGER TO EXECUTE AN EASEMENT ON NORTH MILLER STREET TO SHARON, LEARY & DETROY**

Councilor Samson moved for passage of the resolve. Seconded by Councilor Rowell. Ben

DeTroy, spoke in favor of the above resolve.

Vote: 5 Yeas, No Nays (Councilor Mennealy out of the room)

**3. RESOLVE – ADOPTION OF FAIR HOUSING AND AFFIRMATIVE MARKETING POLICY**

Councilor Samson moved for passage of the resolve. Seconded by Councilor Rowell. Vote: 5 Yeas, No Nays (Councilor Mennealy out of the room)

**ADD TO AGENDA**

Councilor Matzen moved to add an item to the agenda – Set date for first meeting in October. Seconded by Councilor Samson. Vote: 6 Yeas, No Nays.

**SET DATE FOR FIRST MEETING IN OCTOBER**

Councilor Samson moved that the first meeting next month be held on October 16th. Seconded by Councilor Mennealy. Vote: 6 Yeas, No Nays.

**ADJOURNMENT** – 9:10 p.m.

Councilor Matzen moved to adjourn. Seconded by Councilor Mennealy. Vote: 6 Yeas, No Nays A

TRUE RECORD

ATTEST: \_\_\_\_\_

City Clerk

**CITY OF AUBURN OCTOBER 16, 2006 CITY COUNCIL MEETING**

**PRESENT**

Mayor Normand W. Guay, Councilors Bethel B. Shields, Robert P. Hayes, Eric G. Samson, Donna L. Rowell, Belinda A. Gerry, Robert C. Mennealy, and M. Kelly Matzen, City Manager Pat Finnigan, Assistant City Manager Laurie Smith, Finance Director Chris Trenholm and City Clerk Mary Lou Magno. There were 28 people in the audience.

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

**CONSENT AGENDA**

Councilor Shields moved to accept, approve and place on file the following items listed with an asterisk. Seconded by Councilor Mennealy. Vote: 7 Yeas.

**\*MINUTES OF SEPTEMBER 25, 2006**

Approved under consent agenda.

**REPORTS OF THE MAYOR**

Mayor Guay noted that just prior to the Council Meeting, the City Council had attended a dedication at the Library honoring Barbara Trafton, Fundraiser Chairman; a garden at the Library was dedicated in her honor.

**REPORTS OF CITY COUNCILORS**

Councilor Mennealy expressed his sincere appreciation for the work and dedication that Councilors Shields and Matzen have given during their tenures on the City Council.

Councilor Hayes noted that the Park Avenue Corridor Study will meet on October 26th at the new elementary school on Park Avenue.

Councilor Gerry requested a workshop discussion regarding the location of the Bus Station.

**REPORTS OF THE CITY MANAGER**

Pat Finnigan, City Manager, had the following updates and notices of meetings: Joint meeting of the Auburn and Lewiston School Committee regarding TABOR; Androscoggin County Budget Committee will meet on Wednesday, October 18th in the Community Room at Auburn Hall to begin work on the budget; Auburn Sewer District recently recognized for Combined Sewer Overflow Project; Auburn Public Library, Saturday, October 28th, Story of Taxes; Growth Smart Maine recently released their report and it is on the City's website; and Auburn will be going to the Bond Market this week.

## **COMMUNICATIONS AND RECOGNITIONS**

### **PRESENTATION BY TAYLOR POND ASSOCIATION RE: TAYLOR POND WATERSHED SURVEY**

Wendy Garland, Maine Department of Environmental Protection, Susan Trask, Taylor Pond Association Secretary, and Susan Gammon, Androscoggin Valley Soil and Water Conservation District all participated in presenting the Taylor Pond Watershed Survey Report.

### **\*COMMUNICATION FROM HELENE OUELLETTE RE: TEMPORARY SIGNS FOR JACK-O-LANTERN PARADE**

Approved under consent agenda.

## **OPEN SESSION**

The following persons spoke during open session: Francois Bussiere, 9 Winter Street; Dan Herrick, 470 Hatch Road; Ron Potvin, 82 Northern Avenue and Jonathan Labonte, 40 Reginald Street.

## **CLOSED OPEN SESSION**

## **OLD BUSINESS**

None

## **NEW BUSINESS**

### **1. RESOLVE - APPROVAL OF AGREEMENT WITH AUBURN HOUSING DEVELOPMENT CORPORATION AND CONSENT TO ASSIGNMENT OF THE AGREEMENT AS COLLATERAL FOR A LOAN TO BANGOR SAVINGS BANK**

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

### **2. RESOLVE – AMENDMENT TO REHABILITATION, GOOD NEIGHBOR AND LEASE/BUY PROGRAM**

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

**3. RESOLVE – AUTHORIZE CITY MANAGER TO EXECUTE THE COLLECTIVE BARGAINING AGREEMENT WITH THE PUBLIC WORKS EMPLOYEES (TEAMSTERS UNION LOCAL #340)**

Councilor Shields moved for passage of the resolve. Seconded by Councilor Rowell. Laurie

Smith, Assistant City Manager, highlighted the contract and answered Councilors questions. Vote: 7 Yeas.

**4. SIGN WARRANTS FOR NOVEMBER 7TH MUNICIPAL ELECTION**

Councilors signed the warrants for the November 7th election. SET

DATE FOR SECOND MEETING IN OCTOBER

Councilor Samson moved that the second meeting in October be held on October 30th, and that a workshop be held on October 23rd. Seconded by Councilor Shields. Vote: 7 Yeas.

**ADJOURNMENT** – 8:25 p.m.

Councilor Shields moved to adjourn. Seconded by Councilor Gerry. Vote: 7 Yeas.

A TRUE RECORD

ATTEST: \_\_\_\_\_

City Clerk

**CITY OF AUBURN OCTOBER 30, 2006 CITY COUNCIL MEETING**

PRESENT

Mayor Normand W. Guay, Councilors Bethel B. Shields, Robert P. Hayes, Eric G. Samson, Donna L. Rowell, Belinda A. Gerry, Robert C. Mennealy, and M. Kelly Matzen, City Manager Pat Finnigan, Assistant City Manager Laurie Smith, Finance Director Chris Trenholm and City Clerk Mary Lou Magno. There were 38 people in the audience.

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

**CONSENT AGENDA**

Councilor Shields moved to accept, approve and place on file the following items listed with an asterisk. Seconded by Councilor Mennealy. Vote: 7 Yeas.

**\*MINUTES OF OCTOBER 16, 2006**

Approved under consent agenda.

**REPORTS OF THE MAYOR**

Mayor Guay read a citation recognizing Marianne Lachance Berube who will celebrate her 100th birthday on November 3, 2006. Her nephew, Perley Lachance, accepted flowers and the citation on her behalf. Mrs. Berube has been a resident of Lake Auburn Avenue for 71 years.

Mayor Guay thanked Councilor Matzen for representing him at the Employee Recognition Evening.

**REPORTS OF CITY COUNCILORS**

Councilor Hayes reported on the Park Avenue Corridor Study Meeting that took place on October 26th.

Councilors Mennealy, Rowell, and Matzen all noted the success of the Employee Recognition Evening.

**REPORTS OF THE CITY MANAGER**

**FINANCE REPORT – MONTH OF SEPTEMBER**

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

**GENERAL ASSISTANCE QUARTERLY REPORT**

Councilor Gerry moved to accept and place on file the General Assistance Quarterly Report as prepared and presented by Dot Meagher, Director of Health and Social Services. Seconded by Councilor Mennealy. Vote: 7 Yeas.

Pat Finnigan, City Manager, noted the ground breaking that took place last week at 600 Turner Street; this will be a site for multiple businesses. She also noted the successful Employee Recognition Evening that took place last week, and thanked Councilors for attending.

Councilor Gerry questioned the City Manager about an ad in the Portland newspaper advertising for a Director of Community Services. Manager Finnigan explained.

**COMMUNICATIONS AND RECOGNITIONS**

**\*COMMUNICATION FROM AUBURN SKI ASSOCIATION RE: SIGN ON CITY PROPERTY FOR ANNUAL SKI SALE**

Approved under consent agenda.

**COMMUNICATION FROM TWIN CITY TAXI COMPANIES RE: ZONE RATE INCREASES**

Councilor Gerry moved to accept the communication, place it on file and that this item be referred to the Transit Committee. Seconded by Councilor Mennealy. Vote: 7 Yeas.

**OPEN SESSION**

Dan Herrick, 470 Hatch Road; CLOSED

**OPEN SESSION**

**ORDINANCES, ORDERS & RESOLVES**

**1. RESOLVE – AUTHORIZING THE CITY MANAGER TO EXECUTE THE COLLECTIVE BARGAINING AGREEMENT WITH THE AUBURN FIREFIGHTERS LOCAL 797**

Councilor Samson moved for passage of the resolve. Seconded by Councilor Mennealy.

Pat Finnigan, City Manager, and Wayne Werts, Fire Chief, both made comments regarding the above resolve.

Vote: 7 Yeas.

**ITEM OUT OF ORDER**

Councilor Samson moved that item #4 be taken out of order. Seconded by Councilor Shields. Vote: 7 Yeas.

**4. RESOLVE – INDUCEMENT RESOLUTION OF THE CITY OF AUBURN, MAINE DECLARING ITS OFFICIAL INTENT WITH RESPECT TO WORLD HARBORS PROJECT**

Councilor Matzen moved for passage of the resolve. Seconded by Councilor Gerry.

Roland Miller, Director of Community Development, explained the above resolve and answered Councilors questions.

Vote: 7 Yeas.

**2. RESOLVE – AUTHORIZE CITY MANAGER TO EXECUTE DOCUMENTS – TAX INCREMENT FINANCE DISTRICT #14 – AUBURN MALL REVITALIZATION IN MALL AREA AND SUBMIT TO THE STATE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT (PUBLIC HEARING AND ACTION THEREON)**

Councilor Samson moved for passage of the resolve. Seconded by Councilor Mennealy. Mayor Guay

opened the public hearing and the following people spoke: Bruce Bickford, 64 Cameron Lane; Brian Demers, 1085 Riverside Drive; Jim Wellehan, 60 Woodlawn Avenue; Lucien Gosselin, President, Lewiston Auburn Economic Growth Council; Kevin Fletcher, 240 Fairway Drive; Ron Potvin, 82 Northern Avenue; Anthony Corrao, 280 Rodman Road; Francois Bussiere, 9 Winter Street; Dan Herrick, 470 Hatch Road; and Andy Titus, 45 Carson Street.

Mayor Guay closed the public hearing.

Roland Miller, Director of Economic Development explained the above project and answered Councilors questions.

Vote: 4 Yeas, with Councilor Rowell, Gerry and Mennealy voting Nay.

**3. RESOLVE – AUTHORIZING THE CITY MANAGER TO EXECUTE THE BYLAWS OF THE LEWISTON AND AUBURN RAILROAD COMPANY**

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

**5. ORDINANCE – AMENDMENT TO CHAPTER 31 – ADOPTION OF THE UPDATED GENERAL ASSISTANCE MAXIMUMS (1ST READING)**

Councilor Gerry moved for acceptance of first reading. Seconded by Councilor Samson. Vote: 7 Yeas.

**6. ORDER – NAMING OF A PRIVATE ROAD – ORAS LANE**

Councilor Mennealy moved for passage of the order. Seconded by Councilor Gerry. Vote: 7 Yeas.

**7. RESOLVE – ACCEPTING FORFEITED FUNDS/PROPERTY**

Councilor Samson moved for passage of the resolve. Seconded by Councilor Mennealy. Phil

Crowell, Interim Police Chief, answered Councilors questions.

Vote: 7 Yeas.

**8. PUBLIC HEARING AND ACTION ON AUTOMOBILE GRAVEYARD/ JUNKYARD APPLICATIONS FOR: M&P AUTO, INC.; BUCK'S AUTO; MORRIS AUTO PARTS, INC.; ISADORE T. MILLER CO.; MAINE METAL RECYCLING, INC.; AND RANDY'S AUTO PARTS, INC.**

Mayor Guay opened and closed the public hearing with no public comments.

Councilor Gerry moved that the above named businesses be issued licenses. Seconded by Councilor Rowell. Vote: 7 Yeas.

**9. PUBLIC HEARING AND ACTION ON SPECIAL AMUSEMENT PERMIT APPLICATIONS FOR: LOST VALLEY, INC. AND MARTINDALE COUNTRY CLUB**

Mayor Guay opened and closed the public hearing with no public comments.

Councilor Gerry moved that the above named businesses be issued permits. Seconded by Councilor Samson. Vote: 7 Yeas.

**ADJOURNMENT – 10:10 p.m.**

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

A TRUE RECORD

ATTEST: \_\_\_\_\_

City Clerk

**CITY OF AUBURN NOVEMBER 6, 2006 CITY COUNCIL MEETING**

**PRESENT**

Mayor Normand W. Guay, Councilors Bethel B. Shields, Robert P. Hayes, Eric G. Samson, Donna L. Rowell, Belinda A. Gerry, Robert C. Mennealy, and M. Kelly Matzen, City Manager Pat Finnigan, Assistant City Manager Laurie Smith, and City Clerk Mary Lou Magno. There were approximately 125 people in the audience.

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

Mayor Guay called for a moment of silence for Deputy Sheriff David Rancourt. NATIONAL

**ANTHEM PROJECT**

Mayor Guay introduced Michael Davis, Brian Gagnon, Jim Raymond and Joann Hammond, all music teachers in the Auburn School Department; they introduced a number of students who sang the National Anthem and recited many statistics regarding the song.

**CONSENT AGENDA**

Councilor Mennealy moved to accept, approve and place on file the following items listed with an asterisk. Seconded by Councilor Shields. Vote: 7 Yeas.

**\*MINUTES OF OCTOBER 30, 2006**

Approved under consent agenda.

**ADD TO AGENDA**

Councilor Matzen moved to add item #3 of the agenda Consideration of Appeal by Eric Pelletier Re: Tattoo License Denial. Seconded by Councilor Gerry. Vote: 7 Yeas.

**REPORTS OF THE MAYOR**

Mayor Guay noted the passing of Deputy Sheriff David Rancourt and said that donations may be made to the David Rancourt Family Fund c/o Community Credit Union.

**REPORTS OF CITY COUNCILORS**

Councilor Mennealy expressed his gratitude to Councilors Shields, Matzen and Mayor Guay for their service to the City serving on the City Council.

**REPORTS OF THE CITY MANAGER**

Interim Police Chief Phil Crowell reported on the tragic death of Deputy Sheriff David Rancourt and explained how the Auburn Police Department is assisting the Sheriff's Department during this difficult time; he talked about "Operation Falcon"; updated the Council on the BJ's incident; and briefed the Council on the Neighborhood Crime Watch Groups.

**COMMUNICATIONS AND RECOGNITIONS**

**\*COMMUNICATION FROM AUBURN MIDDLE SCHOOL PTO RE: SIGNS**

Approved under consent agenda.

**OPEN SESSION**

The following person spoke during open session: Jim Wellehan, 60 Woodlawn Avenue. CLOSED OPEN SESSION

**OLD BUSINESS**

**1. ORDINANCE – AMENDMENT TO CHAPTER 31 – ADOPTION OF THE UPDATED GENERAL ASSISTANCE MAXIMUMS (2ND READING)**

Councilor Rowell moved for acceptance of 2nd reading and final passage. Seconded by Councilor Shields. Vote: 7 Yeas

## **NEW BUSINESS**

### **2. RESOLVE – ADOPTION OF LEASE WITH AUBURN PUBLIC LIBRARY AND MEMORANDUM OF UNDERSTANDING**

Councilor Shields moved for passage of the resolve. Seconded by Councilor Mennealy.

Richard Trafton, President of the Library Board of Trustees, spoke in favor of the above resolve. Vote: 7 Yeas.

### **3. APPEAL BY ERIC PELLETIER RE: DENIAL OF TATTOO LICENSE**

Eric Pelletier and Alpha Clemons, Melting Minds Studio, both spoke in favor of Mr. Pelletier's appeal.

Councilor Matzen moved that the appeal be denied. Seconded by Councilor Mennealy. Vote: 5 Yeas with Councilors Rowell and Mennealy abstaining.

## **MAYOR GUAY'S LAST MEETING**

Mayor Guay indicated that due to a prior commitment, he will not be present at the November 20th City Council Meeting, therefore this will be his last meeting as Mayor of the City of Auburn.

Councilor Matzen recognized Mayor Guay for his service and commitment to the citizens of the City of Auburn during his terms as Councilor and Mayor.

## **APPOINTMENT OF PRESIDING OFFICER FOR NOVEMBER 20TH MEETING**

Councilor Mennealy moved that Councilor Matzen serve as Mayor Pro Tem at the November 20th City Council Meeting. Seconded by Councilor Hayes. Vote: 6 Yeas with Councilor Matzen abstaining.

## **ADJOURNMENT – 8:25 p.m.**

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

A TRUE RECORD

ATTEST: \_\_\_\_\_

City Clerk

**CITY OF AUBURN DECEMBER 18, 2006 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, Finance Director Chris Trenholm and City Clerk Mary Lou Magno. There were 24 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 OF NOVEMBER 20, 2006**

Councilor Bickford moved to accept and place on file the minutes of November 20, 2006. Seconded by Councilor Peters. Vote: 6 Yeas, with Councilor Peters abstaining.

## **CONSENT AGENDA**

Councilor Samson moved to accept, approve and place on file the following items listed with an asterisk. Seconded by Councilor Hayes. Vote: 7 Yeas.

## **REPORTS OF THE MAYOR**

**CAPT. RAY LAFRANCE, ANDROSCOGGIN COUNTY SHERIFF'S DEPT.**

Capt. Ray Lafrance of the Androscoggin County Sheriff's Department thanked the Auburn Police, Fire and Public Works Departments and staff for their participation and assistance at the time of Deputy David Rancourt's death.

## **REPORTS OF CITY COUNCILORS**

Councilor Bickford recently attended the High Street Crossing announcement and the groundbreaking at Kittyhawk and First Flight Drive.

Councilor Mennealy thanked Ron Potvin for his participation on the Budget Committee and his role with the Small Property Owners.

## **REPORTS OF THE CITY MANAGER FINANCE**

### **REPORT – MONTH OF NOVEMBER**

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

## **WEB SITE**

Laurie Smith, Assistant City Manager, previewed the City's new website; it should be up and running by January 1st.

## **COMMUNICATIONS AND RECOGNITIONS**

### **COMMUNICATION FROM TONIE RAMSEY RE: RESIGNATION FROM COMMUNITY DEVELOPMENT LOAN COMMITTEE**

Approved under consent agenda

### **COMMUNICATION FROM RICHARD LEE RE: RESIGNATION FROM PLANNING BOARD**

Approved under consent agenda

### **COMMUNICATION FROM THE ANDROSCOGGIN COUNTY COMMISSIONERS**

#### **RE: APPRECIATION FOR ASSISTANCE**

Approved under consent agenda.

## **OPEN SESSION**

The following people spoke during open session: Mike Woodworth, 374 Main Street; Laurier Morrissette, 13 Gamage Avenue; Francois Bussiere, 9 Winter Street; Andy Titus, 45 Carson Street; Charles Soule, 170 Bartlett Street, Lewiston; Jonathan Labonte, 41 Third Street; Dan Herrick, 470 Hatch Road; Ron Potvin, 82 Northern Avenue; and Bob Bernier, 17 Lamplighter Circle.

## **CLOSED OPEN SESSION**

## **UNFINISHED BUSINESS**

None

## **NEW BUSINESS**

### **1. ORDINANCE – AMENDMENT TO CHAPTER 1, ARTICLE 3, RULES OF PROCEDURE (1ST READING)**

Councilor Samson moved for acceptance of first reading. Seconded by Councilor Hayes. Jonathan Labonte, 41 Third Street, made comments regarding the above ordinance.

Councilor Bickford moved to table until the next meeting. Seconded by Councilor Peters. Vote: 4 Yeas with Councilors Gleason, Hayes and Samson voting Nay.

**2. ORDER – ACCEPTANCE OF VISTA DRIVE AS A CITY STREET**

Councilor Samson moved for passage of the order. Seconded by Councilor Hayes.

Gary Johnson, Assistant City Engineer, explained the above order and answered Councilors questions.

Vote: 7 Yeas.

**3. ORDER – ACCEPTANCE OF HORIZON DRIVE AS A CITY STREET**

Councilor Hayes moved for passage of the order. Seconded by Councilor Samson. Vote: 7 Yeas.

**4. SET MEETING SCHEDULE FOR THE FIRST QUARTER (JANUARY – MARCH 2007)**

Pat Finnigan, City Manager, distributed a draft schedule of meeting dates for the first quarter. No action required.

**5. SET DATES FOR COUNCIL MEETINGS IN JANUARY**

Councilor Samson moved that the Council Meetings next month be held on January 2nd and 16th. Seconded by Councilor Bickford. Vote: 7 Yeas.

**ADJOURNMENT – 9:35 p.m.**

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

A TRUE RECORD

ATTEST: \_\_\_\_\_

City Clerk

**CITY OF AUBURN JANUARY 9, 2006 CITY COUNCIL MEETING**

**PRESENT**

Mayor Normand W. Guay, Councilors Bethel B. Shields, Robert P. Hayes, Eric G. Samson, Donna L. Rowell, Belinda A. Gerry, Robert C. Mennealy, and M. Kelly Matzen, City Manager Pat Finnigan, Assistant City Manager Laurie Smith and City Clerk Mary Lou Magno. There were 18 people in the audience.

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

**CONSENT AGENDA**

Councilor Gerry moved to accept, approve and place on file the following items listed with an asterisk. Seconded by Councilor Mennealy. Vote: 7 Yeas.

**\*MINUTES OF DECEMBER 19, 2005**

Approved under consent agenda.

**REPORTS OF THE MAYOR**

Mayor Guay noted that he and Councilor Samson recently attended the inaugural for the Lewiston Mayor and City Councilors; he said that on February 13th there will be a joint meeting with the City of Lewiston to receive a report from the Mayors' Commission for Joint Services; he noted that the School Committee continues to work on the Master Plan.

**REPORTS OF CITY COUNCILORS**

None

**REPORTS OF THE CITY MANAGER COMPREHENSIVE**

**ANNUAL FINANCE REPORT**

Councilor Matzen moved to accept and place on file the Comprehensive Annual Finance Report. Seconded by Councilor Shields. Vote: 7 Yeas.

Pat Finnigan noted that there will be a draft schedule of meetings and workshops for January, February and March posted on the city's website.

**COMMUNICATIONS AND RECOGNITIONS**

**\*COMMUNICATION FROM MAINE DEPARTMENT OF TRANSPORTATION RE: JACKSON HILL ROAD**

Approved under consent agenda.

**\*COMMUNICATION FROM AUBURN PAWN RE: RENEWAL OF PAWN LICENSE**

Approved under consent agenda

**\*COMMUNICATION FROM REID'S GUNS & CIGARS RE: RENEWAL OF PAWN LICENSE**

Approved under consent agenda.

**\*COMMUNICATION FROM POLICE CHIEF SMALL RE: CONSTABLES**

Approved under consent agenda.

**OPEN SESSION**

The following people made comments during the Open Session: Leo Camire, 9 Eastman Lane; Michael Dixon, 126 Everett Road; Ed Desgrosseilliers, 121 Hatch Road; Sheila Desgrosseilliers, 121 Hatch Road; and Mike Adler, 20 Paul Street.

OPEN SESSION CLOSED

**OLD BUSINESS**

None

**NEW BUSINESS**

**1. PUBLIC HEARING AND ACTION ON SPECIAL AMUSEMENT PERMIT APPLICATIONS FOR: BLACK WATCH RESTAURANT AND PUB; MARTINDALE COUNTRY CLUB; VETERANS OF FOREIGN WARS POST #1603; AMERICAN LEGION POST #153; AMERICAN LEGION POST #31; NEW AUBURN SOCIAL CLUB; AND LOST VALLEY**

Mayor Guay opened and closed the public hearing with no public comment.

Councilor Matzen moved that the above-named permits be approved. Seconded by Councilor Samson. Vote: 7 Yeas

**2. SET DATE FOR SECOND MEETING IN JANUARY**

Councilor Shields moved that the second meeting for this month be held on January 23rd. Seconded by Councilor Matzen. Vote: 7 Yeas.

**EXECUTIVE SESSION – 7:55 P.M.**

Councilor Hayes moved to go into Executive Session to discuss Personnel. Seconded by Councilor Mennealy. Vote: 7 Yeas

**ADJOURNMENT –**

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

TRUE RECORD

ATTEST: \_\_\_\_\_

City Clerk

## **CITY OF AUBURN JANUARY 23, 2006 CITY COUNCIL MEETING**

### **PRESENT**

Mayor Normand W. Guay, Councilors Bethel B. Shields, Robert P. Hayes, Eric G. Samson, Donna L. Rowell, Belinda A. Gerry, Robert C. Mennealy, and M. Kelly Matzen, City Manager Pat Finnigan, and City Clerk Mary Lou Magno. There were 55 people in the audience.

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

### **CONSENT AGENDA**

Councilor Mennealy moved to accept, approve and place on file the following items listed with an asterisk. Seconded by Councilor Rowell. Vote: 7 Yeas.

### **ADD TO AGENDA**

Councilor Gerry moved to add item #6 – Resolve – HOME Funding for Handicap Accessible Units at Stevens Mills Condominium Project. Seconded by Councilor Rowell. Vote: 6 Yeas with Councilor Matzen abstaining.

### **\*MINUTES OF JANUARY 9, 2006**

Approved under consent agenda.

### **REPORTS OF THE MAYOR**

Mayor Guay noted that he will appoint the Citizens Budget Committee.

Councilor Gerry noted that the City Charter does not allow the Mayor to make such appointments.

Councilor Gerry moved to go into Executive Session to discuss appointments. Seconded by Councilor Rowell. Vote: 4 Yeas with Councilor Shields, Hayes and Matzen voting Nay.

Councilor Gerry noted that there is a good cross section of residents and she feels comfortable with the fact that this committee will receive the same budget information as City Councilors.

Mayor Guay named the following people to serve on the Citizens Budget Committee: Jim Berube, Ronald Potvin, Randy Bolduc, Paul Raymond, Anna Camire, Robert Bernier, Larry Comeau, Robert Lussier, Jonathan Labonte, David Burke, Brian Demers, Kathy Leonard, Bill Leighton and Tammy Grieshaber.

Councilor Hayes moved to approve this committee. Seconded by Councilor Shields. Vote: 7 Yeas.

Councilor Mennealy moved to appoint Ed Desgrosseilliers to this committee. Seconded by Councilor Rowell. Vote: 4 Yeas with Councilor Shields, Hayes and Matzen voting Nay.

Mayor Guay noted that he recently gave a key to the City to Emily Beaulieu, a little girl from Litchfield who gave up her birthday gifts so that less fortunate children could have more.

## **REPORTS OF CITY COUNCILORS**

Councilor Shields noted she recently attended a meeting at East Auburn where Pat Finnigan, Laurie Smith and Cheryl Dubois were available to answer questions and concerns expressed by residents.

Councilor Gerry requested that the City Manager, at the workshop on January 30th, report on the use of public buildings as it relates to our public policy and compare it to the cities of Lewiston and Portland.

## **REPORTS OF THE CITY MANAGER FINANCE**

### **REPORT – MONTH OF DECEMBER**

Councilor Hayes moved to accept and place on file the Finance Report for the month of December as presented by Pat Finnigan, City Manager. Seconded by Councilor Samson. Vote: 7 Yeas.

## **GENERAL ASSISTANCE QUARTERLY REPORT**

Councilor Gerry moved to accept and place on file the General Assistance Quarterly Report as prepared and presented by Dot Meagher, Director of Health and Social Services. Seconded by Councilor Rowell. Vote: 7 Yeas.

## **COMMUNICATIONS AND RECOGNITIONS**

### **\*COMMUNICATION FROM POLICE CHIEF SMALL RE: CONSTABLE**

Approved under consent agenda.

## **OPEN SESSION**

The following people made comments during the Open Session: Ed Desgrosseilliers, 121 Hatch Road noted that he would have to decline the nomination to the Citizen Budget Committee due to other personal commitments; Ron Potvin, 82 Northern Avenue; Leo Camire, 9 Eastman Lane; Paul Raymond, 104 Second Street; Cheryl Banyen, 120 Third Street; Dick Bussiere, 9 Winter Street; Brian Demers, 1085 Riverside Drive; Larry Pelletier, 129 Second Street; Gabe Couture, 440 Hatch Road; a gentleman from Carson Street; Dan Herrick, 470 Hatch Road; Deana Chapman, 224 South Main Street; David Rowell, 95 Monroe Street; and Walter Reed, 173 Third Street.

## **OPEN SESSION CLOSED**

Mayor Guay called for a five minute recess. Mayor Guay called the meeting back to order.

## **OLD BUSINESS**

None

## **NEW BUSINESS**

### **1. ORDER – APPOINTMENT OF THE CITY FINANCE DIRECTOR - CHRISTOPHER TRENHOLM**

Councilor Matzen moved for passage of the order. Seconded by Councilor Gerry.

Pat Finnigan, City Manager, introduced Chris Trenholm to the Council and members of the audience.  
Vote: 7 Yeas.

### **2. ORDER – APPOINTMENT OF CITY TREASURER**

Councilor Shields moved for passage of the order. Seconded by Councilor Mennealy. Vote: 7 Yeas.

### **3. RESOLVE – AMENDMENT OF THE CITIZEN PARTICIPATION PLAN OF THE COMMUNITY DEVELOPMENT PROGRAM (PUBLIC HEARING AND ACTION THEREON)**

Councilor Samson moved for passage of the resolve. Seconded by Councilor Shields. Mayor Guay opened the public hearing.

Fern Lake, 612 South Main Street, questioned on page 7 Section 7a. the deletion of the publication requirement.

Mayor Guay closed the public hearing.

Councilor Samson moved to amend the motion by reinstating the following sentence in Section 7a – A public notice of the change will be published 30 days prior to implementation. Seconded by Councilor Gerry. Vote on the amendment: 6 Yeas with Councilor Matzen abstaining.

Vote on passage of the resolve as amended: 6 Yeas with Councilor Matzen abstaining.

### **4. RESOLVE – AMENDMENT OF THE 2005-09 CONSOLIDATED PLAN AND 2005 ACTION PLAN OF THE COMMUNITY DEVELOPMENT PROGRAM (PUBLIC HEARING AND ACTION THEREON)**

Councilor Samson moved for passage of the resolve. Seconded by Councilor Gerry.

Mayor Guay opened and closed the public hearing with no public comment. Vote: 6

Yeas with Councilor Matzen abstaining.

**5. ORDER – AUTHORIZING THE CITY MANAGER TO ENTER INTO EASEMENT AGREEMENTS WITH PUBLIC UTILITY COMPANIES**

Councilor Rowell moved for passage of the order. Seconded by Councilor Mennealy. Vote: 7 Yeas.

**6. RESOLVE – HOME FUNDING FOR HANDICAP ACCESSIBLE UNITS AT STEVENS MILLS CONDOMINIUM PROJECT**

Councilor Shields moved for passage of the resolve. Seconded by Councilor Hayes. Vote: 6 Yeas with Councilor Matzen abstaining.

**ADD TO AGENDA**

Councilor Gerry moved to add an item to the agenda – Acknowledgement of Receipt of Petitions. Seconded by Councilor Rowell. Vote: 7 Yeas.

**ACKNOWLEDGMENT OF RECEIPT OF PETITIONS**

Councilor Gerry moved to acknowledge receipt of the petitions submitted by Deana Chapman, Vice-Chair of the United Citizens of Auburn entitled “We, the taxpayers of the City of Auburn object to the last property evaluation and the anticipated mill rate”.

Seconded by Councilor Rowell. Vote: 7 Yeas.

Councilor Rowell questioned the status of the City Manager’s performance evaluation. Mayor Guay indicated he is still waiting for two Councilors to complete the evaluation.

Councilor Mennealy requested that the City Manager research the cost of a random sampling of the revaluation and report back to the Council.

**ADJOURNMENT – 10:10 p.m.**

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

A TRUE RECORD

ATTEST: \_\_\_\_\_

City Clerk

## **CITY OF AUBURN FEBRUARY 13, 2006**

### **JOINT AUBURN-LEWISTON CITY COUNCIL MEETING**

#### **PRESENT**

Mayor Normand W. Guay, Councilors Bethel B. Shields, Robert P. Hayes, Eric G. Samson, Donna L. Rowell, Belinda A. Gerry, Robert C. Mennealy, and M. Kelly Matzen, City Manager Pat Finnigan, Assistant City Manager Laurie Smith and City Clerk Mary Lou Magno. Lewiston Mayor Lionel Guay, Councilors Stavros Mendros, Renee Bernier, Lillian O'Brien, Ronald Jean, Paul Samson, Mark Paradis and Norman Rousseau, City Administrator James Bennett and City Clerk Kathy Montejo. There were approximately 80 people in the audience.

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

#### **FINAL REPORT – COMMISSION ON JOINT SERVICES**

Both Mayors welcomed the audience to this joint meeting, the purpose of which was for the Commission on Joint Services to present their Final Report. Mayor Guay introduced the members of the Committee: Chairs Robert Clifford and Donna Steckino and members Ronald Bissonnette, Mark Carrier, John Emerson (who was absent this evening) K. C. Geiger, Laurent F. Gilbert, Sr., Jeffrey Harmon, Linda Hertell and George Hess.

Robert Clifford and Donna Steckino gave an overview of the report. Both Mayors thanked the members of the committee for their hard work and dedication to this effort.

Both Mayors opened discussion by members of the Councils.

Mayor Normand Guay opened the floor to public discussion and the following people spoke: Roma Girardin, 667 Court Street; Thomas Shields, 375 Maple Hill Road; Tammy Grieshaber, 100 Stony Ridge; Bob Bernier, 17 Lamplighter Circle; Mike Scott, 549 South Witham Road; and Ron Potvin, 82 Northern Avenue.

#### **JOINT SERVICES COORDINATOR – APPLY FOR GRANT**

Councilor Matzen moved to direct the Auburn staff to cooperate with the Lewiston staff to apply for a grant from the State of Maine to hire a Joint Services Coordinator to be housed at the Lewiston Auburn Economic Growth Council office and be answerable to the Executive Director of the Lewiston Auburn Economic Growth Council and the two City Councils. Seconded by Councilor Shields.

Councilor Gerry moved to table. Seconded by Councilor Rowell. Vote: 4 Nays with Councilors Rowell, Gerry and Mennealy voting Yea.

Councilor Samson moved to amend the motion by deleting the words “Executive Director of the Lewiston Auburn Economic Growth Council and the”. Seconded by Councilor Mennealy.

Councilor Gerry moved to table. Seconded by Councilor Mennealy. Vote: 4 Nays with Councilors Rowell, Gerry and Mennealy voting Yea.

Vote on the amendment: 4 Yeas with Councilors Shields, Hayes and Matzen voting Nay. Vote on passage of the motion as amended: 5 Yeas with Councilors Rowell and Gerry voting Nay.

### **DISCUSSION OF JOINT AGENCY BUDGETS**

The Councils discussed the expectations and potential meeting dates for the joint agency budgets.

**ADJOURNMENT** – 9:00 p.m.

Councilor Mennealy moved to adjourn. Seconded by Councilor O’Brien. Vote: Unanimous. A

TRUE RECORD

ATTEST: \_\_\_\_\_

City Clerk

### **CITY OF AUBURN FEBRUARY 27, 2006 CITY COUNCIL MEETING**

#### **PRESENT**

Mayor Normand W. Guay, Councilors Bethel B. Shields, Robert P. Hayes, Eric G. Samson, Donna L. Rowell, Belinda A. Gerry, Robert C. Mennealy, and M. Kelly Matzen, City Manager Pat Finnigan, Assistant City Manager Laurie Smith and City Clerk Mary Lou Magno. There were 37 people in the audience.

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

#### **CONSENT AGENDA**

Councilor Shields moved to accept, approve and place on file the following items listed with an asterisk. Seconded by Councilor Mennealy. Vote: 7 Yeas.

#### **\*MINUTES OF FEBRUARY 6TH AND 13TH, 2006**

Approved under consent agenda. TAKE

ITEM OUT OF ORDER

Councilor Matzen moved that item #2 be taken out of order. Seconded by Councilor Shields. Vote: 7 Yeas.

## **2. PUBLIC HEARING – LIQUOR LICENSE APPLICATIONS FOR LONGHORN STEAKHOUSE AND THE FISHERY.**

Mayor Guay opened the public hearing: Barry Gerstein, representing Longhorn Steakhouse and William Hathaway, owner of The Fishery both spoke in favor of the above request. Mayor Guay closed the public hearing.

Councilor Gerry moved that both applications be approved. Seconded by Councilor Hayes. Vote: 7 Yeas.

### **REPORTS OF THE MAYOR**

None

### **REPORTS OF CITY COUNCILORS**

None

### **REPORTS OF THE CITY MANAGER FINANCE**

#### **REPORT – MONTH OF JANUARY**

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

### **FIRE DEPARTMENT BUDGET**

Chief Wayne Werts, Deputy Chief Raymond Lussier and Fire Prevention Officer Gary Simard presented the Fire Department Budget for fiscal year 2006-07.

### **UPDATES**

Pat Finnigan, City Manager, noted that the Assessing Staff is now conducting site visits; going to homes that were not visited during the revaluation.

She also noted that a request was recently made to have staff receive quotes for a quality review of the revaluation; staff is pursuing this request, trying to find an appraisal firm that has an interest and the capability of performing this task.

### **COMMUNICATIONS AND RECOGNITIONS**

None

## **OPEN SESSION**

The following people made comments during the Open Session: Edward Desgrosseilliers, 121 Hatch Road; Jonathan Labonte, 40 Reginald Street; Brian Demers, 1085 Riverside Drive; Deana Chapman, 224 South Main Street (Ms Chapman submitted petitions to be made a part of the record); Ron Potvin; 82 Northern Avenue; Andy Titus, 45 Carson Street; and Dan Herrick, 470 Hatch Road (Mr. Herrick read a letter from Reginald Emery Sr. that has been made a part of the record).

## **CLOSED OPEN SESSION**

## **OLD BUSINESS**

None

## **NEW BUSINESS**

### **1. RESOLVE – RESOLUTION OF RECOGNITION (Recognizing Auburn Businesses and Auburn residents that received awards by the Androscoggin Chamber of Commerce)**

Councilor Gerry moved for passage of the resolve. Seconded by Councilor Hayes. Vote: 7 Yeas.

2. (This item was taken out of order and acted on earlier in the meeting.)

### **3. APPOINTMENTS**

#### **ZONING BOARD OF APPEALS**

Councilor Shields moved to appoint Ralph Stetson as an Associate Member to the Zoning Board of Appeals until February 2009. Seconded by Councilor Matzen. Vote: 7 Yeas.

#### **ETHICS COMMITTEE**

Councilor Matzen moved to appoint Robert L. McArthur to the Ethics Committee. Seconded by Councilor Shields. Vote: 7 Yeas.

#### **TRANSIT COMMITTEE**

Councilor Shields moved to appoint Maureen Aube to the Transit Committee until February 2009. Seconded by Councilor Matzen. Vote: 7 Yeas.

#### **RECREATION ADVISORY BOARD**

Councilor Matzen moved to reappoint Roger Laroche, Daniel Poisson, Philip Savignano, Paul Douglass, Steve Myers, Dennis Cormier and Steve Milks until February 2008. Seconded by Councilor Shields. Vote: 7 Yeas.

**PLANNING BOARD**

Councilor Shields moved to appoint William K. Skelton as an Associate Member to the Planning Board until Feb. 2009. Seconded by Councilor Matzen. Vote: 7 Yeas.

**ADJOURNMENT – 10:00 p.m.**

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

A TRUE RECORD

ATTEST: \_\_\_\_\_

City Clerk

**CITY OF AUBURN MARCH 6, 2006 CITY COUNCIL MEETING**

**PRESENT**

Mayor Normand W. Guay, Councilors Bethel B. Shields, Robert P. Hayes, Eric G. Samson, Donna L. Rowell, Belinda A. Gerry, Robert C. Mennealy, and M. Kelly Matzen, City Manager Pat Finnigan, Assistant City Manager Laurie Smith and City Clerk Mary Lou Magno. There were 43 people in the audience.

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

**CONSENT AGENDA**

Councilor Mennealy moved to accept, approve and place on file the following items listed with an asterisk. Seconded by Councilor Shields. Vote: 7 Yeas.

**\*MINUTES OF FEBRUARY 27, 2006**

Approved under consent agenda.

**REPORTS OF THE MAYOR**

None

**REPORTS OF CITY COUNCILORS**

Councilor Gerry noted information recently released by the Auburn Housing Authority regarding a lengthy waiting list for 1, 2, 3 and 4 bedroom units for the Section 8 program.

Councilor Mennealy questioned the status of the search for a firm to perform a quality review of the revaluation.

Pat Finnigan, City Manager, indicated she is optimistic about having a report soon.

It was noted that Councilors Rowell, Gerry and Mennealy paid for an ad in “Auburn Highlights” promoting all the programs available to taxpayers.

## **REPORTS OF THE CITY MANAGER PLANNING & PERMITTING BUDGET**

David Galbraith, Director of Planning & Permitting and Charlie DeAngelis, City Electrician, presented the Planning & Permitting Budget for fiscal year 2006-07.

The following people made comments regarding the above budget: Ron Potvin, 82 Northern Avenue; Bob Bernier, 17 Lamplighter Circle; Dave Burke, 38 Harmons Corner Road; and Jonathan Labonte, 40 Reginald Street.

Councilor Samson requested that the City Clerk read a motion from the January 23rd minutes regarding an Executive Session.

Councilor Gerry questioned the City Manager regarding the Economic Development Budget.

## **COMMUNICATIONS AND RECOGNITIONS**

### **\*COMMUNICATION FROM AUBURN SCHOOL DEPARTMENT RE: WAIVE DAY CARE LICENSE FEES**

Approved under consent agenda.

## **OPEN SESSION**

The following people made comments during the Open Session: Edward Desgrosseilliers, 121 Hatch Road; Ron Potvin, 82 Northern Avenue; Dan Herrick, 470 Hatch Road; Jean Libbey, 753 Perkins Ridge Road, Jonathan Labonte, 40 Reginald Street; Dick Bussiere, 9 Winter Street; and Mike Adler, 20 Paul Street.

## **CLOSED OPEN SESSION**

## **OLD BUSINESS**

None

## **NEW BUSINESS ADD**

## **TO AGENDA**

Councilor Gerry moved to add to the agenda “Discussion regarding communication from Attorney Patrick Scully Re: Initiative Petition Regarding City Parking Garage”. Seconded by Councilor Rowell. Vote: 4 Yeas with Councilors Shields, Samson and Matzen voting Nay.

**1. RESOLVE – TO AUTHORIZE STATE OF MAINE SCHOOL REVOLVING RENOVATION FUND LOAN FORGIVENESS GRANT FOR EDWARD LITTLE HIGH SCHOOL RENOVATIONS**

Councilor Samson moved for passage of the resolve. Seconded by Councilor Rowell. Vote: 6 Yeas, No Nays (Councilor Mennealy out of the room)

**2. RESOLVE – TO AUTHORIZE A SUPPLEMENTAL APPROPRIATION OF STATE FUNDS FOR SCHOOL CONSTRUCTION DEBT SERVICE**

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

Vote: 7 Yeas.

**3. ORDER – DESIGNATING CERTAIN AREAS AS “SAFE ZONES”**

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

Councilor Mennealy moved to amend by adding Whitman Spring Road. Seconded by Councilor Hayes.

Vote on the amendment: 7 Yeas.

Vote on passage of the order as amended: 7 Yeas

**4. APPOINTMENTS**

**COMMUNITY FOREST BOARD**

Councilor Matzen moved to appoint Judy Webber to the Community Forest Board until March 2009. Seconded by Councilor Shields. Vote: 7 Yeas.

**SEWER DISTRICT**

Councilor Shields moved to re-appoint Stephen Ness and Joseph DeFilipp to the Sewer District until March 2010. Seconded by Councilor Matzen. Vote: 7 Yeas.

**WATER DISTRICT**

Councilor Matzen moved to re-appoint Roy Farnsworth and K.C. Geiger to the Water District until March 2010. Seconded by Councilor Shields. Vote: 7 Yeas.

**5. RESOLVE – ADOPTING THE NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS)**

Councilor Mennealy moved for passage of the resolve. Seconded by Councilor Shields. Vote: 7 Yeas.

**6. DISCUSSION REGARDING COMMUNICATION FROM ATTORNEY PATRICK SCULLY RE: INITIATIVE PETITION REGARDING CITY PARKING GARAGE**

Councilor Gerry moved to disregard the legal opinion of Attorney Scully, to instruct the City Clerk to prepare petitions and to allow members of the initiative petitioners committee to circulate such petitions. Seconded by Councilor Rowell.

The following people made comments regarding the above matter: Tammie Grieshaber, 100 Stony Ridge; Jonathan Labonte, 40 Reginald Street; Ed Desgrosseilliers, 121 Hatch Road; David Rowell, 95 Monroe Street; Mike Scott, 549 South Witham Road; and Dick Bussiere, 9 Winter Street.

Vote: 4 Nays with Councilors Rowell, Gerry and Mennealy voting Yea.

**ADJOURNMENT** – 10:47 p.m.

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

A TRUE RECORD

ATTEST: \_\_\_\_\_

City Clerk

**CITY OF AUBURN MARCH 20, 2006 CITY COUNCIL MEETING**

PRESENT

Mayor Normand W. Guay, Councilors Bethel B. Shields, Robert P. Hayes, Eric G. Samson, Donna L. Rowell, Belinda A. Gerry, Robert C. Mennealy, and M. Kelly Matzen, City Manager Pat Finnigan, Assistant City Manager Laurie Smith and City Clerk Mary Lou Magno. There were approximately 100 people in the audience.

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

Councilor Mennealy moved that the entire agenda not be acted upon this evening, because according to Article II, Section 7 of the City Charter, Council Meeting Agendas shall be available to the public at least two business days prior to the meeting. (Councilor Mennealy indicated that the agenda was not available until Friday.) Seconded by Councilor Rowell.

City Manager Pat Finnigan, and City Clerk Mary Lou Magno, both indicated that the City Council Agenda was posted on the website Thursday afternoon.

Vote: 4 Nays with Councilors Rowell, Gerry and Mennealy voting Yea.

## **CONSENT AGENDA**

Councilor Gerry moved to accept, approve and place on file the following item listed with an asterisk. Seconded by Councilor Samson. Vote: 7 Yeas.

### **\*MINUTES OF MARCH 6, 2006**

Approved under consent agenda.

## **REPORTS OF THE MAYOR**

None

## **REPORTS OF CITY COUNCILORS**

None

## **REPORTS OF THE CITY MANAGER FINANCE**

### **REPORT – MONTH OF FEBRUARY**

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

## **COMMUNICATIONS AND RECOGNITIONS**

None

## **TAKE ITEM OUT OF ORDER**

Councilor Shields moved to take item #1 out of order and act on it at this time in the meeting. Seconded by Councilor Gerry. Vote: 7 Yeas.

### **1. RESOLVE – RECOGNIZING MARILYN ISAACSON SIMONDS – 2006 RECIPIENT OF THE LEWIS HINE AWARD**

Councilor Shields moved for passage of the resolve. Seconded by Councilor Gerry. Estelle

Rubinstein spoke in support of the above resolve.

Vote: 7 Yeas.

## **OPEN SESSION**

The following people made comments during the Open Session: Ron Potvin, 82 Northern Avenue; Robert O'Connor, 564 Summer Street; and Lucien Camire, 9 Eastman Lane.

CLOSED OPEN SESSION

**OLD BUSINESS**

None

**NEW BUSINESS**

**2. RESOLVE – AUTHORIZING THE CITY MANAGER TO ENTER INTO A PURCHASE & SALE AGREEMENT FOR LAND LOCATED IN GREAT FALLS PLAZA**

(Councilor Matzen did not participate in the action of this item)

Councilor Gerry feels that according to the City Charter there should be two readings of this item.

Councilor Gerry moved to table. Seconded by Councilor Mennealy. Vote: Councilors Rowell, Gerry and Mennealy voting Yea; and Councilors Shields, Hayes and Samson voting Nay. Motion fails.

Councilor Hayes moved for passage of the resolve. Seconded by Councilor Shields. Pat

Finnigan, City Manager, gave an overview of this project.

The following people made comments regarding the above resolve: Jonathan Labonte, 40 Reginald Street; Robert O'Connor, 564 Summer Street; Michael Scott, 549 South Witham Road; Brian Demers, 1085 Riverside Drive; Ed Desgrosseilliers, 121 Hatch Road; Robert Lamontagne, 1796 Minot Avenue; Andy Titus, 45 Carson

Street; Fred Carpentier, 134 Cook Street; Bruce Rioux, 85 Mary Carroll Street; Charles Morrison, 35 Lake Street; and Gerard Dennison, 28 Seventh Street.

Vote: Councilors Shields, Hayes, and Samson voting Yea; Councilors Rowell, Gerry and Mennealy voting Nay; Mayor Guay voted Yea to break the tie.

**REPORTS OF THE CITY MANAGER**

Pat Finnigan requested that the Council allow the Police Department to give a report regarding an incident that occurred today. Mayor Guay recognized Deputy Chief Crowell and Lt. Moen who both spoke about the process that occurred regarding the capture and arrest of an individual who robbed the Androscoggin Bank on Turner Street Monday morning. They spoke of collaborative efforts between local area police departments and the FBI and the resources used to make this effort a success.

**3. RESOLVE – AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE INTERNATIONAL ASSOCIATION OF ASSESSING OFFICERS TO CONDUCT A REVIEW OF THE CITY-WIDE REVALUATION**

Councilor Mennealy moved for passage of the resolve. Seconded by Councilor Gerry. Gary

Baillargeon, 144 Broadview Avenue; Jonathan Labonte, 40 Reginald Street; Cheryl Banyen, 120 Third Street; and Ed Desgrosseilliers, 121 Hatch Road made comments regarding the above resolve.

Vote: 6 Yeas, No Nays (Councilor Gerry out of the room)

**4. RESOLVE – SUPPORTING TRAILS FOR A HEALTHY MAINE AND ENCOURAGING THE STATE LEGISLATURE TO APPROVE FUNDING FOR SHARED-USE TRAILS**

Councilor Shields moved for passage of the resolve. Seconded by Councilor Mennealy. Jonathan

Labonte, 40 Reginald Street; and Ed Desgrosseilliers, 121 Hatch Road, both made comments regarding the above resolve.

Vote: 7 Yeas.

**5. RESOLVE – ACCEPTING CERTAIN FORFEITED FUNDS**

Councilor Samson moved for passage of the resolve. Seconded by Councilor Gerry. Deputy Chief

Crowell explained the above resolve.

Vote: 7 Yeas.

**6. PUBLIC HEARING – SPECIAL AMUSEMENT PERMIT APPLICATION AUBURN FIRESIDE INN & SUITES**

Mayor Guay opened and closed the public hearing with no public comment.

Councilor Mennealy moved that the Special Amusement Permit be approved. Seconded by Councilor Samson. Vote: 7 Yeas.

**COMMENTS BY COUNCILOR GERRY**

Councilor Gerry wished to note for the record that had she been present for the vote on item #3, she would have voted in favor of the action.

**ADJOURNMENT – 9:50 p.m.**

Councilor Shields moved to adjourn. Seconded by Councilor Rowell. Vote: 7 Yeas.

A TRUE RECORD

ATTEST: \_\_\_\_\_

City Clerk

**CITY OF AUBURN APRIL 3, 2006 CITY COUNCIL MEETING**

**PRESENT**

Mayor Normand W. Guay, Councilors Robert P. Hayes, Eric G. Samson, Donna L. Rowell, Belinda A. Gerry, Robert C. Mennealy, and M. Kelly Matzen, City Manager Pat Finnigan, Assistant City Manager Laurie Smith and City Clerk Mary Lou Magno. Councilor Bethel B. Shields was absent. There were approximately 26 people in the audience.

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

**CONSENT AGENDA**

Councilor Mennealy moved to accept, approve and place on file the following item listed with an asterisk. Seconded by Councilor Rowell. Vote: 6 Yeas, No Nays.

**\*MINUTES OF MARCH 20, 2006**

Approved under consent agenda.

**REPORTS OF THE MAYOR**

**PROCLAMATION – BOYS & GIRLS CLUB WEEK APRIL 2 – 8, 2006**

**PROCLAMATION – MULTIPLE SCLEROSIS DAY – APRIL 8, 2006**

**REPORTS OF CITY COUNCILORS**

Councilor Mennealy noted that the School Committee and the City Council should not meet on the same night, as there are citizens who wish to attend both meetings.

**REPORTS OF THE CITY MANAGER**

None

**COMMUNICATIONS AND RECOGNITIONS**

None

**TAKE ITEMS OUT OF ORDER**

Councilor Matzen moved that items 1 and 2 be taken out of order and acted on prior to the Open Session. Seconded by Councilor Samson. Vote: 6 Yeas, No Nays.

## **ADD ITEM TO THE AGENDA**

Councilor Matzen moved to add item 8 to the agenda – Request from Kora Shriners Re: Placement of Temporary Signs. Seconded by Councilor Samson. Vote: 6 Yeas, No Nays.

## **1. ORDER – CONDEMNATION ORDER OF THE MUNICIPAL OFFICERS (PROPERTY IN THE VICINITY OF 3162 HOTEL ROAD)**

Councilor Matzen moved for acceptance of first reading. Seconded by Councilor Mennealy. John

McGonagill, Airport Manager, explained the above order and answered Councilors questions.

Vote on acceptance of first reading: 6 Yeas, No Nays.

Councilor Matzen moved to suspend the rules calling for two readings on two separate dates. Seconded by Councilor Rowell. Vote: 4 Yeas, with Councilor Gerry and Mennealy voting Nay.

Councilor Matzen moved for acceptance of second reading. Seconded by Councilor Hayes. Councilors

Gerry and Mennealy questioned the vote regarding suspension of the rules – they feel a super majority (five votes) is needed to suspend the rules.

Mayor Guay called for a recess.

Mayor Guay called the meeting back to order.

Mayor Guay suggested to the Council that a Special Meeting be held to consider final action of this item. (The Councilors making motions with regard to suspension of the rules and second reading withdrew their motions.)

Councilors agreed to have a Special City Council Meeting on April 10th to take final action regarding this matter.

## **2. ORDER – AUTHORIZING THE CITY MANAGER TO TRANSFER PROPERTY ALL OF THE REAL PROPERTY INTERESTS IN A CERTAIN PARCEL OF LAND AT 3162 HOTEL ROAD FROM THE CITY OF TO THE CITIES OF AUBURN AND LEWISTON**

Councilor Gerry moved to table. Seconded by Councilor Samson. Vote: 6 Yeas, No Nays.

## **OPEN SESSION**

The following people made comments during Open Session: William Mellish, 56 Carlton Street; Larry Morrisette, Auburn; Fred Sanborn, 78 Riverside Drive; Dan Herrick, 470 Hatch Road; and Jonathan Labonte, 40 Reginald Street.

CLOSED OPEN SESSION

## **OLD BUSINESS**

None

## **NEW BUSINESS**

### **3. RESOLVE – AMENDMENT TO THE LEASE-BUY HOME OWNERSHIP PROGRAM (COMMUNITY DEVELOPMENT BLOCK GRANT)**

Councilor Samson moved for passage of the resolve. Seconded by Councilor Gerry. Vote: 6

Yeas, No Nays.

### **4. RESOLVE – ADOPTION OF THE HOMEOWNERSHIP PROPERTY REHABILITATION PROGRAM (COMMUNITY DEVELOPMENT BLOCK GRANT)**

Councilor Samson moved for passage of the resolve. Seconded by Councilor Mennealy. Vote: 6 Yeas, No Nays.

### **5. RESOLVE – AMENDMENT TO THE REHABILITATION PROGRAM GUIDELINES**

Councilor Hayes moved for passage of the resolve. Seconded by Councilor Mennealy. Vote:

6 Yeas, No Nays.

### **6. PUBLIC HEARING – LIQUOR LICENSE APPLICATION FOR RUBY TUESDAY, 649 TURNER STREET**

Mayor Guay opened and closed the public hearing with no public comment.

Councilor Samson moved to approve the application. Seconded by Councilor Mennealy. Vote: 6 Yeas. No Nays.

### **7. SET DATE FOR SECOND MEETING IN APRIL**

Councilor Samson moved that the second meeting in April be held on April 24th. Seconded by Councilor Rowell. Vote: 6 Yeas.

### **8. COMMUNICATION FROM KORA SHRINERS RE: PLACEMENT OF TEMPORARY SIGNS**

Councilor Samson moved to approve the request. Seconded by Councilor Rowell. Vote: 6 Yeas, No Nays.

REQUEST OF COUNCILOR GERRY

Councilor Gerry read the following and requested that it be placed on the next City Council agenda:

Orders: Prohibiting the Auburn City Manager from closing the Great Falls Plaza land swap agreement until the City Manager produces the updated documentation to support the construction of the parking garage that is to be built in the Great Falls Plaza area.

This documentation is to include:

1. A revised assessment of the actual parking spaces in the Great Falls Plaza area vs. the needs of the businesses and general public in the affected area currently and for future downtown growth.
2. Cost of all infrastructure improvements in preparation for the construction of any proposed buildings and parking garage. (Like the conduit water drainage pipe through the Great Falls plaza area from Pettengill Park to the water front, roads, moving electrical devices, wires, etc.)
3. Cost of designing the propose parking garage and the cost to building both phase 1 and phase 2. and the number of parking spaces in each proposed phase.
4. Cost of all infrastructure improvements along associated with building of the parking garage and those that are to be made after the construction of the parking garage. (Roads, sidewalks, landscaping etc.)
5. List of all Tiff projects both current and expired., their purpose, descriptions, conditions, restrictions as to where and how the revenue they bring in can be spent. The actual amount of money they each bring in, costs associated with each project and their life span.

**ADJOURNMENT** – 8:35 p.m.

Councilor Samson moved to adjourn. Seconded by Councilor Matzen. Vote: 6 Yeas, No Nays. A

TRUE RECORD

ATTEST: \_\_\_\_\_

City Clerk

**CITY OF AUBURN APRIL 10, 2006 SPECIAL CITY COUNCIL MEETING**

PRESENT

Mayor Normand W. Guay, Councilors Bethel B. Shields, Robert P. Hayes, Eric G. Samson, Donna L. Rowell, Belinda A. Gerry, Robert C. Mennealy, and M. Kelly Matzen, City Manager Pat Finnigan, and City Clerk Mary Lou Magno. There were 51 people in the audience.

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

Mayor Guay noted that the reason for this special meeting was to act on the following two items:

**1. ORDER – CONDEMNATION ORDER OF THE MUNICIPAL OFFICERS  
(PROPERTY IN THE VICINITY OF 3162 HOTEL ROAD)**

Councilor Samson moved for acceptance of second reading and final passage. Seconded by Councilor Rowell.

The following people made comments regarding the above order: Larry Morrissette; Fern Lake, 612 South Main Street; John McGonagill, Airport Manager; and Brian Demers, 1085 Riverside Drive.

Vote: 7 Yeas.

**2. ORDER – AUTHORIZING THE CITY MANAGER TO TRANSFER ALL OF THE REAL  
PROPERTY INTERESTS IN A CERTAIN PARCEL OF LAND LOCATED AT 3162 HOTEL  
ROAD IN AUBURN, MAINE (TAX MAP 107, LOT 1) FROM THE CITY OF AUBURN TO  
THE CITIES OF AUBURN AND LEWISTON (TABLED 4/3/06)**

Councilor Mennealy moved to remove this item from the table. Seconded by Councilor Hayes. Vote: 7 Yeas.

Councilor Hayes moved for passage of the order. Seconded by Councilor Rowell. Vote: 7 Yeas.

**ADJOURNMENT**

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

A TRUE RECORD

ATTEST: \_\_\_\_\_

City Clerk

**CITY OF AUBURN APRIL 24, 2006 CITY COUNCIL MEETING**

**PRESENT**

Mayor Normand W. Guay, Councilors Bethel B. Shields, Robert P. Hayes, Eric G. Samson, Donna L. Rowell, Belinda A. Gerry, Robert C. Mennealy, and M. Kelly Matzen, City Manager Pat Finnigan, Assistant City Manager Laurie Smith and City Clerk Mary Lou Magno. There were 43 people in the audience.

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

**CONSENT AGENDA**

Councilor Hayes moved to accept, approve and place on file the following items listed with an asterisk. Seconded by Councilor Shields. Vote: 6 Yeas, No Nays. (Councilor Mennealy out of the room)

**\*MINUTES OF APRIL 3, 4, & 10, 2006**

Approved under consent agenda.

**REPORTS OF THE MAYOR**

**PROCLAMATION – ELKS NATIONAL YOUTH WEEK REPORTS OF**

**CITY COUNCILORS**

Councilor Hayes made comments with regard to the April 11th Planning Board Meeting.

Councilor Rowell recently attended the Danville Grange and was presented a “Community Citizen Award” by the members of the grange.

Councilor Gerry recently attended a Volunteer Recognition Luncheon sponsored by the Auburn Housing Authority.

Councilor Mennealy complimented the Fire Department with regard to the many brush fires that they have had to deal with recently; Councilor Mennealy is concerned because the item that Councilor Gerry had requested (Prohibiting the City Manager from closing the Great Falls Plaza land swap agreement until the City Manager produces the updated documentation to support the construction of the parking garage) to be on the agenda, is not on the agenda, and he feels that there are questions that need to be answered by the City Manager.

Councilor Gerry read from her April 3rd prepared statement, the questions that she had requested that the City Manager answer.

Councilor Mennealy indicated that he had been asked by the citizens tax group to go on record that they feel that the action taken by the City Council on the transfer of land in Great Falls Plaza was an appropriation resolve and requires two votes of the Council.

**REPORTS OF THE CITY MANAGER FINANCE**

**REPORT – MONTH OF MARCH**

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

**PRESENTATION OF PROPOSED FY 2006-07 MUNICIPAL BUDGET**

Pat Finnigan, City Manager, gave an overview of the proposed FY 2006-07 Municipal Budget.

**COMMUNICATIONS AND RECOGNITIONS**

**\*COMMUNICATION FROM POLICE CHIEF SMALL RE: CONSTABLES**

Approved under consent agenda.

**OPEN SESSION**

The following people made comments during Open Session: Andy Titus, 45 Carson Street; Fern Lake, 612 South Main Street; Jonathan Labonte, 40 Reginald Street submitted written comments with regard to the Community Development Block Grant Budget; Ed Desgrosseilliers, 121 Hatch Road, read a letter from Atty. David Lourie which he submitted as part of the record of this meeting; Michael Dixon, 126 Everett Road; Dan Herrick, 470 Hatch Road; Ron Potvin, 82 Northern Avenue; and Peggy Whirley, 92 Gill Street, submitted photos of 153 Seventh Street regarding “illegal dumping”.

**CLOSED OPEN SESSION**

**OLD BUSINESS**

None

**NEW BUSINESS**

**1. RESOLVE – ACCEPTING CERTAIN FORFEITED FUNDS**

Councilor Matzen moved for passage of the resolve. Seconded by Councilor Mennealy. Vote: 7 Yeas.

**ADJOURNMENT – 8:50 p.m.**

Councilor Samson moved to adjourn. Seconded by Councilor Hayes. Vote: 7 Yeas.

A TRUE RECORD

ATTEST: \_\_\_\_\_

City Clerk

**CITY OF AUBURN MAY 1, 2006 CITY COUNCIL MEETING**

**PRESENT**

Mayor Normand W. Guay, Councilors Bethel B. Shields, Robert P. Hayes, Eric G. Samson, Donna L. Rowell, Belinda A. Gerry, Robert C. Mennealy, and M. Kelly Matzen, City Manager Pat Finnigan, Assistant City Manager Laurie Smith and City Clerk Mary Lou Magno. There were 19 people in the audience.

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

## **CONSENT AGENDA**

Councilor Mennealy moved to accept, approve and place on file the following item listed with an asterisk. Seconded by Councilor Shields. Vote: 7 Yeas.

### **\*MINUTES OF APRIL 24, 2006**

Approved under consent agenda.

## **REPORTS OF THE MAYOR**

Mayor Guay noted that last week he and several Councilors attended the Lewiston-Auburn Economic Growth Council's 25th Anniversary Dinner. Recognition awards were presented to the following: Family Health Care Associates; Frank H. Goss and Shaw's Supermarket; a joint Lewiston/Auburn recognition award was presented to Paul and Kate Landry owners of Mac's Grill and Fishbones. He also noted that the cities of Lewiston and Auburn were recently awarded the Environmental Merit Award "Think Blue Maine Partnership".

## **PROCLAMATION – RECOGNIZING MILT SIMON**

Mayor Guay read a Proclamation recognizing Milt Simon for being named the 2006 Maine Recreation and Parks Association Volunteer of the Year for his quarter century of community service as Director of the Auburn Community Band.

## **REPORTS OF CITY COUNCILORS**

Councilor Mennealy questioned why the City Manager had not given the City Councilors a copy of David Lourie's letter of April 6, 2006; he also requested that the City Manager request an opinion from the city's attorney regarding the need for a second reading on the transfer of land in Great Falls Plaza.

Councilor Rowell also attended the LAEGC dinner and is proud of the award given to Shaw's Supermarket as she has been an employee there for 23 years; she also noted that this Saturday will be the last "Bean Supper" at the Danville Grange – they will resume again in the fall.

## **REPORTS OF THE CITY MANAGER**

### **GENERAL ASSISTANCE QUARTERLY REPORT**

Councilor Mennealy moved to accept and place on file the General Assistance Quarterly Report as prepared and presented by Dot Meagher, Director of Health and Social Services. Seconded by Councilor Gerry. Vote: 7 Yeas.

Pat Finnigan, City Manager, noted that she and the School Superintendent will be presenting their FY 2006-2007 proposed Municipal/Education Budgets at a Public Hearing that will be held May 8th at 7:00 p.m. here in the Council Chambers.

## **COMMUNICATIONS AND RECOGNITIONS**

None

## **OPEN SESSION**

Larry Morrissette made comments during the open session. CLOSED

OPEN SESSION

## **OLD BUSINESS**

None

## **NEW BUSINESS**

### **1. RESOLVE - APPROVAL OF 2006-07 ACTION PLAN OF THE COMMUNITY DEVELOPMENT BLOCK GRANT AND HOUSING INVESTMENT PARTNERSHIP PROGRAMS (PUBLIC HEARING)**

Mayor Guay opened and closed the public hearing with no public comments.

Reine Mynahan, Community Development Block Grant Administrator, answered Councilors questions.

The following residents made comments and asked questions of Ms. Mynahan: Bob Bernier, 17 Lamplighter Circle; Dick Bussiere, 9 Winter Street; Fern Lake, 612 So. Main Street; Brian Demers, 1085 Riverside Drive and Tammy Grieshaber, 100 Stony Ridge.

Councilor Matzen moved for passage of the resolve. Seconded by Councilor Gerry. Vote: 7 Yeas.

### **2. RESOLVE – ACCEPTING CERTAIN FORFEITED FUNDS**

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

### **3. ORDER – NAMING OF POULIN LANE (PRIVATE ROAD)**

Councilor Matzen moved for passage of the order. Seconded by Councilor Mennealy. Vote: 7 Yeas.

### **4. ORDER – NAMING OF MILLBROOK LANE (PRIVATE ROAD)**

Councilor Samson moved for passage of the order. Seconded by Councilor Shields. Vote: 7 Yeas.

**REFER TO PLANNING BOARD**

Councilor Shields moved that Chapter 20, Section 3.2 – Damage to Non-Conforming Buildings be referred to the Planning Board for review and recommendation. Seconded by Councilor Gerry. Vote: 6 Yeas, No Nays with Councilor Matzen abstaining.

**ADJOURNMENT – 8:20 p.m.**

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

A TRUE RECORD

ATTEST: \_\_\_\_\_

City Clerk

**CITY OF AUBURN MAY 15, 2006 CITY COUNCIL MEETING**

**PRESENT**

Mayor Normand W. Guay, Councilors Bethel B. Shields, Robert P. Hayes, Eric G. Samson, Donna L. Rowell, Belinda A. Gerry, and M. Kelly Matzen, City Manager Pat Finnigan, Assistant City Manager Laurie Smith and City Clerk Mary Lou Magno. Councilor Robert Mennealy was absent. There were 42 people in the audience.

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

**CONSENT AGENDA**

Councilor Samson moved to accept, approve and place on file the following items listed with an asterisk. Seconded by Councilor Hayes. Vote: 6 Yeas, No Nays.

**\*MINUTES OF MAY 1, 2006**

Approved under consent agenda.

**REPORTS OF THE MAYOR**

Mayor Guay recently attended a Library Gala Celebration Dinner at the Hilton Garden Inn, with Governor Angus King as the keynote speaker and \$15,000 was raised that evening for the endowment fund; the Mayor recently attended the Auburn Business Association celebration where Ron Lebel was named Auburn's Citizen of the Year.

**PROCLAMATION – MAINE ARBOR WEEK**

Mayor Guay read a Proclamation proclaiming May 22 – 26 as the celebration of Maine Arbor Week.

## **REPORTS OF CITY COUNCILORS**

Councilor Samson explained a misperception recently discussed regarding a check written to a School Department employee.

Councilor Gerry reminded dog owners who walk their dogs to remember to pick up dog waste.

## **REPORTS OF THE CITY MANAGER**

### **FINANCE REPORT – MONTH OF APRIL**

Councilor Matzen moved to accept and place on file the Finance Report for the month of April as prepared and presented by Chris Trenholm, Finance Director. Seconded by Councilor Shields. Vote: 6 Yeas, No Nays.

### **PRESENTATION OF AUBURN PUBLIC LIBRARY BUDGET**

Rosemary Waltos, Librarian, presented the Library's proposed budget for fiscal year 2006-07.

## **COMMUNICATIONS AND RECOGNITIONS**

### **\*COMMUNICATION FROM THE STATION RE: RENEWAL OF PAWN LICENSE**

Approved under consent agenda.

### **\*COMMUNICATION FROM WEBSTER'S TRADING CO. RE: RENEWAL OF PAWN LICENSE**

Approved under consent agenda.

### **\*COMMUNICATION FROM THE CHAPMAN HOUSE RE: WAIVE FEE FOR GARAGE SALE PERMIT**

Approved under consent agenda.

### **\*COMMUNICATION FROM KIWANIS CLUB RE: USE OF CITY PROPERTY AND WAIVE LICENSE FEE**

Approved under consent agenda.

## **OPEN SESSION**

The following people spoke during open session: Larry Pelletier, 129 Second Street; Dick Bussiere, 9 Winter Street; Marie Herrick, 470 Hatch Road; and Andy Titus, 45 Carson Street.

CLOSED OPEN SESSION

## **OLD BUSINESS**

None

## **NEW BUSINESS**

### **1. ORDINANCE – CHAPTER 29, TEXT AMENDMENT, NEIGHBORHOOD BUSINESS DISTRICT, SECTION 3.61 PERMITTED USES**

Councilor Samson moved for acceptance of first reading. Seconded by Councilor Rowell.

The following people made comments regarding the above ordinance: David Galbraith, Director of Planning and Permitting; William Mellish, 56 Carlton Street; Lucille Hamel; Samuel Waterman; Jonathan Labonte, 40 Reginald Street; and Jim McPhee, 72 Hillcrest Street.

Councilor Matzen moved to amend by deleting Section 3.61.B.e. and substituting therefore the following:

e. General commercial uses (retail, service and office uses), not necessarily associated with the surrounding neighborhood, may be authorized by the Planning Director upon written application adhering to the following procedure and criteria:

1). The Planning Director, at the applicant's expense, shall promptly notify by mail all abutters and other property owners within 500 feet of the proposed site that an application has been submitted and the nature of the application and of the proposed use. The notified property owners shall have a fourteen

(14) day period from the date of the notice within which to comment in writing to the Planning Director regarding the proposed use.

2). Within twenty-one (21) days from the receipt of the application the Planning Director shall provide a written decision to the applicant and to any property owners who commented.

3). If the applicant or one or more property owners disagrees with the decision of the Planning Director, regarding the proposed use, a written request may be submitted to the Planning Board within thirty (30) days of the date of the Planning Director's decision and the Planning Board shall determine whether to grant the use. Both the applicant and the other property owners shall be notified of the Planning Board meeting by mailed notice not less than fourteen (14) days prior to the meeting. The party making such a request shall be responsible for the cost of the notification.

Seconded by Councilor Gerry.

Vote on the amendment: 6 Yeas, No Nays.

Vote on acceptance of first reading as amended: 6 Yeas, No Nays.

Councilor Rowell moved to waive provisions of the Charter calling for first and second readings on two separate dates. Seconded by Councilor Hayes.

Vote: 5 Yeas, with Councilor Samson voting Nay.

Councilor Rowell moved for acceptance of second reading and final passage. Seconded by Councilor Hayes. Vote: 6 Yeas, No Nays.

**2. ORDINANCE – CHAPTER 29, TEXT AMENDMENT, INDUSTRIAL DISTRICT, SECTION 3.71.B.2. SPECIAL EXCEPTION USES TO ADD “CHILD DAY CARE CENTERS OVER 5,000 SQUARE FEET (BUILDING AREA) (1ST READING)**

Councilor Shields moved for acceptance of first reading. Seconded by Councilor Hayes. David

Galbraith, Director of Planning and Permitting, explained the above ordinance and answered Councilors questions.

Vote: 6 Yeas, No Nays.

**3. ORDINANCE – CHAPTER 29, TEXT AMENDMENT, INDUSTRIAL DISTRICT, SECTION 3.71.B.2. SPECIAL EXCEPTION USES TO ADD “HALLS, PRIVATE CLUBS AND LODGES, BOWLING ALLEYS, ICE AND ROLLER SKATING RINKS, INDOOR THEATERS AND SIMILAR PLACES OF INDOOR AMUSEMENT OR RECREATION (1st READING)**

Councilor Samson moved for acceptance of first reading. Seconded by Councilor Hayes. David

Galbraith, Director of Planning and Permitting, explained the above ordinance and answered Councilors questions.

Councilor Samson moved to table. Seconded by Councilor Gerry. Vote: Councilors Samson, Rowell and Gerry voting Yea; Councilors Shields, Hayes and Matzen voting Nay; Mayor Guay voted Nay to break the tie.

Jonathan Labonte, 40 Reginald Street, made comments regarding the above ordinance. Vote on acceptance of first reading: 6 Nays, 0 Yeas.

**4. ORDINANCE – AMENDMENT TO THE ZONING MAP GENERALLY LOCATED ON THE WEST SIDE OF TRAPP ROAD TO THE IMMEDIATE NORTH AND SOUTH OF ROYAL RIVER ROAD (1st READING)**

Councilor Matzen moved for acceptance of first reading. No second.

**5. ORDINANCE – AMENDMENT TO THE ZONING MAP ON PROPERTY LOCATED ON THE SOUTHEAST CORNER OF MT. AUBURN AVENUE AND TURNER STREET (1ST READING)**

Councilor Samson moved for acceptance of first reading. Seconded by Councilor Rowell. David

Galbraith, Director of Planning and Permitting, explained the above ordinance and answered Councilors questions.

Greg Mitchell of Eaton Peabody Consulting Group, spoke in favor of the above ordinance. Vote: 5 Yeas with Councilor Gerry voting Nay.

**ADJOURNMENT – 10:00 p.m.**

Councilor Samson moved to adjourn. Seconded by Councilor Rowell. Vote: 6 Yeas, No Nays. A

TRUE RECORD

ATTEST: \_\_\_\_\_

City Clerk

**CITY OF AUBURN JUNE 5, 2006 CITY COUNCIL MEETING**

**PRESENT**

Mayor Normand W. Guay, Councilors Bethel B. Shields, Robert P. Hayes, Eric G. Samson, Donna L. Rowell, Belinda A. Gerry, Robert C. Mennealy, and M. Kelly Matzen, City Manager Pat Finnigan, Assistant City Manager Laurie Smith and City Clerk Mary Lou Magno. There were approximately 130 people in the audience.

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

**CONSENT AGENDA**

Councilor Gerry moved to accept, approve and place on file the following items listed with an asterisk. Seconded by Councilor Samson. Vote: 7 Yeas.

**\*MINUTES OF MAY 15, 2006**

Approved under consent agenda.

## **REPORTS OF THE MAYOR**

Mayor Guay noted the retirement of June E. Thompson after 50 years of employment with the City of Auburn; he read a Proclamation proclaiming June 2 – 5 June E. Thompson days in the City of Auburn.

Mayor Guay attended the Adult Education Graduation at Edward Little High School.

## **REPORTS OF CITY COUNCILORS**

Councilor Gerry requested that an item be added to the agenda regarding the archiving of clippings. Seconded by Councilor Rowell. Vote: 7 Yeas. Mayor Guay indicated that this will be added as Item #4.

## **REPORTS OF THE CITY MANAGER**

None

## **COMMUNICATIONS AND RECOGNITIONS**

### **\*COMMUNICATION FROM NEW AUBURN LITTLE LEAGUE RE: WAIVE FEE FOR VICTUALER LICENSES**

Approved under consent agenda.

### **\*COMMUNICATION FROM LIBERTY FESTIVAL COMMITTEE RE: MASS GATHERING PERMIT**

Approved under consent agenda.

## **OPEN SESSION**

The following people spoke during open session: Larry Morrisette, 13 Gamage Avenue; Dick Bussiere, 9 Winter Street; Deana Chapman, 224 South Main Street; Jim Berube, 45 Rosewood Road; Peter Vondell, 153 Broad Street; Leslie Lord, 1154 Minot Avenue; Andy Titus, 25 Carson Street; and Gary Tetreault, 16 Hazel Street.

CLOSED OPEN SESSION

## **OLD BUSINESS**

### **1. ORDINANCE – CHAPTER 29, TEXT AMENDMENT, INDUSTRIAL DISTRICT SECTION 3.71.B.2. SPECIAL EXCEPTION USES TO ADD “CHILD DAY CARE CENTERS OVER 5,000 SQUARE FEET (BUILDING AREA)” (2ND READING)**

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

**2. ORDINANCE – AMENDMENT TO THE ZONING MAP ON PROPERTY LOCATED ON THE SOUTHEAST CORNER OF MT. AUBURN AVENUE AND TURNER STREET (2ND READING)**

Councilor Samson moved for acceptance of second reading and final passage. Seconded by Councilor Hayes.

Dick Bussiere, 9 Winter Street, made comments regarding the above ordinance. Vote: 5

Yeas with Councilors Gerry and Mennealy voting Nay.

**NEW BUSINESS**

**3. RESOLVE – 2006-2007 ANNUAL APPROPRIATION RESOLVE (1ST READING)**

Councilor Matzen moved for acceptance of first reading. Seconded by Councilor Shields.

The following people made comments regarding the above resolve: Deana Chapman, 224 South Main Street; Brian Demers, 1085 Riverside Drive; Bill Leighton, 1052 Washington Street; Bob Bernier, 17 Lamplighter Circle; Jim Berube, 45 Rosewood Road; Mike Adler, 20 Paul Street; Any Titus, 45 Carson Street; Bruce Bickford, 64 Cameron Lane; Dan Herrick, 470 Hatch Road; Janet Theriault, 520 West Auburn Road; Ron Potvin, 82 Northern Avenue; David Rowell, 95 Monroe Street; Robert Lamontagne, 1796 Minot Avenue; and Lori Hebert, 229 Broad Street.

Councilor Mennealy moved to amend the resolve by reducing the School Department operating funds by \$100,000; reducing Public Works operating funds by \$17,000

(Van); and the bonded amount for the boat be reduced from \$35,000 to \$20,000. Seconded by Councilor Samson.

Vote on the amendment: 5 Yeas with Councilors Rowell and Matzen voting Nay.

Vote on acceptance of first reading of the resolve as amended: 4 Yeas with Councilors Rowell, Gerry and Matzen voting Nay. NOT PASSED

Councilor Samson moved for acceptance of 1st reading of the Annual Appropriation Resolve as originally presented. Seconded by Councilor Matzen. Vote: 4 Yeas with Councilors Rowell, Gerry and Mennealy voting Nay. NOT PASSED

**4. ARCHIVE CLIPPINGS NOTEBOOK**

Councilor Gerry moved to direct staff to continue to clip articles (related to the city) from the newspapers, store them in a notebook and archive the notebooks. Seconded by Councilor Rowell.

Councilor Matzen moved to amend by changing the word direct to recommend. Seconded by Councilor Mennealy. Vote on the amendment: 5 Yeas with Councilors Rowell and Gerry voting Nay.

Vote on acceptance of motion as amended: 7 Yeas.

**ADJOURNMENT** – 10:30 p.m.

Councilor Matzen moved to adjourn. Seconded by Councilor Rowell. Vote: 7 Yeas.

A TRUE RECORD

ATTEST: \_\_\_\_\_

City Clerk

**CITY OF AUBURN JUNE 19, 2006 CITY COUNCIL MEETING**

**PRESENT**

Mayor Normand W. Guay, Councilors Bethel B. Shields, Robert P. Hayes, Eric G. Samson, Donna L. Rowell, Belinda A. Gerry, Robert C. Mennealy, and M. Kelly Matzen, City Manager Pat Finnigan, Assistant City Manager Laurie Smith and City Clerk Mary Lou Magno. There were approximately 100 people in the audience.

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

**CONSENT AGENDA**

Councilor Gerry moved to accept, approve and place on file the following item listed with an asterisk. Seconded by Councilor Mennealy. Vote: 7 Yeas.

**\*MINUTES OF JUNE 5, 2006**

Approved under consent agenda.

**REPORTS OF THE MAYOR**

Mayor Guay recently attended the closing of Webster Elementary School. In September students will be attending the new elementary school on Park Avenue.

Mayor Guay recognized Lt. Col. Todd Desgrosseilliers for his courage and heroism while serving in the Marines. He received the Silver Star recently for bravery and heroism in Iraq. The **Mayor proclaimed June 20, 2006 as Lt. Col. Todd Desgrosseilliers Day.**

**REPORTS OF CITY COUNCILORS**

Councilor Mennealy wished to recognize the Edward Little Track Team and St. Dom's Baseball Team for their recent participation in State Championships.

## **REPORTS OF THE CITY MANAGER FINANCE**

### **REPORT – MONTH OF MAY**

Councilor Samson moved to accept and place on the file the Finance Report for the Month of May as prepared and presented by Chris Trenholm, Finance Director. Seconded by Councilor Mennealy.  
Vote: 7 Yeas.

### **REVIEW OF CITY-WIDE REVALUATION**

Fred Chmurra of the International Association of Assessing Officers, gave an overview of the report that was recently completed regarding a review of the city-wide revaluation.

### **COMMUNICATIONS AND RECOGNITIONS**

None

### **OPEN SESSION**

The following people spoke during open session: Dan Herrick, 470 Hatch Road; Sheryl Banden, 120 Third Street; Larry Pelletier, 129 Second Street; Jim Berube, 45 Rosewood Road; Andy Titus, 45 Carson Street; and Jonathan Labonte, 40 Reginald Street.

### **CLOSED OPEN SESSION**

### **OLD BUSINESS**

#### **1. RESOLVE – 2006-2007 ANNUAL APPROPRIATION RESOLVE (1ST Reading)**

Councilor Matzen moved for acceptance of first reading. Seconded by Councilor Shields. The

following people made comments regarding the above resolve: Brian Demers, 1085 Riverside Drive; Jane Costlow, 104 Fourth Street; Jonathan Labonte, 40 Reginald Street; Dan Herrick, 470 Hatch Road; Ron Potvin, 82 Northern Avenue; and Jim Berube, 45 Rosewood Road.

Vote: 7 Yeas.

Mayor Guay noted that a Special Meeting will be held on June 26th at 7:00 p.m. to consider second reading and final passage of this resolve.

### **NEW BUSINESS**

#### **2. SET DATES FOR JULY COUNCIL MEETINGS**

Councilor Matzen moved that the meeting in July be held on the 10th and 17th. Seconded by Councilor Mennealy. Vote: 7 Yeas.

**ADJOURNMENT – 9:00 p.m.**

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

A TRUE RECORD

ATTEST: \_\_\_\_\_

City Clerk

**CITY OF AUBURN JUNE 26, 2006 SPECIAL CITY COUNCIL MEETING**

PRESENT

Mayor Normand W. Guay, Councilors Bethel B. Shields, Robert P. Hayes, Eric G. Samson, Donna L. Rowell, Belinda G. Gerry, Robert C. Mennealy, and M. Kelly Matzen,

City Manager Pat Finnigan and Assistant City Manager Laurie Smith. City Clerk Mary Lou Magno was absent.

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

MOMENT OF SILENCE

Mayor Guay called for a moment of silence for the families of the three Lewiston High School students who recently lost their lives in a plane crash. Councilor Rowell also offered her sympathy to the families.

**RESOLVE – 2006-07 ANNUAL APPROPRIATION RESOLVE (2ND READING)**

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

Councilor Mennealy commended the Fire Department for their quick emergency response to Mr. Braley – it saved his life.

**ADJOURNMENT – 7:11 P.M.**

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

A TRUE RECORD

ATTEST: \_\_\_\_\_

City Clerk

**CITY OF AUBURN JULY 10, 2006 CITY COUNCIL MEETING**

## PRESENT

Mayor Normand W. Guay, Councilors Bethel B. Shields, Robert P. Hayes, Eric G. Samson, Donna L. Rowell, Belinda A. Gerry, Robert C. Mennealy, and M. Kelly Matzen, City Manager Pat Finnigan, Assistant City Manager Laurie Smith and City Clerk Mary Lou Magno. There were 18 people in the audience.

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

## CONSENT AGENDA

Councilor Gerry moved to accept, approve and place on file the following items listed with an asterisk. Seconded by Councilor Mennealy. Vote: 7 Yeas.

### \*MINUTES OF JUNE 5, 2006

Approved under consent agenda.

## REPORTS OF THE MAYOR

Mayor Guay recently participated in the welcoming of the new minister at Court Street Baptist Church; he also participated in the press conference for the Best Buy announcement and noted that the principals of LongHorn and Ruby Tuesday's also attended and indicated that the Auburn restaurants had exceeded business over original projections.

## REPORTS OF CITY COUNCILORS

Councilor Samson noted that he had a request from a constituent for the city to provide services for the visually impaired i.e. elevators and computers.

Councilor Rowell asked questions of the City Manager regarding maintenance at Festival Plaza and recognizing the retirement of Police Chief Richard Small; she also asked questions of Cheryl Dubois, Tax Assessor.

Councilor Mennealy questioned the status of the handicapped accessible doors on the walkway from the Parking Garage to Auburn Hall.

## REPORTS OF THE CITY MANAGER

Pat Finnigan, City Manager, thanked staff from Parks and Recreation and Public Works and all the citizen volunteers who made the July Fourth Celebration successful.

## COMMUNICATIONS AND RECOGNITIONS

**\*COMMUNICATION FROM GREAT FALLS BALLOON FESTIVAL COMMITTEE FOR USE OF CITY PROOPERTY, AND WAIVING LICENSE AND TIPPING FEES**

Approved under consent agenda.

**OPEN SESSION**

The following people spoke during open session: Jonathan Labonte, 40 Reginald Street; Fern Lake, 612 South Main Street; Dan Herrick, 470 Hatch Road; Andy Titus, 45 Carson Street; and Dorothy Austin, 59 Whitney Street.

**CLOSED OPEN SESSION**

**OLD BUSINESS**

None

**NEW BUSINESS**

**1a. RESOLVE – ACCEPTING CERTAIN FORFEITED FUNDS**

Councilor Shields moved for passage of the resolve. Seconded by Councilor Gerry. Deputy Chief Crowell answered Councilors questions.

Vote: 7 Yeas.

**1b. RESOLVE – ACCEPTING CERTAIN FORFEITED PROPERTY**

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

**EXECUTIVE SESSION**

Councilor Shields moved to go into Executive Session to discuss Personnel Committee Appointment and Labor Negotiations. Seconded by Councilor Mennealy. Vote: 6 Yeas with Councilor Gerry voting Nay.

**ADJOURNMENT – 8:20 p.m.**

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

A TRUE RECORD

ATTEST: \_\_\_\_\_

City Clerk

## **CITY OF AUBURN JULY 17, 2006 CITY COUNCIL MEETING**

### **PRESENT**

Mayor Normand W. Guay, Councilors Bethel B. Shields, Robert P. Hayes, Eric G. Samson, Donna L. Rowell, Belinda A. Gerry, Robert C. Mennealy, and M. Kelly Matzen, City Manager Pat Finnigan, Assistant City Manager Laurie Smith and City Clerk Mary Lou Magno. There were 43 people in the audience.

Mayor Guay called the meeting to order at 7:00 p.m. in the Council Chambers of Auburn Hall with a salute to the flag. Mayor Guay called for a moment of silence for two former City Councilors who passed away last week, Everett Trask and Alvin Gilbert.

### **CONSENT AGENDA**

Councilor Shields moved to accept, approve and place on file the following item listed with an asterisk. Seconded by Councilor Rowell. Vote: 6 Yeas with Councilor Gerry voting Nay.

#### **\*MINUTES OF JULY 10, 2006**

Approved under consent agenda.

### **REPORTS OF THE MAYOR**

#### **APPOINTMENT OF FIREARMS DISCHARGE COMMITTEE**

Mayor Guay appointed the following to serve on the Firearms Discharge Committee: Councilor Eric Samson, Chair, William Locke, Scott Davis, Harvey Gagne, Michael Jordan, Steve Damien, Susan Weiss, Barbara Trafton and William Skelton.

### **REPORTS OF CITY COUNCILORS**

Councilor Rowell reminded Councilors that the City Manager's Performance Evaluation should be completed soon.

### **REPORTS OF THE CITY MANAGER**

Pat Finnigan, City Manager, talked about the events taking place at Festival Plaza – Movies, L-A Arts, and Community Band concerts.

### **COMMUNICATIONS AND RECOGNITIONS**

None

### **OPEN SESSION**

The following people spoke during open session: Brian Franck, 20 Pearl Street; Ed Desgrosseilliers, 121 Hatch Road; Francis Bussiere, 9 Winter Street; Brian Demers, 1085 Riverside Drive; Dan Herrick, 470 Hatch Road; Ron Potvin, 82 Northern Avenue; and Timothy Goss, 175 Valview Drive.

CLOSED OPEN SESSION

## **OLD BUSINESS**

None

## **NEW BUSINESS**

### **1. ORDER – AUTHORIZING A CAPITAL IMPROVEMENT BOND TO FUND STREET IMPROVEMENTS (MALL AREA) (1ST READING) (PUBLIC HEARING)**

Councilor Samson moved for acceptance of first reading. Seconded by Councilor Shields. Mayor Guay

opened the public hearing and the following people commented: Jonathan Labonte, 40 Reginald Street; Larry Pelletier, 129 Second Street; Brian Demers, 1085 Riverside Drive; Dan Herrick, 470 Hatch Road; Bob Thorpe, 10 Barkley Avenue; Tammy Grieshaber, 100 Stony Ridge; Gerard Dennison, 28 Seventh Street; Mr. Dennison also read a letter from Charles Morrison, President of the Androscoggin County Chamber of Commerce; Lou Gosselin, Executive Director of the Lewiston-Auburn Economic Growth Council; Bruce Rioux, 85 Mary Carroll Street; Greg Mitchell, representing E. Peabody Consulting Group; and Timothy Goss, 175 Valview Drive. Mayor Guay read a letter from James Pittman.

Mayor Guay closed the public hearing.

David Galbraith, Director of Planning & Permitting, answered Councilors questions; and Tom Gorhill, Traffic Engineer, also answered their questions.

Vote for acceptance of first reading: 5 Yeas with Councilors Gerry and Mennealy voting Nay.

### **2. ORDER – AUTHORIZING ANNUAL CAPITAL IMPROVEMENT PROGRAM BOND**

Councilor Hayes moved for acceptance of first reading. Seconded by Councilor Gerry. Mayor

Guay opened and closed the public hearing with no public comment.

Vote for acceptance of first reading: 7 Yeas.

### **3. ORDER – DISCONTINUANCE OF COTTAGE ROAD AND A PORTION OF CHURCH STREET**

Councilor Shields moved for passage of the order. Seconded by Councilor Hayes.

Gary Johnson, Assistant City Engineer, answered Councilors questions. Vote: 7

Yeas.

#### **4. RESOLVE – ACCEPTING CERTAIN FORFEITED FUNDS**

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

#### **5. APPOINTMENTS TO THE PLANNING BOARD**

Councilor Shields moved to reappoint Richard Whiting and Clifton Griem to the Planning Board until November 2008. Seconded by Councilor Matzen. Vote: 7 Yeas.

#### **6. SET DATE FOR SPECIAL COUNCIL MEETING**

Councilor Shields moved that a Special City Council Meeting be held on July 31st for the purpose of voting on the Police Command Unit Labor Contract. Seconded by Councilor Matzen. Vote: 7 Yeas

**ADJOURNMENT** –9:15 p.m.

Councilor Samson moved to adjourn. Seconded by Councilor Shields. Vote: 7 Yeas.

A TRUE RECORD

ATTEST: \_\_\_\_\_

City Clerk

### **CITY OF AUBURN AUGUST 7, 2006 CITY COUNCIL MEETING**

#### **PRESENT**

Mayor Normand W. Guay, Councilors Bethel B. Shields, Robert P. Hayes, Eric G. Samson, Donna L. Rowell, Belinda A. Gerry, Robert C. Mennealy, and M. Kelly Matzen, City Manager Pat Finnigan, Assistant City Manager Laurie Smith and City Clerk Mary Lou Magno. There were 100+ people in the audience.

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

#### **CONSENT AGENDA**

Councilor Shields moved to accept, approve and place on file the following item listed with an asterisk. Seconded by Councilor Rowell. Vote: 7 Yeas.

**\*MINUTES OF JULY 17, 2006**

Approved under consent agenda. **REPORTS**

## **OF THE MAYOR RECOGNITION OF**

### **DAVID WEBSTER**

Mayor Guay recognized David Webster, a Para transit driver at Western Maine Transportation. For three consecutive years, Mr. Webster has earned the first-play trophy at the Annual Maine State Bus & Van Roadeo. In June of this year, he participated in Orlando, Florida competition and brought home the National Community Transportation Association's Bus Division Title.

Mayor Guay also noted that the filing deadline for candidates for the Municipal Election is August 24th. To date only three residents have taken out nomination papers for seven School Committee openings.

### **REPORTS OF CITY COUNCILORS**

Councilor Rowell noted that she recently attended a function at the Franco Heritage Center, where a 13 year old male performed on the piano recently donated to the center; she also worked (serving hot dogs) at National Night Out and thanked all the City personnel who helped make it a successful event.

Councilor Mennealy reminded the Mayor and Councilors that the Performance Evaluation of the City Manager should be completed soon.

Councilor Samson noted that the Firearms Discharge Committee had their organizational meeting on August 2nd. The Committee has requested that the Acting Police Chief gather material for their consideration before their next meeting. Councilor Gerry suggested

that the notification for the committees' dates and times of meetings be published on the City website.

### **REPORTS OF THE CITY MANAGER**

#### **NATIONAL NIGHT OUT**

Acting Police Chief Crowell noted the success of National Night Out which took place on August 1st; over 300 people attended and the Police Department announced their goal for the next year – Neighborhood Watch Groups.

#### **UNIFORM CRIME REPORT**

Acting Chief Crowell presented the Uniform Crime Report published annually by the Federal Bureau of Investigation. In 2005 Auburn's clearance rate of crimes was 47%.

### **COMMUNICATIONS AND RECOGNITIONS**

**COMMUNICATION FROM ROBERT PONTBRIAND RE: RESIGNATION FROM  
SEWER DISTRICT**

Approved under consent agenda

**COMMUNICATION FROM ACTING POLICE CHIEF CROWELL RE: CONSTABLE**

Approved under consent agenda

**TAKE AGENDA ITEM #3 OUT OF ORDER**

Councilor Samson moved that item #3 be taken out of order. Seconded by Councilor Shields. Vote: 7 Yeas.

**3. RESOLVE – AUTHORIZING CITY MANAGER TO EXECUTE CONTRACT WITH POLICE  
COMMAND UNIT**

Councilor Matzen moved for passage of the resolve. Seconded by Councilor Samson.

Laurie Smith, Assistant City Manager, gave an overview of the negotiations and the contract. Vote: 7 Yeas.

**OPEN SESSION**

The following people spoke during open session: Stanley Hines, 13 Hutchins Street; and Roma Girardin, 667 Court Street.

**CLOSED OPEN SESSION**

**OLD BUSINESS**

**1. ORDER – AUTHORIZING A CAPITAL IMPROVEMENT BOND TO FUND STREET  
IMPROVEMENTS (MALL AREA) (2ND READING) (PUBLIC HEARING)**

Councilor Matzen moved for acceptance of second reading and final passage. Seconded by Councilor Rowell.

The following made comments regarding the above order: Brian Demers, 1085 Riverside Drive; Diane McManus, 19 Coachman Avenue; Diane Moreau, 515 Pond Road, Lewiston/Auburn business owner; Bruce Bickford, 64 Cameron Lane; Dan Thayer, 165 West Shore Road and President of Auburn Business Development Corporation; Liz Oken, 28 Gillander Avenue; Cathy Leonard, 142 Fletcher Road; Dick Doucette, 12 Parkway; Dick Bussiere, 9 Winter Street; Cliff Greim, 48 Longbow Court; and Jonathan Labonte, 40 Reginald Street.

Vote for acceptance of second reading and final passage: 5 Yeas with Councilors Gerry and Mennealy voting Nay.

## **2. ORDER – AUTHORIZING ANNUAL CAPITAL IMPROVEMENT PROGRAM BOND**

Councilor Hayes moved for acceptance of second reading and final passage. Seconded by Councilor Shields.

Mayor Guay opened and closed the public hearing with no public comment.

Vote for acceptance of second reading and final passage: 6 Yeas, with Councilor Gerry voting Nay.

## **NEW BUSINESS**

### **4. PUBLIC HEARING AND ACTION ON LIQUOR LICENSE APPLICATION FOR MIDNIGHT BLUES CLUB & RESTAURANT, 34 COURT STREET**

Mayor Guay opened the public hearing and the following made comments: Paul Morency, owner Midnight Blues Club; Acting Police Chief Crowell; John Reid, 34 Sherry Lane and owner of Black Watch Restaurant; Brian Demers, 1085 Riverside Drive; Gary Dow, Lewiston; Brenda Tarmey, Lisbon; Bob Bernier, 17 Lamplighter Circle; Tammie Grieshaber, 100 Stony Ridge; Dale Blake, 377 South Witham Road; Troy Bernard, 2784 Turner Road; Ralph Stetson, 295 Minot Avenue; Norm Rousseau, Lewiston; Sheryl Bandin, 120 Third Street; Scott Morency, 96 Madison Street; Brenda Lowe, Lewiston; Dusty Bain, Bailey Island; April Turmenne, 14 High

Street; Craig Morency, 96 Madison Street; James Martin, Lewiston; Andrew, Leviathan Rugby Club; and Joe Dunn, Lewiston.

Mayor Guay closed the public hearing

Councilor Matzen moved to extend the Special Amusement Permit until August 21st provided that The Cellar Door closes immediately. Seconded by Councilor Gerry. Vote: 7 Yeas.

Councilor Matzen moved that the Liquor License application be tabled until August 21st. Seconded by Councilor Samson. Vote: 7 Yeas.

### **5. PUBLIC HEARING AND ACTION ON SPECIAL AMUSEMENT PERMIT APPLICATIONS FOR GREAT FALLS GRILL; CLUB TEXAS; GRITTY MCDUFF'S AND HILTON GARDEN INN**

Councilor Shields moved that the Special Amusement Permit applications be approved. Seconded by Councilor Samson.

Mayor Guay opened the public hearing.

Justin Oliver, Manager Great Falls Grill spoke in favor of the above permit. Mayor Guay closed the public hearing.

Vote: 7 Yeas.

**6. RESOLVE – AUTHORIZING CITY MANAGER TO ACCEPT STATE URBAN/RURAL INITIATIVE FUNDS FOR ROAD IMPROVEMENTS**

Councilor Gerry moved for passage of the resolve. Seconded by Councilor Mennealy. Vote: 7 Yeas.

**ADJOURNMENT** – 10:30 p.m.

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

A TRUE RECORD

ATTEST: \_\_\_\_\_

City Clerk

**CITY OF AUBURN AUGUST 21, 2006 CITY COUNCIL MEETING**

**PRESENT**

Mayor Normand W. Guay, Councilors Bethel B. Shields, Robert P. Hayes, Eric G. Samson, Donna L. Rowell, Belinda A. Gerry, Robert C. Mennealy, and M. Kelly Matzen, City Manager Pat Finnigan, Assistant City Manager Laurie Smith and City Clerk Mary Lou Magno. There were 41 people in the audience.

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

**CONSENT AGENDA**

Councilor Gerry moved to accept, approve and place on file the following items listed with an asterisk. Seconded by Councilor Samson. Vote: 7 Yeas.

**\*MINUTES OF AUGUST 7, 2006**

Approved under consent agenda.

**REPORTS OF THE MAYOR**

Mayor Guay thanked the many volunteers that made this weekends' Balloon Festival such a success; he also thanked the city departments that contributed to this success.

## **HEARTSAFE COMMUNITY**

Mayor Guay noted that the Auburn Fire Rescue Department had recently been designated as a Maine HeartSafe Community. Fire Chief Wayne Werts noted that Auburn Fire Rescue had been recognized for its excellent work to improve cardiovascular health and awareness in the City of Auburn.

## **FIREFIGHTER OF THE YEAR**

Mayor Guay awarded Gary Simard, Fire Prevention Officer, the “Firefighter of the Year” Award as sponsored by Liberty Mutual. FPO Simard was nominated by his peers to receive this award.

## **REPORTS OF CITY COUNCILORS REPORTS**

### **OF THE CITY MANAGER COMMUNICATIONS**

### **AND RECOGNITIONS**

#### **\*COMMUNICATION FROM NEW ENGLAND SCHOOL OF METALWORK RE:**

#### **WAIVE FEE FOR VICTUALERS LICENSE**

Approved under consent agenda.

#### **\*COMMUNICATION FROM INTERIM POLICE CHIEF CROWELL RE: CONSTABLE**

Approved under consent agenda. TAKE

#### **ITEM OUT OF ORDER**

Councilor Samson moved to take item #1 out of order. Seconded by Councilor Hayes. Vote: 6 Yeas, with Councilor Mennealy abstaining.

### **1. PUBLIC HEARING AND ACTION ON LIQUOR LICENSE APPLICATION AND SPECIAL AMUSEMENT PERMIT APPLICATION FOR MIDNIGHT BLUES CLUB AND RESTAURANT (Tabled 8/7/06)**

Councilor Shields moved to remove the Liquor License Application from the table. Seconded by Councilor Rowell. Vote: 7 Yeas.

Mayor Guay opened the public hearing and the following people made comments: Tammie Grieshaber, 100 Stony Ridge; Paul Morency, 96 Madison Street; John Reid, 34 Sherry Lane; and Captain Mulherin and Lt. Moen from the Police Department.

Mayor Guay closed the public hearing.

Councilor Matzen moved to approve the Liquor License Application. Seconded by Councilor Samson.  
Vote: 7 Yeas.

Councilor Matzen moved to approve the Special Amusement Permit until August 8, 2007, subject to the terms of the agreement reached by Mr. Morency and the Interim Police Chief Crowell. Seconded by Councilor Samson.

Councilor Hayes moved to amend the agreement by adding at the end of paragraph #2 (outdoor café) "\$250 usage fee be charged per month". Seconded by Councilor Mennealy. Vote: 5 Nays with Councilors Hayes and Mennealy voting Yea.

Councilor Shields moved to amend the agreement by excluding paragraph #2 (outdoor café) and request that staff draft a policy and fee structure for use of city property as it relates to outdoor cafes/uses. Seconded by Councilor Rowell. Vote: 5 Yeas with Councilors Mennealy and Matzen voting Nay.

Vote on approval of the Special Amusement Permit as amended: 6 Yeas with Councilor Matzen voting Nay.

## **OPEN SESSION**

The following people spoke during open session: Bruce Bickford, 64 Cameron Lane and Brian Demers, 1085 Riverside Drive, presented a written request for information (a copy of the request is on file with the City Council Meeting documents); Pat Holt-Billey, 33

Moose Brook Road, presented a written request (a copy of the request is on file with the City Council Meeting documents); Leo Camire, 9 Eastman Lane; Dan Herrick, 470 Hatch Road; Jonathan Labonte, 40 Reginald Street; and Councilor Gerry.

## **CLOSED OPEN SESSION**

## **NEW BUSINESS**

### **2. ORDER – 2006-2007 TAX COMMITMENT**

Councilor Shields moved for passage of the order. Seconded by Councilor Mennealy. Vote: 6 Yeas with Councilor Gerry voting Nay.

### **3. RESOLVE – AMENDMENT TO THE BOUNDARY OF THE PINE TREE ZONE**

Councilor Mennealy moved for passage of the resolve. Seconded by Councilor Gerry. Roland Miller, Director of Economic Development, answered Councilors questions, Vote: 7 Yeas.

#### **4. SET DATES FOR MEETINGS IN SEPTEMBER**

Councilor Gerry moved that the meetings in September be held on the 18th and 25th. Seconded by Councilor Rowell. Vote: 7 Yeas

**ADJOURNMENT** – 9:25 p.m.

Councilor Samson moved to adjourn. Seconded by Councilor Gerry. Vote: 7 Yeas.

A TRUE RECORD

ATTEST: \_\_\_\_\_

City Clerk

#### **CITY OF AUBURN SEPTEMBER 18, 2006 CITY COUNCIL MEETING**

##### **PRESENT**

Councilors Bethel B. Shields, Robert P. Hayes, Eric G. Samson, Belinda A. Gerry, Robert C. Mennealy, and M. Kelly Matzen, City Manager Pat Finnigan, Assistant City Manager Laurie Smith, Finance Director Chris Trenholm and City Clerk Mary Lou Magno. Mayor Normand W. Guay and Councilor Donna L. Rowell were both absent. There were 41 people in the audience.

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

##### **APPOINTMENT OF PRESIDING OFFICER**

Councilor Gerry moved to appoint Councilor M. Kelly Matzen to serve as Mayor Pro Tem for this meeting in the absence of Mayor Guay. Seconded by Councilor Hayes. Vote: 5 Yeas, No Nays.

##### **ADD TO CONSENT AGENDA**

Councilor Hayes moved to add two items to the consent agenda, the first is a request from Councilor Rowell to be excused from this Council Meeting and the second is from Councilor Shields to be excused from the September 25th Council Meeting. Seconded by Councilor Gerry. Vote: 5 Yeas, No Nays.

##### **CONSENT AGENDA**

Councilor Mennealy moved to accept, approve and place on file the following items listed with an asterisk. Seconded by Councilor Shields. Vote: 5 Yeas, No Nays.

##### **\*MINUTES OF AUGUST 21, 2006**

Approved under consent agenda.

## **REPORTS OF THE MAYOR**

Mayor Pro Tem Matzen noted the beautiful flowers throughout the City and especially those on Turner Street which is an adopt-a-spot sponsored by Dunkin Donuts.

## **REPORTS OF CITY COUNCILORS ADMINISTRATION OF**

### **OATH OF OFFICE**

City Clerk Mary Lou Magno administered the Oath of Office to Patrol Officers Andrew Feeney and Scott Corey.

## **REPORTS OF THE CITY MANAGER**

Pat Finnigan, City Manager, thanked all staff who participated in the September 11 Remembrance, especially Tracey Steuber, Auburn's Community Relations Manager and

Dot Perham-Whittier from the City of Lewiston; Interim Chief Crowell spoke about the successful "graffiti clean-up" that took place on Saturday, September 9th; Pat Finnigan also noted that today the grant application was filed for the delivery of local and regional services.

## **COMMUNICATIONS AND RECOGNITIONS**

### **COMMUNICATION FROM INTERIM CHIEF CROWELL RE: CONSTABLE**

Approved under consent agenda

### **COMMUNICATION FROM DANVILLE JCT. GRANGE AND DANVILLE UNION CHURCH RE: WAIVE FEE FOR VICTUALERS LICENSE**

Approved under consent agenda

### **COMMUNICATION FROM UNITED METHODIST CHURCH RE: WAIVE FEE FOR DAY CARE LICENSE**

Approved under consent agenda

### **COMMUNICATION FROM MAYOR GUAY RE: REQUEST TO BE EXCUSED FROM COUNCIL MEETINGS**

Approved under consent agenda

### **REQUEST FROM COUNCILOR ROWELL TO BE EXCUSED FROM THIS MEETING**

Approved under consent agenda

## **REQUEST FROM COUNCILOR SHIELDS TO BE EXCUSED FROM THE SEPTEMBER 25TH MEETING**

Approved under consent agenda

### **OPEN SESSION**

The following people spoke during open session: Brian Demers, 1085 Riverside Drive; Dan Herrick, 470 Hatch Road; Andy Titus, 45 Carson Street; Jonathan Labonte, 40 Reginald Street; Ellen Peters, 15 Shepley Street; and Leo Camire, 9 Eastman Lane.

### **CLOSED OPEN SESSION OLD**

#### **BUSINESS**

None

#### **NEW BUSINESS**

##### **1. APPOINTMENT TO THE SEWER DISTRICT UNTIL MARCH 2007**

Councilor Shields moved to appoint Robert Cavanagh to the Sewer District until March 2007. Seconded by Councilor Samson. Vote: 5 Yeas, No Nays.

##### **2. SET DATES FOR OCTOBER COUNCIL MEETINGS**

Councilor Gerry moved that the meetings in October be held on October 4th and 16th. Seconded by Councilor Mennealy.

Councilor Hayes moved to amend by holding the meetings on October 11th and 23rd. Seconded by Councilor Mennealy.

Vote on the amendment: 5 Yeas, No Nays. Vote on

passage as amended: 5 Yeas, No Nays. REQUEST

#### **OF COUNCILOR GERRY**

Councilor Gerry requested that a workshop be held in order for the City Manager to answer those questions brought forward by Brian Demers and Dan Herrick.

#### **APPOINTMENT OF PRESIDING OFFICER**

Councilor Samson moved that Councilor Matzen act as Mayor Pro Tem for the September 25th Council Meeting. Seconded by Councilor Hayes. Vote: 4 Yeas with Councilor Shields abstaining.

**ADJOURNMENT** – 8:05 p.m.

Councilor Hayes moved to adjourn. Seconded by Councilor Mennealy. Vote: 5 Yeas, No Nays A

TRUE RECORD

ATTEST: \_\_\_\_\_

City Clerk

**CITY OF AUBURN SEPTEMBER 25, 2006 CITY COUNCIL MEETING**

**PRESENT**

Mayor Normand W. Guay, Councilors Robert P. Hayes, Eric G. Samson, Donna L. Rowell, Belinda A. Gerry, Robert C. Mennealy, and M. Kelly Matzen, City Manager Pat Finnigan, Assistant City Manager Laurie Smith, Finance Director Chris Trenholm and City Clerk Mary Lou Magno. Councilor Bethel B. Shields was absent. There were 29 people in the audience.

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

**CONSENT AGENDA**

Councilor Samson moved to accept, approve and place on file the following items listed with an asterisk. Seconded by Councilor Mennealy. Vote: 5 Yeas with Councilor Gerry voting Nay.

**\*MINUTES OF SEPTEMBER 18, 2006**

Approved under consent agenda.

**REPORTS OF THE MAYOR**

Mayor Guay thanked Councilor Matzen for representing him at the Grand Opening of the Library; and thanked Councilor Samson for representing him at the September 11 Remembrance.

**REPORTS OF CITY COUNCILORS**

**REPORTS OF THE CITY MANAGER**

**RECOGNITION OF BARBARA SHIELDS, CDBG LOAN MEMBER**

Mayor Guay presented Barbara Shields with a plaque recognizing her many years of service and dedication to the Community Development Loan Committee. Reine Mynahan, CDBG Administrator gave an overview of her participation on the Committee.

**BOND RATING**

Pat Finnigan, City Manager, introduced Joe Cuetara, from Moors & Cabot Investment and Advisory Group who gave a presentation regarding the City's bond rating and how that rating is established.

#### **FINANCE REPORT – MONTH OF JULY AND AUGUST**

Councilor Matzen moved to accept and place on file the Finance Reports for the months of July and August as prepared and presented by Chris Trenholm, Finance Director. Seconded by Councilor Mennealy. Vote: 5 Yeas, No Nays (Councilor Samson was out of the room)

#### **COMMUNICATIONS AND RECOGNITIONS**

##### **COMMUNICATION FROM BARBARA SHIELDS RE: RESIGNATION FROM COMMUNITY**

##### **DEVELOPMENT LOAN COMMITTEE**

Approved under consent agenda

##### **COMMUNICATION FROM HARVEST HILLS DAY CARE RE: WAIVE FEE FOR DAY CARE LICENSE**

Approved under consent agenda

##### **COMMUNICATION FROM COUNCILOR SAMSON RE: REFER ITEM TO PLANNING BOARD**

Approved under consent agenda

##### **COMMUNICATION FROM E.L.H.S. GRANDSTAND CLUB RE: WAIVE FEE FOR VICTUALERS LICENSE**

Approved under consent agenda

#### **OPEN SESSION**

The following person spoke during open session: Tammie Grieshaber, 100 Stony Ridge. CLOSED OPEN SESSION

#### **OLD BUSINESS**

None

#### **NEW BUSINESS**

##### **1. RESOLVE – AMENDMENT TO TAX INCREMENT FINANCE DISTRICT #9 (Public Hearing and action thereon)**

Councilor Matzen moved for passage of the resolve. Seconded by Councilor Samson. Roland Miller, Director of Economic Development, answered Councilors questions.

Mayor Guay opened the public hearing and the following people made comments: Ron Potvin, 82 Northern Avenue; Jim Wellehan, 60 Woodlawn Avenue; and Brian Demers, 1085 Riverside Drive. Mayor Guay closed the public hearing.

Vote: 5 Yeas with Councilor Mennealy voting Nay.

**2. RESOLVE – AUTHORIZING CITY MANAGER TO EXECUTE AN EASEMENT ON NORTH MILLER STREET TO SHARON, LEARY & DETROY**

Councilor Samson moved for passage of the resolve. Seconded by Councilor Rowell. Ben DeTroy, spoke in favor of the above resolve.

Vote: 5 Yeas, No Nays (Councilor Mennealy out of the room)

**3. RESOLVE – ADOPTION OF FAIR HOUSING AND AFFIRMATIVE MARKETING POLICY**

Councilor Samson moved for passage of the resolve. Seconded by Councilor Rowell. Vote: 5 Yeas, No Nays (Councilor Mennealy out of the room)

**ADD TO AGENDA**

Councilor Matzen moved to add an item to the agenda – Set date for first meeting in October. Seconded by Councilor Samson. Vote: 6 Yeas, No Nays.

**SET DATE FOR FIRST MEETING IN OCTOBER**

Councilor Samson moved that the first meeting next month be held on October 16th. Seconded by Councilor Mennealy. Vote: 6 Yeas, No Nays.

**ADJOURNMENT – 9:10 p.m.**

Councilor Matzen moved to adjourn. Seconded by Councilor Mennealy. Vote: 6 Yeas, No Nays A

TRUE RECORD

ATTEST: \_\_\_\_\_

City Clerk

**CITY OF AUBURN OCTOBER 16, 2006 CITY COUNCIL MEETING**

PRESENT

Mayor Normand W. Guay, Councilors Bethel B. Shields, Robert P. Hayes, Eric G. Samson, Donna L. Rowell, Belinda A. Gerry, Robert C. Mennealy, and M. Kelly Matzen, City Manager Pat Finnigan, Assistant City Manager Laurie Smith, Finance Director Chris Trenholm and City Clerk Mary Lou Magno. There were 28 people in the audience.

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

### **CONSENT AGENDA**

Councilor Shields moved to accept, approve and place on file the following items listed with an asterisk. Seconded by Councilor Mennealy. Vote: 7 Yeas.

#### **\*MINUTES OF SEPTEMBER 25, 2006**

Approved under consent agenda.

### **REPORTS OF THE MAYOR**

Mayor Guay noted that just prior to the Council Meeting, the City Council had attended a dedication at the Library honoring Barbara Trafton, Fundraiser Chairman; a garden at the Library was dedicated in her honor.

### **REPORTS OF CITY COUNCILORS**

Councilor Mennealy expressed his sincere appreciation for the work and dedication that Councilors Shields and Matzen have given during their tenures on the City Council.

Councilor Hayes noted that the Park Avenue Corridor Study will meet on October 26th at the new elementary school on Park Avenue.

Councilor Gerry requested a workshop discussion regarding the location of the Bus Station.

### **REPORTS OF THE CITY MANAGER**

Pat Finnigan, City Manager, had the following updates and notices of meetings: Joint meeting of the Auburn and Lewiston School Committee regarding TABOR; Androscoggin County Budget Committee will meet on Wednesday, October 18th in the Community Room at Auburn Hall to begin work on the budget; Auburn Sewer District recently recognized for Combined Sewer Overflow Project; Auburn Public Library, Saturday, October 28th, Story of Taxes; Growth Smart Maine recently released their report and it is on the City's website; and Auburn will be going to the Bond Market this week.

### **COMMUNICATIONS AND RECOGNITIONS**

**PRESENTATION BY TAYLOR POND ASSOCIATION RE: TAYLOR POND WATERSHED SURVEY**

Wendy Garland, Maine Department of Environmental Protection, Susan Trask, Taylor Pond Association Secretary, and Susan Gammon, Androscoggin Valley Soil and Water Conservation District all participated in presenting the Taylor Pond Watershed Survey Report.

**\*COMMUNICATION FROM HELENE OUELLETTE RE: TEMPORARY SIGNS FOR JACK-O-LANTERN PARADE**

Approved under consent agenda.

**OPEN SESSION**

The following persons spoke during open session: Francois Bussiere, 9 Winter Street; Dan Herrick, 470 Hatch Road; Ron Potvin, 82 Northern Avenue and Jonathan Labonte, 40 Reginald Street.

**CLOSED OPEN SESSION**

**OLD BUSINESS**

None

**NEW BUSINESS**

**1. RESOLVE - APPROVAL OF AGREEMENT WITH AUBURN HOUSING DEVELOPMENT CORPORATION AND CONSENT TO ASSIGNMENT OF THE AGREEMENT AS COLLATERAL FOR A LOAN TO BANGOR SAVINGS BANK**

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

**2. RESOLVE – AMENDMENT TO REHABILITATION, GOOD NEIGHBOR AND LEASE/BUY PROGRAM**

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

**3. RESOLVE – AUTHORIZE CITY MANAGER TO EXECUTE THE COLLECTIVE BARGAINING AGREEMENT WITH THE PUBLIC WORKS EMPLOYEES (TEAMSTERS UNION LOCAL #340)**

Councilor Shields moved for passage of the resolve. Seconded by Councilor Rowell.

Laurie Smith, Assistant City Manager, highlighted the contract and answered Councilors questions. Vote: 7 Yeas.

#### **4. SIGN WARRANTS FOR NOVEMBER 7TH MUNICIPAL ELECTION**

Councilors signed the warrants for the November 7th election. SET

#### **DATE FOR SECOND MEETING IN OCTOBER**

Councilor Samson moved that the second meeting in October be held on October 30th, and that a workshop be held on October 23rd. Seconded by Councilor Shields. Vote: 7 Yeas.

#### **ADJOURNMENT – 8:25 p.m.**

Councilor Shields moved to adjourn. Seconded by Councilor Gerry. Vote: 7 Yeas.

A TRUE RECORD

ATTEST: \_\_\_\_\_

City Clerk

### **CITY OF AUBURN OCTOBER 30, 2006 CITY COUNCIL MEETING**

#### **PRESENT**

Mayor Normand W. Guay, Councilors Bethel B. Shields, Robert P. Hayes, Eric G. Samson, Donna L. Rowell, Belinda A. Gerry, Robert C. Mennealy, and M. Kelly Matzen, City Manager Pat Finnigan, Assistant City Manager Laurie Smith, Finance Director Chris Trenholm and City Clerk Mary Lou Magno. There were 38 people in the audience.

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

#### **CONSENT AGENDA**

Councilor Shields moved to accept, approve and place on file the following items listed with an asterisk. Seconded by Councilor Mennealy. Vote: 7 Yeas.

#### **\*MINUTES OF OCTOBER 16, 2006**

Approved under consent agenda.

#### **REPORTS OF THE MAYOR**

Mayor Guay read a citation recognizing Marianne Lachance Berube who will celebrate her 100th birthday on November 3, 2006. Her nephew, Perley Lachance, accepted flowers and the citation on her behalf. Mrs. Berube has been a resident of Lake Auburn Avenue for 71 years.

Mayor Guay thanked Councilor Matzen for representing him at the Employee Recognition Evening.

## **REPORTS OF CITY COUNCILORS**

Councilor Hayes reported on the Park Avenue Corridor Study Meeting that took place on October 26th.

Councilors Mennealy, Rowell, and Matzen all noted the success of the Employee Recognition Evening.

## **REPORTS OF THE CITY MANAGER**

### **FINANCE REPORT – MONTH OF SEPTEMBER**

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

### **GENERAL ASSISTANCE QUARTERLY REPORT**

Councilor Gerry moved to accept and place on file the General Assistance Quarterly Report as prepared and presented by Dot Meagher, Director of Health and Social Services. Seconded by Councilor Mennealy. Vote: 7 Yeas.

Pat Finnigan, City Manager, noted the ground breaking that took place last week at 600 Turner Street; this will be a site for multiple businesses. She also noted the successful Employee Recognition Evening that took place last week, and thanked Councilors for attending.

Councilor Gerry questioned the City Manager about an ad in the Portland newspaper advertising for a Director of Community Services. Manager Finnigan explained.

## **COMMUNICATIONS AND RECOGNITIONS**

### **\*COMMUNICATION FROM AUBURN SKI ASSOCIATION RE: SIGN ON CITY PROPERTY FOR ANNUAL SKI SALE**

Approved under consent agenda.

### **COMMUNICATION FROM TWIN CITY TAXI COMPANIES RE: ZONE RATE INCREASES**

Councilor Gerry moved to accept the communication, place it on file and that this item be referred to the Transit Committee. Seconded by Councilor Mennealy. Vote: 7 Yeas.

## **OPEN SESSION**

Dan Herrick, 470 Hatch Road; CLOSED

## **OPEN SESSION**

## **ORDINANCES, ORDERS & RESOLVES**

### **1. RESOLVE – AUTHORIZING THE CITY MANAGER TO EXECUTE THE COLLECTIVE BARGAINING AGREEMENT WITH THE AUBURN FIREFIGHTERS LOCAL 797**

Councilor Samson moved for passage of the resolve. Seconded by Councilor Mennealy.

Pat Finnigan, City Manager, and Wayne Werts, Fire Chief, both made comments regarding the above resolve.

Vote: 7 Yeas.

## **ITEM OUT OF ORDER**

Councilor Samson moved that item #4 be taken out of order. Seconded by Councilor Shields. Vote: 7 Yeas.

### **4. RESOLVE – INDUCEMENT RESOLUTION OF THE CITY OF AUBURN, MAINE DECLARING ITS OFFICIAL INTENT WITH RESPECT TO WORLD HARBORS PROJECT**

Councilor Matzen moved for passage of the resolve. Seconded by Councilor Gerry.

Roland Miller, Director of Community Development, explained the above resolve and answered Councilors questions.

Vote: 7 Yeas.

### **2. RESOLVE – AUTHORIZE CITY MANAGER TO EXECUTE DOCUMENTS – TAX INCREMENT FINANCE DISTRICT #14 – AUBURN MALL REVITALIZATION IN MALL AREA AND SUBMIT TO THE STATE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT (PUBLIC HEARING AND ACTION THEREON)**

Councilor Samson moved for passage of the resolve. Seconded by Councilor Mennealy. Mayor

Guay opened the public hearing and the following people spoke: Bruce Bickford, 64 Cameron Lane; Brian Demers, 1085 Riverside Drive; Jim Wellehan, 60 Woodlawn Avenue;

Lucien Gosselin, President, Lewiston Auburn Economic Growth Council; Kevin Fletcher, 240 Fairway Drive; Ron Potvin, 82 Northern Avenue; Anthony Corrao, 280 Rodman Road; Francois Bussiere, 9 Winter Street; Dan Herrick, 470 Hatch Road; and Andy Titus, 45 Carson Street.

Mayor Guay closed the public hearing.

Roland Miller, Director of Economic Development explained the above project and answered Councilors questions.

Vote: 4 Yeas, with Councilor Rowell, Gerry and Mennealy voting Nay.

**3. RESOLVE – AUTHORIZING THE CITY MANAGER TO EXECUTE THE BYLAWS OF THE LEWISTON AND AUBURN RAILROAD COMPANY**

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

**5. ORDINANCE – AMENDMENT TO CHAPTER 31 – ADOPTION OF THE UPDATED GENERAL ASSISTANCE MAXIMUMS (1ST READING)**

Councilor Gerry moved for acceptance of first reading. Seconded by Councilor Samson. Vote: 7 Yeas.

**6. ORDER – NAMING OF A PRIVATE ROAD – ORAS LANE**

Councilor Mennealy moved for passage of the order. Seconded by Councilor Gerry. Vote: 7 Yeas.

**7. RESOLVE – ACCEPTING FORFEITED FUNDS/PROPERTY**

Councilor Samson moved for passage of the resolve. Seconded by Councilor Mennealy. Phil

Crowell, Interim Police Chief, answered Councilors questions.

Vote: 7 Yeas.

**8. PUBLIC HEARING AND ACTION ON AUTOMOBILE GRAVEYARD/ JUNKYARD APPLICATIONS FOR: M&P AUTO, INC.; BUCK’S AUTO; MORRIS AUTO PARTS, INC.; ISADORE T. MILLER CO.; MAINE METAL RECYCLING, INC.; AND RANDY’S AUTO PARTS, INC.**

Mayor Guay opened and closed the public hearing with no public comments.

Councilor Gerry moved that the above named businesses be issued licenses. Seconded by Councilor Rowell. Vote: 7 Yeas.

**9. PUBLIC HEARING AND ACTION ON SPECIAL AMUSEMENT PERMIT APPLICATIONS FOR: LOST VALLEY, INC. AND MARTINDALE COUNTRY CLUB**

Mayor Guay opened and closed the public hearing with no public comments.

Councilor Gerry moved that the above named businesses be issued permits. Seconded by Councilor Samson. Vote: 7 Yeas.

**ADJOURNMENT – 10:10 p.m.**

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

A TRUE RECORD

ATTEST: \_\_\_\_\_

City Clerk

**CITY OF AUBURN NOVEMBER 6, 2006 CITY COUNCIL MEETING**

**PRESENT**

Mayor Normand W. Guay, Councilors Bethel B. Shields, Robert P. Hayes, Eric G. Samson, Donna L. Rowell, Belinda A. Gerry, Robert C. Mennealy, and M. Kelly Matzen, City Manager Pat Finnigan, Assistant City Manager Laurie Smith, and City Clerk Mary Lou Magno. There were approximately 125 people in the audience.

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

Mayor Guay called for a moment of silence for Deputy Sheriff David Rancourt. NATIONAL

**ANTHEM PROJECT**

Mayor Guay introduced Michael Davis, Brian Gagnon, Jim Raymond and Joann Hammond, all music teachers in the Auburn School Department; they introduced a number of students who sang the National Anthem and recited many statistics regarding the song.

**CONSENT AGENDA**

Councilor Mennealy moved to accept, approve and place on file the following items listed with an asterisk. Seconded by Councilor Shields. Vote: 7 Yeas.

**\*MINUTES OF OCTOBER 30, 2006**

Approved under consent agenda.

**ADD TO AGENDA**

Councilor Matzen moved to add item #3 of the agenda Consideration of Appeal by Eric Pelletier Re: Tattoo License Denial. Seconded by Councilor Gerry. Vote: 7 Yeas.

## **REPORTS OF THE MAYOR**

Mayor Guay noted the passing of Deputy Sheriff David Rancourt and said that donations may be made to the David Rancourt Family Fund c/o Community Credit Union.

## **REPORTS OF CITY COUNCILORS**

Councilor Mennealy expressed his gratitude to Councilors Shields, Matzen and Mayor Guay for their service to the City serving on the City Council.

## **REPORTS OF THE CITY MANAGER**

Interim Police Chief Phil Crowell reported on the tragic death of Deputy Sheriff David Rancourt and explained how the Auburn Police Department is assisting the Sheriff's Department during this difficult time; he talked about "Operation Falcon"; updated the Council on the BJ's incident; and briefed the Council on the Neighborhood Crime Watch Groups.

## **COMMUNICATIONS AND RECOGNITIONS**

### **\*COMMUNICATION FROM AUBURN MIDDLE SCHOOL PTO RE: SIGNS**

Approved under consent agenda.

## **OPEN SESSION**

The following person spoke during open session: Jim Wellehan, 60 Woodlawn Avenue. CLOSED OPEN SESSION

## **OLD BUSINESS**

### **1. ORDINANCE – AMENDMENT TO CHAPTER 31 – ADOPTION OF THE UPDATED GENERAL ASSISTANCE MAXIMUMS (2ND READING)**

Councilor Rowell moved for acceptance of 2nd reading and final passage. Seconded by Councilor Shields. Vote: 7 Yeas

## **NEW BUSINESS**

### **2. RESOLVE – ADOPTION OF LEASE WITH AUBURN PUBLIC LIBRARY AND MEMORANDUM OF UNDERSTANDING**

Councilor Shields moved for passage of the resolve. Seconded by Councilor Mennealy.

Richard Trafton, President of the Library Board of Trustees, spoke in favor of the above resolve. Vote: 7 Yeas.

### **3. APPEAL BY ERIC PELLETIER RE: DENIAL OF TATTOO LICENSE**

Eric Pelletier and Alpha Clemons, Melting Minds Studio, both spoke in favor of Mr. Pelletier's appeal.

Councilor Matzen moved that the appeal be denied. Seconded by Councilor Mennealy. Vote: 5 Yeas with Councilors Rowell and Mennealy abstaining.

### **MAYOR GUAY'S LAST MEETING**

Mayor Guay indicated that due to a prior commitment, he will not be present at the November 20th City Council Meeting, therefore this will be his last meeting as Mayor of the City of Auburn.

Councilor Matzen recognized Mayor Guay for his service and commitment to the citizens of the City of Auburn during his terms as Councilor and Mayor.

### **APPOINTMENT OF PRESIDING OFFICER FOR NOVEMBER 20TH MEETING**

Councilor Mennealy moved that Councilor Matzen serve as Mayor Pro Tem at the November 20th City Council Meeting. Seconded by Councilor Hayes. Vote: 6 Yeas with Councilor Matzen abstaining.

### **ADJOURNMENT – 8:25 p.m.**

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

A TRUE RECORD

ATTEST: \_\_\_\_\_

City Clerk

## **CITY OF AUBURN DECEMBER 18, 2006 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, Finance Director Chris Trenholm and City Clerk Mary Lou Magno. There were 24 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 OF NOVEMBER 20, 2006**

Councilor Bickford moved to accept and place on file the minutes of November 20, 2006. Seconded by Councilor Peters. Vote: 6 Yeas, with Councilor Peters abstaining.

## **CONSENT AGENDA**

Councilor Samson moved to accept, approve and place on file the following items listed with an asterisk. Seconded by Councilor Hayes. Vote: 7 Yeas.

## **REPORTS OF THE MAYOR**

**CAPT. RAY LAFRANCE, ANDROSCOGGIN COUNTY SHERIFF'S DEPT.**

Capt. Ray Lafrance of the Androscoggin County Sheriff's Department thanked the Auburn Police, Fire and Public Works Departments and staff for their participation and assistance at the time of Deputy David Rancourt's death.

## **REPORTS OF CITY COUNCILORS**

Councilor Bickford recently attended the High Street Crossing announcement and the groundbreaking at Kittyhawk and First Flight Drive.

Councilor Mennealy thanked Ron Potvin for his participation on the Budget Committee and his role with the Small Property Owners.

## **REPORTS OF THE CITY MANAGER FINANCE**

### **REPORT – MONTH OF NOVEMBER**

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

## **WEB SITE**

Laurie Smith, Assistant City Manager, previewed the City's new website; it should be up and running by January 1st.

## **COMMUNICATIONS AND RECOGNITIONS**

### **COMMUNICATION FROM TONIE RAMSEY RE: RESIGNATION FROM COMMUNITY DEVELOPMENT LOAN COMMITTEE**

Approved under consent agenda

**COMMUNICATION FROM RICHARD LEE RE: RESIGNATION FROM PLANNING BOARD**

Approved under consent agenda

**COMMUNICATION FROM THE ANDROSCOGGIN COUNTY COMMISSIONERS**

**RE: APPRECIATION FOR ASSISTANCE**

Approved under consent agenda.

**OPEN SESSION**

The following people spoke during open session: Mike Woodworth, 374 Main Street; Laurier Morrissette, 13 Gamage Avenue; Francois Bussiere, 9 Winter Street; Andy Titus, 45 Carson Street; Charles Soule, 170 Bartlett Street, Lewiston; Jonathan Labonte, 41 Third Street; Dan Herrick, 470 Hatch Road; Ron Potvin, 82 Northern Avenue; and Bob Bernier, 17 Lamplighter Circle.

**CLOSED OPEN SESSION**

**UNFINISHED BUSINESS**

None

**NEW BUSINESS**

**1. ORDINANCE – AMENDMENT TO CHAPTER 1, ARTICLE 3, RULES OF PROCEDURE (1ST READING)**

Councilor Samson moved for acceptance of first reading. Seconded by Councilor Hayes. Jonathan Labonte, 41 Third Street, made comments regarding the above ordinance.

Councilor Bickford moved to table until the next meeting. Seconded by Councilor Peters. Vote: 4 Yeas with Councilors Gleason, Hayes and Samson voting Nay.

**2. ORDER – ACCEPTANCE OF VISTA DRIVE AS A CITY STREET**

Councilor Samson moved for passage of the order. Seconded by Councilor Hayes.

Gary Johnson, Assistant City Engineer, explained the above order and answered Councilors questions.

Vote: 7 Yeas.

**3. ORDER – ACCEPTANCE OF HORIZON DRIVE AS A CITY STREET**

Councilor Hayes moved for passage of the order. Seconded by Councilor Samson. Vote: 7 Yeas.

**4. SET MEETING SCHEDULE FOR THE FIRST QUARTER (JANUARY – MARCH 2007)**

Pat Finnigan, City Manager, distributed a draft schedule of meeting dates for the first quarter. No action required.

**5. SET DATES FOR COUNCIL MEETINGS IN JANUARY**

Councilor Samson moved that the Council Meetings next month be held on January 2nd and 16th. Seconded by Councilor Bickford. Vote: 7 Yeas.

**ADJOURNMENT** – 9:35 p.m.

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

A TRUE RECORD

ATTEST: \_\_\_\_\_

City Clerk

**CITY OF AUBURN JANUARY 17, 2008 CITY COUNCIL MEETING**

**PRESENT**

Mayor John T. Jenkins, Councilors Michael J. Farrell, Robert P. Hayes, Daniel R. Herrick, Bruce A. Bickford, Raymond C. Berube, Ronald W. Potvin and Robert C. Mennealy, Acting City Manager Laurie Smith, Acting Finance Director Denise Brown and City Clerk Mary Lou Magno. There were 26 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.

Students from Fairview School sang the National Anthem under the direction of Brian Gagnon, Music Teacher.

**\*MINUTES OF DECEMBER 17, 2007**

Approved under consent agenda.

**REPORTS OF THE MAYOR**

Mayor Jenkins presented Councilors Hayes with a card signed by the Mayor and City Councilors. The card is for Councilor Hayes son, Ben who recently sustained a spinal injury; Ben is currently at the Shepherd Rehabilitation Center in Atlanta, Georgia.

## **REPORTS OF CITY COUNCILORS**

Councilors reported on their respective Council Committee Assignments.

## **REPORTS OF THE CITY MANAGER FINANCE**

### **REPORT - MONTH OF DECEMBER**

Councilor Bickford moved to accept and place on file the Finance Report for the Month of December as prepared and presented by Denise Brown, Acting Finance Director. Seconded by Councilor Potvin. Vote: 7 Yeas.

Laurie Smith, Acting City Manager and David Galbraith, Director of Planning & Permitting, both spoke about the staff time that has been devoted to the many “no heat” calls that have recently been received in their department.

## **COMMUNICATIONS AND RECOGNITIONS**

### **COMMUNICATION FROM HEAD START RE: WAIVE FEES FOR DAY CARE LICENSES**

Approved under consent agenda.

\*The City Council Meeting was originally schedule for January 14th, however due to inclement weather, the meeting was postponed until January 17th.

## **UNFINISHED BUSINESS ADD**

### **TO AGENDA**

Councilor Potvin moved to add to the agenda a presentation by Roland Miller, Economic Development Director, regarding Bisson Transportation. Seconded by Councilor Berube. Vote: 7 Yeas.

Roland Miller made a presentation regarding Bisson Transportation. (No action necessary)

## **NEW BUSINESS**

### **1. ORDINANCE – AMENDMENT TO THE ZONING MAP IN THE VICINITY OF WOODBURY ROAD (1ST READING)**

Councilor Berube moved for acceptance of first reading. Seconded by Councilor Potvin. David

Galbraith, Director of Planning and Permitting, explained the above rezoning and answered Councilors questions.

Gary Drinkwater, 132 Montello Street, Lewiston, spoke in favor of the above rezoning.

Vote: 6 Yeas with Councilor Herrick voting Nay.

## **2. RESOLVE - ACCEPTING CERTAIN FORFEITED FUNDS/PROPERTY**

Councilor Bickford moved for passage of the resolve. Seconded by Councilor Berube. Chief Phil

Crowell explained the above resolve and answered Councilors questions. Vote: 7 Yeas.

## **3. ORDINANCE – AMENDMENT TO CHAPTER 1, ARTICLE 3 – RULES OF PROCEDURE (1ST READING)**

Councilor Berube moved for acceptance of 1st reading. Seconded by Councilor Bickford. Councilor Hayes

moved to amend by not eliminating the Open Session at the end of the meeting, therefore, having two Open Sessions. Seconded by Councilor Potvin.

Vote on the amendment: 5 Yeas with Councilors Herrick and Mennealy voting Nay.

Vote on acceptance of first reading as amended: 5 Yeas with Councilors Herrick and Mennealy voting Nay.

## **4. PUBLIC HEARING – SPECIAL AMUSEMENT PERMIT APPLICATION 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 comment. Council

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Councilor Berube moved to approve the above named permit applications. Seconded by Councilor Potvin. Vote: 7 Yeas.

## **OPEN SESSION**

The following people made comments during Open Session: Dan Bilodeau, 207 North Auburn Road, read a prepared statement (copy on file with Council Meeting documents); and Edward Desgrosseilliers, 121 Hatch Road.

OPEN SESSION CLOSED

## **EXECUTIVE SESSION**

Councilor Berube moved to go into Executive Session to discuss a personnel issue. Seconded by Councilor Potvin. Vote: 7 Yeas.

Councilor Berube moved to come out of Executive Session. Seconded by Councilor Bickford. Vote: 7 Yeas.

**ADJOURNMENT – 10:45 P.M.**

Councilor Berube to adjourn. Seconded by Councilor Herrick. Vote: 7 Yeas. A

TRUE RECORD ATTEST: \_\_\_\_\_ CITY CLERK

**CITY OF AUBURN JANUARY 28, 2008 CITY COUNCIL MEETING**

**PRESENT**

Mayor John T. Jenkins, Councilors Michael J. Farrell, Robert P. Hayes, Daniel R. Herrick, Bruce A. Bickford, Raymond C. Berube, Ronald W. Potvin and Robert C. Mennealy, Acting City Manager Laurie Smith, Acting Finance Director Denise Brown and City Clerk Mary Lou Magno. There were 15 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.

Sixth grade Auburn students sang the National Anthem under the direction of Brian Gagnon, Music Teacher.

**CONSENT AGENDA**

Councilor Berube moved to accept, approve and place on file those items listed with an asterisk. Seconded by Councilor Hayes. Vote: 6 Yeas, No Nays. (Councilor Mennealy out of the room.)

\*MINUTES OF JANUARY 17, 2007

Approved under consent agenda.

**REPORTS OF THE MAYOR**

Mayor Jenkins read a letter he recently sent to those people who participated in the City Manager interviews; and another letter that he has sent to business owners/operators in the City of Auburn. (Copies of both letters are on file in the City Clerk's Office.)

**REPORTS OF CITY COUNCILORS**

Councilors reported on their respective Council Committee Assignments.

**ADD TO THE AGENDA**

Councilor Potvin moved to add to the agenda – Discussion regarding Budget Allocation to the School Department. Seconded by Councilor Bickford. Vote: 7 Yeas.

Councilor Potvin moved to add to the agenda – Discussion regarding proceeds of sale of Mt. Auburn Avenue property. Seconded by Councilor Berube. Vote: 7 Yeas.

## **REPORTS OF THE CITY MANAGER**

Police Chief Phil Crowell reported on the status of the City's contract with the City of Lewiston regarding the Animal Control Officer. He also answered Councilors questions.

## **COMMUNICATIONS AND RECOGNITIONS**

### **COMMUNICATION FROM KORA SHRINE CIRCUS COMMITTEE RE: TEMPORARY SIGNS**

Approved under consent agenda.

## **UNFINISHED BUSINESS**

### **1. ORDINANCE – AMENDMENT TO THE ZONING MAP IN THE VICINITY OF WOODBURY ROAD (2ND READING)**

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

### **2. ORDINANCE – AMENDMENT TO CHAPTER 1, ARTICLE 3 – RULES OF PROCEDURE**

Councilor Bickford moved for acceptance of second reading and final passage. Seconded by Councilor Berube.

Councilor Hayes moved to amend by indicating that the first Open Session would not exceed 45 minutes. Seconded by Councilor Farrell.

Vote on the amendment: 7 Yeas.

Vote on acceptance of second reading and final passage as amended: 7 Yeas.

### **3. DISCUSSION REGARDING PROCEEDS OF SALE OF MT. AUBURN AVENUE PROPERTY**

Councilor Potvin moved to allow \$400,000 of renovations to Webster School contingent upon the fact that if the School Department receives a \$200,000 state match, that that money will be returned to the City of Auburn. Seconded by Councilor Berube.

Councilor Potvin withdrew his motion and Councilor Berube withdrew his second.

Councilor Hayes moved to commit \$400,000 from sale of Mt. Auburn Avenue property to renovations to Webster School and if the School Department receives a \$200,000 state match, that that money will be returned to the City of Auburn. Seconded by Councilor Bickford.

Councilor Hayes moved that School Department get three estimates for this project. Seconded by Councilor Mennealy.

Councilor Farrell moved to postpone indefinitely. Vote: 4 Yeas with Councilors Hayes, Bickford and Potvin voting Nay.

#### **4. DISCUSSION REGARDING BUDGET ALLOCATION TO THE SCHOOL DEPARTMENT**

Councilor Potvin moved that the City allocate no more than \$15 million dollars to the School Department Budget. Seconded by Councilor Farrell.

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Brian Demers, 1085 Riverside Drive, made comments regarding this matter. Vote:

6 Yeas with Councilor Hayes voting Nay.

#### **OPEN SESSION**

The following people made comments during Open Session: Brian Demers, 1085 Riverside Drive; and Francois Bussiere, 9 Winter Street.

#### **OPEN SESSION CLOSED**

Councilor Potvin moved to have a discussion regarding Joint Services. No second.

#### **EXECUTIVE SESSION**

Councilor Mennealy moved to go into Executive Session to discuss appointments. Seconded by Councilor Hayes. Vote: 4 Yeas with Councilors Herrick, Berube and Potvin voting Nay.

Councilor Bickford moved to go into Executive Session to discuss a personnel issue. Seconded by Councilor Potvin. Vote: 7 Yeas.

Councilor Bickford moved to come out of Executive Session. Seconded by Councilor Herrick. Vote: 7 Yeas.

#### **ADJOURNMENT – 9:10 P.M.**

Councilor Berube to adjourn. Seconded by Councilor Bickford. Vote: 7 Yeas.

A TRUE RECORD ATTEST: \_\_\_\_\_ CITY CLERK

## **CITY OF AUBURN FEBRUARY 4, 2008 CITY COUNCIL MEETING**

### **PRESENT**

Mayor John T. Jenkins, Councilors Michael J. Farrell, Robert P. Hayes, Daniel R. Herrick, Bruce A. Bickford, Raymond C. Berube, Ronald W. Potvin and Robert C. Mennealy, Acting City Manager Laurie Smith, Acting Finance Director Denise Brown and City Clerk Mary Lou Magno. There were 42 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.

Students from East Auburn and Park Avenue Schools sang the National Anthem under the direction of Chris Turcotte, Music Teacher.

### **CONSENT AGENDA**

Councilor Berube moved accept, approve and place on file the items marked with an asterisk. Seconded by Councilor Hayes. Vote: 7 Yeas.

**\*MINUTES OF JANUARY 28, 2007**

Approved under consent agenda.

### **REPORTS OF THE MAYOR**

Mayor Jenkins noted the successful Fireman's Ball that was held Saturday, February 2nd.

### **REPORTS OF CITY COUNCILORS**

Councilors reported on their respective Council Committee Assignments.

### **ADD TO THE AGENDA**

Councilor Potvin moved to add to the agenda – Discussion of Joint Services in general. Seconded by Councilor Berube. Vote: 7 Yeas.

Councilor Farrell moved to add to the agenda – Discussion regarding merging the Finance Director position for the City and School Departments. Seconded by Councilor Herrick. Vote: 6 Yeas with Councilor Bickford voting Nay.

### **REPORTS OF THE CITY MANAGER**

Acting City Manager, Laurie Smith, complimented staff on the success of the Winter Festival held this last weekend. She also noted the Ward 1 meeting that will be held Tuesday, February 5th; and on Wednesday, February 6th there will be a public hearing at Auburn Hall regarding the Center Street project.

## **COMMUNICATIONS AND RECOGNITIONS**

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### **\*COMMUNICATION FROM REPUBLIC JEWELRY & COIN RE: RENEWAL OF PAWN LICENSE**

Approved under consent agenda.

## **OPEN SESSION**

The following persons made comments: Rick Ness, 26 Cross Street; Larry Morrissette, 46 High Street.

## **UNFINISHED BUSINESS**

None

## **NEW BUSINESS**

### **1. RESOLVE – AUTHORIZING THE ACTING CITY MANAGER TO ENTER INTO A LEASE FOR AIRPORT PROPERTY**

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

Roland Miller, Director of Economic Development, explained the above resolve and answered Councilors questions.

Vote: 6 Yeas with Councilor Herrick voting Nay.

### **2. RESOLVE – AUTHORIZING THE ACTING CITY MANAGER TO SUB-LEASE A PARCEL OF LAND (SECURED BY A LEASE BETWEEN THE CITY AND THE AUBURN-LEWISTON MUNICIPAL AIRPORT) TO BISSON TRANSPORTATION**

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

Roland Miller, Director of Economic Development, explained the above resolve and answered Councilors questions.

Vote: 5 Yeas with Councilor Herrick voting Nay. (Councilor Mennealy out of the room)

## **3. APPOINTMENTS**

### **JOINT SERVICES COMMISSION**

Councilor Hayes moved to re-appoint Curtis Webber to the Joint Services Commission until February 2011. Seconded by Councilor Potvin. Vote: 6 Yeas, No Nays (Councilor Mennealy out of the room.)

#### BOARD OF ASSESSMENT REVIEW

Councilor Hayes moved to re-appoint Arnold Leavitt to the Board of Assessment Review until August 2012. Seconded by Councilor Bickford. Vote: 6 Yeas, No Nays (Councilor Mennealy out of the room.)

#### PLANNING BOARD

Councilor Hayes moved to re-appoint Joseph Maloney to the Planning Board until November 2010. Seconded by Councilor Bickford. Vote: 6 Yeas, No Nays (Councilor Mennealy out of the room.)

#### AIRPORT BOARD

Councilor Hayes moved to re-appoint Stephen Lunt to the Airport Board until January 2011. Seconded by Councilor Bickford. Vote: 6 Yeas, No Nays (Councilor Mennealy out of the Room.)

#### HOUSING AUTHORITY

Councilor Berube moved to appoint Gilda Berube and Carlene Hildebrandt to the Auburn Housing Authority until October 2012. Seconded by Councilor Hayes. Vote: 7 Yeas.

#### CABLE TV ADVISORY BOARD

Councilor Berube moved to re-appoint Normand Morin until January 2010, Edward Desgrosseilliers until January 2010, Charles Morrison until January 2009 and Elizabeth Pettis until June 2010 to the Cable TV Advisory Board. Seconded by Councilor Potvin. Vote: 7 Yeas.

#### **4. SET DATE FOR SECOND MEETING IN FEBRUARY**

Councilor Hayes moved that the second meeting in February be held on February 19th. Seconded by Councilor Herrick. Vote: 6 Yeas with Councilor Potvin abstaining.

#### **DISCUSSION OF JOINT SERVICES IN GENERAL**

Councilor Bickford moved that the two managers work with the Commission to apply the remaining funds to any necessary Information Technology solutions as well as any need for a facilitator and to inquire as to the possibility of allowing a carry forward of any remaining grant funds to FY 09. Seconded by Councilor Berube. Vote: 7 Yeas.

Councilor Potvin moved that the Acting City Manager create a line item in the proposed FY 08- 09 budget that will address Joint Services funding. Seconded by Councilor Hayes. Vote: 5 Yeas, No Nays, with Councilors Farrell and Herrick abstaining.

### **DISCUSSION OF MERGING CITY/SCHOOL FINANCE DIRECTOR POSITION**

Councilor Farrell moved that the position of Finance Director for the City and School Department be combined. Seconded by Councilor Herrick.

Councilor Bickford moved to table. Seconded by Councilor Mennealy. Vote: 5 Yeas with Councilors Farrell and Herrick voting Nay.

### **OPEN SESSION**

Larry Morrissette, 46 High Street OPEN

SESSION CLOSED

### **FUTURE AGENDA/WORKSHOP ITEMS**

Councilor Potvin requested a workshop item – Discussion of Tambrands II TIF

**ADJOURNMENT – 8:50 P.M.**

Councilor Bickford to adjourn. Seconded by Councilor Berube. Vote: 7 Yeas. A

TRUE RECORD ATTEST: \_\_\_\_\_

CITY CLERK

## **CITY OF AUBURN FEBRUARY 19, 2008 CITY COUNCIL MEETING**

PRESENT

Mayor John T. Jenkins, Councilors Michael J. Farrell, Robert P. Hayes, Daniel R. Herrick, Bruce A. Bickford, Raymond C. Berube, and Robert C. Mennealy, Acting City Manager Laurie Smith, Finance Director Denise Brown and City Clerk Mary Lou Magno. Councilor Ronald W. Potvin was absent. There were 18 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.

### **CONSENT AGENDA**

Councilor Hayes moved to accept, approve and place on file the items marked with an asterisk. Seconded by Councilor Berube. Vote: 6 Yeas, No Nays.

**\*MINUTES OF FEBRUARY 4, 2008**

Approved under consent agenda.

**REPORTS OF THE MAYOR**

None

**REPORTS OF CITY COUNCILORS**

Councilors reported on their respective Council Committee Assignments.

**REPORTS OF THE CITY MANAGER FINANCE**

**REPORT – MONTH OF JANUARY**

Councilor Berube moved to accept and place on file the Finance Report for the month of January as prepared and presented by Denise Brown, Finance Director. Seconded by Councilor Bickford. Vote: 6 Yeas, No Nays.

**REPORT RE: BUSINESS EQUIPMENT TAX EXEMPTION PROGRAM**

This report was presented by Cheryl Dubois, Tax Assessor.

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

**REPORT RE: DEVELOPMENT REGIONAL GIS GRANT APPLICATION**

This report was presented by Eric LaBelle, Community Services Director, Jessica Hanscom, City of Auburn GIS Coordinator, and Jim Ward, City of Lewiston GIS Manager.

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

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**REPORT RE: REGIONAL WETLAND MITIGATION GRANT APPLICATION**

This report was presented by Norm Lamie, Superintendent of the Water and Sewer District at the workshop prior to the City Council Meeting.

**COMMUNICATIONS AND RECOGNITIONS**

None

**OPEN SESSION**

The following person made comments: Larry Morrissette, 46 High Street. OPEN

SESSION CLOSED

**UNFINISHED BUSINESS**

None

**NEW BUSINESS**

**1. ORDINANCE – AMENDMENT TO CHAPTER 9, SECTION 1.4 – NATIONAL ELECTRICAL CODE NFPA (1ST READING)**

Councilor Berube moved for acceptance of first reading. Seconded by Councilor Bickford. Vote: 6 Yeas, No Nays.

**2. APPOINTMENT TO THE COMMUNITY DEVELOPMENT LOAN COMMITTEE**

Councilor Berube moved to appoint Matthew Carter to the Community Development Loan Committee until February 2011. Seconded by Councilor Bickford. Vote: 6 Yeas, No Nays.

**OPEN SESSION**

Larry Morrissette, 46 High Street; and Ken Bellefleur, 10 Royal River Road. OPEN

SESSION CLOSED

**FUTURE AGENDA/WORKSHOP ITEMS**

Discussion and progress regarding 151 Court Street and 211 Fairview Avenue

Discussion regarding grouping and liquidating tax acquired properties Discussion

regarding last TIF – has it been approved by the state ADJOURNMENT – 8:20 P.M.

Councilor Mennealy to adjourn. Seconded by Councilor Berube. Vote: 6 Yeas, No Nays. A

TRUE RECORD ATTEST: \_\_\_\_\_ CITY CLERK

**CITY OF AUBURN MARCH 3, 2008 CITY COUNCIL MEETING**

PRESENT

Mayor John T. Jenkins, Councilors Michael J. Farrell, Daniel R. Herrick, Bruce A. Bickford, Raymond C. Berube, Ronald W. Potvin and Robert C. Mennealy (arrived late), Acting City

Manager Laurie Smith, Finance Director Denise Brown and City Clerk Mary Lou Magno. Councilor Robert P. Hayes was absent. There were 19 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.

The National Anthem was performed by the Edward Little High School Band under the direction of Jen Fortin.

## **CONSENT AGENDA**

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

**\*MINUTES OF FEBRUARY 19, 2008**

Approved under consent agenda.

## **REPORTS OF THE MAYOR**

BUSINESS APPRECIATION PROGRAM – ANNIE’S LODGING HOUSE

## **BUDGET COMMITTEE**

Mayor Jenkins named the following people to the Budget Committee: Jonathan Labonte, Brian Demers, Larry Comeau, David Burke, Arthur E. Wildes, Christopher J. Aversano and Richard Kendall.

Councilor Potvin moved to approve the Budget Committee Members. Seconded by Councilor Bickford. Vote: 5 Yeas, No Nays.

## **REPORTS OF CITY COUNCILORS**

Councilors reported on their respective Council Committee Assignments.

## **REPORTS OF THE CITY MANAGER**

CAPITAL IMPROVEMENT PROGRAM

Discussions continued from the workshop earlier with regard to the Capital Improvement Program.

Councilor Mennealy joins the meeting

## **COMMUNICATIONS AND RECOGNITIONS**

**\*COMMUNICATION FROM NEW AUBURN LITTLE LEAGUE RE: WAIVE FEE FOR VICTUALER LICENSES**

Approved under consent agenda

**OPEN SESSION**

Brian Demers, 1085 Riverside Drive; and Andy Titus, 45 Carson Street. CLOSED

**OPEN SESSION**

**UNFINISHED BUSINESS**

**1. ORDINANCE – AMENDMENT TO CHAPTER 9, SECTION 1.4 – NATIONAL ELECTRICAL CODE NFPA (2nd READING)**

Councilor Bickford moved for acceptance of second reading and final passage. Seconded by Councilor Berube.

Charlie DeAngelis, City Electrician, answered Councilors questions. Vote: 6

Yeas, No Nays.

**NEW BUSINESS**

**2. RESOLVE – AUTHORIZE ACTING CITY MANAGER TO EXECUTE INTERLOCAL AGREEMENT REGARDING CREATION OF A LEWISTON-AUBURN PUBLIC HEALTH COMMITTEE**

Councilor Berube moved for passage of the resolve. Seconded by Councilor Bickford. Vote: 5 Yeas, No Nays. (Councilor Potvin out of the room)

**3. RESOLVE – AMENDMENT TO THE 2007-08 ACTION PLAN OF THE COMMUNITY DEVELOPMENT AND HOME INVESTMENT PARTNERSHIPS PROGRAM**

This item was postponed until the March 17th meeting.

**4. RESOLVE – ACCEPTING FORFEITED FUNDS/PROPERTY**

Councilor Bickford moved for passage of the resolve. Seconded by Councilor Berube. Vote: 6 Yeas, No Nays.

**5. AUTHORIZE ISSUANCE OF THE 2008 DOG WARRANT**

Councilor Berube moved to authorize the issuance of the 208 Dog Warrant. Seconded by Councilor Potvin. Vote: 6 Yeas, No Nays.

**OPEN SESSION**

No one spoke

OPEN SESSION CLOSED

**FUTURE AGENDA/WORKSHOP ITEMS**

Discussion of TIF Tambrands II

Discussion regarding the Auburn Water and Sewer District becoming a part of the City of Auburn.

Discussion of holding the line or no increase in City Budget. Discussion of  
trask pick up for commercial/multi unit buildings. **ADJOURNMENT** – 8:40

P.M.

Councilor Berube to adjourn. Seconded by Councilor Bickford. Vote: 6 Yeas, No Nays. A

TRUE RECORD ATTEST: \_\_\_\_\_ CITY CLERK

**CITY OF AUBURN MARCH 17, 2008 CITY COUNCIL MEETING**

**PRESENT**

Mayor John T. Jenkins, Councilors Robert P. Hayes, Daniel R. Herrick, Bruce A. Bickford, Raymond C. Berube, Ronald W. Potvin and Robert C. Mennealy (arrived late), Acting City Manager Laurie Smith, Finance Director Denise Brown and City Clerk Mary Lou Magno. Councilor Michael J. Farrell was absent. There were 35 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.

The National Anthem was performed by the Auburn Middle School Chorus under the direction of Elizabeth Rollins.

**CONSENT AGENDA**

Councilor Berube moved to accept, approve and place on file the items marked with an asterisk. Seconded by Councilor Bickford. Vote: 6 Yeas, No Nays.

**\*MINUTES OF MARCH 3, 2008**

Approved under consent agenda.

## **REPORTS OF THE MAYOR**

### **BUSINESS APPRECIATION PROGRAM – COMMUNITY CREDIT UNION**

Mayor Jenkins noted that Saturday, March 22nd from 7 am until 11 am, the Auburn Democratic City Committee will serve breakfast to all emergency services personnel and their families and guests at the Central Fire Station.

## **BUDGET COMMITTEE**

Mayor Jenkins named the following people to the Budget Committee: Robert Cavanagh and Andy Titus.

Councilor Potvin moved to approve the Budget Committee Members. Seconded by Councilor Berube.  
Vote: 6 Yeas, No Nays.

## **REPORTS OF CITY COUNCILORS**

Councilors reported on their respective Council Committee Assignments.

## **REPORTS OF THE CITY MANAGER FINANCE**

### **REPORT – MONTH OF FEBRUARY**

Councilor Bickford moved to accept and place on the file the Finance Report for the month of February as prepared and presented by Denise Brown, Finance Director. Seconded by Councilor Hayes. Vote: 6

Yeas, No Nays.

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## **PUBLIC VISIONING – COMPREHENSIVE PLAN**

David Galbraith, Director of Planning and Permitting and Richard Trafton, Chair of the Comprehensive Plan Committee, both invited the Mayor and Councilors to attend the Public Vision Workshops that will take place during the month of April. This is an opportunity for the citizens to share ideas for Auburn's future as it relates to growth and development.

## **COMMUNICATIONS AND RECOGNITIONS**

**\*COMMUNICATION FROM AUBURN SCHOOL DEPARTMENT RE: WAIVE FEE FOR DAY CARE LICENSES**

Approved under consent agenda.

**PRESENTATION BY FRANK NORMAND – FUTURE FUEL TECHNOLOGY**

Councilors suggested that Mr. Normand meet with Bob Belz to discuss possible use of this product.

**OPEN SESSION**

Dick Bussiere, 9 Winter Street; Ann Parker, 69 Summit Street; and Dan Bilodeau, 207 No. Auburn Road.

CLOSED OPEN SESSION

**UNFINISHED BUSINESS**

None

**NEW BUSINESS**

**1. RESOLVE – AMENDMENT TO THE 2007-08 ACTION PLAN OF THE COMMUNITY DEVELOPMENT AND HOME INVESTMENT PARTNERSHIPS PROGRAM**

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

Reine Mynahan, Community Development Block Grant Administrator, answered Councilors questions.

Vote: 6 Yeas. No Nays.

**2. ORDINANCE – AMENDMENT TO CHAPTER 29, ARTICLE 7, SITE PLAN, SPECIAL EXCEPTION AND SUBDIVISION REVIEW**

Councilor Hayes moved for acceptance of first reading. Seconded by Councilor Potvin. Vote: 6 Yeas, No Nays.

**3. RESOLVE – DISPOSITION OF TAX ACQUIRED PROPERTY ON GARFIELD ROAD (TAX PARCEL 216-062)**

Councilor Mennealy moved for passage of the resolve. Seconded by Councilor Herrick. Fred

Schumacher, 143 Garfield Road; Gail Phoenix, Community Development Block Grant Program Coordinator, answered Councilors questions; and Jennifer Turner, 143 Mill Street.

Vote: 6 Yeas, No Nays

Note: Councilors expressed concerns regarding abutters drainage; Staff assured the abutters and Councilors that City Engineering staff would not issue a fill permit if it would adversely impact neighboring properties.

#### **4. PUBLIC HEARING – BROWNFIELD ASSESSMENT GRANT**

Mayor Jenkins opened the public hearing.

Roland Miller, Director of Economic Development, introduced Kelly Race of Weston & Samson Engineering Firm, who presented a PowerPoint regarding Brownfield Sites, and the activities that will take place under the grant.

Mayor Jenkins closed the public hearing.

#### **5. APPOINTMENT TO THE LEWISTON/AUBURN RAILROAD BOARD UNTIL APRIL 2011**

Councilor Bickford moved to re-appoint Joseph H. Theriault to the Lewiston/Auburn Railroad Board until April 2011. Seconded by Councilor Berube. Vote: 6 Yeas, No Nays.

#### **OPEN SESSION**

Chris Thompson, Hilton Garden Inn; OPEN

SESSION CLOSED

#### **FUTURE AGENDA/WORKSHOP ITEMS**

Consolidating Auburn/Lewiston Assessing and placing under County Government Advisory

Question – School Budget Referendum

Water and Sewer District becoming City Department Economic

Development Update

Tax Acquired Property

#### **ADJOURNMENT – 10:10 P.M.**

Councilor Berube to adjourn. Seconded by Councilor Bickford. Vote: 6 Yeas, No Nays. A

TRUE RECORD ATTEST: \_\_\_\_\_ CITY CLERK

**CITY OF AUBURN MARCH 31, 2008 SPECIAL CITY COUNCIL MEETING**

PRESENT

Mayor John T. Jenkins, Councilors Michael J. Farrell, Robert P. Hayes, Daniel R. Herrick (arrived late), Bruce A. Bickford, Raymond C. Berube, Ronald W. Potvin and Robert C. Mennealy, Acting City Manager Laurie Smith, Finance Director Denise Brown and City Clerk Mary Lou Magno. There were 16 people in the audience.

Mayor Jenkins called the special meeting to order at 5:00 p.m. in the Council Chambers of Auburn Hall indicating that the purpose of the meeting was to act on the following two items:

**1. RESOLVE – AUTHORIZE JOINT SERVICES COMMISSION TO RESEARCH THE POSSIBILITY OF A REGIONAL ASSESSING OFFICE**

Councilor Berube moved for passage of the resolve. Seconded by Councilor Farrell. Vote: 6 Yeas, No Nays.

**2. RESOLVE – APPOINTMENT OF CITY MANAGER – GLENN AHO**

Councilor Berube moved for passage of the resolve. Seconded by Councilor Mennealy. Councilor Herrick joins the meeting.

Vote: 6 Yeas, with Councilor Hayes voting Nay (as a challenge). Glenn Aho signs his contract.

**ADJOURNMENT – 5:10 P.M.**

Councilor Berube to adjourn. Seconded by Councilor Hayes. Vote: 7 Yeas.

A TRUE RECORD ATTEST: \_\_\_\_\_ CITY CLERK

**CITY OF AUBURN APRIL 3, 2008 JOINT AUBURN-LEWISTON**

**CITY COUNCIL MEETING**

**PRESENT**

Mayor John T. Jenkins, Councilors Michael J. Farrell, Robert P. Hayes, Daniel Herrick, Bruce A. Bickford, Raymond C. Berube, and Robert C. Mennealy, Acting City Manager Laurie Smith, Finance Director Denise Brown and City Clerk Mary Lou Magno. Lewiston Mayor Larry Gilbert, Councilors Thomas Peters, Nelson Peters, Larry Poulin, Tina Bailey and Betty Dube, Deputy City Administrator Phil Nadeau and City Clerk Kathy Montejo. Auburn City Councilor Ronald Potvin and Lewiston City Councilors Denis Theriault and Robert Reed and Lewiston City Administrator James Bennett were absent. There were 24 people in the audience

**WELCOME AND INTRODUCTIONS**

Mayors Gilbert and Jenkins welcomed Council, Staff and members of the public present at this meeting.

**RESOLVE – FIVE COMMUNITIES RESOLUTION REGARDING THE ANDROSCOGGIN RIVER**

Councilor Berube moved for passage of the resolve. Seconded by Councilor Bickford. Jonathan Labonte, Executive Director, Androscoggin Land Trust, explained the above resolve. Vote: 6 Yeas, No Nays.

**JOINT BUDGET REVIEW**

The two City Councils reviewed the following budgets:

Emergency Management Agency presented by Joanne Potvin; Lewiston-Auburn 911 Communications Center presented by Andy D'Eramo and Terry Delano; Auburn-Lewiston Municipal Airport presented by Rick Cloutier and Ed Plourde; L/A Arts presented by Andrew Harris; Lewiston-Auburn Transit Committee presented by Phil Nadeau, Greg Whitney and Marsha Bennett; and Lewiston-Auburn Economic Growth Council presented by Lucien Gosselin, Kathie Leonard and Alan Hahnel.

**ADJOURNMENT – 11:10 pm**

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

TRUE RECORD ATTEST: \_\_\_\_\_ CITY CLERK

**CITY OF AUBURN APRIL 7, 2008 CITY COUNCIL MEETING**

**PRESENT**

Mayor John T. Jenkins, Councilors Michael J. Farrell, Robert P. Hayes, Daniel R. Herrick, Bruce A. Bickford, Raymond C. Berube, Ronald W. Potvin and Robert C. Mennealy, Acting City Manager Laurie Smith, Finance Director Denise Brown and City Clerk Mary Lou Magno. There were 200 people in the audience.

Mayor Jenkins called the meeting to order at 7:00 p.m. in Kirk Hall at Central Maine Community College 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 Bickford. Vote: 6 Yeas, No Nays. (Councilor Mennealy not in the room.)

\*MINUTES OF MARCH 17 & 31, 2008

Approved under consent agenda.

### **REPORTS OF THE MAYOR**

None

### **REPORTS OF CITY COUNCILORS**

Councilors reported on their respective Council Committee Assignments.

### **REPORTS OF THE CITY MANAGER**

None

### **COMMUNICATIONS AND RECOGNITIONS**

None

### **PUBLIC HEARING – PROPOSED MUNICIPAL/EDUCATION BUDGET FY 2008-09**

Mayor Jenkins read a letter from Laurence and Bonnie Faiman, 1 Shore Path Road, regarding the budget.

The following people made comments during the public hearing: Barbara Larrabee, 37 Jefferson Street; Denise Laflamme, 16 Sixth Street; Rita Beaudry, 1689 Riverside Drive; Dave Chirayath, 28 Bellflower Drive; Linda Matzen, 7 Lake Street; Rick Ness, 26 Cross Street; Candy Gleason, 583 Hotel Road; Mary Gagnon, 12 Kennedy Avenue; Normand Gagnon, 12 Kennedy Avenue; Samantha Bell, 91 Pownal Road; Melissa Sundell, 42 E. Bates Street; Natalie Bornstein, 54 Dawes Avenue; Mark Thibault, 143 Garfield Road; Laura Jenkins, 44 Gill Street; Nate Pelletier, 194 Third Street; Yvonne Dyer, 72 Skillings Corner Road; Carla Eckhert, 148 Summer Street; Trisha Fletcher, 240 Fairway Drive; Pam Hart, 80 Country Club Dr.; Timothy Wegmann, 120 Valview Drive; Craig Jipson, 24 Hickory Drive; Marie Herrick, 470 Hatch Road; Brian Demers, 1085 Riverside Drive; Bob Bernier, 17 Lamplighter Circle; Jodd Bowles, 239 Lake Street; Andy Titus, 45 Carson Street; Tim Doughty, 75 Cherryvale Circle; Bob Cavanagh, 127 Field Avenue; Debra Cote, 18 Little Androscoggin Drive; Gene Keene Jr., 365 Park Avenue; and Ellen Peters, 15 Shepley Street.

Mayor Jenkins closed the public hearing.

### **OPEN SESSION**

Brian Demers, 1085 Riverside Drive; and Bob Bernier, 17 Lamplighter Circle. CLOSED OPEN

SESSION

### **UNFINISHED BUSINESS**

**1. ORDINANCE – AMENDMENT TO CHAPTER 29, ARTICLE 7, SITE PLAN, SPECIAL EXCEPTION AND SUBDIVISION REVIEW (2ND READING)**

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

**NEW BUSINESS**

**2. RESOLVE – ACCEPTING FORFEITED FUNDS/PROPERTY**

Councilor Berube moved for passage of the resolve. Seconded by Councilor Mennealy. Jason Moen, Deputy Police Chief, answered Councilors questions.

Vote: 7 Yeas.

**3. RESOLVE – MAYOR’S COALITION PROPOSAL OF INCREASE IN SALES, MEALS AND LODGING TAX**

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

The following people made comments regarding the above resolve: Ed Desgrosseilliers, 120 Hatch Road; Rick Ness, 26 Cross Street; and Jodd Bowles, 239 Lake Street.

Councilor Hayes moved to table. Seconded by Councilor Bickford. Vote: 6 Yeas with Councilor Berube abstaining.

**4. PUBLIC HEARING AND ACTION ON SPECIAL AMUSEMENT PERMIT APPLICATION FOR MIDNIGHT SPECIAL INC., D/B/A DOWN UNDER, 34 COURT STREET**

Mayor Jenkins opened the public hearing. Dion Davis, owner of Down Under spoke in favor of this request and answered Councilors questions. Mayor Jenkins closed the public hearing.

Councilor Bickford moved to approve the Special Amusement Permit contingent upon all appropriate departments giving their approval. Seconded by Councilor Hayes. Vote: 7 Yeas.

**5. PUBLIC HEARING AND ACTION ON SPECIAL AMUSEMENT PERMIT AND BOTTLE CLUB APPLICATIONS FOR BERENYI ENTERPRISES, INC., D/B/A LAST STOP**

Mayor Jenkins opened the public hearing. Frank Berenyi, owner of Last Stop spoke in favor of this request and answered Councilors questions. Jason Moen, Deputy Police Chief answered Councilors questions. Mayor Jenkins closed the public hearing.

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Councilor Berube moved to approve the State Bottle Club application and that the Special Amusement Permit be approved for six months. Seconded by Councilor Herrick. Vote: 7 Yeas.

**6. APPOINTMENTS – WATER DISTRICT, SEWER DISTRICT, AND BOARD OF ASSESSMENT REVIEW**

Councilor Hayes moved that Bruce Rioux be reappointed to the Water District until March 2012; Patrick DeFilipp be reappointed to the Sewer District until March 2012; and Walter Crites be reappointed as an Alternate Member to the Board of Assessment Review until January 2013. Seconded by Councilor Berube. Vote: 7 Yeas.

**7. ORDER – ADVISORY-NON BINDING QUESTION FOR MAY 6 MUNICIPAL ELECTION**

Councilor Potvin moved for passage of the order. Seconded by Councilor Berube. Vote: 7 Yeas.

**OPEN SESSION**

No one spoke

OPEN SESSION CLOSED

**FUTURE AGENDA/WORKSHOP ITEMS**

Disposition of dollars for Mt. Auburn Avenue Sale Discussion with

School Committee Chair Re: School Funding Joint Finance

Director for City/School

County District Meeting

Discussion of tabled Mayors' resolve

**ADJOURNMENT – 10:25 P.M.**

Councilor Potvin to adjourn. Seconded by Councilor Mennealy. Vote: 7 Yeas.

A TRUE RECORD ATTEST: \_\_\_\_\_ CITY CLERK

**CITY OF AUBURN APRIL 28, 2008 CITY COUNCIL MEETING**

PRESENT

Mayor John T. Jenkins, Councilors Michael J. Farrell, Robert P. Hayes, Daniel R. Herrick, Bruce A. Bickford, Raymond C. Berube, Ronald W. Potvin and Robert C. Mennealy, Acting City

Manager Laurie Smith, Finance Director Denise Brown and City Clerk Mary Lou Magno. There were 33 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.

## **CONSENT AGENDA**

Councilor Bickford moved to accept, approve and place on file the items marked with an asterisk. Seconded by Councilor Mennealy. Vote: 7 Yeas.

### **\*MINUTES OF APRIL 3RD AND & 7TH , 2008 COUNCIL MEETINGS**

Approved under consent agenda. **REPORTS**

#### **OF THE MAYOR BUSINESS**

##### **APPRECIATION PROGRAM**

Zapizza Market & Eatery – John Beatrice

Bert's Awesome Stuff – Chris Hayden and Bruce Little Safe

Handling, Inc. – Ford Reiche

#### **REPORTS OF CITY COUNCILORS**

Councilors reported on their respective Council Committee Assignments.

#### **REPORTS OF THE CITY MANAGER FINANCE**

##### **REPORT – MONTH OF MARCH**

Councilor Berube moved to accept and place on file the Finance Report for the month of March as prepared and presented by Denise Brown, Finance Director. Seconded by Councilor Bickford. Vote: 7 Yeas.

#### **COMMUNICATIONS AND RECOGNITIONS**

##### **COMMUNICATION FROM KIWANIS CLUB RE: WAIVE FEE FOR VICTUALERS LICENSE – PANCAKE BREAKFAST**

Approved under consent agenda.

#### **OPEN SESSION**

Richard Burton, Maine Animal Damage Control; Andy Titus, 45 Carson Street; and Dominic Casavant, 158 Valview Drive.

Council Minutes -2- April 28, 2008 CLOSED

**OPEN SESSION UNFINISHED BUSINESS**

None

**NEW BUSINESS**

**1. RESOLVE – AMENDMENT TO THE SCHOOL FUND BALANCE POLICY**

Councilor Potvin moved for passage of the resolve. Seconded by Councilor Herrick. Laurie Smith, Acting City Manager, answered Councilors questions.

Vote: 6 Yeas, with Councilor Hayes voting Nay.

**2. RESOLVE – APPROVING SCHOOL BUDGET FOR FISCAL YEAR 2008-2009**

Councilor Potvin moved for passage of the resolve. Seconded by Councilor Berube. Vote: 7 Yeas.

**3. RESOLVE – 2008-2009 ANNUAL BUDGET**

Councilor Bickford moved for passage of the resolve. Seconded by Councilor Berube. Laurie Smith, Acting City Manager, answered Councilors questions.

Vote: 6 Yeas, with Councilor Hayes voting Nay.

**4. SIGN WARRANT FOR MAY 6TH SPECIAL MUNICIPAL ELECTION – SCHOOL BUDGET VALIDATION REFERENDUM**

Councilors will sign the warrant for the May 6th Special Municipal Election.

**5. RESOLVE – APPOINTMENT OF DEPUTY REGISTRAR OF VOTERS**

Councilor Farrell moved for passage of the resolve. Seconded by Councilor Berube. Vote: 7 Yeas

**6. APPOINTMENTS**

Councilor Berube moved to approve the following appointments:

Alternate Member to Mid Maine Waste Action Corporation – City Manager

Cable TV Advisory Board – Walter Crites until April 2011 Zoning

Board of Appeals – Noella Potvin until April 2011

Recreation Advisory Board – Roger Laroche, Daniel Poisson, Philip Savignano, Paul Douglass,  
Steve Myers and Dennis Cormier until February 2010

Seconded by Councilor Hayes. Vote: 6 Yeas with Councilor Potvin abstaining.

### **OPEN SESSION**

No one spoke

OPEN SESSION CLOSED

### **FUTURE AGENDA/WORKSHOP ITEMS**

Hire professional negotiator

List of unfinished projects – ID # for projects Access tax

bills on line

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Economic Development Initiative – Vacant School Buildings Progress

Report – Service Centers

**ADJOURNMENT** – 8:40 P.M.

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

TRUE RECORD ATTEST: \_\_\_\_\_ CITY CLERK

### **CITY OF AUBURN MAY 5, 2008 CITY COUNCIL MEETING**

PRESENT

Mayor John T. Jenkins, Councilors Michael J. Farrell, Robert P. Hayes, Daniel R. Herrick, Bruce A. Bickford, Raymond C. Berube, Ronald W. Potvin and Robert C. Mennealy, Acting City Manager Laurie Smith, Finance Director Denise Brown and City Clerk Mary Lou Magno. There were 24 people in the audience.

Mayor Jenkins called the meeting to order at 8:15 p.m. in the Council Chambers of Auburn Hall with a salute to the flag.

**BADGE PINNING CEREMONY**

The following Police Officers have been promoted to the rank of Corporal: Donald Gosselin, Laurie Woodhead, Steven Gosselin and Kristopher Bouchard. Mayor Jenkins administered the oath of office and Police Chief Crowell pinned their badges.

Mayor Jenkins noted that the Council would return to the joint meeting with Lewiston City Councilors.

At 9:00 p.m. Mayor Jenkins called the Council meeting back to order.

#### **CONSENT AGENDA**

Councilor Hayes moved to accept, approve and place on file the items marked with an asterisk. Seconded by Councilor Mennealy. Vote: 7 Yeas.

#### **\*MINUTES OF APRIL 28 , 2008 COUNCIL MEETING**

Approved under consent agenda.

#### **REPORTS OF THE MAYOR**

None

#### **REPORTS OF CITY COUNCILORS**

Councilors reported on their respective Council Committee Assignments.

#### **REPORTS OF THE CITY MANAGER**

None

#### **COMMUNICATIONS AND RECOGNITIONS**

None

#### **OPEN SESSION**

Belinda Gerry, 143 Mill Street, submitted petitions regarding the Lewiston/Auburn Transit budget.

#### **CLOSED OPEN SESSION**

#### **UNFINISHED BUSINESS**

None

#### **NEW BUSINESS**

## **1. RESOLVE – APPROVAL OF 2008-09 ACTION PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT AND HOME INVESTMENT PARTNERSHIP PROGRAMS**

Mayor Jenkins opened and closed the public hearing with no public comment.

Councilor Bickford moved for passage of the resolve. Seconded by Councilor Mennealy. Reine

Mynahan, Community Development Block Grant Administrator, answered Councilors questions. Vote:

7 Yeas.

## **2. PUBLIC HEARING – LIQUOR APPLICATION FOR PROSPECT HILL GOLF CLUB**

Applicant withdrew application.

## **3. APPOINTMENTS TO THE JOINT LEWISTON-AUBURN DOWNTOWN MASTERPLAN COMMITTEE**

Mayor Jenkins recommended that the following persons be appointed to the L/A Joint Downtown Master Plan Committee: Roger Blais, Deana Chapman, Holly Mireault, John Cleveland, Sheryl Banden, Natalie Raye, Richard Whiting and Jonathan Labonte.

Councilor Potvin moved to confirm the appointments. Seconded by Councilor Berube. Vote: 7 Yeas.

## **4. SET DATE FOR SPECIAL CITY COUNCIL MEETING**

Councilor Bickford moved that a Special City Council Meeting be held on May 12th to act on the following items: 1. Annual Appropriation Resolve (1st Reading); 2. Resolve – Authorize Acting City Manager to Enter into Purchase and Sale Agreement – 154 & 180 Mt. Auburn Avenue; 3. Public Hearing – Liquor License Application – B&B Catering & Concession. Seconded by Councilor Mennealy. Vote: 7 Yeas.

## **OPEN SESSION**

No one spoke.

## **CLOSED OPEN SESSION**

## **FUTURE AGENDA/WORKSHOP ITEMS**

Webster School

**ADJOURNMENT – 9:50 P.M.**

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

TRUE RECORD ATTEST: \_\_\_\_\_ CITY CLERK

### **CITY OF AUBURN MAY 12, 2008 SPECIAL CITY COUNCIL MEETING**

PRESENT

Mayor John T. Jenkins, Councilors Michael J. Farrell, Robert P. Hayes, Daniel R. Herrick, Bruce A. Bickford, Raymond C. Berube, Ronald W. Potvin and Robert C. Mennealy, Acting City Manager Laurie Smith, Finance Director Denise Brown and City Clerk Mary Lou Magno. There were 13 people in the audience.

Mayor Jenkins called the special meeting to order at 5:00 p.m. in the Council Chambers of Auburn Hall indicating that the purpose of the meeting was to act on the following items:

#### **GOOSEBERRY BARN**

Councilor Berube moved that the current contractor finish the work at 211 Fairview Avenue by removing and disposing of all foundations, debris, rocks, shrubs, stumps, and leveling the area for improved sight visibility; and that Public Works should remove any items that can be used by the City. Seconded by Councilor Herrick.

Laurie Smith, Acting City Manager; and Dennis Roderick, Purchasing/Risk Management Manager, both answered Councilors questions.

Vote: 7 Yeas.

#### **RESOLVE – ANNUAL APPROPRIATION RESOLVE (1ST READING)**

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

Tom Morrill, Superintendent of Schools; and Laurie Smith, Acting City Manager, both answered Councilors questions.

Vote: 7 Yeas.

#### **RESOLVE – AUTHORIZE ACTING CITY MANAGER TO ENTER INTO PURCHASE AND SALE AGREEMENT (154 AND 180 MT. AUBURN AVENUE)**

Councilor Berube moved for passage of the resolve. Seconded by Councilor Bickford. Laurie Smith, Acting City Manager, answered Councilors questions.

Vote: 7 Yeas.

**PUBLIC HEARING – LIQUOR LICENSE APPLICATION – B&B CATERING & CONCESSION, 694 SOUTH MAIN STREET**

Councilor Herrick moved to approve the application. Seconded by Councilor Bickford. Council

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Mayor Jenkins opened the Public Hearing.

Scott Bussiere, B&B Catering & Concession, spoke in favor of the above application and answered Councilors questions.

Mayor Jenkins closed the Public Hearing.

Vote: 7 Yeas.

**PILOT PROGRAM – OIL/K1 PURCHASE**

Councilor Farrell moved that the City initiate a pilot program for residents to purchase oil and K1 to piggyback on city oil prices. Seconded by Councilor Potvin.

Councilor Mennealy moved to table. Seconded by Councilor Bickford. Vote: 4 Nays, with Councilors Hayes, Bickford and Mennealy voting Yea. MOTION FAILS

Vote: 5 Yeas with Councilors Hayes and Bickford voting Nay.

**ADJOURNMENT – 6:35 P.M.**

Councilor Bickford moved to adjourn. Seconded by Councilor Potvin. Vote: 7 Yeas. A

TRUE RECORD ATTEST: \_\_\_\_\_ CITY CLERK

**CITY OF AUBURN MAY 19, 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, Acting City Manager Laurie Smith, Finance Director Denise Brown and City Clerk Mary Lou Magno. Councilor Bruce A. Bickford was absent. There were 60 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.

Students from East Auburn and Park Avenue Schools, Cassidy Haskell, Justice Guimond, Matthew Taylor, Elizabeth LaRochelle, Maddy Butts, Patrick Buzzza, Lisa Gaylord, and Paige Weber, sang the National Anthem under the direction of Chris Turcotte, Music Teacher.

## **CONSENT AGENDA**

Councilor Berube moved to accept, approve and place on file the items marked with an asterisk. Seconded by Councilor Herrick. Vote: 6 Yeas, No Nays.

### **\*MINUTES OF MAY 5 AND 12 COUNCIL MEETINGS**

Approved under consent agenda. **REPORTS**

#### **OF THE MAYOR PROCLAMATION –**

ARBOR WEEK

PROCLAMATION – AMYOTROPHIC LATERAL SCLEROSIS AWARENESS MONTH

PROCLAMATION – FOSTER CARE MONTH

Mayor Jenkins read a communication from the Lewiston/Auburn Joint Services Commission regarding the consolidation of the Assessing Department.

#### **REPORTS OF CITY COUNCILORS**

Councilors reported on their respective Council Committee Assignments.

#### **REPORTS OF THE CITY MANAGER FINANCE**

##### **REPORT – MONTH OF APRIL**

Councilor Berube moved to accept and place on file the Finance Report for the month of April as prepared and presented by Denise Brown, Finance Director. Seconded by Councilor Farrell. Vote: 6 Yeas, No Nays.

#### **COMMUNICATIONS AND RECOGNITIONS**

None

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#### **OPEN SESSION**

Dominic Casavant, 158 Valview Drive.

#### **CLOSED OPEN SESSION UNFINISHED**

#### **BUSINESS**

### **1. RESOLVE – ANNUAL APPROPRIATION RESOLVE (2ND READING)**

Councilor Potvin moved for acceptance of second reading and final passage. Seconded by Councilor Mennealy. Vote: 6 Yeas, No Nays.

## **NEW BUSINESS**

### **2. RESOLVE – ACCEPTANCE OF CAPITAL IMPROVEMENT PROGRAM**

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

Mayor Jenkins opened the Public Hearing and the following people spoke: Tom Morrill, School Superintendent; Jude Cyr, School Business Manager; Peter Bushway, Parks and Recreation Director; and Laurie Smith, Acting City Manager. Mayor Jenkins closed the public hearing.

Vote: 6 Yeas, no Nays.

### **3. ORDER – AUTHORIZE THE ISSUANCE OF CAPITAL IMPROVEMENT BONDS IN THE AMOUNT OF \$6,700,000 (1ST READING)**

Councilor Hayes moved for acceptance of first reading. Seconded by Councilor Potvin. Mayor

Jenkins opened the public hearing.

Councilor Potvin moved to reduce the School Department allocation by \$270,000 (suggested reductions \$50,000 technology; \$123,000 Franklin School; and \$97,000 ELHS). Seconded by Councilor Berube.

Mayor Jenkins closed the public hearing.

Vote on the amendment: 4 Yeas with Councilors Hayes and Mennealy voting Nay.

Vote on acceptance of first reading as amended: 4 Yeas with Councilors Hayes and Mennealy voting Nay.

Councilor Mennealy moved to reconsider passage of the order. Seconded by Councilor Potvin. Vote: 6 Yeas, No Nays.

Vote on acceptance of first reading as amended: 5 Yeas with Councilor Hayes voting Nay.

### **4. ORDER – 2008-09 TAX COMMITMENT**

Councilor Potvin moved for passage of the order. Seconded by Councilor Berube. Vote: 6 Yeas, No Nays.

### **5. APPOINTMENT TO THE JOINT LEWISTON-AUBURN DOWNTOWN MASTER PLAN COMMITTEE**

Mayor Jenkins recommended that Maureen Aube be appointed to the Joint Lewiston-Auburn Downtown Master Plan Committee.

Councilor Potvin moved to confirm this appointment. Seconded by Councilor Herrick. Vote: 6 Yeas.

#### **OPEN SESSION**

No one spoke.

CLOSED OPEN SESSION

#### **FUTURE AGENDA/WORKSHOP ITEMS**

9-1-1 Dispatch Services Recycling –

Trash pick-up **ADJOURNMENT** –

8:55 P.M.

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

TRUE RECORD ATTEST: \_\_\_\_\_ CITY CLERK

### **CITY OF AUBURN JUNE 2, 2008 CITY COUNCIL MEETING**

#### **PRESENT**

Mayor John T. Jenkins, Councilors Michael J. Farrell, Robert P. Hayes, Daniel R. Herrick, Bruce A. Bickford, Raymond C. Berube, Ronald W. Potvin and Robert C. Mennealy, City Manager Glenn Aho, Assistant City Manager Laurie Smith, Finance Director Denise Brown and City Clerk Mary Lou Magno. There were 27 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.

Savannah Shaw student from Washburn School sang the National Anthem under the direction of Joan Hamann, Music Teacher.

#### **CONSENT AGENDA**

Councilor Berube moved to accept, approve and place on file the items marked with an asterisk. Seconded by Councilor Hayes. Vote: 7 Yeas.

#### **\*MINUTES OF MAY 19th COUNCIL MEETINGS**

Approved under consent agenda.

## **REPORTS OF THE MAYOR**

Mayor Jenkins introduced Glenn Aho, City Manager who began his duties on May 27th. Mayor

Jenkins recognized Laurie Smith, Assistant City Manager, for all of her efforts while serving as Interim City Manager for the last year.

## **REPORTS OF CITY COUNCILORS**

Councilors reported on their respective Council Committee Assignments.

## **REPORTS OF THE CITY MANAGER**

### **PUBLIC WORKS – OPEN HOUSE**

Sid Hazelton, Assistant Public Works Director, noted the Open House that will take place at Public Works, Gracelawn Road, on Saturday June 7th 9:00 am until noon.

## **COMMUNICATIONS AND RECOGNITIONS**

### **\*COMMUNICATION FROM LIBERTY FESTIVAL COMMITTEE RE: MASS GATHERING REQUEST**

Approved under consent agenda. Council

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### **\*COMMUNICATION FROM GREAT FALLS BALLOON FESTIVAL COMMITTEE RE: REQUEST FOR SERVICES**

Approved under consent agenda.

### **\*COMMUNICATION FROM AUBURN PAWN RE: RENEWAL OF PAWN LICENSE**

Approved under consent agenda.

## **OPEN SESSION**

The following people spoke during open session: Larry Pelletier, 129 Second Street; Paul Gosselin and Laird Covey, United Ambulance Service; Dan Bilodeau, 207 No Auburn Road; Police Chief Phil Crowell; Jonathan Labonte, 41 Third Street; David Galbraith, Director of Planning and Permitting; and Ed Desgrosseilliers, 121 Hatch Road;

## **CLOSED OPEN SESSION**

## **UNFINISHED BUSINESS**

**1. ORDER – AUTHORIZE THE ISSUANCE OF CAPITAL IMPROVEMENT BONDS IN THE AMOUNT OF \$6,430,000 (2ND READING)**

Councilor Potvin moved for acceptance of second reading and final passage. Seconded by Councilor Herrick.

Mayro Jenkins opened the public hearing. Jonathan Labonte, 41 Third Street; Mayor Jenkins Closed the public hearing.

Vote: 6 Yeas with Councilor Hayes voting Nay.

**NEW BUSINESS**

**2. RESOLVE – AUTHORIZATION OF BONDS BY THE AUBURN WATER DISTRICT (\$500,000)**

Councilor Mennealy moved for passage of the resolve. Seconded by Councilor Bickford. Norm

Lamie, Superintendent of the Auburn Water and Sewer District explained the above resolve and answered Councilors questions.

Vote: 7 Yeas.

**3. RESOLVE – AMENDMENT TO THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM GUIDELINES FOR THE MAINE CITIES FUNDS**

Councilor Berube moved for passage of the resolve. Seconded by Councilor Herrick. Vote: 7 Yeas.

**4. RESOLVE – SALE OF 22 PINE STREET TO TEDFORD HOUSING**

Councilor Bickford moved for passage of the resolve. Seconded by Councilor Berube. Laurie Smith,

Assistant City Manager, and Reine Mynahan, Community Development Block Grant Administrator, answered Councilors questions.

Don Knisley, Executive Director, Tedford Housing, spoke in favor of the above resolve. Councilor Farrell moved to table. No Second

Vote: 7 Yeas.

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**OPEN SESSION**

Jonathan Labonte, 41 Third Street. CLOSED

OPEN SESSION

**FUTURE AGENDA/WORKSHOP ITEMS**

Fuel Oil Program

Legal Liability of Fuel Oil Program Neighborhood

Co-ops

9-1-1 vs County Dispatch Services ID

#'s - Projects

Parking Meter Study RFP

Legal Services

**ADJOURNMENT – 8:45 P.M.**

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

TRUE RECORD ATTEST: \_\_\_\_\_ CITY CLERK

**CITY OF AUBURN JUNE 16, 2008 CITY COUNCIL MEETING**

PRESENT

Mayor John T. Jenkins, Councilors Michael J. Farrell, Robert P. Hayes, Bruce A. Bickford, 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. Councilor Daniel Herrick and Finance Director Denise Brown were absent. There were 13 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.

**CONSENT AGENDA**

Councilor Bickford moved to accept, approve and place on file the items marked with an asterisk. Seconded by Councilor Mennealy. Vote: 6 Yeas, No Nays.

**\*MINUTES OF JUNE 2, 2008 COUNCIL MEETING**

Approved under consent agenda.

**REPORTS OF THE MAYOR**

Mayor Jenkins and Councilor Bickford read and displayed thank-you notes they received recently from Park Avenue School students. The Mayor and Councilor Bickford recently read stories to students at the school.

#### **BUSINESS APPRECIATION PROGRAM – IRVING OIL**

Councilor Bruce Bickford introduced Irving Oil and highlighted special promotions that will be introduced in the coming months.

#### **PROCLAMATION – DIVIDED WE FAIL**

#### **REPORTS OF CITY COUNCILORS**

Councilors reported on their respective Council Committee Assignments.

#### **REPORTS OF THE CITY MANAGER FINANCE**

#### **REPORT – MONTH OF MAY**

Glenn Aho, City Manager, presented the Finance Report for the month of May.

Councilor Berube moved to accept and place on file the Finance Report. Seconded by Councilor Farrell.  
Vote: 6 Yeas, No Nays.

#### **COMMUNICATIONS AND RECOGNITIONS**

#### **\*COMMUNICATION FROM GRITTY MCDUFF’S RE: USE OF CITY PROPERTY**

Approved under consent agenda.

#### **OPEN SESSION**

The following people spoke during open session: Larry Pelletier, 129 Second Street; Debra Cote, 18 Little Androscoggin Dr; and Jodd Bowles, 239 Lake Street.

#### **CLOSED OPEN SESSION**

#### **UNFINISHED BUSINESS**

None

#### **NEW BUSINESS**

#### **1. PUBLIC HEARING AND ACTION ON LIQUOR LICENSE AND SPECIAL AMUSEMENT PERMIT APPLICATIONS FOR CLUB TEXAS, 150 CENTER ST**

Councilor Bickford moved that the Liquor License application be approved and that a six-month conditional Special Amusement Permit be approved. Seconded by Councilor Berube.

Mayor Jenkins opened and closed the public hearing with no public comment. Vote: 6

Yeas, No Nays.

## **2. RESOLVE – ACCEPTING FORFEITED FUNDS/PROPERTY**

Councilor Berube moved for passage of the resolve. Seconded by Councilor Bickford. Vote: 6 Yeas, No Nays.

### **OPEN SESSION**

No one spoke.

CLOSED OPEN SESSION

### **FUTURE AGENDA/WORKSHOP ITEMS**

**ADJOURNMENT – 8:30 P.M.**

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

TRUE RECORD ATTEST: \_\_\_\_\_ CITY CLERK

## **CITY OF AUBURN JULY 7, 2008 CITY COUNCIL MEETING**

### **PRESENT**

Mayor John T. Jenkins, Councilors Michael J. Farrell, Robert P. Hayes, Daniel Herrick, Bruce A. Bickford, 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 10 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.

### **CONSENT AGENDA**

Councilor Berube moved to accept, approve and place on file the items marked with an asterisk. Seconded by Councilor Farrell. Vote: 7 Yeas.

### **\*MINUTES OF JUNE 16, 2008 COUNCIL MEETING**

Approved under consent agenda.

### **REPORTS OF THE MAYOR**

Mayor Jenkins spoke about a program entitled “Maine Ideas” which will be a program that will foster community and families and the services and information that will be provided to citizens in light of the energy crisis.

Community groups will be encouraged to form in order to purchase oil.

Mayor Jenkins recognized the Police Department for their recent efforts in apprehending two people who were trafficking heroin.

## **REPORTS OF CITY COUNCILORS**

Councilors reported on their respective Council Committee Assignments.

## **REPORTS OF THE CITY MANAGER**

Glenn Aho, City Manager, reported on the following items: Neighborhood meeting Turner/Center/Union Streets Intersection; Update: Ambulance Proposal; Heating Fuel Committee; and Future Workshops.

## **COMMUNICATIONS AND RECOGNITIONS**

### **\*COMMUNICATION FROM MAINE MUNICIPAL ASSOCIATION RE: BALLOTS FOR LEGISLATIVE POLICY COMMITTEE, VICE PRESIDENT AND EXECUTIVE COMMITTEE MEMBERS**

Approved under consent agenda.

## **OPEN SESSION**

Councilor Hayes moved that only one “Open Session” be held this evening and that it occur after “New Business”. Seconded by Councilor Berube. Vote: 7 Yeas.

## **UNFINISHED BUSINESS**

None

## **NEW BUSINESS**

### **1. RESOLVE – TRANSFER OF PINE TREE ZONE DESIGNATION**

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

Roland Miller, Director of Economic Development, explained the above resolve and answered Councilors questions.

Glenn Aho, City Manager, added information regarding Symmetry Medical.

Mayor Jenkins opened the Public Hearing. Larry Morrissette, 142 Pleasant Street. Mayor Jenkins closed the Public Hearing.

Vote: 7 Yeas.

**OPEN SESSION**

Larry Morrissette, 142 Pleasant Street; and Andy Titus, 45 Carson Street. CLOSED

OPEN SESSION

**FUTURE AGENDA/WORKSHOP ITEMS**

Update regarding Hotel and Parking Garage in Great Falls Plaza Update TIF

#10

Update Great Falls/Community Little Theatre

Public Works – Plow routes; employees taking city vehicles home at night Discussion regarding disposition of land owned by L/A Railroad

Airport expansion – Poland/Hotel Road

Update from Police Department regarding motorcycles/noise ordinance Noise at Airport

**ADJOURNMENT – 8:30 P.M.**

Councilor Berube moved to adjourn. Seconded by Councilor Bickford. Vote: 6 Yeas, No Nays. (Councilor Mennealy out of the room)

A TRUE RECORD ATTEST: \_\_\_\_\_ CITY CLERK

**CITY OF AUBURN JULY 21, 2008 CITY COUNCIL MEETING**

**PRESENT**

Mayor John T. Jenkins, Councilors Robert P. Hayes, Daniel R. Herrick, Bruce A. Bickford, 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. Councilor Michael J. Farrell was absent. There were 19 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.

## **CONSENT AGENDA**

Councilor Berube moved to accept, approve and place on file the items marked with an asterisk. Seconded by Councilor Herrick. Vote: 6 Yeas, No Nays.

### **\*MINUTES OF JULY 7, 2008 COUNCIL MEETING**

Approved under consent agenda.

## **REPORTS OF THE MAYOR**

Mayor Jenkins noted “Sounds of the Cities” a production by Edward Little and Lewiston High Schools Drama Clubs, Friday, July 25th, at 7 p.m. at the Green Ladle Café.

## **REPORTS OF CITY COUNCILORS**

Councilors reported on their respective Council Committee Assignments.

## **REPORTS OF THE CITY MANAGER**

Glenn Aho, City Manager, reported on the following items: 261 Main Street (formerly Auburn Lanes); Ambulance – Transport Service; and 194 South Main Street (Steve Herrin request).

## **COMMUNICATIONS AND RECOGNITIONS**

### **PRESENTATION BY RACHEL DESGROSSEILLIERS RE: PLANS FOR NEW MUSEUM L-A**

Rachel Desgrosseilliers gave a Power Point presentation on the New Museum L-A, the story of work and community in Lewiston-Auburn.

### **COMMUNICATION FROM WEBSTER’S TRADING CO. RE: RENEWAL OF PAWN LICENSE**

Approved under consent agenda.

### **REQUEST TO SET DATE FOR FIRST COUNCIL MEETING IN SEPTEMBER**

Approved under consent agenda.

## **OPEN SESSION**

Larry Morrissette, 142 Pleasant Street.

## **CLOSED OPEN SESSION UNFINISHED**

## **BUSINESS**

None

## **NEW BUSINESS**

### **1. PUBLIC HEARING – SPECIAL AMUSEMENT PERMIT APPLICATIONS FOR L/A BREWING CO. D/B/A GRITTY'S; HILTON GARDEN INN; AND HOLLY'S OWN DELI**

Mayor Jenkins opened and closed the public hearing with no public comment.

Councilor Bickford moved to approve the three Special Amusement Permits. Seconded by Councilor Berube. Vote: 6 Yeas, No Nays.

### **2. ORDINANCE – AMENDMENT TO ZONING MAP IN THE VICINITY OF PRINCETON AVENUE AND BROWN STREET (FIRST READING)**

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

Eric Cousens, City Planner, explained the above rezoning and answered Councilors questions. Vote: 6 Yeas, No Nays.

### **3. APPOINTMENT OF ALTERNATE MEMBER TO MID MAINE WASTE ACTION CORPORATION**

Councilor Berube moved that the Assistant City Manager be appointed as an Alternate Member to the Mid Maine Waste Action Corporation. Seconded by Councilor Herrick. Vote: 6 Yeas, No Nays.

## **OPEN SESSION**

No one spoke

## **CLOSED OPEN SESSION**

## **FUTURE AGENDA/WORKSHOP ITEMS**

Workshop with Airport Manager – Constellation planes Collection of trash for commercial buildings

City vehicles – employee use Maintenance of

City property **ADJOURNMENT** – 8:45

P.M.

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

A TRUE RECORD ATTEST: \_\_\_\_\_ CITY CLERK

## **CITY OF AUBURN AUGUST 4, 2008 CITY COUNCIL MEETING**

### **PRESENT**

Mayor John T. Jenkins, Councilors Michael J. Farrell, Robert P. Hayes, Daniel R. Herrick, Bruce A. Bickford, 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 45 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.

### **CONSENT AGENDA**

Councilor Berube moved to accept, approve and place on file the items marked with an asterisk. Seconded by Councilor Bickford. Vote: 7 Yeas.

#### **\*MINUTES OF JULY 21, 2008 COUNCIL MEETING**

Approved under consent agenda.

### **REPORTS OF THE MAYOR**

Mayor Jenkins recognized and swore in Police Officer Aaron R. Washington, Jr. Mayor Jenkins also noted that on Saturday, August 9th at the Lewiston Armory from 9 am until 2 pm the Maine State Housing Authority will host a Homebuyers and Home Owners Summit. The Mayor noted that the City is considering making some of its public wood available to heat local homes this winter; logistics of a program such as this are still being researched. Mayor Jenkins reminded everyone that Tuesday, August 5th at Festival Plaza, National Night Out will be celebrated.

### **REPORTS OF CITY COUNCILORS**

Councilors reported on their respective Council Committee Assignments.

### **REPORTS OF THE CITY MANAGER**

Glenn Aho, City Manager, updated the Council on the following three items: 261 Main Street; City purchase of heating oil; and a judges ruling regarding the Androscoggin Budget Committee.

### **COMMUNICATIONS AND RECOGNITIONS**

#### **COMMUNICATION FROM POLICE CHIEF CROWELL RE: CONSTABLE**

Approved under consent agenda.

## **OPEN SESSION**

Guy Mahon, 216 Poland Road; Francois Bussiere, 9 Winter Street; and Beverly Heath, 25 Dennison Street.

CLOSED OPEN SESSION

## **UNFINISHED BUSINESS**

### **1. ORDINANCE – AMENDMENT TO ZONING MAP IN THE VICINITY OF PRINCETON AVENUE AND BROWN STREET (SECOND READING)**

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

## **NEW BUSINESS**

### **2. RESOLVE – AMENDMENT TO THE HOMEBUYER LOAN PROGRAM**

Councilor Berube moved for passage of the resolve. Seconded by Councilor Bickford. Reine

Mynahan, Community Development Block Grant Administrator, explained the above resolve and answered Councilors questions.

Councilor Farrell moved to remove proposed change #1 – to decrease the amount of income required to participate in the program from \$25,000 to \$20,000. Seconded by Councilor Potvin.

Vote on the amendment: 4 Yeas with Councilors Hayes, Bickford and Berube voting Nay. Vote on passage of the resolve as amended: 5 Yeas with Councilors Hayes and Bickford voting Nay.

### **3. RESOLVE – WAIVER OF FORECLOSURE – STEVENS MILLS/AUBURN HOME PROJECT**

Councilor Potvin moved for passage of the resolve. Seconded by Councilor Mennealy.

Reine Mynahan, Community Development Block Grant Administrator, explained the resolve and answered Councilors questions.

Councilor Hayes moved to table. Seconded by Councilor Farrell. Vote: 4 Yeas with Councilors Bickford, Berube and Potvin voting Nay.

### **4. RESOLVE – AMENDMENT TO TIF #14 & #15**

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

Roland Miller, Economic Development Director, explained the resolve and answered Councilors questions.

Councilor Mennealy moved the question. Seconded by Councilor Farrell. Vote: 5 Yeas with Councilors Hayes and Bickford voting Nay.

Vote: 4 Nays with Councilors Hayes, Bickford and Berube voting Yea. NOT PASSED

#### **5. RESOLVE – ACCEPTING CERTAIN FORFEITED PROPERTY**

Councilor Farrell moved for passage of the resolve. Seconded by Councilor Herrick. Police Chief Crowell, explained both items #5 and #6.

Vote: 7 Yeas.

#### **6. RESOLVE – ACCEPTING CERTAIN FORFEITED PROPERTY**

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

#### **7. RESOLVE – AUTHORIZE CITY MANAGER TO CONVEY PROPERTY ON SOUTH MAIN STREET TO SD HERRIN ENTERPRISES, INC.**

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

Berube moved to amend the resolve by adding that Mr. Herrin pay the City \$600, which is the amount appraised by the City Assessor. Seconded by Councilor Herrick.

Vote on the amendment: 6 Yeas, with Councilor Farrell abstaining. Fire

Chief Werts answered Councilors questions.

Vote on passage of the resolve as amended: 6 Yeas with Councilor Hayes voting Nay.

#### **8. PUBLIC HEARING – SPECIAL AMUSEMENT PERMIT – RACK-M-UP BILLIARDS**

Mayor Jenkins opened and closed the public hearing with no public comment.

Councilor Farrell moved to issue the permit. Seconded by Councilor Potvin. Vote: 7 Yeas.

#### **9. RESOLVE - ADOPTION OF EMERGENCY MEDICAL SERVICE TRANSPORT PLAN**

Councilor Potvin moved for passage of the resolve. Seconded by Councilor Bickford.

Glenn Aho, City Manager, Wayne Werts, Fire Chief, and Capt. Dean Milligan commented and answered Councilors questions.

Vote: 6 Yeas with Councilor Berube voting Nay.

**OPEN SESSION**

No one spoke

CLOSED OPEN SESSION

**FUTURE AGENDA/WORKSHOP ITEMS**

**ADJOURNMENT – 10:10 P.M.**

Councilor Berube moved to adjourn. Seconded by Councilor Herrick. Vote: 5 Yeas, No Nays (Councilors Mennealy and Potvin out of the room).

A TRUE RECORD ATTEST: \_\_\_\_\_ CITY CLERK

**CITY OF AUBURN AUGUST 18, 2008 CITY COUNCIL MEETING**

**PRESENT**

Mayor John T. Jenkins, Councilors Michael J. Farrell, Robert P. Hayes, Daniel R. Herrick, Bruce A. Bickford, Raymond C. Berube, Ronald W. Potvin and Robert C. Mennealy, City Manager Glenn Aho, and City Clerk Mary Lou Magno. Laurie Smith, Assistant City Manager was absent. There were 24 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.

**CONSENT AGENDA**

Councilor Berube moved to accept, approve and place on file the items marked with an asterisk. Seconded by Councilor Bickford. Vote: 7 Yeas.

**\*MINUTES OF AUGUST 4, 2008 COUNCIL MEETING**

Approved under consent agenda.

**REPORTS OF THE MAYOR**

Mayor Jenkins recognized Tracey Steuber and members of the Balloon Festival Committee for the successful Balloon Festival that took place this last weekend; Mayor Jenkins thanked Christina White, Gail Phoenix and Deputy Fire Chief Mike Minkowsky, for their efforts in coordinating the Energy Summit that will take place tomorrow from 8 am until noon here in Auburn Hall; he also recognized City Manager Glenn Aho and Community Service Director Eric LaBelle who both went above and beyond to help an Auburn family in need this last week. Mayor Jenkins gave a Powerpoint overview of the Energy Summit.

## **REPORTS OF CITY COUNCILORS**

Councilors reported on their respective Council Committee Assignments.

## **REPORTS OF THE CITY MANAGER**

Glenn Aho, City Manager, updated the Council on the following items: Sept. 3rd, Joint City Council Meeting at 6 pm at Lewiston City Hall to consider the 9-1-1 Combined Dispatch Study; Chief Crowell will report on Auburn Middle School Safety Issues at the Sept. 2nd City Council Workshop; Andrew Harris, LA Arts has expressed an interest in stadium seating at the former Webster School; Councilor Berube has completed the Freedom of Access Training; and the City Manager reported on a recent meeting with contractors regarding customer service.

## **FINANCE REPORT – MONTH OF JULY**

Councilor Bickford moved to accept and place on file the Finance Report as presented by Glenn Aho, City Manager. Seconded by Councilor Hayes. Vote: 7 Yeas.

## **COMMUNICATIONS AND RECOGNITIONS**

### **COMMUNICATION FROM DANVILLE JCT GRANGE RE: WAIVER OF LICENSE FEE**

Approved under consent agenda.

### **COMMUNICATION FROM JOHN F. MURPHY HOMES, INC. RE: WAIVE FEE FOR GARAGE SALE PERMIT**

Approved under consent agenda.

## **OPEN SESSION**

William “Guy” Mahon, 216 Poland Road, presented the Mayor and Councilors with a petition signed by residents of Poland Road; and Larry Morrisette, 142 Pleasant Street.

## **CLOSED OPEN SESSION**

## **UNFINISHED BUSINESS**

### **1. RESOLVE – WAIVER OF FORECLOSURE – STEVENS MILLS/AUBURN HOME PROJECT (TABLED 8/4/08)**

Councilor Hayes moved to remove this item from the table. Seconded by Councilor Berube. Vote: 7 Yeas.

Glenn Aho, City Manager, made comments regarding the above resolve and answered Councilors questions.

Reine Mynahan, Community Development Block Grant Administrator, and Travis Soule, developer of the above project, both answered Councilors questions.

Vote: 7 Yeas.

## **NEW BUSINESS**

### **2. RESOLVE – AUTHORIZE \$10,000 FUNDING FOR A PASSENGER AIR SERVICE STUDY**

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

### **3. EXECUTIVE SESSION – LABOR NEGOTIATIONS (TITLE 1, SECTION 405)**

Councilor Potvin moved to go into Executive Session to discuss Labor Negotiations. Seconded by Councilor Hayes. Vote: 7 Yeas.

Councilor Hayes moved to come out of Executive Session. Seconded by Councilor Berube. Vote: 5

Yeas, No Nays (Councilors Bickford and Mennealy out of the room)

## **OPEN SESSION**

Larry Morrisette, 142 Pleasant Street.

CLOSED OPEN SESSION

## **FUTURE AGENDA/WORKSHOP ITEMS**

### **ADJOURNMENT – 9:35 P.M.**

Councilor Berube moved to adjourn. Seconded by Councilor Herrick. Vote: 5 Yeas, No Nays (Councilors Mennealy and Potvin out of the room).

A TRUE RECORD ATTEST: \_\_\_\_\_ CITY CLERK

## **CITY OF AUBURN SEPTEMBER 2, 2008 CITY COUNCIL MEETING**

### **PRESENT**

Mayor John T. Jenkins, Councilors Michael J. Farrell, Robert P. Hayes, Daniel R. Herrick, Bruce A. Bickford, 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 21 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.

## **CONSENT AGENDA**

Councilor Bickford moved to accept, approve and place on file the items marked with an asterisk. Seconded by Councilor Berube. Vote: 7 Yeas.

### **\*MINUTES OF AUGUST 18, 2008 COUNCIL MEETING**

Approved under consent agenda.

## **REPORTS OF THE MAYOR**

Mayor Jenkins recognized Deputy Fire Chief Minkowsky and members of the ASCERT Team for coordinating the Energy Summit and thanked all city staff that attended the recent Ward Meetings.

## **REPORTS OF CITY COUNCILORS**

Councilors reported on their respective Council Committee Assignments.

## **REPORTS OF THE CITY MANAGER**

Glenn Aho, City Manager, informed the Council that he is coordinating a presentation by Northern Utilities regarding the use of natural gas as a heating alternative.

## **COMMUNICATIONS, PRESENTATIONS, AND RECOGNITIONS PRESENTATION BY**

### **EDWARD LITTLE HIGH SCHOOL GRANDSTAND CLUB**

Dan Deshaies, Athletic Director, Edward Little High School, introduced Scott Whelan, Art Butcher and Florian Magno, Jr. members of the Grandstand Club. Mr. Whelan and Mr. Butcher explained how they fund-raised and how those dollars are used. They invited the Mayor and Council to the September 12th Edward Little football game at which time the new scoreboard (which Grandstand Club purchased) will be dedicated.

## **OPEN SESSION**

Brian Demers, 1085 Riverside Drive.

## **CLOSED OPEN SESSION UNFINISHED**

## **BUSINESS**

None

Council Minutes -2- September 2, 2008

## **NEW BUSINESS**

### **1. ORDINANCE – AMENDMENT TO CHAPTER 26, ARTICLE 9, SCHEDULE 3 ONE WAY STREETS (1ST READING)**

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

Eric LaBelle, Community Services Director and Police Chief Phil Crowell, explained the above ordinance and answered Councilors questions.

John Cleveland, 183 Davis Avenue (Business Address 201 Main Street); Bob Grieshaber, 100 Stony Ridge (Business Address 217 Main Street); and Jim Tierney, 7 Drummond Street, all made comments regarding the above ordinance.

Vote: 7 Yeas.

### **2. RESOLVE – ACCEPTANCE OF FORFEITED FUNDS**

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

### **3. NOMINEES (2) LEWISTON-AUBURN PUBLIC HEALTH COMMITTEE**

Councilor Berube moved to place in nomination Brenda Joly. Seconded by Councilor Hayes. Vote: 7 Yeas.

Phil Nadeau, Deputy City Administrator from the City of Lewiston, explained the focus of this committee and answered Councilors questions.

Councilor Berube moved to placed in nomination Councilor Ronald Potvin. Seconded by Councilor Mennealy. Vote: 6 Yeas with Councilor Potvin abstaining.

### **4. SIGN “CERTIFICATE OF SETTLEMENT” FOR 2007-2008 TAX YEAR**

Councilor Mennealy moved to approve the Certificate of Settlement. Seconded by Councilor Bickford. Vote: 7 Yeas.

### **5. EXECUTIVE SESSION – PERSONNEL ISSUE: REGARDING CITY MANAGER’S EVALUATION PROCESS (TITLE 1, SECTION 405 MRSA)**

Councilor Bickford moved to go into Executive Session. Seconded by Councilor Hayes. Vote 6 Yeas, No Nays. (Councilor Mennealy out of the room)

Councilor Potvin moved to come out of Executive Session. Seconded by Councilor Berube. Vote: 7 Yeas.

**OPEN SESSION**

Richard Whiting, Executive Director Auburn Housing Authority, and Housing Authority Board Members Norman McKeone and Richard Valcourt spoke about the disposition of Webster School.

Glenn Aho, City Manager, answered Councilors questions. OPEN

**SESSION CLOSED**

Council Minutes -3- September 2, 2008

Councilor Potvin moved to go into Executive Session. Seconded by Councilor Berube. 4 Nays with Councilors Berube, Potvin and Mennealy voting Yea. MOTION FAILS

**FUTURE AGENDA/WORKSHOP ITEMS**

Set budget goals and values for 2009-2010 budget.

**ADJOURNMENT – 9:30 P.M.**

Councilor Berube moved to adjourn. Seconded by Councilor Bickford. Vote: 6 Yeas, No Nays. (Councilors Mennealy out of the room).

A TRUE RECORD ATTEST: \_\_\_\_\_ CITY CLERK

**CITY OF AUBURN SEPTEMBER 8, 2008 SPECIAL CITY COUNCIL MEETING**

**PRESENT**

Mayor John T. Jenkins, Councilors Michael J. Farrell, Daniel Herrick, Bruce A. Bickford, Raymond C. Berube, Robert C. Mennealy, and Ronald Potvin, City Manager Glenn E. Aho, and City Clerk Mary Lou Magno. Councilor Robert P. Hayes and Assistant City Manager Laurie Smith were both absent. There were ten people in the audience.

Mayor Jenkins called the meeting to order at 5:30 p.m. with a salute to the flag.

Mayor Jenkins noted that the Special Meeting had been called for the purpose of acting on the following item:

**RESOLVE – AUTHORIZE CITY MANAGER TO ENTER INTO AN OPTION AGREEMENT WITH AUBURN HOUSING AUTHORITY FOR THE PURCHASE AND DEVELOPMENT OF WEBSTER SCHOOL**

Councilor Berube moved for passage of the resolve. Seconded by Councilor Bickford. Glenn Aho, City Manager, explained the above resolve and answered Councilors questions.

Richard Whiting, Executive Director, Auburn Housing Authority, gave further explanation of the project, and also answered Councilors questions.

Vote: 6 Yeas, No Nays.

**ADJOURNMENT – 6:10 pm**

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

TRUE RECORD ATTEST: \_\_\_\_\_ CITY CLERK

**CITY OF AUBURN SEPTEMBER 15, 2008 CITY COUNCIL MEETING**

**PRESENT**

Mayor John T. Jenkins, Councilors Robert P. Hayes, Daniel R. Herrick, Bruce A. Bickford, 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. Councilor Michael J. Farrell was absent. There were 13 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. The Pledge of Allegiance was led by Boy Scout Pack 111 – Webelos.

**CONSENT AGENDA**

Councilor Berube moved to accept, approve and place on file the items marked with an asterisk. Seconded by Councilor Bickford. Vote: 6 Yeas, No Nays.

**\*MINUTES OF SEPTEMBER 2 AND 8 COUNCIL MEETING**

Approved under consent agenda.

**REPORTS OF THE MAYOR**

PROCLAMATION – COMMUNITY HEALTH AND COUNSELING SERVICES 125<sup>TH</sup>  
ANNIVERSARY

Mayor Jenkins read the above Proclamation.

**ADD TO THE AGENDA**

Councilor Bickford moved to add item #5 to the agenda – Monument – Dr. Bernard Lown Peace Bridge.

Seconded by Councilor Herrick. Vote: 6 Yeas, No Nays.

**REPORTS OF CITY COUNCILORS**

Councilors reported on their respective Council Committee Assignments.

Councilor Potvin requested that Chief Crowell report on the 9-1-1 Androscoggin County combined dispatch meeting.

**REPORTS OF THE CITY MANAGER**

Glenn Aho, City Manager, informed the Council that the Community Forest Board will meet on September 25th at

7 p.m. and will be discussing the Community Cord Program; Manager Aho reminded the Council of the lunch and

tour on Thursday, September 25th at noon; and Councilors were in favor of the Manager giving the chairs at

Webster School to LA Arts.

**COMMUNICATIONS, PRESENTATIONS, AND RECOGNITIONS**

**\*COMMUNICATION FROM EDWARD LITTLE HIGH SCHOOL GRANDSTAND CLUB RE:  
WAIVE FEE FOR VICTUALERS LICENSE**

Approved under consent agenda. Council

Minutes -2- September 15, 2008 **OPEN**

**SESSION**

Brian Demers, 75 Cherryvale Circle; Cheryl Dubois, Tax Assessor, responded to Mr. Doughty's comments.

CLOSED OPEN SESSION

**UNFINISHED BUSINESS**

**1. ORDINANCE – AMENDMENT TO CHAPTER 26, ARTICLE 9, SCHEDULE 3 – ONE WAY STREETS (2ND READING)**

Councilor Berube moved for acceptance of second reading and final passage. Seconded by Councilor Bickford.

Gary Johnson, Assistant City Engineer, answered Councilors questions. Vote: 6

Yeas, No Nays.

**NEW BUSINESS**

**2. RESOLVE – ADOPTION OF GUIDELINES FOR HEATING ENERGY ASSISTANCE LOAN PROGRAM**

Councilor Berube moved for passage of the resolve. Seconded by Councilor Bickford. Reine Mynahan, Community Development Block Grant Administrator, explained the above resolve and answered Councilors questions.

Vote: 6 Yeas, No Nays.

**3. RESOLVE – APPROVAL OF PUBLIC HEALTH COMMITTEE NOMINEES**

Councilor Hayes moved for passage of the resolve. Seconded by Councilor Berube. Vote: 5 Yeas, No Nays, with Councilor Potvin abstaining.

**4. RESOLVE – ACCEPTING FORFEITED FUNDS**

Councilor Herrick moved for passage of the resolve. Seconded by Councilor Hayes. Vote: 6 Yeas, No Nays.

**5. DR. BERNARD LOWN PEACE BRIDGE MONUMENT**

Councilor Bickford moved to authorize Mayor Jenkins to reach an agreement with Mr. Larrivee (owner of the Rollodrome) for placement of the Dr. Bernard Lown Peace Bridge Monument. (Official action will be placed on the October 6th City Council Agenda.) Seconded by Councilor Berube. Vote: 6 Yeas, No Nays.

**OPEN SESSION**

No one spoke

OPEN SESSION CLOSED

**FUTURE AGENDA/WORKSHOP ITEMS**

Discussion of budget goals for 2009-2010 budget. Policy regarding employees use of city vehicles. Recycling and trash.

**ADJOURNMENT** – 8:30 P.M.

Councilor Bickford moved to adjourn. Seconded by Councilor Herrick. Vote: 5 Yeas, No Nays. (Councilor Mennealy out of the room).

A TRUE RECORD ATTEST: \_\_\_\_\_ CITY CLERK

**CITY OF AUBURN OCTOBER 6, 2008 CITY COUNCIL MEETING**

PRESENT

Mayor John T. Jenkins, Councilors Michael J. Farrell, Robert P. Hayes, Daniel R. Herrick, Bruce A. Bickford, 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.

**CONSENT AGENDA**

Councilor Berube moved to accept, approve and place on file the items marked with an asterisk. Seconded by Councilor Mennealy. Vote: 7 Yeas.

**\*MINUTES OF SEPTEMBER 15th COUNCIL MEETING**

Approved under consent agenda. **REPORTS**

**OF THE MAYOR NEIGHBORS KEEPERS**

MERIT PROGRAM (Middle-income Energy Resource Investment Trust) Mayor

Jenkins gave a brief update regarding both of these programs. **RECOGNIZING**

**TRACEY STEUBER**

Mayor Jenkins read a communication from Mainely Mainers Chapter #54 recognizing Tracey Steuber for her participation at the Balloon Festival. **REPORTS OF**

### **CITY COUNCILORS**

Councilors reported on their respective Council Committee Assignments.

### **REPORTS OF THE CITY MANAGER**

Glenn Aho, City Manager, reported on a letter he received from MDOT regarding the intersection of Falcon Drive and Court Street. He also circulated a letter he received from the Androscoggin County Commissioners. (Both letters are on file as a part of the record for this meeting.)

### **COMMUNICATIONS, PRESENTATIONS, AND RECOGNITIONS**

#### **\*COMMUNICATION FROM REPUBLIC JEWELRY & COIN CO., INC. RE: RENEWAL OF PAWN LICENSE**

Approved under consent agenda.

#### **\*COMMUNICATION FROM HARVEST HILLS DAY CARE RE: WAIVE FEE FOR DAYCARE LICENSE**

Approved under consent agenda.

### **OPEN SESSION**

Dan Bilodeau, 207 No Auburn Road.

### **CLOSED OPEN SESSION UNFINISHED**

### **BUSINESS**

#### **1. DISCUSSION AND ACTION REGARDING PULL-IN/BACK-IN ON ONE WAY SECTION OF MAIN STREET**

Councilor Farrell moved that Option #3 be approved "Pull-in parking with 26 spaces". Seconded by Councilor Bickford.

Eric Labelle, Director of Community Services and Phil Crowell, Police Chief, answered Councilors questions. Scott Rodrigue, 452 Hotel Road, made comments regarding the parking. Vote: 6 Yeas, with Councilor Berube voting Nay.

### **NEW BUSINESS**

TAKE ITEM OUT OF ORDER

Councilor Potvin moved to take item #6 out of order. Seconded by Councilor Mennealy. Vote: 7 Yeas.

**6. RESOLVE – CONVEY A PORTION OF GOOSEBERRY BARN PROPRTY TO SCHOOL DEPARTMENT**

The following people made comments regarding the above item: Glenn Aho, City Manager; Tom Morrill,

Superintendent of Schools; David Das, Chairman, School Committee; Bonnie Hayes, School Committee Member; Police Chief Crowell; Scott Rodrigue, 452 Hotel Road; Trisha Fletcher, 240 Fairway Drive; and Pam Hart, 80 Country Club Drive. Councilor

Potvin moved for passage of the resolve. No Second.

**2. PUBLIC HEARING AND ACTION ON APPLICATION FOR LIQUOR LICENSE AND SPECIAL AMUSEMENT PERMIT FOR LAVISH, LLC D/B/A LAVISH**

Mayor Jenkins opened the public hearing. Wolker Georges and Robin McKinnon, owners of Lavish both spoke in favor of the above request. Mayor Jenkins closed the public hearing.

Councilor Berube moved that the liquor license application be approved. Seconded by Councilor Bickford. Vote: 5 Yeas, No Nays (Councilors Farrell and Potvin out of the room)

Councilor Berube moved that the Special Amusement Permit be approved for six months. Seconded by Councilor Bickford. Vote: 6 Yeas, No Nays (Councilor Potvin out of the room)

**3. RESOLVE – ACCEPTING CERTAIN FORFEITED FUNDS**

Councilor Berube moved for passage of the resolve. Seconded by Councilor Herrick. Vote: 6 Yeas, No Nays (Councilor Potvin out of the room)

**4. RESOLVE – AUTHORIZING APPROVAL OF REVOCABLE LICENSE AGREEMENT WITH ROLLODROME INC. (DR BERNARD LOWN PEACE BRIDGE MONUMENT)**

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

**5. ORDINANCE – AMENDMENT TO CHAPTER 31 – GENERAL ASSISTANCE ORDINANCE (UPDATE GENERAL ASSISTANCE MAXIMUMS) (FIRST READING)**

Councilor Berube moved for passage of the resolve. Seconded by Councilor Hayes. Vote: 7 Yeas.

**7. DISCUSSION: JOINT SERVICES**

Councilors discussed Joint Services and noted that there will be a Joint Services meeting here in Auburn Hall, Thursday, October 9th at 7 pm.

**OPEN SESSION**

Francois Bussiere, 9 Winter Street, and Scott Rodrigue, 452 Hotel Road.

**8. EXECUTIVE SESSION – POVERTY ABATEMENT**

Councilor Mennealy moved to go into Executive Session (Title 36 MRSA Subsection 841(2)) to discuss a Poverty Abatement. Seconded by Councilor Berube. Vote: 7 Yeas. Councilor Berube moved to come out of Executive Session. Seconded by Councilor Bickford. Vote: 4 Yeas, No Nays (Councilors Hayes, Herrick and Mennealy out of the room)

Councilor Bickford moved to deny the Poverty Abatement as the applicant does not meet the criteria. Seconded by Councilor Berube. Vote: 6 Yeas, with Councilor Potvin voting Nay.

**ADJOURNMENT – 10:05 P.M.**

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

TRUE RECORD ATTEST: \_\_\_\_\_ CITY CLERK

**CITY OF AUBURN OCTOBER 20, 2008 CITY COUNCIL MEETING**

**PRESENT**

Mayor John T. Jenkins, Councilors Michael J. Farrell, Robert P. Hayes, Daniel R. Herrick, Bruce A. Bickford, 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 75 people in the audience.

**CONSENT AGENDA**

Councilor Berube moved to accept, approve and place on file the items marked with an asterisk. Seconded by Councilor Bickford. Vote: 7 Yeas.

**\*MINUTES OF OCTOBER 6TH COUNCIL MEETING**

Approved under consent agenda.

**REPORTS OF THE MAYOR**

**YOUTH LAW ENFORCEMENT PROGRAM – EXPLORER POST #333**

Mayor Jenkins swore in the following members of the Youth Law Enforcement Program – Explorer

Post #333: Charles Baker, Lisbon HS; Elizabeth Barclay, Edward Little HS; Corey Boucher, Lewiston HS; Nehemiah Chase, Lisbon HS; Joseph Daigle, Lisbon HS; Tony Galipeau, Oak Hill HS; Keenan Giguere, Edward Little HS; Cassandra Giguere, Edward Little HS; Brittany Hackett, Edward Little HS; Joshua Howe, Lake Region HS; Leia Jennings, Leavitt Area HS; Nicholas Kyllonen, Edward Little HS; Cody Mower, Leavitt Area HS; Anthony Siderio, Oak Hill HS; and Nicholas Sindlinger, Lake Region HS.

#### **BERNARD LOWN PEACE BRIDGE**

Mayor Jenkins thanked Councilor Berube and Tracey Steuber for all their efforts with regard to the dedication ceremony for the Bernard Lown Peace Bridge; Mayor Jenkins recognized Public Works employees who also participated; and he recognized the choirs of Edward Little and Lewiston High Schools for their excellent performance.

#### **REPORTS OF CITY COUNCILORS**

Councilors reported on their respective Council Committee Assignments.

#### **REPORTS OF THE CITY MANAGER**

#### **FINANCE REPORTS – MONTHS OF AUGUST AND SEPTEMBER**

Councilor Bickford moved to accept and place on file the Finance Reports for the months of August and September as reported by City Manager Aho. Seconded by Councilor Hayes. Vote: 7 Yeas.

#### **COMMUNICATIONS, PRESENTATIONS, AND RECOGNITIONS OPEN**

#### **SESSION**

Jim Tierney, 7 Drummond Street; Peter Wallingford, 1240 Perkins Ridge Road; and Francois Bussiere, 9 Winter Street.

#### **CLOSED OPEN SESSION**

#### **UNFINISHED BUSINSS**

#### **1. ORDINANCE – AMENDMENT TO CHAPTER 31 – GENERAL ASSISTANCE ORDINANCE (UPDATE GENERAL ASSISTANCE MAXIMUMS) (SECOND READING)**

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

## **NEW BUSINESS**

### **2. RESOLVE – DISPOSITION OF TAX ACQUIRED PROPERTY**

Councilor Bickford moved for passage of the resolve. Seconded by Councilor Berube. Laurie Smith,

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

Vote: 7 Yeas.

## **OPEN SESSION**

No one spoke.

## **CLOSED OPEN SESSION**

## **FUTURE AGENDA/WORKSHOP ITEMS**

Workshop Item – Discussion of Council Values

## **ADJOURNMENT – 8:10 P.M.**

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

TRUE RECORD ATTEST: \_\_\_\_\_ CITY CLERK

## **CITY OF AUBURN NOVEMBER 3, 2008 CITY COUNCIL MEETING**

### **PRESENT**

Mayor John T. Jenkins, Councilors Michael J. Farrell, Robert P. Hayes, Daniel R. Herrick, Bruce A. Bickford, Raymond C. Berube, Ronald W. Potvin and Robert C. Mennealy, City Manager Glenn Aho, and Assistant City Manager Laurie Smith. City Clerk Mary Lou Magno was absent. Mayor Jenkins called the meeting to order at 7:00 p.m. in the Council Chambers of the Auburn City Building.

### **CONSENT AGENDA**

Councilor Berube moved to accept, approve and place on file the items marked with an asterisk.

Seconded by Councilor Bickford. Vote: 7 Yeas.

\*MINUTES OF OCTOBER 20TH COUNCIL MEETING

Approved under consent agenda.

## **REPORTS OF THE MAYOR**

Mayor Jenkins announced the dates and times of public meeting regarding the Lewiston-Auburn Transit System; he also noted the dates and times of the joint flu clinic with the L/A Public Health Committee.

## **REPORTS OF CITY COUNCILORS**

Councilors reported on their respective Council Committee Assignments.

## **REPORTS OF THE CITY MANAGER**

Glenn Aho, City Manager, circulated two documents, the County Budget and the Joint Services Information Technology Consolidation Report.

## **COMMUNICATIONS, PRESENTATIONS, AND RECOGNITIONS - None OPEN**

## **SESSION**

Diane Dow made comments regarding the Share Center.

## **NEW BUSINESS**

### **1. RESOLVE – INTENT TO APPROVE HOUSING TAX INCREMENT FINANCE DEVELOPMENT PROGRAM AND FINANCIAL PLAN IN SUPPORT OF THE RE-DEVELOPMENT OF WEBSTER SCHOOL**

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

### **2. APPOINTMENTS TO THE AUBURN HOUSING AUTHORITY AND THE ZONING BOARD OF APPEALS**

Councilor Hayes moved to reappoint Norman McKeone to the Auburn Housing Authority until October 2013 and Peter Wallingford to the Zoning Board Appeals until June 2011. Seconded by Councilor

Berube. Vote: 7 Yeas.

### **3. RESOLVE – DISPOSITION OF TAX ACQUIRED PROPERTY – SOUTH WITHAM ROAD**

Councilor Farrell moved for passage of the resolve. Seconded by Councilor Bickford. Councilor Potvin moved to table. Seconded by Councilor Farrell. Vote: 5 Yeas with Councilors

Hayes and Mennealy voting Nay.

**OPEN SESSION**

Larry Pelletier, 129 Second Street. CLOSED

OPEN SESSION

**FUTURE AGENDA/WORKSHOP ITEMS**

Councilor Farrell – explore cost and feasibility of a bio-mass boiler

**EXECUTIVE SESSION**

Councilor Potvin moved to go into Executive Session to discuss the sale of land. Seconded by Councilor Bickford. Vote: 7 Yeas.

Councilors came out of Executive Session at 8:12 p.m.

**ADJOURNMENT – 8:12 P.M.**

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

TRUE RECORD ATTEST: \_\_\_\_\_ CITY CLERK

**CITY OF AUBURN NOVEMBER 17, 2008 CITY COUNCIL MEETING**

**PRESENT**

Mayor John T. Jenkins, Councilors Michael J. Farrell, Robert P. Hayes, Daniel R. Herrick, Bruce A. Bickford, 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 34 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. The Pledge of Allegiance was led by Webelo Scout Pack 137.

**REPORTS OF THE MAYOR**

Mayor Jenkins appointed Councilor Berube to serve on the Joint Services Committee.

Mayor Jenkins read a letter of appreciation from the Parks and Recreation Department thanking the St.

Francis House on Dunn Street for the 140 hours of work provided to the Parks Department and also thanked Councilor Berube for connecting these two agencies.

**REPORTS OF CITY COUNCILORS**

Councilors reported on their respective Council Committee Assignments.

## **REPORTS OF THE CITY MANAGER FINANCE**

### **REPORT – MONTH OF OCTOBER**

Councilor Bickford moved to accept and place on file the Finance Report for the month of October as presented by Manager Aho. Seconded by Councilor Farrell. Vote: 7 Yeas.

Glenn Aho, City Manager, updated the Council on ACERT (Auburn Community Energy Response Team).

## **COMMUNICATIONS, PRESENTATIONS, AND RECOGNITIONS - None OPEN**

### **SESSION**

Tammie Grieshaber, 100 Stony Ridge; and Steve Huber, President, Community Little Theater; Bethany Comeau, no address given; and Glenn Aho, City Manager.

CLOSED OPEN SESSION

**UNFINISHED BUSINESS - None**

### **NEW BUSINESS**

#### **1. RESOLVE – DISPOSITION OF TAX ACQUIRED PROPERTY (McKinnon Avenue, Willard Road and Jordan School Road)**

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

#### **2. PUBLIC HEARING AND ACTION ON AUTOMOBILE AND/OR JUNKYARD LICENSES FOR M & P AUTO INC., BUCK'S AUTO, MORRIS AUTO PARTS, INC., ISADORE T. MILLER CO., MAINE METAL RECYCLING, INC., AND RANDY'S AUTO PARTS, INC.**

Mayor Jenkins opened and closed the public hearing with no public comment.

Councilor Bickford moved for approval of the above licenses. Seconded by Councilor Berube. Gary Simard, Fire Prevention Officer, answered Councilors questions.

Vote: 7 Yeas.

#### **3. RESOLVE – 133 HAMPSHIRE STREET – HABITAT FOR HUMANITY**

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

Joanne Luizzo, abutter to the above property made comments. Councilor

Potvin moved to table. No Second.

Councilor Farrell moved to table for 30 days. Seconded by Councilor Potvin. Vote: 6 Yeas with

Councilor Bickford voting Nay.

#### **4. RESOLVE – COMMUNITY DEVELOPMENT BLOCK GRANT AMENDMENTS**

Councilor Potvin moved for passage of the resolve. Seconded by Councilor Mennealy. Andrew Harris,

Executive Director, L/A Arts; and Alex Pride, Winter Street; both made comments regarding the above action.

(Mayor Jenkins noted that an ad-hoc committee consisting of Councilors Farrell and Berube and the Ward 4 Councilor, will research options regarding the wall and sidewalk on Main Street.)

Vote: 7 Yeas.

#### **5. ORDER – ACCEPTANCE OF LUBEAR WAY**

Councilor Berube moved for passage of the order. Seconded by Councilor Bickford. Glenn Aho,

City Manager, answered Councilors questions.

Councilor Potvin moved to table, pending a City Council Workshop to discuss city streets. Seconded by Councilor Farrell.

Vote: 5 Yeas with Councilors Hayes and Mennealy voting Nay.

#### **OPEN SESSION**

No one spoke.

CLOSED OPEN SESSION

#### **FUTURE AGENDA/WORKSHOP ITEMS EXECUTIVE**

#### **SESSION**

Councilor Bickford moved to go into Executive Session to discuss personnel. Seconded by Councilor

Hayes. Vote: 6 Yeas, No Nays. (Councilor Mennealy not present) Councilors came

out of Executive Session at 10:20 p.m.

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**ADJOURNMENT – 10:20 P.M.**

Councilor Berube moved to adjourn. Seconded by Councilor Potvin. Vote: 5 Yeas, No Nays. (Councilors Herrick and Mennealy not present)

A TRUE RECORD ATTEST: \_\_\_\_\_ CITY CLERK

**CITY OF AUBURN DECEMBER 1, 2008 CITY COUNCIL MEETING**

**PRESENT**

Mayor John T. Jenkins, Councilors Michael J. Farrell, Robert P. Hayes, Daniel R. Herrick, Bruce A. Bickford, 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 12 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 and place on file the items listed with an asterisk. Seconded by Councilor Bickford. Vote: 7 Yeas.

**MINUTES**

Approved under consent agenda.

**REPORTS OF THE MAYOR**

Mayor Jenkins noted that he recently attended a ribbon cutting at the Auburn-Lewiston Airport. He also mentioned the Holiday Festival that will take place on Wednesday, December 3rd at 6 p.m.

**REPORTS OF CITY COUNCILORS**

Councilors reported on their respective Council Committee Assignments.

**REPORTS OF THE CITY MANAGER**

Glenn Aho, City Manager, indicated that a workshop will be held on December 8th at 5:30 p.m. to discuss Firefighter Negotiations (Executive Session) and Preliminary Budget Discussions.

Councilors Berube, Potvin and Farrell will work with Manager Aho regarding Joint Services.

**PRESENTATION WINTER MAINTENANCE PROGRAM**

Bob Belz, Public Works Director and Sid Hazelton, Assistant Public Works Director, presented the Council with information regarding the Winter Maintenance Program. **COMMUNICATIONS, PRESENTATIONS, AND RECOGNITIONS - None OPEN SESSION**

Dan Bilodeau, 207 North Auburn Road.

**CLOSED OPEN SESSION UNFINISHED**

**BUSINESS**

**1. RESOLVE – (TABLED 11/3/2008) DISPOSITION OF TAX ACQUIRED PROPERTY**

City Manager Aho requested that this item remain on the table.

Council Minutes -2- December 1, 2008

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

City Manager Aho requested that this item remain on the table.

**3. ORDER – (TABLED 11/17/2008) ACCEPTANCE OF LUBEAR WAY**

Councilor Bickford moved to remove this item from the table. Seconded by Councilor Berube. Vote: 6 Yeas with Councilor Potvin voting Nay.

Ken Bellefleur, 100 Royal River Road, made comments regarding the above order. Vote: 5

Yeas with Councilor Potvin voting Nay and Councilor Farrell abstaining. **NEW BUSINESS**

**4. RESOLVE – DISPOSITION OF PROPERTY ON SHERWOOD DRIVE**

Councilor Berube moved for passage of the resolve. Seconded by Councilor Bickford. Glenn Aho,

City Manager, made comments regarding the above resolve and answered Councilors questions.

Vote: 7 Yeas.

**5. SIGN SPECIAL ELECTION WARRANT FOR WARD 4 – JANUARY 13, 2009**

Councilors signed the Election Warrant for the Special Election to be held in Ward 4 on January 13, 2009.

**OPEN SESSION**

Dan Bilodeau, 207 North Auburn Road. CLOSED

OPEN SESSION

**FUTURE AGENDA/WORKSHOP ITEMS**

\*Joint Planning Board/City Council Meeting to discuss public/private streets

**ADJOURNMENT – 8:15 P.M.**

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

TRUE RECORD ATTEST: \_\_\_\_\_ CITY CLERK

**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**

Council Minutes -2- December 15, 2008

#### **\*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

### **CITY OF AUBURN JANUARY 5, 2009 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 20 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 Hayes. Vote: 6 Yeas, No Nays.

**\*MINUTES OF DECEMBER 15, 2008**

Approved under consent agenda.

**REPORTS OF THE MAYOR**

Mayor Jenkins requested a moment of silence for Peter Wallingford, a member of the Zoning Board of Appeals. Councilor Herrick suggested that a scholarship be established in memory of Mr. Wallingford and that fund should be awarded to a student who will be studying agriculture.

Mayor Jenkins reminded Ward 4 residents of the special election that will take place on Tuesday, January 13th at Fairview School from 7 am until 8 pm. The Mayor indicated that all three candidates are present at the meeting and he allowed each of them one minute to introduce themselves, they are: Kenneth Bellefleur, John Morin and David Young.

Mayor Jenkins reminded residents that Winter Festival will take place January 30 thru February 8.

**REPORTS OF CITY COUNCILORS**

Councilors reported on their respective Council Committee Assignments.

**REPORTS OF THE CITY MANAGER**

City Manager Aho requested that the Council leave item #1 on the table and that they take action regarding the conveyance of 133 Hampshire Street during item #3.

**COMMUNICATIONS, PRESENTATIONS, AND RECOGNITIONS**

**\*COMMUNICATION FROM JOSEPH H. MAILEY RE: SALE OF PROPERTY AT 133 HAMPSHIRE STREET**

Approved under consent agenda.

**\*COMMUNICATION FROM NOELLA POTVIN RE: RESIGNATION FROM ZONING BOARD OF APPEALS**

Approved under consent agenda.

**\*COMMUNICATION FROM NORMAND LAMIE, WATER DISTRICT SUPERINTENDENT RE: AMENDMENT TO SPRINKLER SYSTEM ORDINANCE**

Approved under consent agenda.

**\*COMMUNICATION FROM HABITAT FOR HUMANITY RE: 133 HAMPSHIRE STREET**

Approved under consent agenda.

**OPEN SESSION**

David Young, 1167 Old Danville Road; Larry Morrissette, PO Box 3036; and Dan Bilodeau, 207 North Auburn Road.

**CLOSED OPEN SESSION**

**UNFINISHED BUSINESS**

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

No motion.

**2. ORDINANCE – AMENDMENT TO CHAPTER 21, SECTIONS 1.15 AND 1.9 –  
SPRINKLER SYSTEMS (2ND Reading)**

Councilor Potvin moved for acceptance of second reading and final passage. Seconded by Councilor Mennealy.

Comments were made by the following: Francois Bussiere, 9 Winter Street; Wayne Werts, Fire Chief; Norm Lamie, Superintendent Water and Sewer District.

Vote: 5 Yeas with Councilor Hayes voting Nay.

**NEW BUSINESS**

**3. RESOLVE – CONVEYANCE OF 133 HAMPSHIRE STREET**

Councilor Potvin moved that the deed be conveyed to Patrick and Joanne Luizzo for \$5,000 and that the parcel be locked in a deed that prevents any house building on that property, that it remain open space and that the deed be unlimited and the deed be passed on perpetually. Seconded by Councilor Hayes.

Comments were made by the following: Anne Parker, 69 Summit Street; Patrick Luizzo, 131 Hampshire Street; Joseph Mailey, 82 Webster Street; and Michael Carey, representing Habitat for Humanity.

Councilor Farrell moved to table. Seconded by Councilor Herrick. Vote: 5 Yeas with Councilor Potvin voting Nay.

#### **4. RESOLVE – AUTHORIZE TREASURER TO WRITE OFF A 2006 REAL ESTATE TAX**

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

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

Hayes moved to table. Seconded by Councilor Potvin. Vote: 4 Yeas with Councilors Herrick and Berube voting Nay.

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

Councilor Potvin moved for passage of the resolve. Seconded by Councilor Farrell.

Glenn Aho, City Manager, explained the above resolve and answered Councilors question. Vote: 6

Yeas, No Nays.

#### **6. RESOLVE – APPOINTMENT OF REGISTRAR AND DEPUTY REGISTRAR OF VOTERS**

Councilor Berube moved for passage of the resolve. Seconded by Councilor Farrell. Vote: 6

Yeas, No Nays.

#### **DISCUSSION REGARDING REQUEST FOR JANUARY 31ST MEETING WITH CITY OF LEWISTON TO DISCUSS JOINT SERVICES**

Several Auburn Councilors will not be available on January 31st.

The Councilors suggested that the Auburn Council have a workshop to discuss the recommendations of the Commission before a meeting is held with the Lewiston City Council.

**OPEN SESSION**

Tina Stevens, 712 Park Avenue; Dan Bilodeau, 207 North Auburn Road; and Larry Morrissette, PO Box 3036.

**CLOSED OPEN SESSION**

**FUTURE AGENDA/WORKSHOP ITEMS**

Discussion regarding LD 135 – Tax Abatement for Senior Citizens

**ADJOURNMENT – 9:20 P.M.**

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

A TRUE RECORD ATTEST: \_\_\_\_\_ CITY CLERK

**CITY OF AUBURN JANUARY 26, 2009 CITY COUNCIL MEETING**

**PRESENT**

Mayor John T. Jenkins, Councilors Michael J. Farrell, Robert P. Hayes, Daniel R. Herrick, David D. Young, 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 35 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: 7 Yeas.

**\*MINUTES OF JANUARY 5, 2009**

Approved under consent agenda.

## **REPORTS OF THE MAYOR**

Mayor Jenkins made note of his recent trip to Washington, D.C. to attend the Inauguration of President Barack Obama. Mayor Jenkins also mentioned the following local events: Winter Festival; Technology at the Auburn Public Library; and the ski-a-thon at Lost Valley.

## **REPORTS OF CITY COUNCILORS**

Councilors reported on their respective Council Committee Assignments.

## **REPORTS OF THE CITY MANAGER**

## **FINANCE REPORT**

Councilor Berube moved to accept and place on file the Finance Report for the month of December as presented by Glenn Aho, City Manager. Seconded by Councilor Farrell. Vote: 7 Yeas

## **COMMUNICATIONS, PRESENTATIONS, AND RECOGNITIONS**

### **\*COMMUNICATION FROM COMMUNITY CONCEPTS RE: GREAT FALLS SCHOOL PROPERTY**

Approved under consent agenda.

### **OPEN SESSION**

No one spoke

CLOSED OPEN SESSION

### **UNFINISHED BUSINESS**

#### **1. RESOLVE – (TABLED 1/26/2009) CONVEYANCE OF 133 HAMPSHIRE STREET**

Councilor Potvin moved to remove this item from the table. Seconded by Councilor Mennealy. Vote: 4 Yeas with Councilors Farrell, Hayes and Berube voting Nay.

Vote on original motion: 4 Nays with Councilors Farrell, Hayes and Potvin voting Yea. (This vote was to convey to Patrick and Joanne Luizzo)

MOTION FAILS

RESOLVE - CONVEYANCE OF 133 HAMPSHIRE STREET TO HABITAT FOR

## HUMANITY

Councilor Berube moved for passage of the resolve. Seconded by Councilor Mennealy. Vote: 4 Yeas with Councilors Farrell, Hayes and Potvin voting Nay.

## **2. RESOLVE – (TABLED 1/5/09) AUTHORIZE TREASURER TO WRITE OFF A 2006 REAL ESTATE TAX**

No Motion

## NEW BUSINESS

## **3. RESOLVE – REGARDING CITIZENS COMMISSION ON LEWISTON AND AUBURN COOPERATION**

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

The following people made comments regarding the above resolve: Curtis Webber, 163 Whitney Street; Cliff Greim, 48 Longbow Court; Jim Wellehan, 60 Woodlawn Avenue; Mary Lafontaine, 113 Western Avenue; Larry Pelletier, 129 Second Street; Ken Bellefleur, 100 Royal River Road; Jonathan Labonte, 41 Third Street; Georgia Chomas, Nottingham Road; Diane McManus, 19 Coachman Avenue; Betty Swett-Thibeault; Peter Garcia; Francois Bussiere, 9 Winter Street; Bob Cavanagh, 127 Field Avenue; and Gary Baillargeon, 144 Broadview Avenue. Mayor Jenkins read a letter from Peter Traill, Nason Mechanical Systems.

Councilor Hayes moved to table. Seconded by Councilor Mennealy. Vote: 4 Nays with Councilors Hayes, Young and Mennealy voting Yea. MOTION FAILS

Councilor Hayes moved to amend by making the effective date June 30, 2009. Seconded by Councilor Mennealy. Vote: 6 Nays, with Councilor Hayes voting Yea.

Vote on passage of the resolve with an effective date of January 31, 2009: 5 Yeas with Councilors Hayes and Mennealy voting Nay.

Mayor Jenkins called for a five minute recess.

**4. ORDINANCE – AMENDMENT TO THE ZONING MAP IN THE VICINITY OF LANE ROAD AND SOUTH MAIN STREET (FIRST READING)**

Councilor Potvin moved for acceptance of first reading. Seconded by Councilor Berube. Vote: 7 Yeas.

**5. RESOLVE – ACCEPTING CERTAIN FORFEITED FUNDS**

Councilor Farrell moved for passage of the resolve. Seconded by Councilor Berube. Police Chief Crowell explained the above resolve. Vote: 7 Yeas.

**6. RESOLVE – ACCEPTING CERTAIN FORFEITED FUNDS**

Councilor Potvin moved for passage of the resolve. Seconded by Councilor Farrell. Vote: 7 Yeas.

**7. DELETED FROM THE AGENDA**

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

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

City Manager Aho explained the above resolve. Vote: 7 Yeas.

**9. PUBLIC HEARING – LIQUOR LICENSE AND SPECIAL AMUSEMENT PERMIT FOR BABYLON INC., D/B/A BABYLON, 34 COURT STREET**

Mayor Jenkins opened the public hearing. Mary Katende, owner of Babylon spoke in favor of the licenses and answered Councilors questions. Mayor Jenkins closed the public hearing.

Councilor Farrell moved to approve both licenses as recommended. Seconded by Councilor Potvin. Vote: 7 Yeas.

**10. RESOLVE – AUTHORIZE CITY MANAGER TO EXECUTE LEASE AGREEMENT WITH MR. NORMAND VALLEE**

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

Councilor Herrick moved to amend by Lease becoming effective when The Village Inn re-opens.

Seconded by Councilor Mennealy. Vote on the amendment: 4 Nays, 3 Yeas. MOTION FAILS Vote on passage of the resolve: 7 Yeas.

#### **11. APPOINTMENT TO PUBLIC HEALTH COMMITTEE**

Councilor Hayes moved to appoint Larry Marcoux to the Public Health Committee. Seconded by Councilor Berube. Vote: 7 Yeas.

#### **12. APPOINTMENT TO THE ZONING BOARD OF APPEALS**

Councilor Berube moved to appoint Ken Sonagere to the Zoning Board of Appeals until January 2012. Seconded by Councilor Hayes. Vote: 7 Yeas.

#### **OPEN SESSION**

Larry Pelletier, 129 Second Street, questioned Day Care License fees. City Staff responded.

Councilor Farrell requested information from staff regarding Day Care Licenses.

#### **ADJOURNMENT – 9:55 P.M.**

Councilor Berube moved to adjourn. Seconded by Councilor Herrick. Vote: 6 Yeas. (Councilor Mennealy was out of the room)

A TRUE RECORD ATTEST: \_\_\_\_\_

CITY CLERK

## **CITY OF AUBURN FEBRUARY 2, 2009 CITY COUNCIL MEETING**

PRESENT

Mayor John T. Jenkins, Councilors Robert P. Hayes, Daniel R. Herrick, David C. Young, 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. Councilor Michael J. Farrell was absent. There were 35 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 Mennealy. Vote: 6 Yeas, No Nays.

### **\*MINUTES OF JANUARY 26, 2009**

Approved under consent agenda.

### **REPORTS OF THE MAYOR**

Mayor Jenkins made note of upcoming events in the City. He also read a communication from Roland Rancourt Jr. with regard to the Joint Services Committee.

### **REPORTS OF CITY COUNCILORS**

Councilors reported on their respective Council Committee Assignments.

## **REPORTS OF THE CITY MANAGER**

### **MINOT AVENUE ROTARY**

Eric LaBelle, Director of Community Services, updated the Council on the Minot Avenue Rotary Project.

A public meeting will take place on Thursday, February 5 at 6 p.m. here at Auburn Hall.

## **COMMUNICATIONS, PRESENTATIONS, AND RECOGNITIONS**

### **\*COMMUNICATION FROM HEAD START AND CHILD CARE RE: WAIVE DAY CARE LICENSE FEES**

Approved under consent agenda.

## **OPEN SESSION**

Laurier P. Morrissette, PO Box 3036, Auburn

## **CLOSED OPEN SESSION**

## **UNFINISHED BUSINESS**

### **1. ORDINANCE – AMENDMENT TO THE ZONING MAP IN THE VICINITY OF LANE ROAD AND SOUTH MAIN STREET (SECOND READING)**

Councilor Berube moved for acceptance of second reading and final passage. Seconded by Councilor Herrick.

Eric Cousens, City Planner explained the ordinance and answered Councilors questions. Vote: 6 Yeas, No Nays

## **NEW BUSINESS**

### **2. RESOLVE – AUTHORIZE TREASURER TO WRITE OFF A 2006 REAL ESTATE TAX**

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

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

Vote: 6 Yeas, No Nays.

### **3. RESOLVE – AMEND POLICY REGARDING THE ACQUISITION AND DISPOSITION OF TAX ACQUIRED PROPERTY**

Councilor Potvin moved to table. Seconded by Councilor Hayes. Vote: 4 Yeas with Councilors Herrick and Berube voting Nay.

### **4. SET DATES FOR COUNCIL MEETING AND WORKSHOPS IN FEBRUARY**

Councilor Mennealy moved that due to the February 16th holiday, the second meeting in February be held on February 17th and workshops be held on February 9th and 23rd. Seconded by Councilor Potvin.

Vote: 6 Yeas, No Nays.

**OPEN SESSION –**

No one spoke

**CLOSED OPEN SESSION**

**FUTURE AGENDA/WORKSHOP ITEMS**

Councilors should submit suggestions of items for Joint City Council Meeting.

Based on local lay-offs, do we have a connection to businesses as it relates to General Assistance/Social Services.

**ADJOURNMENT – 8:25 P.M.**

Councilor Mennelay moved to adjourn. Seconded by Councilor Young. Vote: 6 Yeas, No Nays.

A TRUE RECORD ATTEST: \_\_\_\_\_

CITY CLERK

**CITY OF AUBURN FEBRUARY 17, 2009 CITY COUNCIL MEETING**

## PRESENT

Mayor John T. Jenkins, Councilors Michael J. Farrell, Robert P. Hayes, Daniel R. Herrick, David C. Young, 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 35 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 Potvin. Vote: 7 Yeas.

### \*MINUTES OF FEBRUARY 2, 2009

Approved under consent agenda.

## REPORTS OF THE MAYOR

Mayor Jenkins made note of upcoming events in the City. He also read a list of accomplishments of the City Council in the last 14 months.

Police Chief Phil Crowell noted that Tijjani Abacha from Nigeria is currently visiting the City of Auburn;

Mr. Abacha will be visiting the Boys & Girls Club and will be speaking about the Muslim culture.

## **REPORTS OF CITY COUNCILORS**

Councilors reported on their respective Council Committee Assignments.

## **REPORTS OF THE CITY MANAGER**

### **FINANCE REPORT – MONTH OF JANUARY**

Councilor Berube moved to accept and place on file the Finance Report for the month of January as presented by Glenn Aho, City Manager. Seconded by Councilor Herrick. Vote: 7 Yeas.

## **COMMUNICATIONS, PRESENTATIONS, AND RECOGNITIONS**

### **\*COMMUNICATION FROM SCOTT MCGARY RE: RESIGNATION FROM COMMUNITY DEVELOPMENT LOAN COMMITTEE**

Approved under consent agenda.

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

Approved under consent agenda.

## **OPEN SESSION**

Dan Bilodeau, 207 North Auburn Road; Police Chief Phil Crowell.

## **CLOSED OPEN SESSION**

## **UNFINISHED BUSINESS**

**1. RESOLVE – AMEND POLICY REGARDING THE ACQUISITION AND DISPOSITION OF TAX ACQUIRED PROPERTY (TABLED 2/2/2009)**

Councilor Potvin moved to remove from the table. Seconded by Councilor Young. Vote: 7 Yeas.

Councilor Potvin moved for passage of the resolve. Seconded by Councilor Young. Vote: 7 Yeas.

**NEW BUSINESS**

**2. RESOLVE – AUTHORIZE COMMUNITY DEVELOPMENT ADMINISTRATOR TO EXECUTE COMMITMENT LETTER DATED FEBRUARY 4, 2009 TO VINCENT SQUARE, LP, AND TO EXECUTE OTHER DOCUMENTS**

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

Rick Whiting, Executive Director, Auburn Housing Authority, explained the above resolve and answered Councilors questions. Vote: 7 Yeas.

**APPOINTMENTS –**

**COMMUNITY DEVELOPMENT LOAN COMMITTEE (2); COMMUNITY FOREST BOARD; AND TRANSIT COMMITTEE**

Councilor Hayes moved to appoint John Cleveland and Armand Girard to the Community Development Loan Committee until Feb. 2012; Robyn Holman to the Community Forest

Board until Feb. 2012; and Maureen Aube to the Transit Committee until Feb. 2012. Seconded by Councilor Berube.

Councilor Potvin moved to table. Seconded by Councilor Young. Vote: 5 Nays, with Councilors Young and Potvin voting Nay.

Councilor Berube moved to discuss this item during Executive Session. Seconded by Councilor Hayes. Vote: 6 Yeas with Councilor Potvin Nay.

#### **4. EXECUTIVE SESSION – LABOR NEGOTIATIONS – APPOINTMENTS (TITLE 1, SECTION 405 MRSA)**

Councilor Berube moved to go into Executive Session for the above stated reasons. Seconded by Councilor Herrick. Vote: 7 Yeas.

Councilor Potvin moved to come out of Executive Session. Seconded by Councilor Berube. Vote: 7 Yeas.

#### **3. APPOINTMENTS – COMMUNITY DEVELOPMENT LOAN COMMITTEE (2); COMMUNITY FOREST BOARD; AND TRANSIT COMMITTEE**

Vote on appointed as stated above: 7 Yeas.

#### **OPEN SESSION**

No one spoke

CLOSED OPEN SESSION

**FUTURE AGENDA/WORKSHOP ITEMS**

Development policy regarding criteria for making appointments to committees; Set a date for a Ward Meeting that would include all wards.

**ADJOURNMENT – 8:20 P.M.**

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

A TRUE RECORD ATTEST: \_\_\_\_\_

CITY CLERK

**CITY OF AUBURN MARCH 5, 2009 CITY COUNCIL MEETING (POSTPONED  
FROM MARCH 2ND DUE TO WEATHER)**

PRESENT

Mayor John T. Jenkins, Councilors Robert P. Hayes, Daniel R. Herrick, David C. Young, 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. Councilor Michael J. Farrell was absent. There were 25 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 Hayes. Vote: 6 Yeas, No Nays.

\*MINUTES OF FEBRUARY 16, 2009

Approved under consent agenda.

## **REPORTS OF THE MAYOR**

Mayor Jenkins made note of upcoming events in the City. He also read a letter from a resident of Josslyn Street commending the Public Works and Fire Departments for their efforts with assisting him removing water from his cellar.

## **NATIONAL NIGHT OUT AWARD**

Chief Crowell presented to Mayor Jenkins a National Night Out Award that was presented to the Auburn Police Department. Members of the Boys & Girls Club who participated in the event were also present.

## **REPORTS OF CITY COUNCILORS**

Councilors reported on their respective Council Committee Assignments.

## **REPORTS OF THE CITY MANAGER**

**COMMUNICATIONS, PRESENTATIONS, AND RECOGNITIONS**

None

**OPEN SESSION**

No one spoke.

**CLOSED OPEN SESSION**

**UNFINISHED BUSINESS**

None

**NEW BUSINESS**

**1. ORDINANCE – ZONING AMENDMENT – CHAPTER 29, SECTION 3.51 PLANNED UNIT DEVELOPMENT AND SECTION 7.3 SUBDIVISIONS (FIRST READING)**

Councilor Berube moved for acceptance of first reading. Seconded by Councilor Mennealy. Cheryl

Dubois, Tax Assessor, and Roland Miller, Director of Economic Development, answered Councilors questions. Vote: 6 Yeas, No Nays

**2. RESOLVE – ACCEPTANCE OF GREAT FALLS FEASIBILITY STUDY REPORT AND DIRECT STAFF TO DEVELOP A STRATEGY AND IMPLEMENTATION PLAN**

Councilor Potvin moved for passage of the resolve. Seconded by Councilor Mennealy. Vote: 6 Yeas, No Nays.

**OPEN SESSION**

No one spoke

**CLOSED OPEN SESSION**

Bruce Bickford, 64 Cameron Lane;

**FUTURE AGENDA/WORKSHOP ITEMS**

Development policy regarding criteria for making appointments to committees; Set a date for a Ward Meeting that would include all wards.

**ADJOURNMENT – 7:55 P.M.**

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

A TRUE RECORD ATTEST: \_\_\_\_\_

CITY CLERK

**CITY OF AUBURN MARCH 16, 2009 CITY COUNCIL MEETING**

## PRESENT

Mayor John T. Jenkins, Councilors Michael J. Farrell, Robert P. Hayes, Daniel R. Herrick, David C. Young, Raymond C. Berube, Ronald W. Potvin and Robert C. Mennealy, City Manager Glenn Aho, Assistant City Manager Laurie Smith, Finance Director Tracy Roy and City Clerk Mary Lou Magno. There were 13 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 Hayes. Vote: 7 Yeas.

### \*MINUTES OF MARCH 5, 2009

Approved under consent agenda.

## REPORTS OF THE MAYOR

Mayor Jenkins made note of the following announcements: Emma Nadeau (Councilor Herrick's granddaughter) was "Mayor for a Day" last week; an Honorary Citizen Award was issued to Tijjani Abacha, who recently visited from Nigeria(Police Chief Crowell will forward this award to Mr. Abacha); Auburn Fire Department hosted a Firefighters' Ball last Saturday evening; April 2nd and 4th "Auburn to Arlington" will be featured in one of the theaters at the Flagship Cinema; and a Ward Meeting (for all wards) will be held on Monday, March 23rd at 7:00 p.m.

## **REPORTS OF CITY COUNCILORS**

Councilors reported on their respective Council Committee Assignments.

## **REPORTS OF THE CITY MANAGER FINANCE**

### **REPORT – MONTH OF FEBRUARY**

Councilor Hayes moved to accept and place on file the Finance Report for the month of February as presented by Glenn Aho, City Manager. Seconded by Councilor Berube. Vote: 7 Yeas.

## **COMMUNICATIONS, PRESENTATIONS, AND RECOGNITIONS**

### **COMMUNICATION FROM KORA SHRINE CIRCUS RE: TEMPORARY SIGNS**

Approved under consent agenda.

## **OPEN SESSION**

Joseph Mailey, 82 Webster Street; and Larry Morrissette.

## **CLOSED OPEN SESSION**

## **UNFINISHED BUSINESS**

### **1. ORDINANCE – ZONING AMENDMENT – CHAPTER 29, SECTION 3.51 PLANNED UNIT DEVELOPMENT AND SECTION 7.3 SUBDIVISIONS**

Councilor Berube moved for acceptance of second reading and final passage. Seconded by

Councilor Herrick.

Eric Cousens, City Planner, explained the above ordinance, spoke about a suggested amendment and answered Councilors questions.

Councilor Farrell moved to table. Seconded by Councilor Young. Vote: 6 Nays with Councilor Potvin voting Yea. NOT PASSED

Councilor Berube moved to amend by deleting the following language from 3.51.C “and the location of the overall development plan approved by the Planning Board.” Seconded by Councilor Hayes. Vote on the amendment: 6 Yeas with Councilor Potvin voting Nay.

Vote on acceptance of second reading and final passage as amended: 6 Yeas with Councilor Potvin voting Nay.

## **2. RESOLVE – NEIGHBORHOOD STABILIZATION PROGRAM GRANT (PUBLIC HEARING)**

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

Mayor Jenkins opened and closed the public hearing with no public comment.

Reine Mynahan, Community Development Block Grant Administrator, explained the above resolve and answered Councilors questions.

Vote: 7 Yeas.

### **3. RESOLVE – TRANSFER OF PINE TREE ZONE DESIGNATION (PUBLIC HEARING)**

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

Mayor Jenkins opened and closed the public hearing with no public comment.

Roland Miller, Director of Economic and Community Development, explained the above resolve and answered Councilors questions.

Vote: 7 Yeas.

### **4. AUTHORIZE ISSUANCE OF 2009 DOG WARRANT**

Councilor Berube moved to authorize the issuance of the 2009 Dog Warrant. Seconded by Councilor Potvin. Vote: 7 Yeas.

### **5. APPOINTMENT OF THE LEWISTON/AUBURN RAILROAD BOARD**

Councilor Berube moved to reappoint Councilor Robert Hayes to the Lewiston/Auburn Railroad Board until April 2012. Seconded by Councilor Mennealy. Vote: 7 Yeas.

### **OPEN SESSION**

Larry Morrissette.

CLOSED OPEN SESSION

**FUTURE AGENDA/WORKSHOP ITEMS**

None

**ADJOURNMENT – 8:35 P.M.**

Councilor Berube moved to adjourn. Seconded by Councilor Young. Vote: 6 Yeas, No Nays. (Councilor Mennealy out of the room)

A TRUE RECORD ATTEST: \_\_\_\_\_

CITY CLERK

**CITY OF AUBURN APRIL 6, 2009 CITY COUNCIL MEETING**

**PRESENT**

Mayor John T. Jenkins, Councilors Michael J. Farrell, Robert P. Hayes, Daniel R. Herrick, David C. Young, Raymond C. Berube, Ronald W. Potvin and Robert C. Mennealy, City Manager Glenn Aho, Assistant City Manager Laurie Smith, Finance Director Tracy Roy and City Clerk Mary Lou Magno. There were 80 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 and the colors were presented by the Auburn Fire Department Honor Guard and they led the Pledge of Allegiance.

## **SWEARING IN OF FIREFIGHTERS**

Mayor Jenkins administered the oath of office to the following firefighters: Platoon Chiefs – Scott Hunter, Victor Mathieu, and Tim Allen; Captains – Geoff Low, David Richard, Donald Flanagan, and Dean Milligan; Lieutenants – Douglas Ball, Eugene Keene, Scott Pray, Donald Therrien, Michael Scott, and Christopher Andreasen; and new firefighters – Erik Poland, Christopher Washburn, Daniel Aceto and Thomas Printup.

## **CONSENT AGENDA**

Councilor Berube moved to accept, approve and place on file the items marked with an asterisk.

Seconded by Councilor Hayes. Vote: 7 Yeas.

**\*MINUTES OF MARCH 16, 2009**

Approved under consent agenda.

## **REPORTS OF THE MAYOR**

Mayor Jenkins congratulated Josh Titus and his family for their recent trip to Detroit, Michigan for the “Final Four”.

John & Bunny O’Leary presented Mayor Jenkins with a picture of “Wreaths Across America”.

Mayor Jenkins gave a “State of the City Address” which highlighted accomplishments and events that have occurred over the last two years.

## **REPORTS OF CITY COUNCILORS**

Councilors reported on their respective Council Committee Assignments.

## **REPORTS OF THE CITY MANAGER**

None

## **COMMUNICATIONS, PRESENTATIONS, AND RECOGNITIONS**

### **COMMUNICATION FROM ADVOCATES FOR CHILDREN RE: CHILD ABUSE PREVENTION MONTH**

Approved under consent agenda.

### **COMMUNICATION FROM NEW AUBURN LITTLE LEAGUE RE: WAIVE FEE FOR VICTUALER LICENSES**

Approved under consent agenda.

## **OPEN SESSION**

State Representative District #70 Bruce Bickford, 64 Cameron Lane; Larry Morrissette, PO Box 3036;  
Dan Bilodeau, 207 North Auburn Road; Andy Titus, 45 Carson Street

CLOSED OPEN SESSION

**UNFINISHED BUSINESS**

**NEW BUSINESS**

**PUBLIC HEARING – PROPOSED MUNICIPAL/EDUCATION BUDGET FY 2009-2010**

Brief comments were made by Glenn Aho, City Manager and Tom Morrill, School Superintendent.

Mayor Jenkins opened the public hearing.

The following residents made comments during the public hearing: Larry Morrissette, PO Box 3036; and Lana Cassidy, 90 Bramberly Way.

Mayor Jenkins closed the public hearing.

**1. PUBLIC HEARING – LIQUOR LICENSE – GRAVITY LA LLC D/B/A THE FALLS,  
2 GREAT FALLS PLAZA**

Mayor Jenkins opened the public hearing.

Greg Hird spoke in favor of the above application.

Mayor Jenkins closed the public hearing.

Councilor Hayes moved to approve the liquor license application. Seconded by Councilor Berube.

Vote: 7 Yeas.

**2. PUBLIC HEARING – LIQUOR LICENSE – PROSPECT HILL GOLF CLUB, 694  
SOUTH MAIN STREET**

Mayor Jenkins opened the public hearing.

Don Sheldon spoke in favor of the above application.

Mayor Jenkins closed the public hearing.

Councilor Berube moved to approve the liquor license application. Seconded by Councilor Farrell.

Vote: 7 Yeas.

**3. PUBLIC HEARING – LIQUOR LICENSE – HEIDI'S BROOKLYN DELI, 624  
TURNER STREET**

Mayor Jenkins opened the public hearing. Michele Tribou spoke in favor of the above application.

Mayor Jenkins closed the public hearing.

Councilor Berube moved to approve the liquor license application. Seconded by Councilor Potvin.

Vote: 7 Yeas.

**4. ORDINANCE – AMENDMENT TO CHAPTER 31 – GENERAL ASSISTANCE  
(FIRST READING)**

Councilor Berube moved for acceptance of first reading. Seconded by Councilor Herrick. Vote: 7 Yeas.

**5. RESOLVE – AUTHORIZE CITY MANAGER TO EXECUTE AGREEMENT WITH  
AUBURN SEWERAGE DISTRICT FOR COMPLETING THE PERRYVILLE  
NEIGHBORHOOD SEPARATION PROJECT USING AMERICAN RECOVERY AND  
REHABILITATION ACT OF 2009**

Councilor Berube moved for passage of the resolve. Seconded by Councilor Hayes. Vote: 7 Yeas.

**6. RESOLVE – ACCEPTING CERTAIN FORFEITED FUNDS (\$650.51)**

Councilor Berube moved for passage of the resolve. Seconded by Councilor Farrell. Vote: 7 Yeas.

**7. RESOLVE – ACCEPTING CERTAIN FORFEITED FUNDS (\$2,070.00)**

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

Jason Moen, Deputy Police Chief, answered Councilors questions. Vote: 7

Yeas.

**8. RESOLVE – AUTHORIZE POLICE CHIEF TO SUBMIT GRANT FOR COPS  
HIRING – DEPARTMENT OF JUSTICE**

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

Chief Crowell and Deputy Chief Moen explained the above resolve and answered Councilors questions.

Vote: 6 Yeas with Councilor Potvin voting Nay.

**9. PUBLIC HEARING – BYRNE/JAG FUNDING (PUBLIC HEARING ONLY – NO  
ACTION REQUIRED)**

Mayor Jenkins opened the public hearing.

Chief Crowell explained the above program. Larry

Morrisette, PO Box 3036 made comments.

**10. RESOLVE – DISPOSITION OF TAX ACQUIRED PROPERTY**

Councilor Berube moved that 0 Brann Avenue be sold to Habitat for Humanity for \$5,000. Seconded by Councilor Herrick. Vote: 6 Yeas (Councilor Menneally out of the room).

Councilor Potvin moved that 1565 Hotel Road be sold to Jerome Millett for \$4,250. Seconded by

Councilor Berube.

Councilor Potvin moved to amend by selling this property to William Humphrey for \$3,000. Seconded by Councilor Mennealy.

Vote on the amendment: 4 Yeas, with Councilors Farrell, Herrick, and Young voting Nay.

Vote on passage as amended: 4 Nays with Councilors Mennealy, Hayes and Potvin voting Yea.

Councilor Hayes moved to table. Seconded by Councilor Mennealy. Vote: 7 Yeas.

Councilor Berube moved that a 1971 Trailer located at 43 Washington Park Rd. be sold to Susan Cotnoir for \$100. Seconded by Councilor Herrick. Vote: 7 Yeas.

Councilor Berube moved that 0 Trapp Road be sold to Michelle Melaragno for \$15,000. Seconded by Councilor Herrick.

Michelle Melaragno spoke in favor of the above action.

Vote: 7 Yeas.

## **11. RESOLVE - COMMUNITY LINK PROJECT**

Councilor Berube moved for passage of the resolve. Seconded by Councilor Herrick. Vote: 7 Yeas.

**12. SET DATE FOR SECOND MEETING IN APRIL – SET DATE FOR SPECIAL MEETING APRIL 15<sup>TH</sup>**

Councilor Mennealy moved that the second meeting this month be held on April 27th and that a Special Meeting be held April 15th to sign the School Budget Validation Referendum Warrant. Seconded by Councilor Hayes. Vote: 7 Yeas.

**OPEN SESSION**

Larry Morrissette, PO Box 3036

**CLOSED OPEN SESSION**

**FUTURE AGENDA/WORKSHOP ITEMS**

Reconsider having “Open Session” at Workshops

Consider sharing Police Chief duties with City of Lewiston Public

Health Committee – No Smoking Policy

**ADJOURNMENT – 9:45 P.M.**

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

A TRUE RECORD ATTEST: \_\_\_\_\_

CITY CLERK

**CITY OF AUBURN APRIL 15, 2009 SPECIAL CITY COUNCIL MEETING**

PRESENT

Mayor John T. Jenkins, Councilors Michael J. Farrell, Robert P. Hayes, Daniel R. Herrick, David C. Young, Raymond C. Berube, Ronald W. Potvin and Robert C. Mennealy, City Manager Glenn Aho, Assistant City Manager Laurie Smith, Finance Director Tracy Roy and City Clerk Mary Lou Magno. There were 12 people in the audience.

Mayor Jenkins called the special meeting to order at 5:35 p.m. in the Council Chambers of Auburn Hall indicating that the purpose of the meeting was to act on the following item:

**1. SPECIAL ELECTION WARRANT FOR MAY 5, 2009 ELECTION**

Councilors signed the Notice of Election for the School Budget Validation Referendum Warrant.

**ADJOURNMENT – 5:40 P.M.**

Councilor Potvin to adjourn. Seconded by Councilor Herrick. Vote: 7 Yeas.

A TRUE RECORD ATTEST: \_\_\_\_\_

CITY CLERK

**CITY OF AUBURN APRIL 27, 2009 CITY COUNCIL MEETING**

PRESENT

Mayor John T. Jenkins, Councilors Michael J. Farrell, Robert P. Hayes, Daniel R. Herrick, David C. Young, Raymond C. Berube, Ronald W. Potvin and Robert C. Mennealy, City Manager Glenn Aho, Assistant City Manager Laurie Smith, Finance Director Tracy Roy and City Clerk Mary Lou Magno. There were 75 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 Young. Vote: 7 Yeas.

**\*MINUTES OF APRIL 6 & 15, 2009**

Approved under consent agenda.

## **REPORTS OF THE MAYOR**

Mayor Jenkins congratulated the many citizens and staff that participated in “Community Clean Up” on Saturday, April 25th.

## **PROCLAMATION**

Mayor Jenkins declared May 1st “Silver Star Banner Day”.

## **REPORTS OF CITY COUNCILORS**

Councilors reported on their respective Council Committee Assignments.

## **REPORTS OF THE CITY MANAGER**

## **FINANCE REPORT – MONTH OF MARCH**

Councilor Hayes moved to accept and place on file the Finance Report for the month of March as prepared and presented by Tracy Roy, Finance Director. Seconded by Councilor Herrick. Vote: 7 Yeas.

## **COMMUNICATIONS, PRESENTATIONS, AND RECOGNITIONS**

### **\*COMMUNICATION FROM KIWANIS CLUB RE: USE OF CITY PROPERTY AND WAIVE VICTUALERS LICENSE FEE (\$50)**

Approved under consent agenda.

### **\*COMMUNICATION FROM SUPPORT SOLUTIONS RE: WAIVE GARAGE SALE PERMIT FEE (\$10)**

Approved under consent agenda.

### **\*COMMUNICATION FROM ANDROSCOGGIN VALLEY COUNCIL OF GOVERNMENTS (AVCOG) RE: CIVIC ACTIVITIES SIGN**

Approved under consent agenda.

## **OPEN SESSION**

No one spoke

## **CLOSED OPEN SESSION**

## **UNFINISHED BUSINESS**

**1. ORDINANCE – AMENDMENT TO CHAPTER 31 – GENERAL ASSISTANCE**

**(SECOND READING)**

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

**2. RESOLVE – DISPOSITION OF TAX ACQUIRED PROPERTY (1565 HOTEL ROAD)**

**(TABLED 4/6/2009)**

Councilor Hayes moved to remove this item from the table. Seconded by Councilor Young. Vote: 4 Yeas with Councilors Farrell, Berube and Potvin voting Nay.

Councilor Farrell moved to amend by selling this property to William Humphrey for \$3,000.

Seconded by Councilor Potvin.

Vote on the amendment: 6 Yeas with Councilor Herrick voting Nay.

Vote on passage as amended: 6 Yeas with Councilor Herrick voting Nay.

**NEW BUSINESS**

**3. RESOLVE – APPROVING SCHOOL BUDGET FOR FISCAL YEAR 2009-2010**

Councilor Berube moved for passage of the resolve. Seconded by Councilor Farrell. Vote: 7 Yeas.

#### **4. RESOLVE – 2009-2010 MUNICIPAL BUDGET**

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

The following made comments regarding the above resolve: Mike Scott, 509 South Witham Road; Gary Simard, 157 Cook Street; and Mitch Sperry, 193 Cook Street. Vote: 6 Yeas with Councilor Potvin voting Nay.

#### **5. RESOLVE – AUTHORIZATION OF ISSUANCE OF BONDS BY THE AUBURN WATER DISTRICT**

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

Norm Lamie, Superintendent of the Water and Sewer District, answered Councilors questions. Vote: 7 Yeas.

#### **6. ORDINANCE – DELETE CHAPTER 24, SECTION 2.22 – DAY CARE LICENSING (1st READING)**

Councilor Berube moved for acceptance of first reading. Seconded by Councilor Young. Gary

Tetreault, 60 Hazel Street, made comments regarding the above ordinance.

Vote: 6 Yeas with Councilor Potvin voting Nay.

#### **7. APPOINTMENTS**

Councilor Berube moved for appoint Robert Cavanagh and re-appoint Catherine Thorpe both to the Water District until March 2013. Seconded by Councilor Farrell. Vote: 7 Yeas.

Councilor Hayes moved to re-appoint Beverley Heath to the Sewer District until March 2013. Seconded by Councilor Berube. Vote: 7 Yeas.

Councilor Berube moved to appoint Michael Adler as a Full Member and Brian Whitley as an Associate Member both to the Zoning Board of Appeals until April 2012. Seconded by Councilor Potvin. Vote: 7 Yeas.

Councilor Hayes moved to appoint Denis Berube as an Alternate Member to the Board of Assessment Review until April 2014. Seconded by Councilor Berube. Vote: 7 Yeas.

## **8. APPOINTMENT OF ALTERNATE VOTING MEMBERS TO THE MAINE MUNICIPAL**

### **ASSOCIATION LEGISLATIVE POLICY COMMITTEE**

Councilor Berube moved that the City Manager and the Assistant City Manager be appointed as Alternate Voting Members to the Maine Municipal Association Legislative Policy Committee. Seconded by Councilor Young. Vote: 7 Yeas.

## **9. PUBLIC HEARING – STREET LIGHT ELIMINATION LIST**

Mayor Jenkins opened the public hearing. Glenn Aho, City Manager, explained the process that city staff used regarding this eliminations process. Comments were made by Gary Tetreault, 60 Hazel Street and Charlie DeAngelis, City Electrician.

**10. RESOLVE – DISPOSITION OF TAX ACQUIRED PROPERTY (38 W  
HARDSCRABBLE**

**ROAD AND 192 WINTER STREET)**

Councilor Farrell moved for passage of the resolve. Seconded by Councilor Berube. Vote: 7 Yeas.

**OPEN SESSION**

No one spoke.

CLOSED OPEN SESSION

**11. EXECUTIVE SESSION – PERSONNEL (DISCUSSION OF CITY MANAGER’S  
EVALUATION)**

Councilor Hayes moved to go into Executive Session to discuss a personnel issue (Title 1 Section 405). Seconded by Councilor Berube. Vote: 7 Yeas.

Councilor Young moved to come out of Executive Session. Seconded by Councilor Mennealy. Vote: 6 Yeas, No Nays. (Councilor Farrell out of the room)

**FUTURE AGENDA/WORKSHOP ITEMS**

**ADJOURNMENT – 9:15 P.M.**

Councilor Hayes moved to adjourn. Seconded by Councilor Herrick. Vote: 6 Yeas, No Nays. (Councilor Farrell out of the room)

A TRUE RECORD ATTEST: \_\_\_\_\_

CITY CLERK

### **CITY OF AUBURN MAY 4, 2009 CITY COUNCIL MEETING**

#### **PRESENT**

Mayor John T. Jenkins, Councilors Michael J. Farrell, Robert P. Hayes, Daniel R. Herrick, David C. Young, Raymond C. Berube, Ronald W. Potvin and Robert C. Mennealy, City Manager Glenn Aho, Assistant City Manager Laurie Smith, Finance Director Tracy Roy and City Clerk Mary Lou Magno. There were 50 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 item marked with an asterisk. Seconded by Councilor Herrick. Vote: 7 Yeas.

\*MINUTES OF APRIL 27, 2009

Approved under consent agenda.

## **REPORTS OF THE MAYOR**

Mayor Jenkins noted several events taking place in the community during the month of May.

## **REPORTS OF CITY COUNCILORS**

Councilors reported on their respective Council Committee Assignments.

## **REPORTS OF THE CITY MANAGER**

## **COMMUNICATIONS, PRESENTATIONS, AND RECOGNITIONS**

## **OPEN SESSION**

Larry Morrisette, PO Box 3036; John Whelan, 71 Boulder Drive; Chris Brann, 165 Madison Street; Michael Scott, 549 South Witham Road; Mitch Sperry, 193 Cook Street; Al Milburn, 75 Pownal Road; Ryan Demers, 320 Park Avenue; John Roy, 475 Pownal Road; Gary Simard, 157 Cook Street; and Bruce Bickford, 64 Cameron Lane.

## **CLOSED OPEN SESSION**

## **UNFINISHED BUSINESS**

**1. ORDINANCE – DELETE CHAPTER 24, SECTION 2.22 – DAY CARE LICENSING (2ND READING)**

Councilor Berube moved for acceptance of second reading and final passage. Seconded by Councilor Young. Vote: 6 Yeas with Councilor Potvin voting Nay.

**NEW BUSINESS**

**2. RESOLVE – SCHOOL FUND BALANCE POLICY**

Councilor Potvin moved for passage of the resolve. Seconded by Councilor Young. Vote: 7 Yeas.

**3. RESOLVE – APPROVAL OF FY2009 ACTION PLAN OF THE COMMUNITY DEVELOPMENT BLOCK GRANT AND HOME INVESTMENTS PARTNERSHIPS PROGRAM (PUBLIC HEARING AND ACTION)**

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

Mayor Jenkins opened the public hearing.

The following made comments regarding the above resolve: Don Knisley, Tedford Housing; Laurie Windsor, Androscoggin County Hospice House; Laurie Levine and Chris Brann, American Red Cross.

Mayor Jenkins closed the public hearing.

Councilor Young moved to amend by splitting the added income (\$7,967) evenly between Red Cross, Tedford Housing, Androscoggin Home Care and Hospice, and Tri County. Seconded by Councilor Potvin.

Vote on the amendment: 4 Yeas with Councilors Farrell, Herrick and Berube voting Nay.

Vote on passage of the resolve as amended: 4 Yeas with Councilors Farrell, Herrick and Berube voting Nay.

**4. ORDINANCE – AMENDMENT TO ZONING MAP IN THE VICINITY OF 827 SOUTH MAIN STREET (1ST READING)**

Councilor Farrell moved for acceptance of first reading. Seconded by Councilor Potvin. Vote: 7 Yeas.

**5. BROWNFIELD’S ASSESSMENT GRANT (PUBLIC HEARING – NO ACTION REQUIRED)**

Mayor Jenkins opened the public hearing.

Kelly Race, Project Manager, Weston & Sampson, gave a brief overview of the Brownfield’s sites selected for assessment in the City of Auburn.

Mayor Jenkins closed the public hearing.

**6. SET DATE FOR SPECIAL CITY COUNCIL MEETING**

Councilor Farrell moved that a Special Meeting be held on May 11th to act on first reading of the Annual Appropriation Resolve. Seconded by Councilor Mennealy. Vote: 6 Yeas (Councilor Potvin out of the room).

## **OPEN SESSION**

Michael Scott, 549 South Witham Road; and Larry Morrissette, PO Box 3036.

## **7. EXECUTIVE SESSION**

Councilor Hayes moved to go into Executive Session to discuss a Personnel Issue and Labor Negotiations (Title 1 MRSA Section 405). Seconded by Councilor Potvin. Vote: 6 Yeas with Councilor Farrell voting Nay.

Councilor Berube moved to come out of Executive Session. Seconded by Councilor Farrell. Vote: 4 Yeas (Councilors Young, Potvin and Mennealy out of the room).

## **FUTURE AGENDA/WORKSHOP ITEMS**

**ADJOURNMENT – 10:35 P.M.**

Councilor Berube moved to adjourn. Seconded by Councilor Farrell. Vote: 5 Yeas (Councilors Young and Mennealy out of the room).

A TRUE RECORD ATTEST: \_\_\_\_\_

CITY CLERK

## **CITY OF AUBURN MAY 11, 2009 SPECIAL CITY COUNCIL MEETING**

### **PRESENT**

Mayor John T. Jenkins, Councilors Michael J. Farrell, Robert P. Hayes, Daniel R. Herrick, David C. Young, Raymond C. Berube, Ronald W. Potvin and Robert C. Mennealy, City Manager Glenn Aho, Assistant City Manager Laurie Smith, Finance Director Tracy Roy and City Clerk Mary Lou Magno. There were 31 people in the audience.

Mayor Jenkins called the special meeting to order at 7:00 p.m. in the Council Chambers of Auburn Hall indicating that the purpose of the meeting was to act on the following item:

### **1. RESOLVE – ANNUAL APPROPRIATION RESOLVE (1ST READING)**

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

The following made comments regarding the above resolve: Glenn Aho, City Manager; Michael Scott, 549 South Witham Road; Mitch Sperry, 193 Cook Street; Al Milburn, 75 Pownal Road; Bruce Goddard, 112 Pownal Road; Joseph Mailey, 182 Webster Street; and Wayne Werts, Fire Chief.

Councilor Farrell moved the question. Seconded by Councilor Hayes. Vote: 7 Yeas.

Vote on acceptance of first reading: 5 Yeas with Councilors Potvin and Mennealy voting Nay.

### **EXECUTIVE SESSION**

Councilor Farrell moved to go into Executive Session to discuss an Economic Development issue. Seconded by Councilor Berube. Vote: 7 Yeas.

Councilor Farrell moved to go into Executive Session to discuss Police Labor Negotiations. Seconded by Councilor Berube. Vote: 7 Yeas.

Councilor Farrell moved to come out of Executive Session. Seconded by Councilor Herrick. Vote: 7 Yeas.

**ADJOURNMENT – 9:05 P.M.**

Councilor Potvin to adjourn. Seconded by Councilor Berube. Vote: 7 Yeas.

A TRUE RECORD ATTEST: \_\_\_\_\_

CITY CLERK

**CITY OF AUBURN MAY 18, 2009 CITY COUNCIL MEETING**

PRESENT

Mayor John T. Jenkins, Councilors Michael J. Farrell, Robert P. Hayes, Daniel R. Herrick, David C. Young, Raymond C. Berube, Ronald W. Potvin and Robert C. Mennealy, City Manager Glenn Aho, Assistant City Manager Laurie Smith, Finance Director Tracy Roy and City Clerk Mary Lou Magno. There were 24 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 item marked with an asterisk and remove the Communication regarding the Dempsey Challenge from the consent agenda. Seconded by Councilor Young. Vote: 7 Yeas.

### **\*MINUTES OF MAY 4 AND 11, 2009**

Approved under consent agenda.

## **REPORTS OF THE MAYOR**

Mayor Jenkins noted several events taking place in the community during the month of May.

### **PROCLAMATION – MAINE ARBOR WEEK**

Mayor Jenkins noted that May 18 through 22 was Maine Arbor Week; Mayor Jenkins and members of the Community Forest Board attended the kick-off in Augusta and for the sixth consecutive year the City of Auburn was recognized with a certificate as a “Tree City USA”.

## **REPORTS OF CITY COUNCILORS**

Councilors reported on their respective Council Committee Assignments.

## **REPORTS OF THE CITY MANAGER**

### **FINANCE REPORT – MONTH OF APRIL**

Councilor Berube moved to accept and place on file the Finance Report for the month of April as presented by Tracy Roy, Finance Director. Seconded by Councilor Young. Vote: 7 Yeas.

#### UPDATE: 9-1-1 COMMITTEE APPOINTMENT

Mary Lou Magno updated the Councilors on the 9-1-1 appointment. Councilors should express their interest to Mayor Jenkins regarding this appointment and it will appear on the June 1st agenda.

#### **COMMUNICATIONS, PRESENTATIONS, AND RECOGNITIONS**

#### **COMMUNICATION FROM THE “DEMPSEY CHALLENGE, A JOURNEY OF HOPE” RE: USE OF CITY PROPERTY AND REQUEST FOR SERVICES**

Councilor Berube moved to accept the communication, place it on file, and that the requests be approved. Seconded by Councilor Young.

Peter Chalke, CMMC, and Jim Baril, organizer of the event explained the above festival to Councilors.

Chief Crowell and City Manager Aho made comments regarding city services.

Councilor Mennealy moved the question. Seconded by Councilor Herrick. Vote: 5 Yeas with Councilors Farrell and Potvin voting Nay.

Vote: 5 Yeas with Councilors Farrell and Potvin voting Nay.

## **OPEN SESSION**

Dan Bilodeau, 207 No Auburn Road; and Joseph Mailey, 82 Webster Street.

## **CLOSED OPEN SESSION**

## **UNFINISHED BUSINESS**

### **1. ORDINANCE – AMENDMENT TO ZONING MAP IN THE VICINITY OF 827 SOUTH**

#### **MAIN STREET (2ND READING)**

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

### **2. RESOLVE – 2009-2010 ANNUAL APPROPRIATION RESOLVE (2ND READING)**

Councilor Berube moved for acceptance of second reading and final passage. Seconded by Councilor Farrell.

Councilor Potvin moved to amend by adding \$200,000 to the Fire Department budget for the rescue program and Fire Prevention Officer position. Seconded by Councilor Mennealy.

Vote on the amendment: 5 Nays with Councilors Potvin and Mennealy voting Yea.

Vote for acceptance of second reading and final passage: 5 Yeas with Councilor Potvin and Mennealy voting Nay.

## **NEW BUSINESS**

### **3. ORDER – 2009-2010 TAX COMMITMENT**

Councilor Farrell moved for passage of the order. Seconded by Councilor Hayes. Glenn Aho, City Manager, answered Councilors questions.

Vote: 7 Yeas.

### **4. RESOLVE – ACCEPTANCE OF CAPITAL IMPROVEMENT PROGRAM**

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

The following made comments regarding the above resolve: Glenn Aho, City Manager; David Das, Chair, School Committee; Tom Morrill, Superintendent of Schools; and Andy Titus, 45 Carson Street.

Councilor Mennealy moved the question. Seconded by Councilor Berube. Vote: 7 Yeas. Vote on passage of the resolve: 7 Yeas.

### **5. RESOLVE – DISPOSITION OF TAX ACQUIRED PROPERTY (0 BRANN AVENUE)**

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

Councilor Potvin moved to amend by selling this property to Roxann Reetz Fryer for \$110. Seconded by Councilor Young.

Councilor Hayes moved to table. Seconded by Councilor Berube. Vote: 6 Yeas with Councilor Herrick abstaining.

**6. PUBLIC HEARING – SPECIAL AMUSEMENT PERMIT APPLICATION FOR  
MAC’S GRILL, 1052 MINOT AVENUE**

Council Potvin moved to approve the Special Amusement Permit. Seconded by Councilor Berube.

Mayor Jenkins opened and closed the public hearing with no public comment.

Vote: 7 Yeas.

**OPEN SESSION**

Marie Herrick, 470 Hatch Road;

CLOSE OPEN SESSION

**7. EXECUTIVE SESSION**

Councilor Mennealy moved to go into Executive Session for the purpose of discussing Economic Development Title 1 M.R.S.A. Section 405. Seconded by Councilor Hayes. Vote: 7 Yeas.

Councilor Berube moved to come out of Executive Session. Seconded by Councilor Potvin. Vote: 4 Yeas (Councilors Farrell, Young and Mennealy out of the room).

**ADJOURNMENT – 9:55 P.M.**

Councilor Berube moved to adjourn. Seconded by Councilor Herrick. Vote: 4 Yeas (Councilors Farrell, Young and Mennealy out of the room).

A TRUE RECORD ATTEST: \_\_\_\_\_

CITY CLERK

**CITY OF AUBURN JUNE 1, 2009 CITY COUNCIL MEETING**

**PRESENT**

Mayor John T. Jenkins, Councilors Michael J. Farrell, Robert P. Hayes, Daniel R. Herrick, David C. Young, Raymond C. Berube, Ronald W. Potvin and Robert C. Mennealy, City Manager Glenn Aho, Assistant City Manager Laurie Smith, Finance Director Tracy Roy and City Clerk Mary Lou Magno. There were 34 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 Young. Vote: 7 Yeas.

**\*MINUTES OF MAY 18, 2009**

Approved under consent agenda.

### **REPORTS OF THE MAYOR**

Mayor Jenkins called for a moment of silence for Tom French, Public Works employee, who recently passed away.

Mayor Jenkins introduced Lynn Lockwood, new Library Director; Library Board of Trustees President, Richard Trafton accompanied Ms. Lockwood.

### **APPOINTMENT TO 9-1-1 COMMITTEE**

None

### **REPORTS OF CITY COUNCILORS**

Councilors reported on their respective Council Committee Assignments.

### **REPORTS OF THE CITY MANAGER**

No Reports

COMMUNICATIONS, PRESENTATIONS, AND RECOGNITIONS

**\*COMMUNICATION FROM WOMEN'S LITERARY UNION RE: WAIVE FEE FOR GARAGE SALE PERMIT**

Approved under consent agenda.

**\*COMMUNICATION FROM GREAT FALLS BALLOON FESTIVAL COMMITTEE RE: REQUEST FOR SERVICES**

Approved under consent agenda.

**COMMUNICATION FROM GRITTY'S RE: USE OF CITY PROPERTY**

Councilor Potvin moved to accept the communication, place it on file, and that Gritty's can use City Property for special events through July 15th, at which time the City will have made a decision regarding the original request to go through the end of October. Seconded by Councilor Berube. Vote: 7 Yeas.

**OPEN SESSION**

Marie Herrick, 470 Hatch Road, and her grand-daughter Emma, presented Mayor Jenkins a photo of her and Emma. John Morris, teacher and students Tyler Bisbee and Heather Beaulieu all from Franklin School requested that they be part of the creation and design of the Main Street Wall Project. Gary Simard, 157 Cook Street.

CLOSED OPEN SESSION

**UNFINISHED BUSINESS**

**1. RESOLVE – (TABLED 5/18/09) DISPOSITION OF TAX ACQUIRED PROPERTY (0  
BRANN AVENUE)**

Councilor Potvin moved to remove this item from the table. Seconded by Councilor Hayes. Vote: 7 Yeas.

The following residents made comments regarding the above resolve: Jonathan Turgeon, 274 Manley Road; Roxanne Fryover, 31 Royal Avenue; William Clough, 37 Royal Avenue; and Chris Schnopp.

Councilor Hayes moved to table. Seconded by Councilor Farrell. Vote: 5 Yeas with Councilor Potvin voting Nay and Councilor Herrick abstaining.

**NEW BUSINESS**

**2. ORDER – AUTHORIZING THE ISSUANCE AND SALE OF CAPITAL  
IMPROVEMENT**

**BONDS IN THE AMOUNT OF \$6,500,000 (1ST READING – PUBLIC HEARING)**

Councilor Hayes moved for acceptance of first reading. Seconded by Councilor Berube. Mayor Jenkins opened and closed the public hearing with no public comment.

Vote: 6 Yeas, No Nays, (Councilor Mennealy out of the room)

**2A. RESOLVE – APPROVING CAPITAL PURCHASES – SPECIAL REVENUE (CIP3) FOR  
FY2010 - \$491,080 (1ST READING)**

Councilor Farrell moved for acceptance of first reading. Seconded by Councilor Mennealy. Vote: 7 Yeas.

**3. ORDINANCE – AMENDMENT TO THE ZONING MAP IN THE VICINITY OF LAKE  
AUBURN AVENUE FROM URBAN RESIDENTIAL TO MULTI-FAMILY  
URBAN (1ST READING)**

Councilor Berube moved for acceptance of first reading. Seconded by Councilor Herrick. Eric  
Cousens, City Planner, answered Councilors questions.

Vote: 7 Yeas.

**4. RESOLVE – AMENDMENT TO COMMUNITY DEVELOPMENT PROGRAM  
2008 ACTION PLAN (PUBLIC HEARING)**

Councilor Berube moved for passage of the resolve. Seconded by Councilor Potvin. Mayor  
Jenkins opened and closed the public hearing with no public comment. Vote: 7 Yeas.

**5. RESOLVE – AUTHORIZE THE CITY MANAGER TO EXECUTE AN OPTION FOR  
WEBSTER SCHOOL TO AUBURN HOUSING AUTHORITY**

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

Rick Whiting, Executive Director, Auburn Housing Authority, answered Councilors questions.

Councilor Herrick moved to amend by adding that the Auburn Housing Authority will pay the City of Auburn \$2,500 for this option. Seconded by Councilor Young.

Vote on the amendment: 7 Yeas.

Councilor Potvin moved to amend that the proceeds from the sale of this property be forwarded to the School Department for the development of the new High School. No second.

Vote on passage of the resolve amended: 7 Yeas.

## **6. PUBLIC HEARING – SPECIAL AMUSEMENT PERMIT FOR CLUB TEXAS, 150**

### **CENTER STREET**

Mayor Jenkins opened and closed the public hearing with no public comment.

Councilor Berube moved to approve the Special Amusement Permit until December 18, 2009. Seconded by Councilor Farrell. Vote: 7 Yeas.

## **7. RESOLVE – ACCEPTING FORFEITED FUNDS (\$840)**

Councilor Farrell moved for passage of the resolve. Seconded by Councilor Berube. Vote: 7 Yeas.

## **8. RESOLVE – ACCEPTING FORFEITED FUNDS (\$729)**

Councilor Berube moved for passage of the resolve. Seconded by Councilor Farrell. Vote: 7 Yeas.

**9. RESOLVE – COMMITMENT OF U.S. DEPARTMENT OF ENERGY GRANT FUNDS  
(\$105,200) UNDER THE AMERICAN RECOVERY AND REINVESTMENT  
ACT OF 2009**

Councilor Berube moved for passage of the resolve. Seconded by Councilor Herrick. Vote: 7 Yeas.

**10. RESOLVE – CITY MANAGER’S EMPLOYMENT AGREEMENT ADJUSTMENTS**

Councilor Berube moved for passage of the resolve. Seconded by Councilor Hayes. Vote: 6 Yeas with  
Councilor Potvin voting Nay.

**OPEN SESSION**

No one spoke

**CLOSED OPEN SESSION**

**Future Agenda/Workshop Items**

Use of City Property

**ADJOURNMENT – 8:25 P.M.**

Councilor Berube moved to adjourn. Seconded by Councilor Herrick. Vote: 7 Yeas.

A TRUE RECORD ATTEST: \_\_\_\_\_

CITY CLERK

**CITY OF AUBURN JUNE 15, 2009 CITY COUNCIL MEETING**

**PRESENT**

Mayor John T. Jenkins, Councilors Michael J. Farrell, Robert P. Hayes, Daniel R. Herrick, David C. Young, Raymond C. Berube, Ronald W. Potvin and Robert C. Mennealy, City Manager Glenn Aho, Assistant City Manager Laurie Smith, Finance Director Tracy Roy and City Clerk Mary Lou Magno. There were 27 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 Hayes. Vote: 7 Yeas.

**\*MINUTES OF JUNE 1, 2009**

Approved under consent agenda.

## **REPORTS OF THE MAYOR**

### **BUSINESS APPRECIATION PROGRAM – MUSTARD’S LAST STAND**

Woody Mawhinney and Jason Parker operate a Mobile Food Unit at the “Scenic Turnout” on Route 4 by the Lake Auburn Boat Launch know as “Mustard’s Last Stand”. Their hours of operation are Monday thru Friday 10:30 am – 2:30 pm. They sell Hot Dogs, Italian Sausage, Chips and Beverages.

### **APPOINTMENT TO 9-1-1 COMMITTEE**

Mayor Jenkins appointed Councilor Berube to serve on the 9-1-1 Committee.

### **ANNOUNCEMENTS**

Mayor Jenkins complimented staff for their efforts in the “Business to Business Trade Show”; he noted the TD Banknorth expansion in Auburn; and Peter Bushway and Doug Beck spoke about summer programs available at the Parks and Recreation Department.

### **REPORTS OF CITY COUNCILORS**

Councilors reported on their respective Council Committee Assignments. Councilor Mennealy read a communication from Richard Trafton who is representing Dan Stearns, regarding Church Street paving.

### **REPORTS OF THE CITY MANAGER**

## **FINANCE REPORT – MONTH OF MAY**

Councilor Potvin moved to accept and place on file the Finance Report for the month of May as presented by Tracy Roy, Finance Director. Seconded by Councilor Berube. Vote: 7 Yeas.

## **COMMUNICATIONS, PRESENTATIONS, AND RECOGNITIONS**

### **\*COMMUNICATION FROM LIBERTY FESTIVAL COMMITTEE RE: MASS GATHERING**

#### **REQUEST**

Approved under consent agenda.

## **OPEN SESSION**

Kelly Matzen read a communication from Richard Trafton regarding Church Street Paving.

## **CLOSED OPEN SESSION**

## **UNFINISHED BUSINESS**

**1. RESOLVE – (TABLED 5/18/09) DISPOSITION OF TAX ACQUIRED PROPERTY (0 BRANN AVENUE)**

**2. ORDER – AUTHORIZING THE ISSUANCE AND SALE OF CAPITAL IMPROVEMENT BONDS IN THE AMOUNT OF \$6,500,000 (2ND READING – PUBLIC HEARING)**

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

**3. RESOLVE – APPROVING CAPITAL PURCHASES – SPECIAL REVENUE (CIP 3) FOR FY2010 - \$491,080 (2ND READING)**

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

**4. ORDINANCE – AMENDMENT TO THE ZONING MAP IN THE VICINITY OF LAKE AUBURN AVENUE (2ND READING)**

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

**NEW BUSINESS**

**5. PUBLIC HEARING – SPECIAL AMUSEMENT PERMIT FOR LAVISH LLC, D/B/A LAVISH, 34 COURT STREET REMOVED FROM THE AGENDA**

**6. ORDINANCE – AMENDMENT TO CHAPTER 29 – LARGE SCALE DEVELOPMENT (1ST READING)**

Councilor Potvin moved for acceptance of first reading. Seconded by Councilor Berube. Vote: 7 Yeas.

## **7. RESOLVE – AUTHORIZE ONE SINGLE POLLING PLACE (PUBLIC HEARING)**

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

Councilor Hayes moved to amend the resolve by adding “for the November 3, 2009 election, as a trial”.

Seconded by Councilor Berube.

Mayor Jenkins opened the public hearing. Mayor Jenkins read emails from Jane Koslow and Carol Lane. The following people make comments regarding this issue: Senator Deb Simpson, 551 Turner Street; Representative Brian Bolduc, 54 Riverside Drive; Jonathan Labonte, 41 Third Street; Joseph Mailey, 82 Webster Street; Philip Nelson, Androscoggin County Democratic Committee; Belinda Gerry, 143 Mill Street; Bob Moore, 36 Marston Street; Andrea Germaine, 81 Whitney Street; Ms. Morrissette, Poland; Judy Simpson, 84 Summer Street; Sandy Doctoroff, 39 Royal Oaks Drive; and Walter Hill, Lewiston.

Councilor Mennealy moved the question. Seconded by Councilor Herrick. Vote: 4 Yeas with Councilors Hayes, Young and Berube voting Nay.

Vote on the amendment: 7 Nays (NOT PASSED)

Vote on passage of the resolve: 7 Nays (NOT PASSED)

## **8. EXECUTIVE SESSION – LABOR NEGOTIATIONS – POLICE COMMAND UNIT (TITLE 1, SECTION 405, SUBSECTION 6D, MRSA)**

City Council did not go into Executive Session.

**9. RESOLVE – AUTHORIZE CITY MANAGER TO EXECUTE CONTRACT WITH POLICE COMMAND UNIT**

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

Laurie Smith, Assistant City Manager, explained the above resolve and answered Councilors questions. Vote: 7 Yeas.

**10. EXECUTIVE SESSION – ECONOMIC DEVELOPMENT (TITLE 1, SECTION 405, SUBSECTION 6C, MRSA)**

Councilor Berube moved to go into Executive Session for the above stated reason. Seconded by Councilor Hayes. Vote: 7 Yeas.

Councilor Hayes moved to come out of Executive Session. Seconded by Councilor Berube. Vote: 5 Yeas with Councilor Young and Mennealy out of the room.

**11. EXECUTIVE SESSION – LABOR NEGOTIATIONS – TEAMSTERS LOCAL UNION #340 (PUBLIC WORKS) (TITLE 1, SECTION 405, SUBSECTION 6D, MRSA)**

Councilor Berube moved to go into Executive Session for the above stated reason. Seconded by Councilor Farrell. Vote: 5 Yeas with Councilors Young and Mennealy out of the room.

Councilor Potvin moved to come out of Executive Session. Seconded by Councilor Berube. Vote: 5 Yeas with Councilors Young and Mennealy out of the room.

**OPEN SESSION**

No one spoke

CLOSED OPEN SESSION

**FUTURE AGENDA/WORKSHOP ITEMS**

**ADJOURNMENT – 10:00 P.M.**

Councilor Berube moved to adjourn. Seconded by Councilor Herrick. Vote: 5 Yeas with Councilors Young and Mennealy out of the room.

A TRUE RECORD ATTEST: \_\_\_\_\_

CITY CLERK

**CITY OF AUBURN JULY 20, 2009 CITY COUNCIL MEETING**

PRESENT

Mayor John T. Jenkins, Councilors Michael J. Farrell, Robert P. Hayes, Daniel R. Herrick, David C. Young, Raymond C. Berube, Ronald W. Potvin, and Robert C. Mennealy, City Manager Glenn Aho, Assistant City Manager Laurie Smith, Finance Director Tracy Roy and City Clerk Mary Lou Magno. There were six 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 item marked with an asterisk.

Seconded by Councilor Farrell. Vote: 7 Yeas.

### **\*MINUTES OF JULY 6, 2009**

Approved under consent agenda.

## **REPORTS OF THE MAYOR**

Mayor Jenkins acknowledged the great service from the Auburn Fire Department in assisting with the Cowan Mill fire in Lewiston; Mayor Jenkins recognized Leroy Walker and members of the Parks Department for helping Daniel Poulin attain his Eagle Scout Award; Mayor Jenkins read a note of thanks from the family of Mary DeAngelis (mother of City Electrician Charlie DeAngelis).

## **REPORTS OF CITY COUNCILORS**

Councilors reported on the Council Committee Assignments

## **REPORTS OF THE CITY MANAGER**

Manager Aho noted that staff will soon be negotiating a cable contract with Time Warner and asked if anyone from the Council had an interest in this sub-committee; Mayor Jenkins and Councilor Farrell volunteered to join staff in these negotiations.

## **COMMUNICATIONS, PRESENTATIONS, AND RECOGNITIONS**

None

## **OPEN SESSION**

No one spoke

## **CLOSED OPEN SESSION**

## **UNFINISHED BUSINESS**

### **1. ORDINANCE – CHAPTER 32, SECTION 10 – POST CONSTRUCTION STORMWATER MANAGEMENT (2ND READING)**

Councilor Berube moved for acceptance of second reading and final passage. Seconded by

Councilor Farrell. Vote: 7 Yeas.

## **NEW BUSINESS**

### **2. RESOLVE – AMENDING THE PROVISIONS OF TAX INCREMENT FINANCE DISTRICT 13, 14 AND 15 (PUBLIC HEARING AND ACTION THEREON)**

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

Roland Miller, Director of Economic Development, explained the above resolve and answered Councilors questions.

Mayor Jenkins opened the public hearing: Andy Titus, 17 Lamplighter Circle, made comments.

Mayor Jenkins closed the public hearing.

Vote: 7 Yeas.

**3. PUBLIC HEARING AND ACTION ON SPECIAL AMUSEMENT PERMIT APPLICATIONS FOR HOLLY'S OWN DELI; GRITTY MCDUFF'S; HILTON GARDEN INN; LAST STOP; AND RACK-M-UP BILLIARDS**

Mayor Jenkins opened and closed the public hearing with no public comment.

Councilor Hayes moved to approved Special Amusement Permits for Holly's Own Deli, Gritty McDuff's, Hilton Garden Inn, and Rack-M-Up Billiards. Seconded by Councilor Farrell. Vote: 7 Yeas. Note: Councilor Herrick feels that Last Stop is closed.

**4. SET DATE FOR PUBLIC HEARING RE: DETERMINATION OF PRESUMED ABANDONED ROADS FOR RANGE ROAD, AND PORTIONS OF BROWN'S CROSSING ROAD, SOPERS MILL ROAD, ELMWOOD ROAD AND RYAN'S WAY**

Councilor Berube moved that August 17th be set as the public hearing date for the above named roads. Seconded by Councilor Young. Vote: 6 Yeas with Councilor Potvin voting Nay.

**OPEN SESSION**

No one spoke

**CLOSED OPEN SESSION**

**CODE OF CONDUCT FOR ELECTED OFFICIALS**

Mayor Jenkins indicated that City Manager Aho earlier in the evening had distributed to Councilors copies of policies from other communities regarding Code of Conduct for Elected Officials; the Mayor requested that Councilors review these documents and submit comments to him; staff and the Mayor will then return to the Council with a draft policy to discuss during a future City Council Workshop.

**FUTURE AGENDA/WORKSHOP ITEMS**

Discussion regarding the names and addresses of cemeteries that the City maintains.

**ADJOURNMENT – 8:25 P.M.**

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

TRUE RECORD ATTEST: \_\_\_\_\_

CITY CLERK

**CITY OF AUBURN AUGUST 3, 2009 CITY COUNCIL MEETING**

## PRESENT

Mayor John T. Jenkins, Councilors Michael J. Farrell, Robert P. Hayes, Daniel R. Herrick, David C. Young, Raymond C. Berube, Ronald W. Potvin, and Robert C. Mennealy, City Manager Glenn Aho, Assistant City Manager Laurie Smith, Finance Director Tracy Roy and City Clerk Mary Lou Magno. There were 13 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 Farrell. Vote: 7 Yeas.

**\*MINUTES OF JULY 20, 2009**

Approved under consent agenda.

## REPORTS OF THE MAYOR

Mayor Jenkins noted several upcoming events and meetings.

## REPORTS OF CITY COUNCILORS

Councilors reported on the Council Committee Assignments

## **REPORTS OF THE CITY MANAGER**

None

## **COMMUNICATIONS, PRESENTATIONS, AND RECOGNITIONS**

### **COMMUNICATION FROM EAST AUBURN BAPTIST CHURCH RE: WAIVE LICENSE FEE**

Approved under consent agenda.

## **OPEN SESSION**

Larry Morrissette, PO Box 3036, Auburn; Mike Farrell, 145 Eastman Lane, presented the Mayor and Council with a written document regarding the litigation he has been involved in with the City. (This document has been made part of the records of the Council Meeting.) David Galbraith, Director of Planning and Permitting; and Dan Bilodeau, 207 No Auburn Road.

## **CLOSED OPEN SESSION**

## **UNFINISHED BUSINESS**

None

## **NEW BUSINESS**

### **1. RESOLVE – ADOPTION OF POLICY FOR PROCESSING AND REVIEWING**

## **HARDSHIP ABATEMENTS**

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

Dot Meagher, Director of Health and Social Services, explained the above policy and answered Councilors questions.

Vote: 7 Yeas.

## **2. ORDINANCE – CHAPTER 29, AMENDMENTS TO SECTIONS 7.1 SITE PLAN REVIEW**

### **AND 7.3 SUBDIVISIONS (1ST READING)**

Councilor Potvin moved for acceptance of first reading. Seconded by Councilor Hayes. Elliott

Epstein, 155 Cushman Place, attorney representing Riverwatch, made comments regarding the above ordinance.

David Galbraith, Director of Planning and Permitting, answered Councilors questions. Vote:

7 Yeas.

## **3. SET DATE FOR FIRST MEETING IN SEPTEMBER**

Councilor Berube moved that the first meeting in September be held on September 8th. Seconded by Councilor Hayes. Vote: 7 Yeas.

## **4. CAST BALLOT FOR ANNUAL ELECTION FOR MAINE MUNICIPAL ASSOCIATION**

## **VICE PRESIDENT AND EXECUTIVE COMMITTEE MEMBERS**

Councilor Hayes moved that a ballot be cast for Mark Green as Vice President and for the proposed slate of names for the Executive Committee. Seconded by Councilor Mennealy. Vote: 5 Yeas with Councilors Farrell and Potvin voting Nay.

## **OPEN SESSION**

Larry Morrissette, PO Box 3036, Auburn; and Dan Bilodeau, 207 No Auburn Road.

## **CLOSED OPEN SESSION**

## **FUTURE AGENDA/WORKSHOP ITEMS**

- Councilors should submit questions regarding Lewiston-Auburn Watershed Protection Commission/Water District to the Mayor; Norm Lamie will be invited to a workshop to answer the various questions
- Crosswalks
- Traffic flow; lights; and synchronization
- Police at construction sites for better traffic flow
- Adopt an ordinance for construction projects to take place at night

## **ADJOURNMENT – 8:25 P.M.**

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

A TRUE RECORD ATTEST: \_\_\_\_\_

CITY CLERK

## **CITY OF AUBURN AUGUST 17, 2009 CITY COUNCIL MEETING**

PRESENT

Mayor John T. Jenkins, Councilors Michael J. Farrell, Robert P. Hayes, Daniel R. Herrick, David C. Young, Raymond C. Berube, Ronald W. Potvin, and Robert C. Mennealy, City Manager Glenn Aho, Assistant City Manager Laurie Smith, Finance Director Tracy Roy and City Clerk Mary Lou Magno. There were 13 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 Hayes. Vote: 7 Yeas.

**\*MINUTES OF AUGUST 3, 2009**

Approved under consent agenda.

### **REPORTS OF THE MAYOR**

Mayor Jenkins noted several upcoming events and meetings.

**PROCLAMATION – FAMILY DAY – A DAY TO EAT DINNER WITH YOUR CHILDREN**

Mayor Jenkins read the above proclamation.

**COMMUNICATION FROM AUBURN WATER DISTRICT RE: APPOINTMENT TO LAKE AUBURN WATERSHED PROTECTION COMMISSION**

Councilors suggested that Councilor Farrell be appointed to the Commission.

**REPORTS OF CITY COUNCILORS**

Councilors reported on the Council Committee Assignments

**REPORTS OF THE CITY MANAGER**

**FINANCE REPORT – MONTH OF JULY**

Councilor Hayes moved to accept and place on file the Finance Report for the month of July as presented by Tracy Roy, Finance Director. Seconded by Councilor Young. Vote: 7 Yeas.

**COMMUNICATIONS, PRESENTATIONS, AND RECOGNITIONS**

**COMMUNICATION FROM DEBORA CUSSON RE: RESIGNATION FROM COMMUNITY DEVELOPMENT LOAN COMMITTEE**

Approved under consent agenda.

**COMMUNICATION FROM SUPPORT SOLUTIONS RE: WAIVE FEE FOR PERMIT**

Approved under consent agenda.

**CONTINUATION OF WORKSHOP ITEM D – INGERSOLL ARENA BY-LAWS AND  
ADVISORY COMMITTEE PRESENTATION BY JONATHAN LABONTE – GENERAL  
ACTIVITIES IN COUNTY GOVERNMENT**

Mr. Labonte circulated a written general overview and update of county government.

**OPEN SESSION**

Mike Farrell, 145 Eastman Lane; Richard Trafton, representing Dan & Karen Stearns, regarding Church Street; and Larry Morrissette, PO Box 3036, Auburn.

**CLOSED OPEN SESSION**

**UNFINISHED BUSINESS**

**1. ORDINANCE – CHAPTER 29, AMENDMENTS TO SECTIONS 7.1 SITE PLAN  
REVIEW**

**AND 7.3 SUBDIVISIONS (2ND READING)**

Councilor Berube moved for acceptance of second reading and final passage. Seconded by

Councilor Herrick. Vote: 7 Yeas.

Note: A communication from Attorney Elliott Epstein was made a part of the record.

## **NEW BUSINESS**

### **2. RESOLVE – AUTHORIZE TAX ASSESSOR TO ABATE TAXES RE: LITTLEFIELD HYDRO COMPANY**

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

Glenn Aho, City Manager and Cheryl Dubois, Tax Assessor, answered Councilors questions. Vote: 7 Yeas.

### **3. PUBLIC HEARING AND ACTION REGARDING DETERMINATION OF PRESUMED**

#### **ABANDONED ROADS FOR BROWN'S CROSSING RD, ELMWOOD RD, SOPERS MILL RD, RANGE RD AND RYAN'S WAY**

##### **A. RESOLVE – DETERMINATION OF A PRESUMPTION OF ABANDONMENT FOR A PORTION OF BROWNS CROSSING ROAD**

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

Mayor Jenkins opened the public hearing and the following people spoke: Calvin Beaumier; Gary Johnson, Assistant City Engineer; David Galbraith, Director of Planning and Permitting; and Glenn Aho, City Manager.

Mayor Jenkins closed the public hearing.

Vote: 6 Yeas with Councilor Potvin voting Nay.

**B. RESOLVE – DETERMINATION OF A PRESUMPTION OF ABANDONMENT FOR  
A PORTION OF ELMWOOD ROAD**

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

Mayor Jenkins opened the public hearing and the following people spoke: Arlana Davis; Terry Dailey; and Arthur Lagasse. Mayor Jenkins closed the public hearing.

Councilor Farrell moved to table. Seconded by Councilor Berube. Vote: 5 Yeas with Councilors Hayes and Potvin voting Nay.

**C. RESOLVE – DETERMINATION OF A PRESUMPTION OF ABANDONMENT FOR  
A PORTION OF SOPERS MILL ROAD**

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

Mayor Jenkins opened the public hearing and the following people spoke: David Galbraith; Kathy Shaw; and Rene Bilodeau. Mayor Jenkins closed the public hearing.

Vote: 7 Yeas.

**D. RESOLVE – DETERMINATION OF A PRESUMPTION OF ABANDONMENT**

## **OF THE RANGE ROAD**

Councilor Berube moved for passage of the resolve. Seconded by Councilor Herrick. Mayor

Jenkins opened and closed the public hearing with no public comment.

Vote: 7 Nays. NOT PASSED

## **E. RESOLVE – DETERMINATION OF A PRESUMPTION OF ABANDONMENT FOR A PORTION OF RYAN’S WAY**

Councilor Herrick moved to suspend the rules in order to appoint a Mayor Pro Tempore for this item. Seconded by Councilor Potvin. Vote: 7 Yeas.

Councilor Potvin moved to appoint Councilor Berube to serve as Mayor Pro Tempore for this item.

Seconded by Councilor Farrell. Vote: 7 Yeas.

Councilor Mennealy moved for passage of the resolve. Seconded by Councilor Potvin.

Mayor Pro Tempore Berube opened the public hearing and the following people spoke: Dan Bilodeau, 207 North Auburn Road; Kelly Turner, representing Lewiston-Auburn Watershed Protection Commission, circulated a communication from Bryan Dench; and John Jenkins.

Councilor Potvin moved to table. Seconded by Councilor Hayes. Vote: 5 Yeas with Councilor Farrell voting Nay. (Councilor Mennealy out of the room)

**4. ORDINANCE – CHAPTER 20, ARTICLE 1 – INTERNATIONAL BUILDING CODE AND ARTICLE 2 – INTERNATIONAL RESIDENTIAL CODE (1ST READING)**

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

David Galbraith, Director of Planning and Permitting, gave a brief overview of the ordinance and answered Councilors questions.

Vote: 6 Yeas, No Nays (Councilor Mennealy out of the room)

**5. RESOLVE – AUTHORIZE CITY MANAGER TO ACCEPT \$5,000 FROM SPC TRUCKING RE: WEST HARDSCRABBLE ROAD IMPROVEMENTS**

Councilor Farrell moved for passage of the resolve. Seconded by Councilor Young. Vote: 7 Yeas.

**6. SIGN “CERTIFICATE OF SETTLEMENT” FOR 2008-2009 TAX YEAR**

Councilor Berube moved to sign the Certificate of Settlement for 2008-2009 tax year. Seconded by Councilor Mennealy. Vote: 7 Yeas.

**MOVE OPEN SESSION**

Councilor Herrick moved to have “Open Session” prior to the Executive Session. Seconded by Councilor Farrell. Vote: 7 Yeas.

**OPEN SESSION**

Larry Pelletier, PO Box 3036, Auburn; and Dan Bilodeau, 207 North Auburn Road.

OPEN SESSION CLOSED

**EXECUTIVE SESSION**

Councilor Farrell moved to go into Executive Session (Title 1, Section 405, Subsection 6E) for the purpose of discussing eminent domain. Seconded by Councilor Berube. Vote: 6 Yeas, No Nays. (Councilor Mennealy out of the room)

Councilor Farrell moved to come out of Executive Session. Seconded by Councilor Berube. Vote: 5 Yeas, No Nays. (Councilors Young and Mennealy absent)

Councilor Berube moved that the City Manager be authorized to incur legal expenses for the purpose of the City acquiring property by eminent domain. Seconded by Councilor Berube. Vote: 4 Yeas, with Councilor Potvin voting Nay. (Councilors Young and Mennealy absent)

**ADJOURNMENT – 10:55 P.M.**

Councilor Farrell moved to adjourn. Seconded by Councilor Berube. Vote: 5 Yeas, No Nays. (Councilors Young and Mennealy absent).

A TRUE RECORD ATTEST: \_\_\_\_\_

CITY CLERK

## **CITY OF AUBURN SEPTEMBER 8, 2009 CITY COUNCIL MEETING**

### **PRESENT**

Mayor John T. Jenkins, Councilors Michael J. Farrell, Robert P. Hayes, Daniel R. Herrick, David C. Young, Raymond C. Berube, Ronald W. Potvin, and Robert C. Mennealy, City Manager Glenn Aho, Assistant City Manager Laurie Smith, Finance Director Tracy Roy and City Clerk Mary Lou Magno. There were 19 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 Mennealy. Vote: 7 Yeas.

**\*MINUTES OF AUGUST 17, 2009**

Approved under consent agenda.

### **REPORTS OF THE MAYOR**

Mayor Jenkins noted the passing of Aaron White, husband of city employee Christina White; the Mayor expressed thoughts of sympathy to the White family.

Mayor Jenkins announced September 30th – Maine Health Partnership Day – “Partnership Prescription Assistance”.

## **REPORTS OF CITY COUNCILORS**

Councilors reported on their Council Committee Assignments

## **REPORTS OF THE CITY MANAGER**

Manager Aho noted there will be a Council Workshop on Monday, September 14th; also requested that the Council reserve Thursday, October 15th for a Joint Meeting with the Lewiston City Council. Manager Aho spoke about two tax initiatives that will appear on the November 3rd ballot.

## **FINANCE REPORT – MONTH OF JULY**

Councilor Hayes moved to accept and place on file the Finance Report for the month of July as presented by Tracy Roy, Finance Director. Seconded by Councilor Young. Vote: 7 Yeas.

## **COMMUNICATIONS, PRESENTATIONS, AND RECOGNITIONS COMMUNICATION**

**FROM AUBURN KNIGHTS OF COLUMBUS COUNCIL #8742**

**RE:**

**WAIVE FEE FOR PERMIT**

Approved under consent agenda.

**COMMUNICATION FROM CATHOLIC CHARITIES OF MAINE RE: WAIVE FEE FOR PERMIT**

Approved under consent agenda.

**OPEN SESSION**

Richard Gleason, 415 West Auburn Rd; Ron Jean, Lewiston; and Dan Bilodeau, 207 North Auburn Rd.

**CLOSED OPEN SESSION**

**UNFINISHED BUSINESS**

**1. ORDINANCE – CHAPTER 20, ARTICLE 1 – INTERNATIONAL BUILDING CODE AND ARTICLE 2 – INTERNATIONAL RESIDENTIAL CODE (2ND READING)**

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

**2. RESOLVE – DETERMINATION OF A PRESUMPTION OF ABANDONMENT FOR A PORTION OF ELMWOOD ROAD (TABLED 8/17/09)**

Councilor Potvin moved to remove this item from the table for discussion purposes only.

Seconded by Councilor Herrick. Vote: 6 Yeas with Councilor Farrell voting Nay.

City Manager Aho answered Councilors questions.

Councilor Berube moved to table. Seconded by Councilor Herrick. Vote: 7 Yeas.

**3. RESOLVE – DETERMINATION OF A PRESUMPTION OF ABANDONMENT FOR A PORTION OF RYAN’S WAY (TABLED 8/17/2009)**

Councilor Potvin moved to remove this item from the table. No Second.

**NEW BUSINESS**

**1. RESOLVE – ACCEPTING CERTAIN FORFEITED FUNDS (\$3,255)**

Councilor Berube moved for passage of the resolve. Seconded by Councilor Young. Vote: 7 Yeas.

**OPEN SESSION**

Terry Dailey, North River Road; and Dan Bilodeau, 207 North Auburn Road.

**FUTURE AGENDA/WORKSHOP ITEMS**

- Councilor Herrick - Request recommendation from Planning Board Re: Windmill ordinance
- Councilor Farrell - Mayor Jenkins appoint a City Councilor to the Water District

- Councilor Potvin – Discussion regarding the future goals and development of recreation areas (Androscoggin Land Trust)

**ADJOURNMENT – 8:20 P.M.**

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

A TRUE RECORD ATTEST: \_\_\_\_\_ CITY CLERK

**CITY OF AUBURN SEPTEMBER 21, 2009 CITY COUNCIL MEETING**

PRESENT

Mayor John T. Jenkins, Councilors Michael J. Farrell, Daniel R. Herrick, David C. Young, Raymond C. Berube, Ronald W. Potvin, and Robert C. Mennealy, City Manager Glenn Aho, Assistant City Manager Laurie Smith, Finance Director Tracy Roy and City Clerk Mary Lou Magno. Councilor Robert P. Hayes was absent. There were 18 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: 6 Yeas, No Nays.

**\*MINUTES OF SEPTEMBER 8, 2009**

Approved under consent agenda.

## **REPORTS OF THE MAYOR**

Mayor Jenkins appointed Councilor Berube to serve on the Water District.

Mayor Jenkins announced September 30th – Maine Health Partnership Day – “Partnership Prescription

Assistance”; he also mentioned several upcoming events at the Auburn Public Library.

## **REPORTS OF CITY COUNCILORS**

Councilors reported on their Council Committee Assignments

## **REPORTS OF THE CITY MANAGER**

### **FINANCE REPORT – MONTH OF AUGUST**

Councilor Berube moved to accept and place on file the Finance Report for the month of August as presented by Tracy Roy, Finance Director. Seconded by Councilor Farrell. Vote: 6 Yeas, No Nays.

## **COMMUNICATIONS, PRESENTATIONS, AND RECOGNITIONS**

### **COMMUNICATION FROM REPUBLIC JEWELRY & COIN RE: RENEWAL OF PAWN LICENSE**

Approved under consent agenda.

**OPEN SESSION** – No one spoke – CLOSED OPEN SESSION

**UNFINISHED BUSINESS**

None

**NEW BUSINESS**

**1. ORDINANCE – AMENDMENT TO ZONING ORDINANCE – LOT SIZE  
REQUIREMENTS FOR TWO-FAMILY IN URBAN RESIDENTIAL ZONE**

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

Eric Cousens, City Planner, explained the above ordinance and answered Councilors questions. Vote: 6

Yeas, No Nays.

**2. RESOLVE – AUTHORIZING THE CITY MANAGER TO EXECUTE DOCUMENTS  
– TAX INCREMENT FINANCING DISTRICT #16 – WEBSTER SCHOOL REDEVELOPMENT  
AFFORDABLE HOUSING AND SUBMIT TO THE MAINE STATE HOUSING AUTHORITY  
(PUBLIC HEARING)**

Mayor Jenkins opened and closed the public hearing with no public comment.

Councilor Farrell moved for passage of the resolve. Seconded by Councilor Berube. Vote: 6 Yeas, No Nays.

**3. RESOLVE – ADOPTION OF BY-LAWS FOR INGERSOLL ICE ARENA COMMITTEE FOR EXCELLENCE (ICE)**

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

Glenn Aho, City Manager and Peter Bushway, Parks and Recreation Director, explained the above resolve and answered Councilors questions.

Vote: 6 Yeas, No Nays.

**4. RESOLVE – ADOPTION OF INGERSOLL ICE ARENA TRUST FUND**

Councilor Farrell moved for passage of the resolve. Seconded by Councilor Berube. Vote: 6 Yeas, No Nays.

**5. RESOLVE – ACCEPTANCE OF MERRILL HILL SCHOOL (PROPERTY ID 239-226)**

**AND LAND LAB (PROPERTY ID 387-028) FROM THE SCHOOL COMMITTEE**

Councilor Farrell moved for passage of the resolve. Seconded by Councilor Potvin. Glenn Aho, City Manager answered Councilors questions.

Vote: 6 Yeas, No Nays.

**OPEN SESSION** – No one spoke – CLOSED OPEN SESSION

**FUTURE AGENDA/WORKSHOP ITEMS**

Discussions with regard to the disposition of Merrill Hill and Land Lab should take place in the near future.

**ADJOURNMENT – 7:45 P.M.**

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

A TRUE RECORD ATTEST: \_\_\_\_\_ CITY CLERK

**CITY OF AUBURN OCTOBER 5, 2009 CITY COUNCIL MEETING**

PRESENT

Mayor John T. Jenkins, Councilors Michael J. Farrell, Robert P. Hayes, Daniel R. Herrick, David C. Young, Raymond C. Berube, Ronald W. Potvin, and Robert C. Mennealy, City Manager Glenn Aho, Assistant City Manager Laurie Smith, Finance Director Tracy Roy and City Clerk Mary Lou Magno. There were 27 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 Hayes. Vote: 7 Yeas.

**\*MINUTES OF SEPTEMBER 21, 2009**

Approved under consent agenda.

## **REPORTS OF THE MAYOR**

Mayor Jenkins mentioned the following events: Winterizing L/A; Jerry Mathers (Leave it to Beaver) Prescription Assistance Program; Public Skating at Ingersoll Arena; and Open House at the Auburn Fire Department.

## **REPORTS OF CITY COUNCILORS**

Councilors reported on their Council Committee Assignments

## **REPORTS OF THE CITY MANAGER**

## **COMMUNICATIONS, PRESENTATIONS, AND RECOGNITIONS**

### **COMMUNICATION FROM EDWARD LITTLE HIGH SCHOOL GRANDSTAND CLUB RE: WAIVE FEE FOR VICTUALERS LICENSE**

Approved under consent agenda.

### **COMMUNICATION FROM AUBURN SKI ASSOCIATION RE: TEMPORARY SIGNS**

Approved under consent agenda.

## **1. PETITION REQUESTING DISCONTINUANCE OF A PORTION OF ELMWOOD ROAD**

Councilor Herrick moved to accept the petition and place it on file. Seconded by Councilor Berube. Vote: 7 Yeas.

## **OPEN SESSION**

Brian Bolduc, 54 Riverside Drive; Dominique Casavant, 158 Valview Drive; Larry Morrissette, PO Box 3037; and Michael Scott, 549 South Witham Road.

## **CLOSED OPEN SESSION**

## **UNFINISHED BUSINESS**

### **2. ORDINANCE – AMENDMENT TO ZONING ORDINANCE – LOT SIZE**

#### **REQUIREMENTS FOR TWO-FAMILY IN URBAN RESIDENTIAL ZONE (SECOND READING)**

Councilor Berube moved for acceptance of second reading and final passage. Seconded by Councilor Young.

Councilor Hayes moved to table. Seconded by Councilor Potvin. Vote: 5 Nays with Councilors Hayes and Potvin voting Yea.

Morrissette, PO Box 3037, made comments regarding the above ordinance. Vote: 5 Yeas with Councilors Hayes and Potvin voting Nay.

## **NEW BUSINESS**

**3. RESOLVE – AUTHORIZING THE CITY MANAGER TO EXECUTE AGREEMENT WITH UNITED AMBULANCE SERVICE**

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

Fire Chief Wayne Werts and City Manager Glenn Aho explained the above resolve and answered Councilors questions.

Councilor Potvin moved to amend by adding language in the agreement to include a seven member advisory council that would oversee the operations of this service. Seconded by Councilor Mennealy.

Vote on the amendment: 5 Nays with Councilors Potvin and Mennealy voting Yea. NOT PASSED

Michael Scott, 549 South Witham Road, make comments regarding the above action.

Vote: 6 Yeas with Councilor Potvin voting Nay.

**4. ORDINANCE – AMENDMENT TO CHAPTER 26, SECTION 4.4 – PARKING BAN & SECTION 4.4a – PLACING SNOW UPON ROADS AND SIDEWALKS (FIRST READING**

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

Eric Labelle, Director of Community Services and Police Chief Phil Crowell explained the above

ordinance and answered Councilors questions. Vote: 7

Yeas.

## **5. RESOLVE – COMMUNITY CORDS PROGRAM**

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

Bob Belz, Public Works Director, answered Councilors questions.

Vote: 6 Yeas, No Nays. (Councilor Mennealy out of the room)

## **6. SIGN WARRANTS FOR NOVEMBER 3RD MUNICIPAL ELECTION**

Councilors signed the election warrants for the November 3rd Municipal Election.

## **OPEN SESSION**

Larry Morrisette, PO Box 3037;

CLOSED OPEN SESSION

## **FUTURE AGENDA/WORKSHOP ITEMS**

None

**ADJOURNMENT – 8:30 P.M.**

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

A TRUE RECORD ATTEST: \_\_\_\_\_ CITY CLERK

**CITY OF AUBURN OCTOBER 19, 2009 CITY COUNCIL MEETING**

**PRESENT**

Mayor John T. Jenkins, Councilors Michael J. Farrell, Robert P. Hayes, Daniel R. Herrick, David C. Young, Ronald W. Potvin, and Robert C. Mennealy, City Manager Glenn Aho, Assistant City Manager Laurie Smith, Finance Director Tracy Roy and City Clerk Mary Lou Magno. Councilor Raymond C. Berube was absent. There were 27 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 Hayes moved to accept, approve and place on file the items marked with an asterisk. Seconded by Councilor Herrick. Vote: 5 Yeas, No Nays with Councilor Young abstaining.

**\*MINUTES OF OCTOBER 5, 2009**

Approved under consent agenda.

**REPORTS OF THE MAYOR**

Mayor Jenkins mentioned the following events: Rail Meeting at the Lewiston Public Library on October 22nd at 6 pm; Tax Reform discussion, October 29th at 6 pm; Winterize L/A; and Wreaths Across America.

## **REPORTS OF CITY COUNCILORS**

Councilors reported on their Council Committee Assignments

## **REPORTS OF THE CITY MANAGER**

### **FINANCE REPORT – MONTH OF SEPTEMBER**

Councilor Hayes moved to accept the Finance Report for the month of September as prepared and presented by Tracy Roy, Finance Director. Seconded by Councilor Potvin. Vote: 6 Yeas, No Nays.

## **COMMUNICATIONS, PRESENTATIONS, AND RECOGNITIONS**

### **COMMUNICATION FROM DANVILLE JUNCTION GRANGE RE: WAIVE FEE FOR VICTUALERS LICENSE**

Approved under consent agenda.

## **OPEN SESSION**

Larry Morrissette, PO Box 3037.

CLOSED OPEN SESSION

**UNFINISHED BUSINESS**

**1. ORDINANCE – AMENDMENT TO CHAPTER 26, SECTION 4.4 – PARKING BAN  
& SECTION 4.4a – PLACING SNOW UPON ROADS AND SIDEWALKS (SECOND  
READING)**

Councilor Farrell moved for acceptance of second reading and final passage. Seconded by Councilor Potvin.

Vote: 6 Yeas, No Nays.

**NEW BUSINESS**

**2. PUBLIC HEARING – GRAVEYARD/JUNKYARD APPLICATIONS FOR: M&P AUTO,  
INC., BUCK’S AUTO, MORRIS AUTO PARTS, INC., ISADORE T. MILLER CO., MAINE  
METAL RECYCLING AND RANDY’S AUTO PARTS**

Mayor Jenkins opened and closed the public hearing with no public comments.

Councilor Herrick moved to approved issuance of permits for the above named junkyards.

Seconded by Councilor Hayes. Vote: 6 Yeas, No Nays.

**3. PUBLIC HEARING – LIQUOR LICENSE AND SPECIAL AMUSEMENT PERMIT  
APPLICATIONS FOR RACK M UP BILLIARDS**

Mayor Jenkins opened the public hearing. Dwight Jordan, 65 Snell Hill Road, Turner, new owner of Rack M Up Billiards answered Councilors questions.

Councilor Farrell moved to approve both licenses contingent upon Fire Department approval. Seconded by Councilor Hayes. Vote: 6 Yeas, No Nays.

**4. RESOLVE – APPROVAL OF COMMUNITY DEVELOPMENT GUIDELINES CHANGES**

Councilor Potvin moved for passage of the resolve. Seconded by Councilor Hayes. Vote: 6 Yeas, No Nays.

**5. ORDINANCE – AMENDMENT TO CHAPTER 26, ARTICLE 9, SECTION 3 – MILLER ALLEY – ONE WAY (FIRST READING)**

Councilor Hayes moved for acceptance of first reading. Seconded by Councilor Young.

Eric Labelle, Director of Community Services, answered Councilors questions.

Vote: 6 Yeas, No Nays.

**6. RESOLVE – AUTHORIZE CITY MANAGER TO ENTER INTO A CONTRACT TO PURCHASE THE ENERGOV SOFTWARE PACKAGE ALONG WITH SUPPORTING HARDWARE AND SOFTWARE COMPONENTS**

Councilor Potvin moved for passage of the resolve. Seconded by Councilor Farrell.

The following made comments regarding the above resolve: Glenn Aho, City Manager, Laurie Smith, Assistant City Manager, Larry Morrissette, Phil Nadeau, Acting City Administrator, Lewiston and Francois Bussiere, 9 Winter Street.

Vote: 5 Yeas, No Nays with Councilor Mennealy out of the room.

**OPEN SESSION** Larry Morrissette, PO Box 3037; **CLOSED OPEN SESSION**

**FUTURE AGENDA/WORKSHOP ITEMS**

None

**ADJOURNMENT** – 8:30 P.M.

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

A TRUE RECORD ATTEST: \_\_\_\_\_ CITY CLERK

**CITY OF AUBURN NOVEMBER 2, 2009 CITY COUNCIL MEETING**

PRESENT

Mayor John T. Jenkins, Councilors Michael J. Farrell, Robert P. Hayes, Daniel R. Herrick, David C. Young, Raymond C. Berube, Ronald W. Potvin, and Robert C. Mennealy, City Manager Glenn Aho, Assistant City Manager Laurie Smith, Finance Director Tracy Roy and City Clerk Mary Lou Magno. There were 17 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 Potvin. Vote: 7 Yeas.

\*MINUTES OF OCTOBER 19, 2009

Approved under consent agenda.

## **REPORTS OF THE MAYOR**

Mayor Jenkins presented “Compassionate Corporate Awards” to WalMart and Mechanics Savings Bank; and “Compassionate Citizens Awards” to Ed and Sheila Desgrosseilliers, Virginia and Conrad Levasseur, and Dan and Marie Herrick. Mayor Jenkins recognized the City of Auburn Wellness Team for the recent recognition by the American Heart Association.

## **REPORTS OF CITY COUNCILORS**

Councilors reported on their Council Committee Assignments

## **REPORTS OF THE CITY MANAGER**

None

## **ADD TO THE AGENDA**

Councilor Potvin moved that a discussion regarding “Community Ambassador Program” be added to the agenda under New Business. Seconded by Councilor Berube. Vote: 7 Yeas.

## **COMMUNICATIONS, PRESENTATIONS, AND RECOGNITIONS**

## **OPEN SESSION**

David & Deb Pontbriand, Ninth Street; Larry Morrissette, PO Box 3037; Larry Pelletier, 129 Second Street; and Jonathan Labonte, 41 Third Street.

## **CLOSED OPEN SESSION**

## **UNFINISHED BUSINESS**

### **1. ORDINANCE – AMENDMENT TO CHAPTER 26, ARTICLE 9, SECTION 3 – MILLER ALLEY – ONE WAY (SECOND READING)**

Councilor Farrell moved for acceptance of second reading and final passage. Seconded by Councilor Hayes.

Eric Labelle, Director of Community Services, answered Councilors questions. Vote: 7 Yeas.

## **NEW BUSINESS**

### **2. ORDINANCE – AMENDMENT TO CHAPTER 31 – ADOPTION OF THE UPDATED**

## **GENERAL ASSISTANCE MAXIMUMS (FIRST READING)**

Councilor Farrell moved for acceptance of first reading. Seconded by Councilor Potvin. Vote: 7 Yeas.

## **3. RESOLVE – ACCEPTANCE OF 10 YEAR PLAN L/A HOMELESSNESS NEEDS ASSESSMENT REPORT**

Councilor Farrell moved for passage of the resolve. Seconded by Councilor Berube. Vote: 6 Yeas, No Nays with Councilor Mennealy out of the room.

## **4. RESOLVE – STATE OF MAINE RAILROAD INVESTMENT PLAN**

Councilor Farrell moved for passage of the resolve. Seconded by Councilor Young. Jonathan Labonte, 41 Third Street, made comments regarding the above resolve. Vote: 7 Yeas.

## **COMMUNITY AMBASSADOR PROGRAM**

Councilors discussed a “Community Ambassador Program”.

## **OPEN SESSION**

Larry Morrissette, PO Box 3037; CLOSED

OPEN SESSION

## **FUTURE WORKSHOP/AGENDA ITEMS**

ICE Committee

## **ADJOURNMENT**

Councilor Berube moved to adjourn. Seconded by Councilor Young. Vote: 6 Yeas, No Nays, with Councilor Mennealy out of the room.

A TRUE RECORD ATTEST: \_\_\_\_\_ CITY CLERK

CITY OF AUBURN

## **NOVEMBER 16, 2009 CITY COUNCIL MEETING**

### **PRESENT**

Mayor John T. Jenkins, Councilors Michael J. Farrell, Robert P. Hayes, Daniel R. Herrick, David C. Young, Raymond C. Berube, and Ronald W. Potvin, City Manager Glenn Aho, Assistant City Manager Laurie Smith, Finance Director Tracy Roy and City Clerk Mary Lou Magno. Councilor Robert C. Mennealy was absent. There were 45 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 led by Boy Scout Troop 137.

### **CONSENT AGENDA**

Councilor Berube moved to accept, approve and place on file the item marked with an asterisk. Seconded by Councilor Hayes. Vote: 6 Yeas, No Nays.

**\*MINUTES OF NOVEMBER 2, 2009**

Approved under consent agenda.

**REPORTS OF THE MAYOR**

Mayor Jenkins presented “Compassionate Corporate Awards” to Roger Blais, Roger’s Haircutters; Patricia Long-Cressey, Gregory’s; Stephen Austin, Austin Associates; Paradise Salon and Spa; George Schott; and Gendron and Gendron. Mayor Jenkins presented a “Compassionate Citizens Award” to The Titus Family.

**REPORTS OF CITY COUNCILORS**

Councilors reported on their Council Committee Assignments; Councilor Herrick presented a petition signed by 69 residents of Auburn requesting that the City Council take action to improve the safety to those who travel and reside on or near Minot Avenue and further request that the City Council explore all available options to improve traffic and pedestrian safety on Minot Avenue and recommend any possible safety improvements to the State if necessary.

**REPORTS OF THE CITY MANAGER**

**FINANCE REPORT – MONTH OF OCTOBER**

Councilor Hayes moved to accept and place on file the Finance Report for the Month of October as presented by Tracy Roy, Finance Director. Seconded by Councilor Berube. Vote: 6 Yeas, No

Nays.

## **COMMUNICATIONS, PRESENTATIONS, AND RECOGNITIONS**

### **OPEN SESSION**

Andy Titus, 17 Lamplighter Circle CLOSED

OPEN SESSION

### **UNFINISHED BUSINESS**

#### **1. ORDINANCE – AMENDMENT TO CHAPTER 31 – ADOPTION OF THE UPDATED GENERAL ASSISTANCE MAXIMUMS (SECOND READING)**

Councilor Farrell moved for acceptance of second reading and final passage. Seconded by Councilor Hayes. Vote: 6 Yeas, No Nays.

### **NEW BUSINESS**

#### **2. PUBLIC HEARING – LIQUOR LICENSE AND SPECIAL AMUSEMENT PERMIT APPLICATIONS FOR GOURMET SAUCES UNLIMITED, LLC D/B/A O’SHEA’S IRISH RESTAURANT AND SALSA CANTINA, 34 COURT STREET**

Mayor Jenkins opened and closed the public hearing with no public comment.

Councilor Farrell moved to approve the licenses contingent upon Fire and Planning and Permitting Departments giving their approval. Seconded by Councilor Berube. Vote: 6 Yeas, No Nays.

**3. PUBLIC HEARING – LIQUOR LICENSE AND SPECIAL AMUSEMENT PERMIT**

**APPLICATIONS FOR JN ENTERPRISES, INC., D/B/A MARTINDALE**

**COUNTRY CLUB, 527 BEECH HILL ROAD**

Mayor Jenkins opened and closed the public hearing with no public comment.

Councilor Farrell moved to approve the licenses. Seconded by Councilor Berube. Vote: 6 Yeas, No Nays.

**4. RESOLVE – ACCEPTANCE OF THE TWO (2) WOOD FRAME BUILDINGS KNOWN AS “THE KNIGHT HOUSE” AND THE “DOWNING SHOE SHOP” FROM**

**AUBURN HERITAGE INC.**

Councilor Berube moved for passage of the resolve. Seconded by Councilor Young. Laurie Smith, Assistant City Manager, answered Councilors questions.

Marilyn Wilkinson, President of Auburn Heritage Inc. spoke in favor of the above resolve. Vote: 6 Yeas, No Nays.

**5. RESOLVE – ADOPTION OF INTERLOCAL AGREEMENT ESTABLISHING THE JOINT PURCHASE AND OPERATION OF ENERGOV SOFTWARE**

Councilor Berube moved for passage of the resolve. Seconded by Councilor Young. Vote: 6 Yeas, No Nays.

## **6. RESOLVE – APPOINTMENT OF TWO (2) ACTING ASSESSORS**

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

moved to amend by adding the words at the end “until January 18th”.

Seconded by Councilor Potvin.

Vote on the amendment: 6 Yeas, No Nays.

Vote on passage of the resolve as amended: 6 Yeas, No Nays.

## **ADD TO AGENDA – PUBLIC OFFICIALS ATTIRE**

Councilor Farrell moved to add to the agenda a discussion regarding Public Officials Attire. Seconded by Councilor Herrick. Vote: 5 Yeas with Councilor Hayes voting Nay.

Councilor Hayes moved to table. Seconded by Councilor Young. Vote: 4 Nays with Councilors Hayes and Young voting Yea.

## **SUSPEND RULES**

Councilor Potvin moved to suspend the rules in order to go into Executive Session. Seconded by

Councilor Hayes. Vote: 6 Yeas. No Nays.

## **EXECUTIVE SESSION**

Councilor Potvin moved to go into Executive Session (Title 1 M.R.S.A. Section 405(2)) for the purpose of discussing real estate. Seconded by Councilor Hayes. Vote: 6 Yeas, No Nays.

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

## **OPEN SESSION**

Ann Parker, 69 Summit Street, read a letter on behalf of the community and friends and supporters of Mayor Jenkins, thanking him for his three years of service to the City of Auburn as Mayor. David Dooley, 50 Heath Lane;

CLOSED OPEN SESSION

## **ADD TO THE AGENDA – DISCUSSION OF INAUGURAL**

Councilor Farrell moved to add to the agenda a Discussion of the Inaugural. Seconded by Councilor Herrick. Vote: 4 Yeas with Councilors Hayes and Young voting Nay.

Councilor Farrell moved that the Inaugural be held at City Hall with no catering and the money saved from this event be put toward fuel assistance. Seconded by Councilor Herrick.

The following people made comments: Larry Pelletier, 129 Second Street; Bob Cavanagh, 127 Field Avenue; Belinda Gerry, 143 Mill Street; and Francois Bussiere, 9 Winter Street.

Vote: 4 Yeas with Councilors Hayes and Young voting Nay.

## **EXECUTIVE SESSION**

Councilor Berube moved to go into Executive Session (Title 1 M.R.S.A. Section 405(3)) for the purpose of discussing labor negotiations. Seconded by Councilor Herrick. Vote: 5 Yeas, No Nays with Councilor Potvin recusing himself.

Councilor Berube moved to come out of Executive Session. Seconded by Councilor Young. Vote: 5 Yeas, No Nays.

Parting comments were made by both Mayor Jenkins and Councilor Potvin.

## **ADJOURNMENT**

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

A TRUE RECORD ATTEST: \_\_\_\_\_ CITY CLERK

## **CITY OF AUBURN DECEMBER 21, 2009 CITY COUNCIL MEETING**

### **PRESENT**

Mayor Richard D. Gleason, Councilors Michael J. Farrell, Robert P. Hayes, Daniel R. Herrick, David C. Young, Raymond C. Berube, Eric G. Samson and Belinda A. Gerry, City Manager Glenn Aho, Assistant City Manager Laurie Smith, Finance Director Tracy Roy and City Clerk Mary Lou Magno. There were 16 people in the audience.

Mayor Gleason 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 item marked with an asterisk. Seconded by Councilor Gerry. Vote: 7 Yeas.

**\*MINUTES OF NOVEMBER 16, 2009**

Approved under consent agenda.

## **REPORTS OF THE MAYOR**

Mayor Gleason announced his Council Committee Assignments to the various boards and committees to which each Councilor is appointed. (A copy of the list is on file in the City Clerk's Office).

## **REPORTS OF CITY COUNCILORS**

Councilors reported on their Council Committee Assignments

## **REPORTS OF THE CITY MANAGER**

City Manager Aho distributed the December Monthly Report and also the Supplemental Finance Reports.

## **FINANCE REPORT – MONTH OF NOVEMBER**

Councilor Farrell moved to accept and place on file the Finance Report for the Month of November as presented by Tracy Roy, Finance Director. Seconded by Councilor Berube. Vote: 7 Yeas.

## **COMMUNICATIONS, PRESENTATIONS, AND RECOGNITIONS**

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

Approved under consent agenda.

## **OPEN SESSION**

Larry Pelletier, 129 Second Street; and Charles Ryan, Federal Agency for Homelessness.

CLOSED OPEN SESSION

## **UNFINISHED BUSINESS**

None

## **NEW BUSINESS**

### **1. RESOLVE – TAX ABATEMENT – 2207 POWNAL ROAD**

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

Glenn Aho, City Manager, explained the above resolve.

Mary Divine, attorney for the family made comments; Darlene Harris and Ruth White, Pownal Road, requested that the Council approve abatements back to 1998 when the original error occurred.

Vote: 7 Yeas.

**2. RESOLVE – CONTRACT FOR THE AUTHORIZATION OF A REAL ESTATE AGENT TO SELL CITY PROPERTY**

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

Laurie Smith, Assistant City Manager, explained the above resolve.

Councilor Berube moved to amend by adding the former Gooseberry Barn property to this resolve. No Second.

Vote: 7 Yeas.

**3. RESOLVE – ACCEPTING CERTAIN FORFEITED FUNDS (\$1,742) AND PROPERTY**

Councilor Herrick moved for passage of the resolve. Seconded by Councilor Berube. Vote: 7 Yeas.

**4. PUBLIC HEARING – SPECIAL AMUSEMENT PERMIT APPLICATIONS FOR: AMERICAN LEGION, AUBURN FIRESIDE INN & SUITES, LOST VALLEY, WILLIAM J ROGERS POST 153, NEW AUBURN SOCIAL CLUB AND VFW CAPT FRANK HULETT POST #1603**

Mayor Gleason opened and closed the public hearing with no public comment.

Councilor Berube moved to approve all the above-named permits. Seconded by Councilor Young.  
Vote: 7 Yeas.

**5. RESOLVE – RECOGNITION OF FLAG POLE PROJECT**

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

Glenn Aho, City Manager and Ed Desgrosseilliers, Hatch Road made comments regarding the above resolve.

Vote: 7 Yeas.

## **6. SET DATES FOR COUNCIL MEETINGS IN JANUARY**

Councilor Berube moved that the two Council Meetings in January be held on January 5th and 19th. Seconded by Councilor Gerry. Vote: 7 Yeas.

## **7. EXECUTIVE SESSION**

Councilor Berube moved to go into Executive Session (Title 1 M.R.S.A. Section 405(C)) Fire Labor Negotiations. Seconded by Councilor Herrick. Vote: 7 Yeas.

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Councilor Farrell moved to come out of Executive Session. Seconded by Councilor Hayes. Vote: 7 Yeas.

## **ADD TO THE AGENDA**

Councilor Young moved to suspend the rules and add an item to the agenda. Seconded by Councilor Berube. Vote: 6 Yeas with Councilor Gerry voting Nay.

## **AUTHORIZE CITY MANAGER TO ENTER INTO COLLECTIVE BARGAINING AGREEMENT**

Councilor Berube moved that the City Manager be authorized to enter into a collective bargaining agreement with the Local 797 Firefighters. Seconded by Councilor Young.

Glenn Aho, City Manager, answered Councilors questions.

**OPEN SESSION**

Larry Pelletier, 129 Second Street; CLOSED

OPEN SESSION

**FUTURE AGENDA/WORKSHOP ITEMS**

Compensation for Councilor serving on School Committee

Community Little Theater

Review of Mayor and Council Budget

Budget Meeting(s) with School Committee

**ADJOURNMENT – 8:20 PM**

Councilor Herrick moved to adjourn. Seconded by Councilor Farrell. Vote: 7 Yeas.

A TRUE RECORD ATTEST: \_\_\_\_\_ CITY CLERK

**CITY OF AUBURN JANUARY 5, 2010 CITY COUNCIL MEETING**

PRESENT

Mayor Richard D. Gleason, Councilors Michael J. Farrell, Robert P. Hayes, Daniel R. Herrick, David C. Young, Raymond C. Berube, Eric G. Samson and Belinda A. Gerry, City Manager Glenn Aho, Assistant City Manager Laurie Smith, and City Clerk Mary Lou Magno. Tracy Roy, Finance Director was absent. There were 16 people in the audience.

Mayor Gleason 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 item marked with an asterisk. Seconded by Councilor Hayes. Vote: 7 Yeas.

### **\*MINUTES OF DECEMBER 21, 2009**

Approved under consent agenda.

### **REPORTS OF THE MAYOR**

Mayor Gleason recently attended the opening of the Vincent Block located in New Auburn. He also noted three projects that he hopes the City Council will be involved in moving along: Exit 75; ELHS accreditation; and the passenger rail project.

### **REPORTS OF CITY COUNCILORS**

Councilors reported on their Council Committee Assignments

### **REPORTS OF THE CITY MANAGER**

City Manager Aho spoke about State revenue shortfalls; the City recently received a \$105,000 grant for the EnerGov project; and the City has realized \$9,200 in revenues through ambulance calls.

### **COMMUNICATIONS, PRESENTATIONS, AND RECOGNITIONS COMMUNICATION**

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

Approved under consent agenda.

### **OPEN SESSION**

Dave and Deb Pontbriand, 118 Ninth Street; and Larry Morrissette, PO Box 3036.

### **CLOSED OPEN SESSION**

### **UNFINISHED BUSINESS**

**1. RESOLVE – AUTHORIZING CITY MANAGER TO PROVIDE DINNERS FOR COUNCIL MEMBERS**

Councilor Young moved for passage of the resolve. Seconded by Councilor Farrell. Vote: 4

Yeas with Councilors Herrick, Berube and Gerry voting Nay.

**2. RESOLVE – CONFIRMATION OF “AUBURN THE HUB OF MAINE” AS THE CITY’S MARKETING PROGRAM**

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

Brian O’Donnell, Building Solutions, 71 Fletcher Road; Jonathan Labonte, 41 Third Street; and Roland Miller, Director Economic Development.

Vote: 6 Yeas with Councilor Herrick voting Nay.

**NEW BUSINESS**

**3. RESOLVE – TO DESIGNATE PREVIOUSLY AUTHORIZED SCHOOL BONDS TO BE ISSUED AS QUALIFIED ZONE ACADEMY BONDS WITH SINKING FUND FOR REPAYMENT**

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

David Das, Chairman of the School Committee and Jude Cyr, Business Manager of the School Department, both answered Councilors questions.

Vote: 7 Yeas.

**4. RESOLVE – AUTHORIZING ASSIGNMENT AND AMENDMENT TO PREVIOUSLY ISSUED \$2,695,000 CITY OF AUBURN, MAINE, REVENUE BONDS (2007 WORLD HARBORS AND ANGOSTURA INTERNATIONAL LIMITED PROGRAM) (PUBLIC HEARING)**

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

Gleason opened and closed the public hearing with no public comment. Vote: 7 Yeas.

**5. RESOLVE – ADOPTION OF CITIZEN PARTICIPATION PLAN**

Councilor Berube moved for passage of the resolve. Seconded by Councilor Hayes. Vote: 7 Yeas.

**6. RESOLVE – ACCEPTANCE OF OWL LANE**

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

**7. RESOLVE – AUTHORIZE CITY MANAGER TO DISPOSE OF TAX ACQUIRED PROPERTY**

Councilor Farrell moved for passage of the resolve. Seconded by Councilor Young. Vote: 7 Yeas.

**OPEN SESSION**

Larry Morrissette, PO Box 3036; CLOSED

**OPEN SESSION**

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**FUTURE AGENDA/WORKSHOP ITEMS**

City Council and School Committee - Budget Meeting(s)

Form Community Action Group Re: ELHS

Arts Center at new High School – Why retain Great Falls Performing Arts Center

**ADJOURNMENT – 8:20 PM**

Councilor Berube moved to adjourn. Seconded by Councilor Herrick. Vote: 7 Yeas. A

TRUE RECORD ATTEST: \_\_\_\_\_ CITY CLERK

**CITY OF AUBURN JANUARY 19, 2010 CITY COUNCIL MEETING**

**PRESENT**

Mayor Richard D. Gleason, Councilors Michael J. Farrell, Robert P. Hayes, Daniel R. Herrick, David C. Young, Raymond C. Berube, Eric G. Samson and Belinda A. Gerry, City Manager Glenn Aho, Assistant City Manager Laurie Smith, Tracy Roy, Finance Director and City Clerk Mary Lou Magno. There were 34 people in the audience.

Mayor Gleason 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**

The consent agenda was unanimously approved.

## **\*MINUTES OF JANUARY 5, 2010**

Approved under consent agenda.

## **REPORTS OF THE MAYOR**

Mayor Gleason read a prepared written report noting events from January 6 thru January 14. (A copy of the report is on file in the City Clerk's Office.)

## **REPORTS OF CITY COUNCILORS**

Councilors reported on their Council Committee Assignments

## **REPORTS OF THE CITY MANAGER**

City Manager Aho noted that a City Council Workshop will be held on January 25th.

## **FINANCE REPORT – MONTH OF DECEMBER**

Councilor Hayes moved that the Finance Report for the month of December as presented by Tracy Roy, Finance Director, be accepted and placed on file. Seconded by Councilor Berube. Vote: 7 Yeas.

## **COMMUNICATIONS, PRESENTATIONS, AND RECOGNITIONS**

### **PRESENTATION ON TOURISM**

Chip Morrison, Jan Barrett and Susan Stacey presented information on tourism in the Lewiston/Auburn area.

### **OPEN SESSION**

Jordan Daigle-Ashland, 127 Broad Street, presented the Council with several letters from Auburn school students, expressing their concerns regarding the Recycling Program. (Copies of the letters are on file in the City Clerk's Office.)

Mr. Ashland, 127 Broad Street; Diana Carson, 110 Jacques Road; and Dominic Casavant, 158 Valview Drive.

OPEN SESSION CLOSED

### **UNFINISHED BUSINESS**

None

## **NEW BUSINESS**

### **1. ORDINANCE – AMENDMENTS TO CHAPTER 26, ARTICLE 9, REGULATORY SIGNS (FIRST READING)**

Councilor Farrell moved for acceptance of first reading. Seconded by Councilor Samson. Vote: 7

Yeas.

### **2. ORDINANCE – AMENDMENT TO CHAPTER 26, ARTICLE 9, REGULATORY SIGN (NINTH STREET) (FIRST READING)**

Councilor Herrick moved for acceptance of first reading. Seconded by Councilor Hayes. Eric

Labelle, Director of Community Services, answered Councilors questions.

Deb and David Pontbriand, 118 NinthStreet, made comments regarding the above sign. Vote: 6

Nays with Councilor Berube abstaining.

### **3. RESOLVE – AUTHORIZE CITY MANAGER TO DISPOSE OF TAX ACQUIRED PROPERTY LOCATED AT 18 WESTERM PROM AND 126 GOFF STREET**

Councilor Farrell moved to table. Seconded by Councilor Gerry. Vote: 7 Yeas.

### **4. RESOLVE – AUTHORIZE CITY MANAGER TO DISPOSE OF CITY PROPERTY ON SHERWOOD DRIVE**

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

### **5. RESOLVE – RE-APPOINTMENT OF TWO (2) ACTING ASSESSORS**

Councilor Young moved for passage of the resolve. Seconded by Councilor Berube. Vote: 7 Yeas.

### **6. SET DATE FOR SECOND MEETING IN FEBRUARY**

Councilor Gerry moved that the second meeting in February be held on February 16th. Seconded by Councilor Farrell. Vote: 7 Yeas.

## **OPEN SESSION**

No one spoke

CLOSED OPEN SESSION

**ADD TO THE AGENDA**

Councilor Farrell moved to suspend the rules and moved to add an item (Executive Session) to the agenda. Seconded by Councilor Berube. Vote: 7 Yeas.

**EXECUTIVE SESSION**

Councilor Berube moved to go into Executive Session (1 MRSA Section 405 D – Contemplated Litigation). Seconded by Councilor Samson. Vote: 7 Yeas.

Councilor Berube moved to come out of Executive Session. Seconded by Councilor Farrell. Vote: 7 Yeas.

**FUTURE AGENDA/WORKSHOP ITEMS**

Councilor Herrick requested a workshop regarding temporary signs.

**ADJOURNMENT – 9:05 PM**

Councilor Hayes moved to adjourn. Seconded by Councilor Herrick. Vote: 7 Yeas. A

TRUE RECORD ATTEST: \_\_\_\_\_ CITY CLERK

**CITY OF AUBURN FEBRUARY 1, 2010 CITY COUNCIL MEETING**

**PRESENT**

Mayor Richard D. Gleason, Councilors Michael J. Farrell, Robert P. Hayes, Daniel R. Herrick, David C. Young, Raymond C. Berube, Eric G. Samson and Belinda A. Gerry, City Manager Glenn Aho, Assistant City Manager Laurie Smith, Tracy Roy, Finance Director and City Clerk Mary Lou Magno. There were 45 people in the audience.

Mayor Gleason 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 item marked with an asterisk. Seconded by Councilor Young. Vote: 7 Yeas

**\*MINUTES OF JANUARY 19, 2010**

Approved under consent agenda.

**REPORTS OF THE MAYOR**

Mayor Gleason read a prepared written report noting events from January 28 thru January 31. (A copy of the report is on file in the City Clerk's Office.)

## **REPORTS OF CITY COUNCILORS**

Councilors reported on their Council Committee Assignments

## **REPORTS OF THE CITY MANAGER**

None

## **COMMUNICATIONS, PRESENTATIONS, AND RECOGNITIONS**

### **RECOGNIZING RECIPIENTS OF THE 2009 PRESIDENTIAL VOLUNTEER SERVICEAWARDS**

Mayor Gleason and Chief Crowell recognized five Volunteers in Police Service that have been selected to receive the 2009 Presidential Volunteer Service Award for their many hours of service to the Auburn Police Department, they are, Norm Ness, David Levesque, Paul Paradis, Bruce Tilton, and Claire Barclay.

### **PRESENTATION BY AMY SMITH – 2010 US CENSUS BUREAU RECRUITING ASSISTANT**

Amy Smith, Recruiting Assistant, for the 2010 US Census Bureau, spoke about the many temporary, part-time jobs that are available with the Census; she left an information packet with the City Clerk.

### **COMMUNICATION FROM ADVOCATES FOR CHILDREN RE: USE OF CITY PROPERTY**

Councilor Herrick moved to accept the communication, place it on file, and that the request be approved.

Seconded by Councilor Gerry. Vote: 7 Yeas.

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## **OPEN SESSION**

Larry Pelletier, 129 Second Street; Larry Morrissette, PO Box 3037; Rene Ouellette, 511 Merrow Road,

representing the Andy-Valley Sno Gypsies (Mr. Ouellette read a prepared statement – copies of the statement and materials he circulated to the Council are on file in the City Clerk’s Office); and Dan Bilodeau, 207 North Auburn Road. OPEN

**SESSION CLOSED UNFINISHED**

**BUSINESS**

**1. RESOLVE – AUTHORIZE CITY MANAGER TO DISPOSE OF TAX ACQUIRED PROPERTY LOCATED AT 18 WESTERN PROM AND 126 GOFF STREET (TABLED 1/19/2010)**

Councilor Young moved to remove this item from the agenda. Seconded by Councilor Samson. Vote: 7 Yeas.

Councilor Berube moved for passage of the resolve. Seconded by Councilor Young. Vote: 4 Yeas with Councilors Farrell, Herrick and Gerry voting Nay.

**2. ORDINANCE – AMENDMENTS TO CHAPTER 26, ARTICLE 9, REGULATORY SIGNAGE (SECOND READING)**

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

**NEW BUSINESS**

**3. RESOLVE – AUTHORIZE CITY MANAGER TO EXECUTE LEASE WITH NEW AUBURN LITTLE LEAGUE**

Councilor Berube moved for passage of the resolve. Seconded by Councilor Gerry. Vote: 7 Yeas.

**4. ORDINANCE – AMENDMENT TO CHAPTER 29, SECTION 3.69 – SETBACKS IN THE CENTRAL BUSINESS DISTRICT (FIRST READING)**

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

Eric Cousens, City Planner, explained the above ordinance and answered Councilors’ questions. Vote: 5 Yeas with Councilors Farrell and Gerry voting Nay.

**5. RESOLVE – AMENDMENT TO THE URBAN CONDITIONS STUDY OF 1994  
(BLIGHT STUDY)**

Councilor Farrell moved for passage of the resolve. Seconded by Councilor Young. Vote: 7 Yeas.

**6. PUBLIC HEARING AND ACTION ON SPECIAL AMUSEMENT PERMIT  
APPLICATION FOR BABYLON, 34 COURT STREET**

Mayor Gleason opened the public hearing. Mary Katende, Police Chief Crowell, and Larry Morrissette, PO Box 3037, all made comments.

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Councilor Berube moved to approve the permit. Seconded by Councilor Herrick. Vote: 7 Yeas.

**7. EXECUTIVE SESSION TITLE 1 MRSA, SECTION 405(A) PERSONNEL  
(ASSESSOR’S POSITION)**

City Manager Aho requested this be removed from the agenda.

**8. EXECUTIVE SESSION TITLE 1 MRSA, SECTION 405(D) CONTEMPLATED  
LITIGATION)**

Councilor Berube moved to go into Executive Session for the above stated reason. Seconded by Councilor Young. Vote: 7 Yeas.

**OPEN SESSION**

Larry Morrissette, PO Box 3037; CLOSED

OPEN SESSION ADJOURNMENT – 8:35

PM

Councilor Farrell moved to adjourn. Seconded by Councilor Herrick. Vote: 7 Yeas. A

TRUE RECORD ATTEST: \_\_\_\_\_ CITY CLERK

**CITY OF AUBURN FEBRUARY 16, 2010 CITY COUNCIL MEETING**

PRESENT

Mayor Richard D. Gleason, Councilors Michael J. Farrell, Robert P. Hayes, Daniel R. Herrick, David C. Young, Raymond C. Berube, Eric G. Samson and Belinda A. Gerry, City Manager Glenn Aho, Assistant City Manager Laurie Smith, and City Clerk Mary Lou Magno. Tracy Roy, Finance Directors was absent. There were 26 people in the audience.

Mayor Gleason 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 Farrell moved to accept, approve and place on file the item marked with an asterisk. Seconded by Councilor Berube. Vote: 7 Yeas

### **\*MINUTES OF FEBRUARY 1, 2010**

Approved under consent agenda.

### **REPORTS OF THE MAYOR**

Mayor Gleason read a prepared written report noting events from February 2 thru February 14. (A copy of the report is on file in the City Clerk's Office.)

### **REPORTS OF CITY COUNCILORS**

Councilors reported on their Council Committee Assignments

### **REPORTS OF THE CITY MANAGER FINANCE**

### **REPORT – MONTH OF JANUARY**

Councilor Young moved to accept the report and place it on file. Seconded by Councilor Farrell. Vote: 7 Yeas.

### **COMMUNICATIONS, PRESENTATIONS, AND RECOGNITIONS COMMUNICATION FROM MUSEUM LA RE: LA DU (RUN, CYCLE AND RUN EVENT) RE: USE OF CITY PROPERTY AND SERVICES**

Councilor Hayes moved to accept the communication, place it on file and that the request be approved. Seconded by Councilor Young.

Jennifer Dube-Works, Development Director for Museum L-A, explained the above request and answered Councilors questions.

Vote: 7 Yeas.

## **OPEN SESSION**

Marcel Larose, Dag's Bait Shop; and Cindy Leavitt, representing "Healthy Smiles" a non-profit group that will hold a fundraiser on February 27, fishing derby – brochure is on file in the City Clerk's Office.

OPEN SESSION CLOSED

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## **UNFINISHED BUSINESS**

### **1. ORDINANCE – AMENDMENT TO CHAPTER 29, SECTION 3.69 – SETBACKS IN THE CENTRAL BUSINESS DISTRICT ( SECOND READING)**

Councilor Hayes moved for acceptance of second reading and final passage. Seconded by Councilor Berube. Vote: 5 Yeas with Councilors Farrell and Gerry voting Nay.

## **NEW BUSINESS**

### **2. RESOLVE – AUHTORIZE COMMUNITY DEVELOPMENT DIRECTOR TO EXECUTE DOCUMENTS IN CONNECTION WITH HOUSING DEVELOPMENT AT 22 PINE STREET**

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

Reine Mynahan, Community Development Director, explained the above resolve and answered Councilors questions.

Vote: 7 Yeas.

### **3. RESOLVE – AUTHORIZE CITY MANAGER TO RELEASE RIGHTS OF EASEMENT TO MAINE DEPARTMENT OF TRANSPORTATION (OLD DANVILLE ROAD TO THE ROYAL RIVER)**

Councilor Berube moved for passage of the resolve. Seconded by Councilor Herrick. Vote: 7 Yeas.

### **4. RESOLVE – ADOPTING A MORATORIUM ON MEDICAL MARIJUANA DISPENSARIES**

Councilor Young moved for passage of the resolve. Seconded by Councilor Samson.

Eric Cousens, City Planner, answered Councilors questions; and Jonathan Leavitt, Sumner, made comments and also answered Councilors questions.

Councilor Farrell moved to table. Seconded by Councilor Herrick. Vote: 4 Nays with Councilors Farrell, Herrick and Gerry voting Yea.

Vote on passage of the resolve: 4 Yeas with Councilors Farrell, Herrick and Gerry voting Nay.

## **5. APPOINTMENTS TO THE RAILROAD BOARD AND THE BOARD OF ASSESSMENT REVIEW**

Councilor Hayes moved to approve the following appointments: Stephen Lunt to the Lewiston/Auburn Railroad Board until April 2013; to the Board of Assessment Review, Gerard Belanger, until December 2014; Georgia Chomas, until January 2015; and Bruce Mason until June 2014. Seconded by Councilor Young. Vote: 7 Yeas.

## **OPEN SESSION**

No one spoke.

CLOSED OPEN SESSION

## **FUTURE AGENDA ITEMS**

Councilor Berube requested that staff review an agreement between the City of Auburn and Central Maine Power.

## **SUSPEND THE RULES**

Councilor Hayes moved to suspend the rules in order to go into Executive Session. Seconded by Councilor Herrick. Vote: 7 Yeas.

## **EXECUTIVE SESSION**

Councilor Hayes moved to go into Executive Session Title 1 MRSA Section 405(D) – Contemplated Litigation. Seconded by Councilor Berube. Vote: 7 Yeas.

Councilor Berube moved to come out of Executive Session. Seconded by Councilor Gerry. Vote: 7 Yeas.

## **ADJOURNMENT – 8:30 PM**

Councilor Samson moved to adjourn. Seconded by Councilor Young. Vote: 7 Yeas. A

TRUE RECORD ATTEST: \_\_\_\_\_ CITY CLERK

**CITY OF AUBURN MARCH 1, 2010 CITY COUNCIL MEETING**

PRESENT

Mayor Richard D. Gleason, Councilors Robert P. Hayes, Daniel R. Herrick, David C. Young, Raymond C. Berube, Eric G. Samson and Belinda A. Gerry, City Manager Glenn Aho, Assistant City Manager Laurie Smith, Finance Director Tracy Roy, and City Clerk Mary Lou Magno. Councilor Michael J. Farrell was absent. There were 9 people in the audience.

Mayor Gleason 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 item marked with an asterisk. Seconded by Councilor Hayes. Vote: 6 Yeas, No Nays.

### **\*MINUTES OF FEBRUARY 16, 2010**

Approved under consent agenda.

### **REPORTS OF THE MAYOR**

Mayor Gleason read a prepared written report noting events from February 17 thru February 25. (A copy of the report is on file in the City Clerk's Office.)

### **REPORTS OF CITY COUNCILORS**

Councilors reported on their Council Committee Assignments

### **REPORTS OF THE CITY MANAGER COMPREHENSIVE**

### **ANNUAL FINANCE REPORT**

Tracy Roy, Finance Director, introduced Hank Farrar, Runyon, Kersteen, Ouellette, auditor for the City of Auburn. He presented an overview of the report and answered Councilors questions.

Councilor Young moved to accept the report and place it on file. Seconded by Councilor Samson.

Vote: 6 Yeas, No Nays.

### **COMMUNICATIONS, PRESENTATIONS, AND RECOGNITIONS**

None

### **OPEN SESSION**

Larry Morrissette, PO Box 3036. OPEN

SESSION CLOSED

**UNFINISHED BUSINESS**

None

**NEW BUSINESS**

**UPDATE: NATIONAL ENDOWMENT FOR THE ARTS**

Tracey Steuber updated the Council regarding Auburns’ interest in partnering with the City of Lewiston, L/A Arts and others in this initiative. The project that has been chosen is “Bridging Communities Together Through Arts & Culture.” Their vision is to emphasize all the projects that have been done in the downtown areas and compliment all future projects to come by illuminating the Riverwalk Railroad Pedestrian Bridge.

The Councilors added ideas such as signage and banners along the Riverwalk and possibly incorporating the Knight House into this project.

**DISCUSSION: LEASE BUY PROGRAM (CDBG)**

Reine Mynahan, Community Development Block Grant Administrator, explained the Loan Guarantee for the Lease/Buy Program. This item will appear on the March 15th City Council Agenda for action.

**DISCUSSION: APPOINTMENTS**

Appointments to the Auburn Housing Authority will appear on the March 15th City Council agenda for action.

**OPEN SESSION**

No one spoke.

**CLOSED OPEN SESSION**

**FUTURE AGENDA ITEMS**

None

**ADJOURNMENT – 8:25 PM**

Councilor Samson moved to adjourn. Seconded by Councilor Young. Vote: 6 Yeas, No Nays. A

TRUE RECORD ATTEST: \_\_\_\_\_ CITY CLERK

**CITY OF AUBURN MARCH 15, 2010 CITY COUNCIL MEETING**

PRESENT

Mayor Richard D. Gleason, Councilors Robert P. Hayes, Daniel R. Herrick, David C. Young, Raymond C. Berube, Eric G. Samson and Belinda A. Gerry, City Manager Glenn Aho, Assistant City Manager Laurie Smith, Finance Director Tracy Roy, and City Clerk Mary Lou Magno. Councilor Michael J. Farrell was absent. There were 16 people in the audience.

Mayor Gleason 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 Young moved to accept, approve and place on file the item marked with an asterisk. Seconded by Councilor Berube. Vote: 6 Yeas, No Nays.

### **\*MINUTES OF MARCH 1, 2010**

Approved under consent agenda.

### **REPORTS OF THE MAYOR**

Mayor Gleason read a prepared written report noting events from March 2 thru March 12. (A copy of the report is on file in the City Clerk's Office.)

### **REPORTS OF CITY COUNCILORS**

Councilors reported on their Council Committee Assignments

### **REPORTS OF THE CITY MANAGER FINANCE**

#### **REPORT – MONTH OF FEBRUARY**

Councilor Berube moved to accept and place on file the Finance Report for the month of February as presented by Tracy Roy, Finance Director. Seconded by Councilor Gerry. Vote: 6 Yeas, No Nays.

### **PRESENTATION OF THE FY 2010-11 BUDGET**

City Manager Glenn Aho, presented the FY 2010-11 Municipal Budget.

### **ADD TO AGENDA**

Councilor Berube moved to add to the agenda, Sale of Property on 16 Western Avenue. Seconded by Councilor Gerry. Vote: 6 Yeas, No Nays

### **COMMUNICATIONS, PRESENTATIONS, AND RECOGNITIONS**

None

## **OPEN SESSION**

Council Minutes -2- March 15, 2010

Dominic Casavant, 158 Valview Drive, circulated information to Councilors regarding solid waste (copy on file in the City Clerk's Office); Francois Bussiere, 9 Winter Street; Joe Gray, Sopers Mill Road; and Andy Titus, 17 Lamplighter Circle.

OPEN SESSION CLOSED

## **UNFINISHED BUSINESS**

None

## **NEW BUSINESS**

### **SALE OF PROPERTY ON 16 WESTERN AVENUE**

Councilor Hayes moved to sell the property located at 16 Western Avenue for \$75,000. Seconded by Councilor Young.

Councilor Berube moved to amend by the sale being contingent upon the submission of a written proposal, within 60 days, with a plan for the land and building. Seconded by Councilor Herrick.

Vote on the amendment: 3 Yeas with Councilors Hayes, Samson and Gerry voting Nay. Mayor Gleason voted Yea to break the tie. Motion passes.

Vote on passage as amended: 3 Yeas with Councilors Hayes, Samson and Gerry voting Nay. Mayor Gleason voted Yea to break the tie. Motion passes.

### **1. ORDINANCE – AMENDMENT TO CHAPTER 29, SECTION 3.62 ESTABLISHING SETBACKS AND HEIGHT ALLOWANCES FOR ACCESSORY STRUCTURES INCLUDING WINDMILLS PURSUANT TO SECTION 8.1 OF CHAPTER 29 (FIRST READING)**

Councilor Berube moved for acceptance of first reading. Seconded by Councilor Herrick. Vote: 6 Yeas, No Nays.

### **2. RESOLVE – AUTHORIZE COMMUNITY DEVELOPMENT DIRECTOR TO EXECUTE A LOAN GUARANTEE FOR THE LEASE/BUY PROGRAM**

Councilor Young moved for passage of the resolve. Seconded by Councilor Hayes. Vote: 6 Yeas,

No Nays.

### **3. RESOLVE – APPOINTMENT OF TAX ASSESSOR**

Councilor Samson moved for passage of the resolve. Seconded by Councilor Berube. Vote: 6 Yeas, No Nays.

### **4. RESOLVE – APPOINTMENT OF ELECTION CLERKS**

Councilor Hayes moved for passage of the resolve. Seconded by Councilor Samson. Vote: 5 Yeas, No Nays with Councilor Herrick abstaining.

### **5. APPOINTMENTS TO THE AUBURN HOUSING AUTHORITY**

Councilor Hayes moved that Arthur Wing and Alice Conway be re-appointed to the Auburn Housing Authority until October 2014. Seconded by Councilor Herrick. Vote: 6 Yeas, No Nays.

### **6. SET DATE FOR SPECIAL CITY COUNCIL MEETING**

Councilor Gerry moved to set a date of March 22nd at 5:30 pm for the purpose of acting on second reading and final passage of the Windmill Ordinance. Seconded by Councilor Herrick

Vote: 6 Yeas, No Nays.

Councilor Herrick moved that Open Session be held prior to Executive Session. Seconded by Councilor Hayes. Vote: 6 Yeas, No Nays.

### **OPEN SESSION**

Joe Gray, Sopers Mill Road; CLOSED

OPEN SESSION

### **7. EXECUTIVE SESSION (TITLE 1, MRSA, SECTION 405D) COMTEMPLATED LITIGATION – OXFORD NETWORKS**

Councilor Gerry moved to go into Executive Session (Title 1, Section 405D – Contemplated Litigation). Seconded by Councilor Samson. Vote: 6 Yeas, No Nays.

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

### **FUTURE AGENDA/WORKSHOP ITEMS**

Great Falls School

**ADJOURNMENT – 8:25 PM**

Councilor Young moved to adjourn. Seconded by Councilor Herrick. Vote: 6 Yeas, No Nays. A

TRUE RECORD ATTEST: \_\_\_\_\_ CITY CLERK

**CITY OF AUBURN MARCH 22, 2010 SPECIAL CITY COUNCIL MEETING**

**PRESENT**

Mayor Richard D. Gleason, Councilors Michael J. Farrell, Robert P. Hayes, Daniel R. Herrick, David C. Young, Raymond C. Berube, Eric G. Samson and Belinda A. Gerry, City Manager Glenn Aho, Finance Director Tracy Roy and City Clerk Mary Lou Magno. Assistant City Manager Laurie Smith was absent. There were 16 people in the audience.

Mayor Gleason called the special meeting to order at 5:30 p.m. in the Council Chambers of Auburn Hall indicating that the purpose of the meeting was to act on the following items:

**1. ORDINANCE – AMENDMENT TO CHAPTER 29, SECTION 3.62 – ESTABLISHING SETBACKS AND HEIGHT ALLOWANCES FOR ACCESSORY STRUCTURES INCLUDING WINDMILLS PURSUANT TO SECTION 8.1 OF CHAPTER 29 (SECOND READING)**

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

**2. RESOLVE – AUTHORIZE CITY MANAGER TO NEGOTIATE AND EXECUTE A FINAL AGREEMENT WITH OXFORD NETWORKS FOR THE DISCONTINUANCE OF THEIR CATV FRANCHISE AGREEMENT BASED ON THE ATTACHED TERM SHEET**

Councilor Herrick moved for passage of the resolve. Seconded by Councilor Young. Vote: 7 Yeas.

**3. RESOLVE – AUTHORIZE CITY MANAGER TO EXECUTE A PURCHASE AND SALE AGREEMENT FOR THE SALE OF LAND AND BUILDING AT 31 HOLBROOK ROAD (FORMERLY KNOWN AS THE LAND LAB)**

Councilor Samson moved for passage of the resolve. Seconded by Councilor Farrell. Glenn Aho, City Manager, answered Councilors questions.

Councilor Farrell moved the question. Vote: 4 Yeas with Councilors Hayes, Young and Samson voting Nay.

Vote on passage of the resolve: 5 Yeas with Councilors Hayes and Samson voting Nay.

#### **4. PRESENTATION BY THE SNO GYPSIES**

Phyllis Ouellette, representing the Andy Valley Sno Gypsies, Auburn Sno Groomers, and Perkins Ridge Sno Travelers, explained to the Mayor and Council the maintenance that all three organizations perform at multi use trails in Auburn. Written comments were submitted by all three organizations and are on file in the City Clerk's Office.

**ADJOURNMENT** – 6:00 P.M.

Councilor Berube to adjourn. Seconded by Councilor Hayes. Vote: 7 Yeas.

A TRUE RECORD ATTEST: \_\_\_\_\_ CITY CLERK

### **CITY OF AUBURN APRIL 5, 2010 CITY COUNCIL MEETING**

**PRESENT**

Mayor Richard D. Gleason, Councilors Michael J. Farrell, Robert P. Hayes, Daniel R. Herrick, David C. Young, Raymond C. Berube, Eric G. Samson and Belinda A. Gerry, City Manager Glenn Aho, Assistant City Manager Laurie Smith, Finance Director Tracy Roy, and City Clerk Mary Lou Magno. There were approximately 75 people in the audience.

Mayor Gleason 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 Hayes moved to accept, approve and place on file the items marked with an asterisk. Seconded by Councilor Berube. Vote: 7 Yeas.

#### **\*MINUTES OF MARCH 15 & 22, 2010**

Approved under consent agenda.

#### **REPORTS OF THE MAYOR**

Mayor Gleason read a prepared written report noting events from March 17 thru April 2. (A copy of the report is on file in the City Clerk's Office.)

#### **REPORTS OF CITY COUNCILORS**

Councilors reported on their Council Committee Assignments

#### **REPORTS OF THE CITY MANAGER**

None

## **COMMUNICATIONS, PRESENTATIONS, AND RECOGNITIONS**

\*COMMUNICATION FROM POLICE CHIEF CROWELL RE: CONSTABLE

Approved under consent agenda.

\*COMMUNICATION FROM KORA SHRINE CIRCUS RE: TEMPORARY SIGNS

Approved under consent agenda.

\*COMMUNICATION FROM NEW AUBURN LITTLE LEAGUE RE: WAIVE FEE FOR

VICTUALERS LICENSES

Approved under consent agenda.

## **OPEN SESSION**

Brad White, 14 Elm Street; Larry Morrissette, PO Box 3036, Auburn; Dominic Casavant, 158 Valview Drive; Joseph Mailey, 82 Webster Street; Joe Gray, Sopers Mill Road;

OPEN SESSION CLOSED

## **UNFINISHED BUSINESS**

None

## **NEW BUSINESS**

### **1. PUBLIC HEARING – PROPOSED MUNICIPAL/EDUCATION BUDGET FY 2010-11**

Brief comments were made by Glenn Aho, City Manager and Tom Morrill, Superintendent of Schools.

Mayor Gleason opened the public hearing and the following people spoke: Larry Morrissette, PO Box 3036, Auburn; Jim Wilkins, 13 Lake Street; Melissa Sundell, 42 E Bates Street; Betty Sheats, 32 Waterview Drive; Laurie Tanenbaum, 36 Lake Street; Debbie Cote, 18 Little Androscoggin Drive; Sharon Wood, 106 Lake Street; Eric Howes, 395 West Auburn Road; Rachel Lowe, 33 Bramblewood Road; Craig Jipson, 24 Hickory Drive; Joe Gray, Sopers Mill Road; Ron Potvin, 82 Northern Avenue; Pam Hart, 80 Country Club Drive; David Das, 104 Fourth Street; and Richard Trafton, 120 Highland Avenue.

Mayor Gleason closed the public hearing. REDUCE

PROPOSED MUNICIPAL BUDGET

Councilor Farrell moved to reduce the proposed municipal budget by \$2.5 million dollars. Seconded by Councilor Herrick.

Councilor Hayes moved to table. Seconded by Councilor Young. Vote: 4 Nays with Councilor Hayes, Young and Samson voting Yea.

The following made comments regarding the above amendment: Connie Mercier, Fourth Street; Betty Sheats, 32 Waterview Drive; Richard Trafton, 120 Highland Avenue; Ron Potvin, 82 Northern Avenue; Joe Gray, Sopers Mill Road; Bonnie Hayes, 172 Allen Avenue; and Melissa Sundell, 42 E Bates Street.

Councilor Berube moved to amend the motion by reducing the proposed municipal budget by \$1 million dollars. Seconded by Councilor Young. Vote: 6 Yeas with Councilor Herrick voting Nay.

Vote on passage of the motion as amended: 4 Yeas with Councilors Hayes, Herrick and Samson voting Nay.

## **2. RESOLVE – ACCEPTING FORFEITED FUNDS**

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

## **3. SET DATE FOR SECOND MEETING IN APRIL**

Councilor Farrell moved that the second meeting in April be held on April 20th. Seconded by Councilor Berube. Vote: 6 Yeas with Councilor Hayes abstaining.

## **4. EXECUTIVE SESSION**

Councilor Berube moved to go into Executive Session Title 1, MRSA Section 405F to discuss LAEGC Economic Achievement Awards. Seconded by Councilor Hayes. Vote: 7 Yeas.

Councilor Berube moved to come out of Executive Session. Seconded by Councilor Hayes. Vote: 7 Yeas.

## **5. EXECUTIVE SESSION**

Councilor Young moved to go into Executive Session Title 1 MRSA Section 405A to discuss Personnel, City Manager's Evaluation. Seconded by Councilor Berube. Vote: 7 Yeas.

Councilor Farrell moved to come out of Executive Session. Seconded by Councilor Berube. Vote: 7 Yeas.

## **SUSPEND RULES**

Councilor Herrick moved to suspend the rules, and moved that Open Session be held as the next item. Seconded by Councilor Farrell. Vote: 7 Yeas.

**OPEN SESSION**

Larry Morrissette, PO Box 3036, Auburn; and Glenn Aho, City Manager. OPEN

SESSION CLOSED

**6. EXECUTIVE SESSION**

Councilor Berube moved to go into Executive Session Title I MRSA Section 405C to discuss union negotiations for IAFF Local 797. Seconded by Councilor Samson. Vote: 6 Yeas, No Nays (Councilor Young not present).

Councilor Samson moved to come out of Executive Session. Seconded by Councilor Berube. Vote: 6 Yeas, No Nays (Councilor Young not present).

**ADJOURNMENT – 10:25 PM**

Councilor Samson moved to adjourn. Seconded by Councilor Berube. Vote: 6 Yeas, No Nays (Councilor Young not present).

A TRUE RECORD ATTEST: \_\_\_\_\_ CITY CLERK

**CITY OF AUBURN APRIL 12, 2010 SPECIAL CITY COUNCIL MEETING**

**PRESENT**

Mayor Richard D. Gleason, Councilors Michael J. Farrell, Robert P. Hayes, Daniel R. Herrick, David C. Young, Raymond C. Berube, Eric G. Samson and Belinda A. Gerry, City Manager Glenn Aho, Assistance City Manager Laurie Smith, Finance Director Tracy Roy and City Clerk Mary Lou Magno. There were 14 people in the audience.

Mayor Gleason called the special meeting to order at 5:20 p.m. in the Council Chambers of Auburn Hall indicating that the purpose of the meeting was to act on the following item:

**1. RESOLVE – FUND SPRING CLEAN-UP 2010**

Councilor Gerry moved for passage of the resolve. Seconded by Councilor Samson.

The following residents made comments regarding the above resolve: Priscilla Miller, 211 Summer Street; Robert Collier, 203 Summer Street; City Manager Glenn Aho and Public Works Director Bob Belz answered Councilors questions.

Vote: 4 Nays with Councilors Hayes, Samson and Gerry voting Yea. NOT PASSED

**ADJOURNMENT – 5:40 P.M.**

Councilor Berube to adjourn. Seconded by Councilor Young. Vote: 7 Yeas.

A TRUE RECORD ATTEST: \_\_\_\_\_ CITY CLERK

**CITY OF AUBURN APRIL 13, 2010 SPECIAL CITY COUNCIL MEETING**

**PRESENT**

Mayor Richard D. Gleason, Councilors Michael J. Farrell, Robert P. Hayes, Daniel R. Herrick, David C. Young, Raymond C. Berube, Eric G. Samson and Belinda A. Gerry, City Manager Glenn Aho, Assistant City Manager Laurie Smith, Finance Director Tracy Roy and City Clerk Mary Lou Magno. There were 32 people in the audience.

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

**OPEN SESSION**

Cynthia Brown, 155 Nottingham Road; Police Chief Phil Crowell; Dr. Maurice Hyde, 15 Plummer Street; and Leroy Walker.

**SUSPEND THE RULES – REGARDING SALE OF MERRILL HILL SCHOOL**

Councilor Farrell moved to suspend the rules to add an item to the agenda regarding the former Merrill Hill School, 18 Western Avenue. Seconded by Councilor Berube. Vote: 7 Yeas.

Councilor Berube moved to “release the condition of sale of Merrill Hill School, 18 Western Avenue”. Seconded by Councilor Farrell. Vote: 7 Yeas.

**RESOLVE – DISCONTINUE THE CURRENT CURBSIDE RECYCLING PROGRAM**

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

Councilor Hayes moved to table. Seconded by Councilor Young. Vote: 5 Nays with Councilors Young and Samson voting Yea. NOT PASSED

Comments were made by the following: Francois Bussiere, 9 Winter Street; Ron Pomerleau, 596 Washington Street; Diana Carson, 110 Jacques Road; Ron Pomerleau, 596 Washington Street; Diana Carson, 110 Jacques Road; Jim Wellehan, 60 Woodlawn Avenue; and Dom Casavant, 158 Valview Drive.

Councilor Hayes moved to table. No Second.

Councilor Samson moved the question. Seconded by Councilor Berube. Vote: 7 Yeas.

Vote: 4 Yeas, with Councilor Gerry, Farrell and Young voting Nay.

**SUSPEND THE RULES – REGARDING RECYCLING ALTERNATIVES**

Councilor Gerry moved to suspend the rules to add an item to the agenda regarding recycling. Seconded by Councilor Berube. Vote: 6 Yeas with Councilor Herrick abstaining.

Council Meeting -2- April 13, 2010

Councilor Hayes moved to authorize the City Manager to negotiate and bring recycling alternatives to the Council at the April 20th meeting. Seconded by Councilor Samson.

Jim Wellehan, 60 Woodlawn Avenue.

Vote: 6 Yeas, with Councilor Herrick voting Nay.

**OPEN SESSION**

No one spoke

CLOSED OPEN SESSION

**EXECUTIVE SESSION**

Councilor Berube moved to go into Executive Session, Title 1 MRSA, 405D for the purpose of discussing contemplated litigation. Seconded by Councilor Herrick. Vote: 7 Yeas.

Councilor Berube moved to come out of Executive Session. Seconded by Councilor Samson. Vote: 7 Yeas.

**ADJOURNMENT – 8:50 P.M.**

Councilor Berube to adjourn. Seconded by Councilor Samson. Vote: 7 Yeas.

A TRUE RECORD ATTEST: \_\_\_\_\_ CITY CLERK

**CITY OF AUBURN APRIL 20, 2010 CITY COUNCIL MEETING**

PRESENT

Mayor Richard D. Gleason, Councilors Michael J. Farrell, David C. Young, Raymond C. Berube, Eric G. Samson and Belinda A. Gerry, City Manager Glenn Aho, Assistant City

Manager Laurie Smith, Finance Director Tracy Roy, and City Clerk Mary Lou Magno. Councilors Robert Hayes and Daniel Herrick were absent. There were approximately 39 people in the audience.

Mayor Gleason 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 Gerry. Vote: 5 Yeas, No Nays.

### **\*MINUTES OF APRIL 5, 2010**

Approved under consent agenda.

### **REPORTS OF THE MAYOR**

Mayor Gleason read a prepared written report noting events from April 6 thru April 16. (A copy of the report is on file in the City Clerk's Office.)

### **REPORTS OF CITY COUNCILORS**

Councilors reported on their Council Committee Assignments

### **REPORTS OF THE CITY MANAGER FINANCE**

#### **REPORT – MONTH OF MARCH**

Councilor Samson moved to accept the Finance Report for the month of March as presented by Tracy Roy, Finance Director. Seconded by Councilor Berube. Vote: 5 Yeas, No Nays.

### **COMMUNICATIONS, PRESENTATIONS, AND RECOGNITIONS**

#### **\*COMMUNICATION FROM KIWANIS CLUB RE: USE OF CITY PROPERTY & WAIVE LICENSE**

FEE

Approved under consent agenda.

### **OPEN SESSION**

Larry Pelletier, 129 Second Street; Dominic Casavant, 158 Valview Drive; Melissa Robbins, 106 Western Avenue; Betty Robinson, 6 Lepidolite Court; Dennis Bergeron, 23 Dexter Avenue; Kathy Shaw, Valley View Farm, 1200 Sopers Mill Road; Joe Hall, 42 E Bates Street; Joe Gray, 1200 Sopers Mill Road; Jeremy Hammond, 170 Baxter Avenue; Laurie Tannenbaum, 36 Lake

Street; Peter Vondell, 153 Broad Street; Sheena Peillet, 77 Mary Carroll Street; and Police Chief Phil Crowell.

Councilor Samson moved to suspend the rules to vote on non-union furlough days and School Resource Police Officers. Seconded by Councilor Young.

Vote: Councilors Young and Samson voting Yea. Mayor Gleason noted there needs to be four affirmative votes, therefore the motion fails.

Jackie Conway, 24 Turcotte Lane; and Cynthia Brown, 155 Nottingham Road. OPEN

SESSION CLOSED

### **UNFINISHED BUSINESS**

None

### **NEW BUSINESS**

#### **1. RESOLVE – AUTHORIZE CITY MANAGER TO SIGN MUTUAL COOPERATION AGREEMENT BETWEEN THE CITIES OF AUBURN AND LEWISTON RE: RENEWAL OF CDBG CONSORTIUM**

Councilor Farrell moved for passage of the resolve. Seconded by Councilor Berube. Vote: 5 Yeas, No Nays.

#### **2. ORDINANCE – AMENDMENT TO CHAPTER 29, ARTICLE 9, SECTION 9.1 & 9.2 – SCHEDULE OF FEES (FIRST READING)**

Councilor Gerry moved for acceptance of first reading. Seconded by Councilor Samson. Eric Cousens, City Planner, answered Councilors questions. Vote: 5 Yeas, No Nays

#### **3. RESOLVE – ADOPTION OF FEE SCHEDULES (PLUMBING, ELECTRICAL, ZONING AND BUILDING)**

Councilor Samson moved for passage of the resolve. Seconded by Councilor Berube. Eric Cousens, City Planner, and Laurie Smith, Assistant City Manager, both answered Councilors' questions.

Vote: 5 Yeas, No Nays.

**4. RESOLVE – CONTINUE CURBSIDE RECYCLING PROGRAM**

Councilor Farrell moved for passage of the resolve. Seconded by Councilor Samson. Ken

Bellefleur, 100 Royal River Road;

Glenn Aho, City Manager, answered Councilors questions. Vote: 5

Yeas, No Nays.

**5. APPOINTMENTS**

Councilor Berube moved to approve the following appointments: Sewer District – Stephen Ness and Joseph DeFilipp until March 2014; Water District – Roy Farnsworth and KC Geiger until March 2014; Planning Board – Robert Bowyer (Full Member) until April 2013; and Emily McMullen (Associate Member) until April 2013; Cable TV Advisory Board – Edward Desgrosseilliers until January 2013; Community Development Loan Committee – Eva Degen until April 2013; and Zoning Board of Appeals – Michael Dixon until October 2013; and Lawrence Pelletier (Associate Member) until April 2013.

Seconded by Councilor Farrell. Vote: 5 Yeas, No Nays.

**6. SET DATE FOR SPECIAL CITY COUNCIL MEETING**

Councilor Samson moved to hold a Special City Council Meeting on April 26th. Seconded by Councilor Berube. Vote: 5 Yeas, No Nays.

**OPEN SESSION**

Joe Gray, 1200 Sopers Mill Road; John Laperriere, 130 Nottingham Road; and Jeremy Hammond, 170 Baxter Avenue.

Councilor Young moved to suspend the rules in order to discuss furlough days. Seconded by Councilor Samson. Vote: 3 Yeas with Councilors Farrell and Berube voting Nay. Motion fails. OPEN SESSION

CLOSED

**ADJOURNMENT – 8:40 PM**

Councilor Samson moved to adjourn. Seconded by Councilor Young. Vote: 5 Yeas, No Nays A

TRUE RECORD ATTEST: \_\_\_\_\_ CITY CLERK

**CITY OF AUBURN APRIL 26, 2010 SPECIAL CITY COUNCIL MEETING**

PRESENT

Mayor Richard D. Gleason, Councilors Michael J. Farrell, Robert P. Hayes, Daniel R. Herrick, David C. Young, Raymond C. Berube, Eric G. Samson and Belinda A. Gerry, City Manager Glenn Aho, Assistant City Manager Laurie Smith, Finance Director Tracy Roy and City Clerk Mary Lou Magno. There were 24 people in the audience.

Mayor Gleason called the special meeting to order at 7:00 p.m. in the Council Chambers of Auburn Hall with a salute to the flag and indicating that the purpose of the meeting was to act on the following items:

**1. SIGN ELECTION WARRANT FOR SCHOOL BUDGET VALIDATION REFERENDUM**

Mayor Gleason and City Councilors signed the Election Warrant for the School Budget Validation Referendum scheduled for May 11, 2010.

**2. COMMUNICATION FROM ANDROSCOGGIN VALLEY COUNCIL OF GOVERNMENTS RE: TEMPORARY SIGN FOR MEDICINE DISPOSAL COLLECTION**

Councilor Berube moved to accept the communication, place it on file and that the request be approved. Seconded by Councilor Hayes. Vote: 7 Yeas.

**3. RESOLVE – AUTHORIZING CITY MANAGER TO DEVELOP AN ORDINANCE ESTABLISHING A DEPARTMENT OF PUBLIC SAFETY**

Councilor Farrell moved for passage of the resolve. Seconded by Councilor Berube. City

Manager Glenn Aho and Police Chief Phil Crowell explained the above resolve and answered Councilors' questions.

The following made comments: Acting Fire Chief Mike Minkowsky; Gary Simard, 157 Cook Street; and Bonnie Hayes, 172 Allen Avenue.

Councilor Hayes moved to amend by allowing staff to study Public Safety and how we might share this type of service with the City of Lewiston. No second.

Councilor Farrell moved the question. Seconded by Councilor Hayes. Vote: 7 Yeas. Vote: 5

Yeas with Councilors Samson and Gerry voting Nay.

**4. BUDGET DISCUSSION**

Councilor Young moved to suspend the rules to make a motion regarding the budget. Seconded by Councilor Farrell. Vote: 6 Yeas with Councilor Herrick voting Nay.

Councilor Young moved to reduce the \$1 million dollar challenge to \$400,000 and to use \$600,000 from the Undesignated Fund Balance. Seconded by Councilor Hayes.

Councilor Berube moved to amend by removing \$103,845 from the City budget (SRO's) and place this amount in the School budget. Seconded by Councilor Herrick.

Councilors Berube and Herrick withdrew their motions to amend.

Councilor Berube moved to amend by removing \$114,000 from the City budget (SRO's) and place this amount in the School budget. Seconded by Councilor Herrick.

Vote: 4 Nays with Councilors Herrick and Berube voting Yea and Councilor Farrell abstaining.

Councilor Gerry moved to amend by adding a 2 cent increase to the mill rate to fund a cost of living increase for non-union employees. No second.

Vote on the original motion: 4 Nays with Councilors Hayes, Young and Samson voting Yea.

### **EXECUTIVE SESSION**

Councilor Berube moved to go into Executive Session pursuant to Title 1, Maine Revised Statutes Annotated, Section 405D, for the purpose of discussing contemplated litigation. Seconded by Councilor Samson. Vote: 7 Yeas.

Councilor Berube moved to come out of Executive Session. Seconded by Councilor Gerry. Vote: 7 Yeas.

### **SUSPEND RULES**

Councilor Herrick moved to suspend the rules to make a motion regarding the budget. Seconded by Councilor Berube. Vote: 7 Yeas.

Councilor Herrick moved to reinstate furlough days for non union employees (\$255,000) in the budget. Seconded by Councilor Farrell. Vote: 7 Yeas.

### **ADJOURNMENT 8:20 P.M.**

Councilor Berube moved to adjourn. Seconded by Councilor Herrick. Vote: 7 Yeas. A

TRUE RECORD ATTEST: \_\_\_\_\_ CITY CLERK

## **CITY OF AUBURN MAY 3, 2010 CITY COUNCIL MEETING**

PRESENT

Mayor Richard D. Gleason, Councilors Michael J. Farrell, Robert P. Hayes, Daniel R. Herrick, David C. Young, Raymond C. Berube, Eric G. Samson and Belinda A. Gerry, City Manager Glenn Aho, Assistant City Manager Laurie Smith, Finance Director Tracy Roy, and City Clerk Mary Lou Magno. There were approximately 43 people in the audience.

Mayor Gleason 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 and place on file the items marked with an asterisk. Seconded by Councilor Hayes.

Councilor Farrell moved that communication from Support Solutions be removed from the consent agenda. Seconded by Councilor Gerry. Vote: 6 Yeas with Councilor Samson voting Nay.

Vote on approval of consent agenda: 7 Yeas.

### **\*MINUTES OF APRIL 12, 13, 20 & 26, 2010**

Approved under consent agenda.

### **REPORTS OF THE MAYOR**

Mayor Gleason read a prepared written report noting events from April 21 thru May 3. (A copy of the report is on file in the City Clerk's Office.)

### **PROCLAMATION – ARBOR WEEK (MAY 17 – 21)**

Mayor Gleason proclaimed the week of May 17 thru 21 as Arbor Week.

### **REPORTS OF CITY COUNCILORS**

Councilors reported on their Council Committee Assignments

### **REPORTS OF THE CITY MANAGER**

None

### **COMMUNICATIONS, PRESENTATIONS, AND RECOGNITIONS**

\*COMMUNICATION FROM LIBERTY FESTIVAL COMMITTEE RE: FINANCIAL SUPPORT AND IN-KIND SERVICES (accept communication and place on file)

Approved under consent agenda.

### **OPEN SESSION**

Larry Morrissette, PO Box 3036; Gary Simard, 157 Cook Street; Dan Bilodeau, 207 North Auburn Road; Cynthia Brown, 155 Nottingham Road; Ken Bellefleur, 100 Royal River Road; Scott Crane, 271 Vickery Road; Sharon Wood, 106 Lake Street; Deborah Cote, 18 Little Androscoggin Drive; Betty Sheats, 32 Waterview Drive; Francois Bussiere, 9 Winter Street; Jackie Conway, 24 Turcotte Lane; Kathy MacDonald, Lewiston, representing Liberty Festival Committee; Mel Hamlyn, 14 Beech Street; and Laurie Tannenbaum, 36 Lake Street;

OPEN SESSION CLOSED

**COMMUNICATION FROM SUPPORT SOLUTIONS RE: WAIVE FEE FOR GARAGE SALE PERMIT**

Councilor Herrick moved to accept the communication place it on file and grant the request. Seconded by Councilor Young. Vote: 7 Yeas.

**SUSPEND THE RULES**

Councilor Farrell moved to suspend the rules to discuss the budget. Seconded by Councilor Herrick. Vote: 7 Yeas.

**BUDGET**

Councilor Farrell moved to reduce the \$1 million dollar challenge to \$400,000 and to use \$700,000 from the Undesignated Fund Balance. Seconded by Councilor Hayes.

Councilor Samson moved to amend the motion to include funding for School Resource Officers. Seconded by Councilor Young. Vote: 7 Yeas.

City Manager Glenn Aho, Community Development Administrator Reine Mynahan, and School Superintendent Tom Morrill all answered Councilors questions.

Vote: 6 Yeas with Councilor Gerry voting Nay.

**UNFINISHED BUSINESS**

**1. ORDINANCE – AMENDMENT TO CHAPTER 29, ARTICLE 9 – SCHEDULE OF FEES (SECOND READING)**

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

**NEW BUSINESS**

**2. RESOLVE – APPROVING SCHOOL BUDGET FOR FISCAL YEAR 2010-11**

Councilor Berube moved for passage of the resolve. Seconded by Councilor Young. Vote: 7 Yeas.

**3. RESOLVE – ADOPTION OF THE 2010-2014 CONSOLIDATED PLAN OF THE COMMUNITY DEVELOPMENT BLOCK GRANT AND HOUSING INVESTMENT PARTNERSHIPS PROGRAMS (PUBLIC HEARING)**

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

Gleason opened and closed the public hearing with no public comment. Vote: 7 Yeas.

**4. RESOLVE – APPROVAL OF THE FY2010 ACTION PLAN OF THE COMMUNITY DEVELOPMENT BLOCK GRANT AND HOME INVESTMENT PARTNERSHIPS PROGRAMS (PUBLIC HEARING)**

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

Mayor Gleason opened and closed the public hearing with no public comment. Vote: 7 Yeas.

**5. ORDINANCE – AMENDMENT TO CHAPTER 33, SECTION 2.5 – DELETING CITATION SYSTEM FEES (FIRST READING)**

Councilor Berube moved for acceptance of first reading. Seconded by Councilor Hayes. Vote: 7 Yeas.

**6. RESOLVE – ADOPTION OF CITATION SYSTEM FEES**

Councilor Berube moved for passage of the resolve. Seconded by Councilor Samson. Eric

Cousens, City Planner, answered Councilors questions. Vote: 7 Yeas.

**7. NOMINATIONS TO THE MAINE MUNICIPAL ASSOCIATION LEGISLATIVE POLICY COMMITTEE**

Councilor Farrell moved to nominate Glenn Aho and Laurie Smith to serve on the Legislative Policy Committee. Seconded by Councilor Samson. Vote: 7 Yeas.

**SUSPEND RULES**

Councilor Gerry moved to suspend the rules to go into Executive Session. Seconded by Councilor Young. Vote: 7 Yeas.

**EXECUTIVE SESSION**

Councilor Samson moved to go into Executive Session pursuant to Title 1, Maine Revised Statutes Annotated, Section 405(C) for the purpose of discussing the disposition of real estate. Seconded by Councilor Hayes. Vote: 7 Yeas.

Councilor Gerry moved to come out of Executive Session. Seconded by Councilor Hayes. Vote: 7 Yeas.

**ITEM OUT OF ORDER**

Councilor Herrick moved to hold Open Session prior to the next Executive Session. Seconded by Councilor Gerry. Vote: 7 Yeas.

**OPEN SESSION**

Larry Morrissette, PO Box 3036; CLOSED

**OPEN SESSION**

**8. EXECUTIVE SESSION**

Councilor Samson moved to go into Executive Session pursuant to Title 1, Maine Revised Statutes Annotated, Section 405(A), for the purpose of discussing the City Manager's evaluation. Seconded by Councilor Young. Vote: 7 Yeas.

Councilor Herrick moved to come out of Executive Session. Seconded by Councilor Berube. Vote: 7 Yeas.

**FUTURE AGENDA/WORKSHOP ITEMS**

Councilor Berube suggested a workshop to have a TIF downtown discussion.

**ADJOURNMENT – 9:20 PM**

Councilor Berube moved to adjourn. Seconded by Councilor Young. Vote: 7 Yeas. A

TRUE RECORD ATTEST: \_\_\_\_\_ CITY CLERK

**CITY OF AUBURN MAY 17, 2010 CITY COUNCIL MEETING**

PRESENT

Mayor Richard D. Gleason, Councilors Robert P. Hayes, Daniel R. Herrick, David C. Young, Raymond C. Berube, Eric G. Samson and Belinda A. Gerry, City Manager Glenn Aho, Assistant City Manager Laurie Smith, Finance Director Tracy Roy, and City Clerk Mary Lou Magno. Councilor Michael J. Farrell was absent. There were approximately 43 people in the audience.

Mayor Gleason 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, place on file, and approve the items marked with an asterisk. Seconded by Councilor Hayes. Vote: 6 Yeas, No Nays.

#### **\*MINUTES OF MAY 3, 2010**

Approved under consent agenda.

### **REPORTS OF THE MAYOR**

Mayor Gleason read a prepared written report noting events from May 4 thru May 16. (A copy of the report is on file in the City Clerk's Office.)

### **APPOINTMENT TO THE PUBLIC HEALTH COMMITTEE**

Mayor Gleason appointed Councilor Gerry to serve on the Lewiston-Auburn Public Health Committee until June 2013.

### **REPORTS OF CITY COUNCILORS**

Councilors reported on their Council Committee Assignments

### **REPORTS OF THE CITY MANAGER FINANCE**

#### **REPORT – MONTH OF APRIL**

Councilor Berube moved to accept and place on file the Finance Report for the Month of April as presented by Tracy Roy, Finance Director. Seconded by Councilor Herrick. Vote: 6 Yeas, No Nays

### **FY 2011 BUDGET UPDATE**

Glenn Aho, City Manager, gave a brief update on the FY 2011 Budget.

### **COMMUNICATIONS, PRESENTATIONS, AND RECOGNITIONS**

#### **\*COMMUNICATION FROM GREAT FALLS BALLOON FESTIVAL COMMITTEE RE: REQUEST FOR SERVICES**

Approved under consent agenda.

**\*COMMUNICATION FROM LIBERTY FESTIVAL COMMITTEE RE: FINANCIAL SUPPORT (\$8,750) AND IN-KIND SERVICES**

Approved under consent agenda.

**OPEN SESSION**

Priscilla Miller, 211 Summer Street; Andy Titus, 17 Lamplighter Circle; Joe Gray, 1200 Sopers Mill Road; and Councilor Herrick.

OPEN SESSION CLOSED

**UNFINISHED BUSINESS**

**1. ORDINANCE – AMENDMENT TO CHAPTER 33, SECTION 2.5 – DELETING CITATION SYSTEM FEES (SECOND READING)**

Councilor Hayes moved for acceptance of second reading and final passage. Seconded by Councilor Samson.

Joe Gray, 1200 Sopers Mill Road. Vote: 6

Yeas, No Nays.

**NEW BUSINESS**

**2. RESOLVE – 2010-2011 ANNUAL APPROPRIATION AND REVENUE RESOLVE (FIRST READING)**

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

Councilor Herrick moved to table until May 24th. Seconded by Councilor Gerry. Vote: 3 Nays with Councilors Herrick and Gerry voting Yea; and Councilor Berube abstaining. NOT PASSED

Vote on acceptance of first reading. 4 Yeas with Councilors Herrick and Gerry voting Nay.

**3. RESOLVE – OVERSIZED BULKY WASTE DISPOSAL AND BRUSH COLLECTION (SPRING CLEAN-UP)**

Councilor Hayes moved for passage of the resolve. Seconded by Councilor Samson. Priscilla Miller, 211 Summer Street.

Glenn Aho, City Manager, answered Councilors questions. Vote: 6

Yeas, No Nays.

#### **4. RESOLVE – CURBSIDE COLLECTION OF RECYCLABLES**

Councilor Hayes moved for passage of the resolve. Seconded by Councilor Gerry. Glenn Aho, City Manager, answered Councilors questions.

Vote: 5 Yeas with Councilor Herrick voting Nay.

#### **5. PUBLIC HEARING AND ACTION ON SPECIAL AMUSEMENT PERMIT FOR CLUB TEXAS, 150 CENTER STREET**

Mayor Gleason opened and closed the public hearing with no public comment.

Councilor Gerry moved to approve the permit. Seconded by Councilor Hayes. Phil

Crowell, Police Chief, answered Councilors questions.

Vote: 6 Yeas, No Nays.

#### **6. RESOLVE – AUTHORIZING THE CITY MANAGER TO EXPEND \$15,000**

Councilor Berube moved for passage of the resolve. Seconded by Councilor Hayes. Vote: 6 Yeas, No Nays.

#### **7. SET DATE FOR SPECIAL CITY COUNCIL MEETING**

Councilor Berube moved that a Special City Council Meeting be held on May 24th. Seconded by Councilor Hayes. Vote: 6 Yeas.

#### **SUSPEND RULES**

Councilor Berube moved to suspend the rules in order to hold Open Session at this point in the meeting. Seconded by Councilor Samson. Vote: 6 Yeas, No Nays

#### **OPEN SESSION**

Joe Gray, 1200 Sopers Mill Road; and Police Chief Phil Crowell. OPEN

#### **SESSION CLOSED**

#### **SUSPEND RULES**

Councilor Young moved to suspend the rules in order to hold an Executive Session. Seconded by Councilor Hayes. Vote: 6 Yeas, No Nays.

#### **EXECUTIVE SESSION**

Councilor Berube moved to go into Executive Session pursuant to Title 1, Maine Revised Statutes Annotated, Section 405C, for the purpose of discussing real estate negotiations. Seconded by Councilor Gerry. Vote: 6 Yeas, No Nays.

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

### **FUTURE AGENDA/WORKSHOP ITEMS**

Councilor Herrick suggested going out to bid for the maintenance of Oak Hill Cemetery.

### **ADJOURNMENT – 9:20 PM**

Councilor Samson moved to adjourn. Seconded by Councilor Hayes. Vote: 6 Yeas, No Nays. A

TRUE RECORD ATTEST: \_\_\_\_\_ CITY CLERK

### **CITY OF AUBURN MAY 24, 2010 SPECIAL CITY COUNCIL MEETING**

#### **PRESENT**

Mayor Richard D. Gleason, Councilors Michael J. Farrell, Robert P. Hayes, Daniel R. Herrick, David C. Young, Raymond C. Berube, Eric G. Samson and Belinda A. Gerry, City Manager Glenn Aho, Assistant City Manager Laurie Smith, Finance Director Tracy Roy, and City Clerk Mary Lou Magno. There were approximately 33 people in the audience.

Mayor Gleason called the special 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, place on file, and approve the items marked with an asterisk. Seconded by Councilor Hayes. Vote: 6 Yeas, No Nays.

#### **\*MINUTES OF MAY 17, 2010**

Approved under consent agenda.

#### **REPORTS OF THE MAYOR PROCLAMATION –**

#### **CLICK IT OR TICKET**

Mayor Gleason proclaimed May 24 thru June 6 as Click It Or Ticket in the City of Auburn.

#### **NEW AUBURN MASTER PLAN IMPLEMENTATION AD HOC COMMITTEE**

Mayor Gleason appointed Councilors Berube and Gerry to serve on the New Auburn Master Plan Implementation Ad Hoc Committee.

Glenn Aho, City Manager, will pursue a cost sharing agreement with the City of Lewiston regarding the casino.

Councilor Herrick arrives at the meeting.

## **REPORTS OF CITY COUNCILORS**

None

## **REPORTS OF THE CITY MANAGER**

### **TRANSPORTATION BOND ISSUE**

Bob Thompson, Executive Director, Androscoggin Valley Council of Governments (AVCOG) discussed the Transportation Bond Issue and how it would effect the City of Auburn.

## **COMMUNICATIONS, PRESENTATIONS, AND RECOGNITIONS**

### **\*COMMUNIATION FROM KIWANIS CLUB RE: TEMPORARY SIGNS**

Approved under consent agenda.

## **OPEN SESSION**

Winfield Coleman, 144 E. Waterman Road; Bruce McGraw, 124 E. Waterman Road; and Marcy Hutchinson, 112 E. Waterman Road (submitted a petition that is on file in the City Clerk's Office).

OPEN SESSION CLOSED

## **UNFINISHED BUSINESS**

### **1. RESOLVE – 2010-2011 ANNUAL APPROPRIATION AND REVENUE RESOLVE (SECOND READING)**

Councilor Samson moved for acceptance of second reading and final passage. Seconded by Councilor Berube.

Glenn Aho, City Manager, answered Councilors questions.

Vote: 4 Yeas with Councilors Farrell, Herrick and Gerry voting Nay.

## **NEW BUSINESS**

### **2. RESOLVE – ADOPT PLAN FOR MINOT AVENUE ROTARY**

Councilor Berube moved for passage of the resolve. Seconded by Councilor Samson. Glenn Aho, City Manager, answered Councilors questions.

Ron Guerin, Maine Oxy, representing the Rotary Business Group; and Elliott Epstein, 8 Cushman Place.

Vote: 7 Yeas.

**3. ORDINANCE – ZONING AMENDMENT TO CHAPTER 29, SECTION 4.2.A.9.d – SANDWICH BOARD/EASEL SIGNS (FIRST READING)**

Councilor Berube moved for acceptance of first reading. Seconded by Councilor Herrick. Vote: 7 Yeas.

**4. RESOLVE – ACCEPTANCE OF CAPITAL IMPROVEMENT PROGRAM**

Councilor Hayes moved for passage of the resolve. Seconded by Councilor Young. Glenn Aho, City Manager, answered Councilors questions.

Vote: 4 Nays with Councilors Hayes, Young and Samson voting Yea.

**5. ORDINANCE – CHAPTER 2, DIVISION 3, SECTION 2-246 – RED FLAG RULES**

Councilor Farrell moved for acceptance of first reading. Seconded by Councilor Berube. Vote: 7 Yeas.

**SUSPEND RULES**

Councilor Farrell moved to suspend the rules in order to discuss E Waterman Road. Seconded by Councilor Gerry. Vote: 6 Yeas with Councilor Young voting Nay.

**E. WATERMAN ROAD**

Councilor Farrell made a motion to do the full paving of E Waterman Road. Seconded by Councilor Herrick.

Councilor Hayes moved to table until the next meeting. Seconded by Councilor Farrell. Vote: 7 Yeas.

**CAPITAL IMPROVEMENT PLAN**

Councilor Samson moved that the Capital Improvement Plan for 2011-2015 is hereby accepted, with the understanding that passage of the Plan does not obligate the Council to fund any of the projects in the Plan. Seconded by Councilor Hayes. Vote: 7 Yeas.

**OPEN SESSION**

Ken Bellefleur, 100 Royal River Road; OPEN

SESSION CLOSED

**FUTURE AGENDA/WORKSHOP ITEMS**

None

**ADJOURNMENT – 8:25 PM**

Councilor Young moved to adjourn. Seconded by Councilor Hayes. Vote: 7 Yeas. A

TRUE RECORD ATTEST: \_\_\_\_\_ CITY CLERK

**CITY OF AUBURN JUNE 7, 2010 CITY COUNCIL MEETING**

**PRESENT**

Mayor Richard D. Gleason, Councilors Michael J. Farrell, Robert P. Hayes, Daniel R. Herrick, David C. Young, Raymond C. Berube, Eric G. Samson and Belinda A. Gerry, City Manager Glenn Aho, Assistant City Manager Laurie Smith, Finance Director Tracy Roy, and City Clerk Mary Lou Magno. There were approximately 42 people in the audience.

Mayor Gleason called the special 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, place on file, and approve the items marked with an asterisk. Seconded by Councilor Samson. Vote: 7 Yeas.

**\*MINUTES OF MAY 24, 2010**

Approved under consent agenda.

**REPORTS OF THE MAYOR**

**POLICE DEPARTMENT BADGEPINNING CEREMONY**

Mayor Gleason administered the Oath of Honor to Police Officers Donald A. Cousins, Meghan J. Fenton, and Nicholas J. Gagnon; Mayor Gleason also announced the following promotions in the Police Department: Lieutenant/Watch Commander Anthony Harrington, Sergeant Laurie Woodhead, Corporal Benjamin Quinell and K-9 Officers Dutch & Handler Corporal Kristopher Bouchard.

Police Chief Phil Crowell presented badges of all of the above officers.

Mayor Gleason read a prepared written report noting events from May 18th thru June 7th. (A copy of the report is on file in the City Clerk's Office.)

## **REPORTS OF CITY COUNCILORS**

Councilors reported on their Council Committee Assignments.

## **REPORTS OF THE CITY MANAGER**

City Manager Glenn Aho reported on E. Waterman Road.

## **COMMUNICATIONS, PRESENTATIONS, AND RECOGNITIONS**

### **\*COMMUNICATION FROM AUBURN PAWN RE: RENEWAL OF PAWN LICENSE**

Approved under consent agenda.

## **OPEN SESSION**

No one spoke

OPEN SESSION CLOSED

## **UNFINISHED BUSINESS**

### **1. ORDINANCE – CHAPTER 2, DIVISION 3, SECTION 2-246 – RED FLAG RULES (SECOND READING)**

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

### **2. ORDINANCE – ZONING AMENDMENT TO CHAPTER 29, SECTION 4.2.A.9.d – SANDWICH BOARD/EASEL SIGNS (SECOND READING)**

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

### **3. PAVING OF E. WATERMAN ROAD (TABLED 5/24/10)**

Councilor Farrell moved to remove this item from the table. Seconded by Councilor Gerry. Vote: 5 Yeas with Councilor Young voting Nay and Councilor Berube abstaining.

(Original motion on May 24th before item was tabled: Councilor Farrell made a motion to do the full paving of E. Waterman Road. Seconded by Councilor Herrick.)

Councilor Farrell moved to amend by putting a 2” binder on E. Waterman Road. Seconded by Councilor Gerry. Vote on the amendment: 5 Yeas with Councilor Young voting Nay and Councilor Berube abstaining.

Vote on passage as amended: 5 Yeas with Councilors Young and Berube voting Nay.

## **NEW BUSINESS**

### **4. RESOLVE – AMEND EFFECTIVE DATE OF FEE SCHEDULES (PLUMBING, ELECTRICAL, ZONING AND BUILDING)**

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

## **SUSPEND THE RULES**

Councilor Samson moved to suspend the rules to go into Executive Session. Seconded by Councilor Hayes, Vote: 7 Yeas.

## **EXECUTIVE SESSION**

Councilor Hayes moved to go into Executive Session pursuant to Title 1 MRSA Section 405E for the purpose of discussing contemplated litigation. Seconded by Councilor Samson. Vote: 7 Yeas.

Councilor Gerry moved to come out of Executive Session. Seconded by Councilor Hayes. Vote: 6 Yeas, No Nays (Councilor Samson out of the room).

### **5. RESOLVE – AUTHORIZE CITY MANAGER TO EXECUTE PURCHASE AND SALE AGREEMENT – 211 FAIRVIEW AVENUE**

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

### **6. PUBLIC HEARING AND ACTION REGARDING SPECIAL AMUSEMENT PERMIT APPLICATION FOR HOLLY’S OWN DELI, 84 COURT STREET**

Mayor Gleason opened and closed the public hearing with no public comment.

Councilor Hayes moved to approve the Special Amusement Permit. Seconded by Councilor Farrell. Vote: 7 Yeas.

## **7. EXECUTIVE SESSION**

Councilor Gerry moved to go into Executive Session pursuant to Title 1, MRSA, Section 405E for the purpose of discussing contemplated litigation. Seconded by Councilor Hayes. Vote: 7 Yeas.

Councilor Gerry moved to come out of Executive Session. Seconded by Councilor Hayes. Vote: 7 Yeas.

**OPEN SESSION**

No one spoke.

**CLOSED OPEN SESSION**

**FUTURE AGENDA/WORKSHOP ITEM**

Councilor Herrick requested to discuss holiday lights on Vista Drive

Councilor Gerry requested a conceptual drawing of the proposed park at Vincent Square Councilor

Berube requested a workshop to discuss Western Avenue and Franklin School properties

Councilor Farrell requested to discuss zoning issues; and Planning Board authority

**ADJOURNMENT – 9:15 PM**

Councilor Samson moved to adjourn. Seconded by Councilor Young. Vote: 7 Yeas. A

TRUE RECORD ATTEST: \_\_\_\_\_ CITY CLERK

**CITY OF AUBURN JUNE 21, 2010 CITY COUNCIL MEETING**

**PRESENT**

Mayor Richard D. Gleason, Councilors Michael J. Farrell, Robert P. Hayes, Daniel R. Herrick, David C. Young, Raymond C. Berube, Eric G. Samson and Belinda A. Gerry, City Manager Glenn Aho, Assistant City Manager Laurie Smith and Acting City Clerk Carrie Ivey. There were approximately 25 people in the audience.

Mayor Gleason 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, place on file, and approve the items marked with an asterisk. Seconded by Councilor Farrell. Vote: 7 Yeas.

**\*MINUTES OF June 7, 2010**

Approved under consent agenda. **REPORTS**

**OF THE MAYOR REPORTS OF CITY**

**COUNCILORS**

Councilors reported on their Council Committee Assignments.

During this time Councilor Gerry expressed concern over the issue of the number of Sergeants that were budgeted for vs. the number currently on staff in the Police Department. She indicated that she had heard from several constituents in regard to this issue. Councilor Herrick requested that the minutes reflect the discussion, stating that he had also spoken to several citizens that were concerned about it. He requested that the Chief of Police clarify the issue at some point. Mayor Gleason invited the Chief of Police to approach the podium to speak. The Chief responded by explaining that due to the uncertainty of the budget process positions and duty assignments were shifted between different divisions in the Department, but that the number of sergeants still remains at five, as budgeted for. He answered questions from the Councilors, assuring them that no new position had been created.

**REPORTS OF THE CITY MANAGER FINANCE**

**REPORT- MONTH OF MAY**

Councilor Berube moved to accept the Finance Report for the month of May as presented by City Manager, Glenn Aho. Seconded by Councilor Farrell. Vote: 7 Yeas

City Manager reported on CDBG Program Amendments. **COMMUNICATIONS,**

**PRESENTATIONS, AND RECOGNITIONS OPEN SESSION**

Joe Gray from 1200 Sopers Mill Road, Henri St. Pierre from Granite Mills Estates OPEN

SESSION CLOSED

**UNFINISHED BUSINESS**

None

## **NEW BUSINESS**

### **ORDER – TO ESTABLISH THE PROPERTY TAX PAYMENT DUE DATES AND TO ESTABLISH THE PROPERTY TAX DELINQUENCY AND OVERPAYMENT INTEREST RATES FOR FISCAL YEAR 2011**

Mayor Gleason advised of the Council of a typographical error in the Order. Councilor

Berube moved for passage of the Order with the corrected information. Seconded by

Councilor Farrell. Vote: 6 Yeas with Councilor Gerry voting Nay.

### **DISCUSSION – REVIEW OF THE CAPITAL IMPROVEMENTS BONDS PROJECTS (CIP2) FOR FY2011.**

No action needed.

### **DISCUSSION – REVIEW OF CAPITAL PURCHASES- SPECIAL REVENUE (CIP3) FOR FY2011.**

No action needed.

### **RESOLVE – AUTHORIZE CITY MANAGER TO TRANSFER FUNDS FROM UNDESIGNATED FUND BALANCE FOR FISCAL YEAR 2010 BUDGET (ESTIMATED \$400,000)**

Councilor Berube moved for the passage of the Resolve. Seconded by Councilor Young. Vote: 5

Yeas with Councilors Gerry and Farrell voting Nay.

### **SET JULY 6TH AS THE DATE FOR FIRST MEETING IN JULY.**

Councilor Berube moved that the first meeting in July be on the 6th of the month. Seconded by

Councilor Hayes. Vote: 7 Yeas.

### **CONFIRM THE APPOINTMENT OF KAREN VEILLEUX TO THE LEWISTON/AUBURN TRANSPORTATION COMMITTEE.**

Councilor Gerry moved to confirm the appointment. Seconded by Councilor Samson. Vote: 7 Yeas.

### **SUSPEND THE RULES**

Councilor Farrell moved to suspend the rules to return to workshop Items G & H. Seconded by Councilor Berube, Vote: 7 Yeas.

WORKSHOP ITEMS G (Holiday Lighting, Vista Drive) DISCUSSED No

Action.

WORKSHOP ITEM H (Vincent Square conceptual drawing) DISCUSSED No

Action.

#### **SUSPEND THE RULES**

Councilor Farrell moved to suspend the rules to move Open Session before the Executive Sessions.

Seconded by Councilor Herrick. Vote: 7 Yeas.

#### **OPEN SESSION**

No one spoke. CLOSED

#### **OPEN SESSION**

#### **EXECUTIVE SESSION**

Councilor Berube moved to go into Executive Session pursuant to Title 1, Section 405, Subsection 6D, MRSA for the purpose of discussing labor negotiations for Teamsters Local Union #340-Public Works. Seconded by Councilor Young. Vote: 7 Yeas.

Councilor Gerry moved to come out of Executive Session. Seconded by Councilor Berube. Vote: 5 Yeas with Councilors Herrick and Farrell having left.

#### **EXECUTIVE SESSION**

Councilor Berube moved to go into Executive Session pursuant to Title 1 MRSA Section 405 for the purpose of discussing a personnel issue. (City Manager's Evaluation) Seconded by Councilor Hayes. Vote: 5 Yeas

Councilor Gerry moved to come out of Executive Session. Seconded by Councilor Hayes. Vote: 4 Yeas with Councilor Samson absent for the vote.

#### **FUTURE AGENDA/ WORKSHOP ITEMS**

Councilor Samson- Single polling place

#### **ADJOURNMENT- 10:00 PM**

Councilor Berube moved to adjourn. Seconded by Councilor Hayes. Vote: 5 Yeas A

TRUE RECORD

ATTEST: Carol Ivey, ACTING CITY CLERK

## **CITY OF AUBURN JULY 6, 2010 CITY COUNCIL MEETING**

### **PRESENT**

Mayor Richard D. Gleason, Councilors Michael J. Farrell, Robert P. Hayes, Daniel R. Herrick, David C. Young, Raymond C. Berube, Eric G. Samson and Belinda A. Gerry, City Manager Glenn Aho, Finance Director Tracy Roy and Acting City Clerk Carrie Ivey. There were approximately 30 people in the audience.

Mayor Gleason 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 Gerry requested that the Dempsey Challenge and School Department communications be removed from the consent agenda.

Councilor Berube moved to accept, place on file, and approve the remaining items marked with an asterisk, as amended. Seconded by Councilor Hayes. Vote: 7 Yeas.

### **\*MINUTES OF June 21, 2010**

Approved with correction, under consent agenda.

### **REPORTS OF THE MAYOR REPORTS**

#### **OF CITY COUNCILORS**

Councilors reported on their Council Committee Assignments.

### **REPORTS OF THE CITY MANAGER**

### **COMMUNICATIONS, PRESENTATIONS, AND RECOGNITIONS**

#### **ommunication from “The Dempsey Challenge, a Journey of Hope”**

Councilor Young moved to accept the communication. Seconded by Councilor Samson. Discussion ensued. Councilor Samson moved to move the question, with no second the Mayor called for the vote on the original motion to accept the communication.

Vote: 5 Yeas with Councilors Herrick and Farrell voting Nay.

#### **ommunication from the Auburn School Department**

Councilor Samson moved to accept the communication, seconded by Councilor Young.

During the discussion portion Councilor Gerry moved to table the issue until more information was available, seconded by Councilor Herrick.

Vote: 5 Yeas with Councilors Young and Samson voting Nay.

## **OPEN SESSION**

John Scales from 74 Lake Auburn Ave

Matt Lapierre from 561 Foster Road Joe

Gray from 1200 Sopers Mill Road OPEN

## **SESSION CLOSED UNFINISHED**

## **BUSINESS**

Remaining Workshop Items moved to Unfinished Business:

Workshop Item B: Neighborhood Stabilization Program budget amendment

Action taken for Agenda Item 3. Councilor Berube moved for the passage of the resolve. Seconded by Councilor Samson.

Vote: 5 Yeas with Councilors Farrell and Herrick voting Nay. Workshop

Items C-E: No Action.

## **SUSPEND THE RULES**

Councilor Berube moved to move open session before the Executive Sessions on the agenda. Seconded by Councilor Young. Vote: 7-0

## **OPEN SESSION**

Joe Gray from 1200 Sopers Mill Road

Ron Potvin from 82 Northern Avenue

CLOSED OPEN SESSION

## **NEW BUSINESS**

**1. RESOLVE – NEIGHBORHOOD STABILIZATION PROGRAM BUDGET AMENDMENT. Action already taken.**

**2. EXECUTIVE SESSION**

Councilor Young moved to go into Executive Session pursuant to Title 1, Section 405, Subsection 6D, MRSA for the purpose of discussing labor negotiations (Fire). Seconded by Councilor Hayes. Vote: 4 Yeas with Councilors Farrell and Herrick voting Nay and Councilor Samson abstained.

City Manager Aho questioned if a Councilor votes Nay, can they be present in the Executive Session.

RECESS- 5 MINUTES

City Manager Aho looked at State law and determined that a Councilor can in fact be present in the Executive Session even if they voted Nay on the motion to enter it.

Council Minutes -3- July 6, 2010 RECONSIDERATION

Councilor Hayes moved to reconsider the motion to enter Executive Session. Seconded by Councilor Samson. Vote: 5 Yeas with Councilors Farrell and Herrick voting Nay.

Councilor Samson moved to go into Executive Session pursuant to Title 1, Section 405, Subsection 6D, MRSA for the purpose of discussing labor negotiations (Fire). Seconded by Councilor Berube. Vote: 4 Yeas with Councilors Farrell and Herrick voting Nay and Councilor Gerry abstained.

Mayor Gleason notes that due to the need for 5 affirmative votes to enter Executive Session the motion failed.

SUSPEND THE RULES

Councilor Berube moved to suspend the rules and ratify the agreement. Seconded by Councilor Samson. Vote: 5 Yeas with Councilors Farrell and Herrick voting Nay.

Councilor Berube moved to authorize the City Manager to enter into a successor collective bargaining agreement with Teamsters Local #340. Seconded by Councilor Young.

Vote: 4 Yeas with Councilors Gerry, Herrick and Farrell abstaining.

### **3. EXECUTIVE SESSION-**

Councilor Berube moved to go into Executive Session pursuant to Title 1 MRSA Section 405 for the purpose of discussing a personnel issue. (City Manager's Evaluation) Seconded by Councilor Young. Vote: 3 Yeas and 2 Nays, Motion failed.

Councilor Farrell moved to table the Executive Session until after Item 7 on the Agenda. Seconded by Councilor Gerry. Vote: 7-0

**4. RESOLVE-** Councilor Berube moved for the passage of the Resolve. Seconded by Councilor Young. Discussion: Councilors spoke. Members of the public spoke, Ron Potvin from 82 Northern Ave and Joe Mailey from 82 Webster St. Vote: 5 Yeas with Councilors Samson and Gerry voting Nay.

#### RECONSIDERATION

Councilor Samson moved to reconsider the motion to go into Executive Session to discuss Labor Negotiations (Fire). Councilor Berube Seconded. Vote: 5 Yeas with Councilors Farrell and Herrick voting Nay.

#### EXECUTIVE SESSION

Councilor Berube moved to go into Executive Session pursuant to Title 1, Section 405, Subsection 6D, MRSA for the purpose of discussing labor negotiations (Fire). Seconded by Councilor Samson. Vote: 5 Yeas with Councilors Farrell and Herrick voting Nay.

Councilor Samson moved to come out of Executive Session. Seconded by Councilor Berube. Vote: 7-0

#### SUSPEND THE RULES

Councilor Berube moved to suspend the rules to authorize the City Manager to sign the contract with Fire. Seconded by Councilor Samson. Vote: 7-0

Councilor Berube moved to authorize the City Manager to sign the contract with Fire. Seconded by Councilor Samson. Vote: 7-0

#### FUTURE AGENDA/ WORKSHOP ITEMS

Councilor Gerry- Single polling place Councilor

Berube- Labor Negotiations **ADJOURNMENT-**

10:04 PM

Councilor Young moved to adjourn. Seconded by Councilor Samson. Vote: 7-0 A

TRUE RECORD ATTEST: Carol Ivey, ACTING CITY CLERK

#### **City of Auburn July 19, 2010 City Council Minutes**

Present: Mayor Richard D. Gleason, Councilors Belinda A. Gerry, Michael J. Farrell, Robert P. Hayes, David C. Young, Raymond C. Berube, Eric G. Samson, City Manager Glenn Aho,

Finance Director Tracy Roy and City Clerk Roberta Fogg. Absent: Councilor Daniel R. Herrick The council conducted a workshop beginning at 5:30pm on the following items:

Single Polling Place, Codification, Public Labor Negotiations, Shoreland Zoning Map and Ordinance Adoption

7:00 p.m. City Council Meeting

Mayor Gleason called the meeting to order at 7:00 p.m. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag.

**Consent Items: None**

**Minutes: None**

**Reports from the Mayor**

**Reports from City Councilors on their various committee assignments.**

- Robert Hayes: Planning Bd, Water, Library, and Railroad

David Young: School Committee, Cable TV Adv Board

Belinda Gerry: LA Transit, Neighborhood Stabilization Program, L/A Public Health Committee,

**Reports from the City Manager**

Communications, Presentations and Recognitions: None

**Open Session: None Unfinished**

**Business:**

**07062010-01 Application for Business license fee waiver from Auburn School Dept.**

Councilor Berube, seconded by Councilor Gerry, moved to waive the application fee, for business license, Auburn School Department – Deal's. Vote: 6 Yeas – 0 Nays Motion carried 6-0. 1 | Page Auburn City Council Minutes July 19, 2010 2

**New Business:**

**- Authorizing the issuance and sale of Capital Improvement bonds in the amount of \$7,900,000 (Annual Capital Improvement Program) (First Reading – Public Hearing)**

Councilor Berube, seconded by Councilor Young, moved the first reading of order 07192010-01 Authorizing the issuance and sale of Capital Improvement bonds in the amount of \$7,900,000.00 (Annual Capital Improvement Program).

Vote: 5 Yeas - 1 Nay – Councilor Farrell. Motion carried 5-1. Acting Fire

Chief Low answered questions regarding paving.

**esolve- Approving Capital Purchases – Special Revenue (CIP3) FY2010 - \$370,000**

Councilor Samson, seconded by Councilor Berube, moved Resolve 07192010-02 Approving Capital Purchases – Special Revenue (CIP3) FY2010 - \$370,000.00. Vote: 5 Yeas - 1 Nay – Councilor Farrell. Motion carried 5-1.

City Electrician Deangelis answered questions about Efficiency Maine grant moneys for upgrades throughout the city.

**esolve - Authorizing the City Manager to use TIF funds to purchase WEBQA**

Councilor Berube, seconded by Councilor Hayes, moved Resolve 07192010-03 Authorizing the City Manager to use TIF funds to purchase WEBQA.

Councilor Gerry, seconded by Councilor Farrell, move to table to a workshop discussion. Vote: 3 Yeas – Councilors Gerry, Farrell and Young. 3 Nays – Councilors Hayes, Berube and Samson. 1 Abstention – Mayor Gleason stated he has a conflict of interest as his business is in competition with this product. Motion failed 3-3-1.

Councilor Hayes, seconded by Councilor Farrell, moved to table to the August 2nd meeting and request staff be present, Economic Development Director Roland Miller, Police Chief Phil Crowell and Acting Fire Chief Jeff Low.

Vote: 4 Yeas - 2 Nays – Councilor Berube and Samson. Motion carried 4-2.

Suspend the rules and add an item to the agenda regarding the consolidation of polling location.

Councilor Gerry, seconded by Councilor Hayes, moved to suspend the rules and add an item to the agenda regarding the consolidation of polling places. Vote: 5

Yeas - 1 Nay – Councilor Young. Motion carried 5-1.

Move to authorize the City Manager to proceed with preparing the public hearing for the consolidation of polling locations to a single location.

Councilor Hayes, seconded by Councilor Gerry, moved to authorize the City Manager to proceed with preparing the public hearing for consolidation of polling places to a single location.

Councilor Samson, seconded by Councilor Young, moved to amend the motion to include consolidation of election results.

Vote: 5 Yeas - 1 Nay – Councilor Gerry. Motion carried 5-1.

Vote on main motion: 4 Yeas - 2 Nays – Councilor Gerry and Berube. Motion carried 4-2.

**Open Session: None**

**FUTURE AGENDA/WORKSHOP ITEMS:**

Fountain in Festival Plaza being used to bath. ADJOURNMENT:

Councilor Farrell, seconded by Councilor Hayes, moved to adjourn at 8:09 p.m. Vote: 6

Yeas - 0 Nays Motion carried 6-0.

A true record Attested: Roberta L. Fogg, City Clerk

**City of Auburn August 2, 2010 Council Minutes**

Present: Mayor Richard D. Gleason, Councilors Belinda A. Gerry, Michael J. Farrell, Robert P. Hayes, Daniel R. Herrick, David C. Young, Raymond C. Berube, Eric C. Samson, City Manager Glenn Aho, Finance Director Tracy Roy and City Clerk Roberta Fogg.

The council conducted a workshop beginning at 5:30pm on the following items: Consolidation of polling places, Auburn Sewerage District for the 2010 sewer separation and replacement projects, Mayor Committee's – Recycling and Energy Committee, Festival Plaza Fountain and Chestnut Street. 7:00

p.m. City Council Meeting

Mayor Gleason called the meeting to order at 7:10 p.m. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag.

**Consent Items**

**Minutes – July 6, 2010 and July 19, 2010**

Councilor Berube, seconded by Councilor Young, moved to accept the consent items – minutes of July 6, 2010 and July 19, 2010.

Vote: 7 Yeas - 0 Nays Motion carried 7-0.

## **Reports from the Mayor**

### **Reports from City Councilors on various committee assignments.**

David Young: School Committee, Cable TV Adv Board

Raymond Berube: Lewiston-Auburn Economic Growth Council, Sewer, Audit, USM-L/A Belinda Gerry:

LA Transit, Neighborhood Stabilization Program, L/A Public Health Committee, Eric Samson: 9-1-1,

Auburn Business Development Corp, Andros Valley Council of Gov

- Daniel Herrick: MMWAC, Auburn Housing

**Report from the City Manager** – reviewed the June monthly report stating it is posted on the web site at [www.auburnmaine.org](http://www.auburnmaine.org)

### **Communications, Presentations and Recognitions: None Open**

#### **Session:**

Councilor Gerry, seconded by Councilor Herrick, moved to suspend the rules and add the discussion of authorizing the Auburn Police Union and Administration to use 24 and 31 Chestnut Street property and create a Police Activities League (PAL).

Vote: 6 Yeas - 1 Nay – Councilor Young. Motion carried 6-1.

Councilor Farrell, seconded by Councilor Berube, moved to donate the remaining funds from the council meal funds, to the Police Activities League.

Vote: 6 Yeas – 1 Nay – Councilor Young. Motion carried 6-1.

Chief Crowell reminded everyone about the National Night Out activities 8/3/10 in Festival Plaza.  
Auburn C i ty Council Minutes August 2, 2010 2

Norm McKeone, 227 Seventh Street, New Auburn spoke about problems with use of Walton Field. He demanded Council action.

Scott Davis, 234 Seventh Street problems at Walton Field and his inability to use his own property because of the situation.

Kathy Lare, 225 Seventh Street, and Norm's daughter, about walking track because of the problems at Walton Field.

Chief Crowell responded to comments and explained that the school department has authorized this group's use of the field.

Councilor Gerry asked that we workshop the Walton Field issue and talk to the school department about the conditions of use of Walton Field.

Christopher Langis, 85 Pride Road asked who has authority over school property, the council or the schools.

Joseph Mailey, 82 Webster Street stated his concerns about safety-vs.-the efforts to save money. He also asked Councilor Berube to apologize for comments made about the School and Fire Unions.

Renee Cote, 54 Dawes Ave., spoke about Lake Auburn issues and Vista Road holiday light issue.

City Manager Aho reviewed concerns about unsecured loads going to MMWAC. Council discussed unsecured loads.

Joe Gray, 1200 Sopers Mill Road, asked about Vincent Park in New Auburn.

#### **Unfinished Business:**

**07192010-03 Resolve - Authorizing the City Manager to use TIF funds to purchase WEBQA – remained on the table**

#### **VII. New Business:**

##### **esolve – Authorizing the consolidation of voting polling places, Option C. (Public Hearing)**

Councilor Gerry, seconded by Councilor Samson, Be it Resolved by the Auburn City Council, that all city polling places remain as listed below:

Ward 1 – Washburn School, 35 Lake Auburn Avenue Ward 2 – Auburn Middle School, 38 Falcon Drive  
Ward 3 – Auburn Hall, 60 Court Street

Ward 4 – Fairview School, 397 Minot Avenue

Ward 5 – Sherwood Heights School, 32 Sherwood Drive

And authorize the elections budget to over expend the FY 2010-2011 budgeted amounts, funds to come from the Undesignated Fund Balance.

#### **Public comments:**

James Williams, 58 Olive Street, stated his opposition to consolidation of polling places. Representative

Brian Bolduc, 54 Riverside Drive, spoke on behalf of his constituents who are opposed to consolidation of polling places.

Joe Mailey, 82 Webster Street, opposed to consolidation of polling places. Auburn C i ty Council Minutes August 2, 2010 3

Sheila Degrosseillier, 121 Hatch Road, poll worker, stated that voting should be more accessible. She does not support consolidation of polling places.

Larry Pelletier, 129 Second Street, spoke in opposition to consolidation of polling places. Ed

Degrosseillier, 121 Hatch Road, spoke opposed to consolidation of polling places. Fred Brodeur, 83 Sixth Street, spoke opposed to consolidation of polling places.

Joe Gray, Sopers Mill Road, asked where the money would come from to operate 5 polling places.

Chris Langis, 85 Pride Road, supports 5 polling places.

Councilor Gerry suggested taking funds from council funds for consolidation of the public safety departments.

Bob Burns, 2277 Hotel Road, opposed to consolidation of polling places.

Councilor Gerry, seconded by Councilor Farrell, moved to amend Option C the consolidation of polling places and that the funds to be taken from the Mayor and Council Professional Services Account.

Councilor Farrell, seconded by Councilor Herrick, moved the question.

Amendment Vote: 3 Yeas – Councilors Gerry, Farrell and Young – 4 Nays – Councilors Hayes, Herrick, Berube and Samson. Motion failed 3-4

Main motion Vote: 4 Yeas – Councilors Gerry, Hayes, Berube and Samson – 3 Nays – Councilors Farrell, Herrick and Young. Motion carried 4-3.

**r- Authorizing the issuance and sale of Capital Improvement bonds in the amount of \$7,900,000 (Annual Capital Improvement Program) (Second and Final Reading – Public Hearing)**

Councilor Berube, seconded by Councilor Young, moved Order 08022010-02- Authorizing the issuance and sale of Capital Improvement bonds in the amount of \$7,900,000 (Annual Capital Improvement Program) (Second and Final Reading – Public Hearing) Vote: 4 Yeas – Councilors Hayes, Young, Berube and Samson - 3 Nays – Councilors Gerry, Farrell and Herrick. Motion carried 4-3.

{Clerk's note - bond issues require a 2/3 majority to pass (5/7). This item did not meet that requirement.}

Bob Belz, Public Works Director answered questions. Joe

Gray, Soper Mill Road.

**esolve- Approving Capital Purchases – Special Revenue (CIP3) FY2010 - \$370,000 (Second and Final Reading)**

Councilor Berube, seconded by Councilor Young, moved the second and final reading of order 08022010-03 Approving Capital Purchases – Special Revenue (CIP3) FY2010-\$370,000.00.

Vote: 5 Yeas – 2 Nays – Councilors Farrell and Herrick. Motion carried 5-2. Auburn C i ty Council Minutes August 2, 2010 4

**esolve – Authorize City Manager to enter into an agreement with the Auburn Sewerage District for the 2010 sewer separation and replacement projects.**

Councilor Samson, seconded by Councilor Young, moved Resolve 08022010-04 to Authorize City Manager to enter into an agreement with the Auburn Sewerage District for the 2010 sewer separation and replacement projects. Vote: 6 Yeas – 1 Nay – Councilor Herrick. Motion carried 6-1.

**esolve – Authorizing the City Manager to execute an option modification and extension for Webster School to Auburn Housing Authority.**

Councilor Gerry, seconded by Councilor Young, moved Resolve 08022010-05 to Authorize the City Manager to execute an option modification and extension for Webster School to Auburn Housing Authority.

Vote: 7 Yeas – 0 Nays. Motion carried 7-0.

**0802210-06 Motion to set the date of the first meeting in September to September 7th, 2010.**

Councilor Young, seconded by Councilor Berube, moved to set the September 7th, 2010 as the date for the first meeting in September.

Vote: 7 Yeas – 0 Nays. Motion carried 7-0.

**VIII. Open Session:**

City Manager indicated he would get the Council a list of equipment that has been approved through the CIP.

Joe Gray, Sopers Mill Road asked if it were possible to get Vincent Apartments Park property taxed and his concern about long term maintenance costs.

**IX. Future Agenda/Workshop Items:**

Councilor Farrell - 9th Street issue, signs for no parking Councilor

Herrick – Broad Street parking on the street

Councilor Gerry – asked for a revised budget for running elections FY 2010-2011

**X. ADJOURNMENT:**

Councilor Berube, seconded by Councilor Young, moved to adjourn at 9:42pm. Vote: 7

Yeas – 0 Nays. Motion carried 7-0.

A true record Attested: Roberta L. Fogg, City Clerk

**City of Auburn Special City Council Meeting 5:30 p.m. August 9, 2010 Council Minutes**

Present: Mayor Richard D. Gleason, Councilors Belinda A. Gerry, Michael J. Farrell, Robert P. Hayes, David C. Young, Raymond C. Berube, Eric G. Samson, City Manager Glenn Aho, Finance Director Tracy Roy and City Clerk Roberta Fogg.

Councilor Daniel R. Herrick absent.

**Open Session: None Unfinished**

**Business**

**08092010-01 Order- Authorizing the issuance and sale of Capital Improvement bonds in the amount of \$7,900,000 (Annual Capital Improvement Program) (Second and Final Reading – Public Hearing)**

Councilor Hayes, seconded by Councilor Samson, moved the order authorizing the issuance and sale of Capital Improvement bonds in the amount of \$7,900,000.00 (Annual Capital Improvement Program)

This is the second and final reading and public hearing.

Vote: 5 Yeas – 1 Nay – Councilor Farrell. Motion carried 5-1.

{Clerk’s note – motion carried with the required 2/3rd majority for bond issues}

**Open Session: None ADJOURNMENT**

Councilor Samson, seconded by Councilor Young, moved to adjourn at 5:35 p.m. Vote: 6

Yeas – 0 Nays. Motion carried 6-0.

A true record Attested: Roberta L. Fogg, City Clerk

### **City of Auburn August 16, 2010 Council Minutes**

Present: Mayor Richard D. Gleason, Councilors Belinda A. Gerry, Michael J. Farrell, Robert P. Hayes, Daniel R. Herrick, David C. Young, Raymond C. Berube, Eric C. Samson, City Manager Glenn Aho, Finance Director Tracy Roy and City Clerk Roberta Fogg.

The council conducted a workshop beginning at 5:30pm on the following items: Water

District Bonds; Refinance Past Debt, Phase 2 UV and New Water Meters and Chloramination Facility; School Department Energy Performance Assessment Update; Sherwood Heights Elementary School Project Update and Discussion of Exit 75 7:00 p.m.

City Council Meeting

Mayor Gleason called the meeting to order at 7:10 p.m. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag.

#### **Consent Items Minutes of August 2, 2010 and August 9, 2010 as amended**

Councilor Young, seconded by Councilor Berube, moved to accept the consent items - minutes of August 2, 2010 and the amended minutes of August 9, 2010.

Councilor Herrick, seconded by Councilor Gerry, moved to remove the Foster Road communications.

Vote: 7 Yeas - 0 Nays Motion carried 7-0.

#### **Reports from Mayor**

#### **Reports from City Councilors**

Robert Hayes: Planning Bd, Water, Library, and Railroad

Belinda Gerry: LA Transit, Neighborhood Stabilization Program, L/A Public Health Committee, Eric

Samson: 9-1-1, Auburn Business Development Corp, Andros Valley Council of Gov **Report from the**

#### **City Manager**

July 2010 Financial Report presented by Finance Director Tracy Roy.

Councilor Berube, seconded by Councilor Hayes, moved to accept the July 2010 financial report. Vote: 7

Yeas – 0 Nays Motion carried 7-0.

Communications, Presentations and Recognitions: 08162010-00 Informal petition from Neighbors of Foster Road and surrounding Hotel Road opposed to Comprehensive Plan proposed rezoning.

**Open Session:**

Steven Martelli, Gamage Avenue, asked why property on that recently had a fire was not being cleaned up and secured.

City Manager Aho, responded and explained that we are working with the property owner to secure the property and address these issues.

Councilor Herrick asked if the Main Street property the city owns has been secured. Auburn C i ty Council Minutes August 16, 2010 2 | P a g e

Debbie Hallowell, Foster Road, spoke in opposition to the proposed rezoning of Foster Road and Hotel Road.

Tina Gilbert, 66 Constellation Drive, asked questions about WEB QA purchase.

Joe Gray, Sopers Mill Road, asked questions about 2011 budget on the website, about railroad and the LA Growth Council. He asked where he could get copies of the information on the Main Street project and Vincent Park project.

City Manager Aho responded to Mr. Gray's questions. He explained that both the Main Street and Vincent Park projects are funded by CDBG funding. He also answered questions about the fire with AFD Engine #2.

**VI. Unfinished Business**

**07192010-03 Resolve- Authorizing the City Manager to use TIF funds to purchase WEBQA**

Councilor Berube, seconded by Councilor Samson, moved to take WEBQA off the table of 07- 19-2010.

Vote: 6 Yeas - 1 Nay - Councilor Farrell. Motion carried 6-1. City

Manager Aho reviewed WEBQA.

Joe Gray, Sopers Mill Road, asked for more information.

April Tarmlee, Goff Street, asked why we were using this company

Councilor Berube, seconded by Councilor Samson moved the second and final reading of order 05-07192010-03 RESOLVE – AUTHORIZING CITY MANAGER TO USE TAX INCREMENT FINANCING (TIF) FUNDS TO PURCHASE WEBQA.

Vote: 4 Yeas – Councilors Hayes, Young, Berube and Samson - 3 Nays – Councilors Gerry, Farrell and Herrick.

Motion carried 4-3

## **VII. New Business**

### **Motion to reinstate the FY2010 City Council dinners and water expenditures.**

No action on this item.

### **resolve – Authorizing permission for the issuance of bonds by the Auburn Water District not to exceed \$2,160,000.00 for the refunding of existing bond debt. (First Reading – Public Hearing)**

Councilor Berube, seconded by Councilor Hayes, moved Resolve 08-08162010-02 Authorizing permission for the issuance of bonds by the Auburn Water District not to exceed \$2,160,000.00 for the refinancing of existing bond debt. (First Reading – Public Hearing)

Vote: 7 Yeas – 0 Nays Motion carried 7-0

### **resolve – Authorizing permission for the issuance of bonds by the Auburn Water District not to exceed \$2,800,000.00 for the construction of phase 2 of the ultra violet water treatment facility and acquisition and installment of new water meters. (First Reading – Public Hearing)**

Councilor Berube, seconded by Councilor Hayes, moved RESOLVE 09-08162010-02 PERMISSION FOR ISSUANCE OF BONDS BY THE AUBURN WATER DISTRICT NOT TO EXCEED \$2,800,000 FOR THE CONSTRUCTION OF PHASE 2 OF THE ULTRA VIOLET WATER TREATMENT FACILITY AND ACQUISITION AND INSTALLMENT OF NEW WATER METERS. (First Reading – Public Hearing)

Vote: 7 Yeas – 0 Nays Motion carried 7-0 Auburn C i ty Council Minutes August 16, 2010 3 | P a g e

### **resolve – Authorizing permission for the issuance of bonds by the Auburn Water District not to exceed \$500,000.00 for a drinking water chloramination facility. (First Reading – Public Hearing)**

Councilor Berube, seconded by Councilor Hayes, moved Resolve 10-08162010-04 Authorizing permission for the issuance of bonds by the Auburn Water District not to exceed \$500,000.00 for a drinking water chloramination facility. (First Reading – Public Hearing)

Vote: 7 Yeas – 0 Nays Motion carried 7-0

**resolved by the Auburn City Council That the existing Shoreland Zoning Map and Ordinance, Chapter 29, Section 5.4 of the Ordinances of the City of Auburn, be repealed and replaced with the proposed map modified on 7/14/2010 and ordinance draft #6 modified 3/23/2010. (First Reading – Public Hearing)**

Councilor Berube, seconded by Councilor Hayes, moved order #11-08162010-05 Resolved by the Auburn City Council That the existing Shoreland Zoning Map and Ordinance, Chapter 29, Section 5.4 of the Ordinances of the City of Auburn, be repealed and replaced with the proposed map modified on 7/14/2010 and ordinance draft #6 modified 3/23/2010. (First Reading – Public Hearing)

Vote: 7 Yeas – 0 Nays Motion carried 7-0

**Motion to sign a letter of support for the Auburn-Lewiston Municipal Airport’s federal grant application to bring passenger air service to the Auburn-Lewiston Area.**

Councilor Samson, seconded by Councilor Berube, moved to sign a letter of support for the Auburn-Lewiston

Municipal Airport’s federal grant application to bring passenger air service to the Auburn- Lewiston Area.

Vote: 7 Yeas – 0 Nays Motion carried 7-0

Councilor Herrick, seconded by Councilor Gerry, moved to suspend the rules and move open session up prior to the executive session.

Vote: 7 Yeas – 0 Nays Motion carried 7-0

### **VIII. Open Session -**

Joe Gray, Sopers Mill Road, questioned the removal of the city building and purchase of WEBQA. He spoke to the

Mayor about adding an item to the agenda about council dinners and water.

**Executive session in accordance with Maine Revised Statutes Annotated Title 1, Section 405, Subsection 6C, Real Estate, regarding 359 Minot Avenue property.**

Councilor Gerry, seconded by Councilor Hayes, moved to enter executive session at 8:44 pm, in accordance with Maine Revised Statutes Annotated Title 1, Section 405, Subsection 6C, to discuss a real estate matter regarding 359 Minot Avenue property.

Vote: 7 Yeas – 0 Nays Motion carried 7-0

Councilor Hayes, seconded by Councilor Gerry, moved to leave executive session at 9:12 pm. Vote: 7

Yeas – 0 Nays Motion carried 7-0

Councilor Hayes, seconded by Councilor Gerry, moved order #12-08162010-07A Authorize the City Manager to execute a purchase and sales agreement for 359 Minot Avenue, pending review and approval by City Legal Counsel

Vote: 7 Yeas – 0 Nays Motion carried 7-0 Auburn C i ty Council Minutes August 16, 2010 4 | P a g e

Councilor Gerry, seconded by Councilor Hayes, moved order #13-08162010-07B Authorize the City Manager to grant right of early entry onto the property at 359 Minot Avenue.

Vote: 7 Yeas – 0 Nays Motion carried 7-0

### **IX. Future Agenda/Workshop Items**

Councilor Hayes asked that the Water District provide us with a list of services they provide in lieu of taxes, public services. He also asked if they could assist us with reopening east Auburn for swimming.

Councilor Gerry asked for a workshop with PAL and the Parks and Recreation Department to discuss the Chestnut Street facility. PAL fundraising. She also asked to have a sunset clause to revisit this item.

### **X. ADJOURNMENT**

Councilor Samson, seconded by Councilor Farrell, moved to adjourn at 9:24 pm. Vote: 7

Yeas – 0 Nays Motion carried 7-0.

A true record Attested: Roberta L. Fogg, City Clerk

### **City of Auburn September 7, 2010 Council Minutes**

Present: Mayor Richard D. Gleason, Councilors Belinda A. Gerry, David C. Young, Raymond C. Berube, Eric C. Samson, City Manager Glenn Aho, Finance Director Tracy Roy and City Clerk Roberta Fogg.

Councilors Michael J. Farrell and Robert P. Hayes absent. Councilor

Daniel Herrick arrived at 5:40 pm.

The council conducted a workshop beginning at 5:30pm on the following items:

Traffic Signalization Project, Comprehensive Economic Development Strategy (CEDS), Chapter 29 Zoning, General Provisions Sections 3.1.k.5, maximum accessory building size and Chapter 24, Business Licensing Ordinance.

7:00 p.m. City Council Meeting

Mayor Gleason called the meeting to order at 7:00 p.m. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag.

### **Consent Items**

#### **Minutes of August 16, 2010**

#### **Communication from Edward Little High School Grandstand Club Re: Waive fee for Take-Out Establishment License**

**Approve the 2011/2012/2013 Androscoggin County Budget Committee Ballot as presented. Approve committee appointments for Community Development Block Grant Loan Committee.**

Councilor Berube, seconded by Councilor Samson, move to accept the consent agenda items. Vote: 5

Yeas - 0 Nays Motion carried 5-0.

### **Reports from the Mayor Reports**

#### **from City Councilors**

Daniel Herrick: discussed business tax bills and corner lot assessments. David Young: School Committee

Belinda Gerry: LA Transit, L/A Public Health Committee,

### **Report from the City Manager**

A joint meeting with the Lewiston City Council will be scheduled for the third week in October. The agenda has not been finalized but some of the topics could be 911 Dispatch, EnerGov, LA Airport and Lake Auburn Watershed.

## **IV. Communications, Presentations and Recognitions**

### **09072010-00 Presentation of State of Maine Flag by Brain T. White, CPT, Logistics and Charles R. Morin, 1SG, of the 619th Transportation Company.**

Mayor Gleason accepted the State of Maine flag and a 619th Transportation Company coin from Captain Brian White and First Sergeant Morin. Auburn City Council Meeting & Workshop September 7, 2010 2 |  
P a g e

## **V. Open Session:**

Joe Gray, Sopers Mill Road asked about doing an alternate garden project at the Vincent Street Park; the Route 136 road collapse; about snow removal and the plan to cut back on plowing this winter.

City Manager Aho and Councilor Young responded to his questions.

## **VI. Unfinished Business:**

**esolve – Authorizing permission for the issuance of bonds by the Auburn Water District not to exceed \$2,160,000.00 for the refinancing of existing bond debt. (Second and Final Reading – Public Hearing)**

Councilor Berube, seconded by Councilor Gerry, moved Resolve 08-09072010-04 Authorizing permission for the issuance of bonds by the Auburn Water District not to exceed \$2,160,000.00 for the refinancing of existing bond debt. (Second and Final Reading – Public Hearing)

Vote: 5 Yeas – 0 Nays Motion carried 5-0

**esolve – Authorizing permission for the issuance of bonds by the Auburn Water District not to exceed \$2,800,000.00 for the construction of phase 2 of the ultra violet water treatment facility and acquisition and installment of new water meters. (Second and Final Reading – Public Hearing)**

Councilor Berube, seconded by Councilor Gerry, moved RESOLVE 09-09072010-05 PERMISSION FOR ISSUANCE OF BONDS BY THE AUBURN WATER DISTRICT NOT TO EXCEED \$2,800,000 FOR THE CONSTRUCTION OF PHASE 2 OF THE ULTRA VIOLET WATER TREATMENT FACILITY AND ACQUISITION AND INSTALLMENT OF NEW WATER METERS. (Second and Final Reading – Public Hearing) Vote: 5

Yeas – 0 Nays Motion carried 5-0

**esolve – Authorizing permission for the issuance of bonds by the Auburn Water District not to exceed \$500,000.00 for a drinking water chloramination facility. (Second and Final Reading – Public Hearing)**

Councilor Berube, seconded by Councilor Gerry, moved Resolve 10-09072010-06 Authorizing permission for the issuance of bonds by the Auburn Water District not to exceed \$500,000.00 for a drinking water chloramination facility. (Second and Final Reading – Public Hearing)

Vote: 5 Yeas – 0 Nays Motion carried 5-0

**esolved by the Auburn City Council That the existing Shoreland Zoning Map and Ordinance, Chapter 29, Section 5.4 of the Ordinances of the City of Auburn, be**

**repealed and replaced with the proposed map modified on 7/14/2010 and ordinance draft #6 modified 3/23/2010. (Second and Final Reading – Public Hearing)**

Councilor Samson, seconded by Councilor Gerry, moved order #11-09072010-07 Resolved by the Auburn City Council That the existing Shoreland Zoning Map and Ordinance, Chapter 29, Section 5.4 of the Ordinances of the City of Auburn, be repealed and replaced with the proposed map modified on 7/14/2010 and ordinance draft #6 modified 3/23/2010. (Second and Final Reading – Public Hearing)

Vote: 5 Yeas – 0 Nays Motion carried 5-0 Auburn City Council Meeting & Workshop September 7, 2010 3 | Page

## **VII. New Business**

**esolve – Authorize the City Manager to execute documents for Tax Incremental Financing District #17, Bedard Project.**

Councilor Gerry, seconded by Councilor Young, moved order #12-09072010-08 RESOLVE: Authorize the City Manager to Execute Documents – Tax Increment Finance District #17 – Bedard Medical Campus and Submit to the State Department of Economic and Community Development.

Vote: 5 Yeas – 0 Nays Motion carried 5-0

Councilor Herrick, seconded by Councilor Berube, moved to suspend the rules and move open session up before the executive session.

Vote 5 Yeas – 0 Nays Motion carried 5-0

## **VIII. Open Session - none**

09072010-09 Executive session in accordance with Maine Revised Statutes Annotated Title 1, **Section 405, Subsection 6D, Labor Negotiations Police Union.**

Councilor Young, seconded by Councilor Berube, moved to enter executive session at 7:45pm in accordance with Maine Revised Statutes Annotated Title 1, Section 405, Subsection 6D, to discuss Labor Negotiations with the Police Union.

Vote 5 Yeas – 0 Nays Motion carried 5-0

Councilor Samson, seconded by Councilor Gerry, moved to leave executive session at 8:21pm. Vote 5

Yeas – 0 Nays Motion carried 5-0.

## **IX. Future Agenda/Workshop Items**

Councilor Herrick would like to discuss the east Auburn swimming area duck problem.

Councilor Gerry wants to meet with Parks and Recreation, Police PAL to make sure that Parks and Recreation has what they need to run their programs. She wants the Clerk to draft a new elections budget to see what is needed to run the elections, absentee voting at elderly housing facilities.

## **X. ADJOURNMENT**

Councilor Samson, seconded by Councilor Herrick, moved to adjourn at 8:32pm. Vote 5

Yeas – 0 Nays Motion carried 5-0

A true record Attested: Roberta L. Fogg, City Clerk

### **City of Auburn September 20, 2010 Council Minutes**

Present: Mayor Richard D. Gleason, Councilors Belinda A. Gerry, Michael Farrell, Robert Hayes, Daniel Herrick, David C. Young, Raymond C. Berube, Eric C. Samson, City Manager Glenn Aho, Finance Director Tracy Roy and Roberta Fogg, City Clerk

The council conducted a workshop beginning at 5:30pm on the following items:

New Auburn Master Plan, Traffic Policy, Chapter 27, Article 1, Section 1.3 Assemblage – Vista Drive Holiday lights.

Workshop B – Vista Drive holiday lights discussion was carried over into the open session of the meeting.

The following citizens spoke:

Jeff Harmon, resident of Vista Drive spoke about traffic and safety concerns.

Steve Bang, 48 Vista Drive spoke about the costs associated with the traffic plan that would be required.

7:00 p.m. City Council Meeting

Mayor Gleason called the meeting to order at 7:00 p.m. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag.

### **Consent Items Minutes of September 7, 2010**

Councilor Young, seconded by Councilor Hayes, move to accept the consent agenda items, Minutes of September 7, 2010.

Vote: 6 Yeas - 0 Nays – 1 Abstained – Councilor Farrell absent at the 9/7 meeting.

Motion carried 6-0-1.

## **Reports from the Mayor Reports**

### **from City Councilors**

Michael Farrell: Audit Committee Daniel Herrick: Clarified his comments from the Sept 7th meeting about tax bills and corner lot assessments. David Young: School Committee and stated there is a Cable TV Adv Board meeting on Sept 24th.

Belinda Gerry: LA Transit stated that Saturday service is going well.

### **Report from the City Manager**

City Manager Aho responded to Councilor Herrick regarding tax bills, assessing of lots. He then explained property owner rights to question any of us at any time. He reviewed the appeal and review process for tax assessments, time frame for appeals are within the first 185 days from commitment to ask for a review. He reviewed the municipal and state appeal process.

### **August 2010 Financial Report presented by Finance Director Tracy Roy.**

Councilor Berube, seconded by Councilor Farrell, moved to accept the August 2010 financial report.

Vote: 7 Yeas – 0 Nays Motion carried 7-0.

## **IV. Communications, Presentations and Recognitions**

### **ommunication from Auburn Ski Association (ASA) regarding temporary signs for their annual swap on Sunday, November 14, 2010 from 9am to 2pm.**

Councilor Berube, seconded by Councilor Farrell, move to approve the Auburn Ski Association temporary signs for their annual swap on Sunday, November 14, 2010.

Vote: 7 Yeas – 0 Nays Motion carried 7-0.

## **V. Open Session:**

Larry Pelletier, 129 Second Street, told the council about the poor sound quality of the meeting when watching from home or online.

Joe Gray, Sopers Mill Road, asked questions about Vincent Park project and about maintaining the Main Street and Dunn Street areas.

City Manager Aho answered Mr. Sopers questions.

Workshop B – Traffic Policy, Chapter 27, Article 1, Section 1.3 Assemblage -Vista Drive Holiday Lights discussion continued.

Kate Benson, 65 Vista Drive resident spoke about how this affects her and thanked Chief Crowell and City Manager Aho for their work on this issue.

Tim Delorme, 115 Vista Drive resident spoke.

Jeff Harmon, 34 Vista Drive resident spoke in favor of some action.

Jamie Loggins, 60 Vista Drive resident spoke opposed to the proposal, because of the costs associated with the traffic detail.

Councilor Young left the meeting at 8:50 p.m.

The Vista Drive holiday lights discussion should return for another workshop by itself. Open session ended at 8:56 p.m.

#### **VI. Unfinished Business: - none**

#### **VII. New Business**

##### **resolve to amend Chapter 32, Section 5.3.B.9 Underground Utilities in the Industrial Districts**

Councilor Berube, seconded by Councilor Hayes, moved Resolve to amend Chapter 32, Section 5.3.B.9 Underground Utilities in the Industrial Districts (ID). First Reading.

Vote: 2 Yeas – Councilors Hayes and Berube – 4 Nays – Councilors Gerry, Farrell, Herrick and Samson.

Motion failed 2-4.

##### **Motion to set the date of the second meeting in October to October 19th, 2010.**

Councilor Gerry, seconded by Councilor Hayes, moved to set October 19th, 2010 as the date of the second regular meeting in October. Voted: 5 Yeas – 0 Nays – 1 Abstained – Councilor Farrell, because he is unavailable on the 19th. Motion carried 5-0-1 **A u b u r n C i t y C o u n c i l M e e t i n g & W o r k s h o p M i n u t e s o f S e p t e m b e r 20, 2010 3 | P a g e**

#### **VIII. Open Session**

Joe Gray, Sopers Mill Road asked about the reduction of traffic travel lanes on Routes 4 and 11 to help reduce speed.

City Manager Aho responded.

## **IX. Future Agenda/Workshop Items**

Councilor Gerry wants to meet with Parks and Recreation, Police PAL to make sure that Parks and Recreation has what they need to run their programs. She wants the City Clerk to draft a new elections budget to see what is needed to run the elections, absentee voting at elderly housing facilities.

## **X. ADJOURNMENT**

Councilor Gerry, seconded by Councilor Herrick, moved to adjourn at 9:15pm. Vote 6

Yeas – 0 Nays Motion carried 6-0.

A true record Attested: Roberta L. Fogg, City Clerk

### **City Council Meeting and Workshop October 4, 2010 Minutes**

Present: Mayor Richard D. Gleason, Councilors Belinda A. Gerry, Michael Farrell, Robert Hayes, David C. Young, Raymond C. Berube, Eric C. Samson, City Manager Glenn Aho, Finance Director Tracy Roy and City Clerk Roberta Fogg.

Councilor Daniel Herrick arrived at 5:45 pm.

The council conducted a workshop beginning at 5:30pm on the following items:

Discussion of proposed Agriculture and Resource Protection zoning district amendment; Update: MDOT on Route 136 detour; Chapter 24 Licensing and Permits Ordinance proposed language; Update: Elections and Presentation of the PACE was presented in open session.

7:00 p.m. City Council Meeting

Mayor Gleason called the meeting to order at 7:10 p.m. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag.

### **Consent Items**

Councilor Berube, seconded by Councilor Hayes, move to accept the consent agenda items, **Minutes of September 20, 2010 as amended; Androscoggin Valley Council of Governments (AVCOG) for approval of temporary signs and fee waiver from Danville Jct. Grange #65 for their annual Business (Victualer) License.**

Vote: 6 Yeas - 0 Nays – 1 Abstained – Councilor Young because he is a member of the Danville Jct. Grange #65.

Motion carried 6-0-1.

### **Reports from Mayor Reports from City Councilors:**

Michael Farrell: None

Robert Hayes: Asked about committee appointments and to be given applications.

Daniel Herrick: MMWAC, Legislative breakfast, calls and complaints about taxes and increases in valuation.

David Young: Responded to questions from Mr. Gray on costs to extend school calendar. Raymond

Berube: unemployment rates & United Way information, asked if there were any Planning Board openings.

Belinda Gerry: Asked to be excused from next LA Public Health meeting, update on the LA Transit Saturday numbers which continue to increase.

Eric Samson: Asked about corner property values and an assessing workshop with Webpro.

### **Report from City Manager**

Aho City Manager Aho explained how the mass appraisal system works; he stated Mike Rogers of the Bureau of Revenue Services, Property Tax Division will be at the November 1st meeting to explain property assessment process. He asked to move the October 19th meeting to November 1st.

**Communications, Presentations and Recognitions** \* - approved in the consent agenda

**ommunication from Androscoggin Valley Council of Governments (AVCOG) for approval of temporary signs for their medicine disposal collection on November 6, 2010 from 9am to 11:30am at the Lewiston High School. \***

**plication for fee waiver from Danville Jct. Grange #65 for their annual Business (Victualer) License. \***

### **Open Session –**

Workshop Item E, Presentation of PACE Program: Jim Wellehan updated the Council on Efficiency Maine Program and Property Assessed Clean Energy (PACE).

Council agreed to bring the PACE model ordinance back for council action. (Do 1st reading, 2nd reading, public hearing and final adoption, ordinance will be effective five days from the date of adoption)

Tim Doughty, 75 Cherryvale Circle spoke about property values and the Patriot System. City Manager Aho responded to Mr. Doughty's comments.

Larry Pelletier, 129 Second Street asked about the winter parking ban.

City Manager Aho said it would be the same policy as last year.

Matt Read, Gorham resident, property owner on South Main Street, read a statement about being over taxed on his two properties. He stated that he plans to put a question on the May or June ballot to cap all employee pay.

City Manager Aho informed the council of his communications with Mr. Read regarding his property assessments and how the 32% reduction of state revenues affected our budget.

Andy Titus, 17 Lamplighter Circle, spoke about the valuation system to make it fair and equitable. He asked the council to start the budget process sooner because the citizens get lost in the process. He asked the council use the what if process for budgeting, “what if we did without something for one year?”

Joe Gray, Sopers Mill Road, spoke in favor of the slaughter house rezoning. He stated that Public Works is doing a great job on Jordan School Road.

Councilor Berube said that if it were not for the reduction of state revenue the city would have cut our budget this year.

#### **Unfinished Business - none New**

#### **Business**

Councilor Farrell, seconded by Councilor Gerry, made a motion so suspend the rules to discussion Councilor Gerry’s thoughts on voting.

Voted: 7 Yeas – 0 Nays. Motion carried 7-0.

Councilor Gerry, seconded by Councilor Farrell, made a motion to direct the City Clerk to continue to provide absentee voting to senior disabled complexes and direct the City Manager to release money from the City Council line item dealing with the feasibility of joining the Police and Fire Department Project.

Barker Arms, Towne House, Esplanade, Roak Block, Vincent Block and Heritage Court. Councilor

Hayes made a motion to table this item. Motion to table died for lack of second. Vote on main motion:

1 Yea – Councilor Gerry - 6 Nays Motion defeated 1-7. City Council

Councilor Farrell, seconded by Councilor Gerry, made a motion to suspend the rules in consideration of discussing dissolution of the Planning Board.

Vote: 3 Yeas – Councilors Gerry, Farrell and Herrick. – 4 Nays – Councilors Hayes, Young, Berube and Samson.

Motion defeated 3-4.

Councilor Gerry, seconded by Councilor Berube, made a motion to suspend the rules to discuss next meeting date. Vote: 7 Yeas – 0 Nays Motion carried 7-0.

Councilor Samson, seconded by Councilor Young, to suspend the council meeting of October 19th to the November 1st meeting.

Vote: 6 Yeas – 1 Nay – Councilor Hayes. Motion carried 6-1.

Councilor Gerry, seconded by Councilor Farrell, made a motion for a brief recess so that language can be re-written concerning her request for absentee voting at the senior housing complexes.

Vote: 4 Yeas – Councilors Gerry, Farrell, Herrick and Berube – 3 Nays – Councilors Hayes, Young and Samson.

Motion carried 4-3.

Councilor Gerry, seconded by Councilor Farrell, made a motion to suspend the rules to discuss authorizing the City Manager to expend funds for voting.

Vote: 5 Yeas – 2 Nays – Councilors Young and Samson. Motion carried 5-2.

Councilor Gerry, seconded by Councilor Farrell, made a motion to authorize the City Manager to expend the necessary funds (not to exceed \$2,000.001) to expand absentee voting to the following locations pending available staffing: Barker Arms, Towne House, Esplanade, Roak Block, Vincent Block and Heritage Court.

Councilor Berube, seconded by Councilor Samson, made a motion to move the question. Vote on moving the question: 5 Yeas – 1 Nay – Councilor Farrell - 1 Abstained – Councilor Hayes. Motion carried 5-1-1.

Roll call vote on main motion: 4 Yeas – Councilor Gerry, Farrell, Herrick and Berube - 3 Nays – Councilors Hayes, Young and Samson. Motion carried 4-3.

### **Open Session -**

Joe Gray, Sopers Mill Road, asked why the council wouldn't discuss dissolving the Planning Board.

### **Future Agenda/Workshop Items**

Councilor Herrick would like to discuss why we need so many layers of government to move something forward.

Councilor Farrell would like to discuss the Patriot System and Assessing; using CDBG money to fund School Resource Office Program.

1 The over-expenditure of the City Clerk's Budget will be offset by an under-expenditure of the Joint Services line item with the Mayor and Council Budget.

## **ADJOURNMENT**

Councilor Samson, seconded by Councilor Young, made a motion to adjourn at 9pm. Vote: 6

Yeas – 1 Nay – Councilor Farrell. Motion carried 6-1.

A true record Attested: Roberta L. Fogg, City Clerk

### **City of Auburn Special City Council Meeting 5:00 p.m. October 25, 2010 Council Minutes**

Present: Mayor Richard D. Gleason, Councilors Belinda A. Gerry, Michael J. Farrell, Robert P. Hayes, Daniel R. Herrick, David C. Young, Raymond C. Berube, Eric G. Samson, City Manager Glenn Aho and City Clerk Roberta Fogg.

Mayor Gleason called the meeting to order at 7:00 p.m. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag.

Mayor Gleason invited everyone to participate in Civil Air Patrol Drug Demand Reduction Program to wear a red ribbon or red wrist band to support "Better Things to do than Drugs".

**Open Session: None New**

**Business:**

**10252010-01 Authorize the City Manager to execute all necessary documents to sell City owned property at 359 Minot Avenue to Bedard Medical, Inc. for \$450,000.**

Councilor Samson, seconded by Councilor Hayes, moved the RESOLUTION TO AUTHORIZE SALE OF PROPERTY LOCATED AT 359 MINOT AVENUE, AUBURN, MAINE

Vote: 7 Yea's – 0 Nays Motion carried 7-0. Open

Session: None

Future Agenda/Workshop Items:

Councilor Samson asked to remove the no right turn on red sign on Academy Street.

Councilor Samson, seconded by Councilor Berube, moved to suspend the rules and add an item to the agenda.

Vote: 7 Yea's – 0 Nays. Motion carried 7-0.

Councilor Samson, seconded by Councilor Berube, moved that at the completion of the construction on Academy Street the no right turn on red sign be removed.

Vote: 7 Yea's – 0 Nays. Motion carried 7-0.

**ADJOURNMENT:**

Councilor Samson, seconded by Councilor Berube, moved to adjourn at 5:06 p.m. Vote: 7

Yeas – 0 Nays. Motion carried 7-0.

A true record Attested: Roberta L. Fogg, City Clerk 1 | P a g e

**City Council Meeting and Workshop November 1, 2010 Minutes**

Present: Mayor Richard D. Gleason, Councilors Belinda A. Gerry, Michael Farrell, Robert Hayes, David C. Young, Raymond C. Berube, Eric C. Samson, City Manager Glenn Aho, Finance Director Tracy Roy and City Clerk Roberta Fogg.

Councilor Daniel Herrick arrived at 5:41pm.

The council conducted a workshop beginning at 5:30pm on the following items:

HOME Investment Partnerships Program loan to Webster School Associates LP; Traffic Control Policy; Great Falls School; Assessing; CIP \$1,000,000 Bond Issuance and Sale and Time Permitting1: Sale of Tax Acquired Properties (81 Harvard Street).

7:00 p.m. City Council Meeting

Mayor Gleason called the meeting to order at 7:14 p.m. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag.

**Consent Items**

Councilor Berube, seconded by Councilor Hayes, move to accept the consent agenda items,

**Minutes of October 4th and 25th, 2010; Advocates for Children for permission for approval of temporary sign**

Vote: 7 Yeas – 0 Nays Motion carried 7-0.

**Reports from Mayor Reports from City Councilors:**

Michael Farrell: None Robert

Hayes: None

Daniel Herrick: None

David Young: Stated that there will be a Planning Board hearing on Cooper Manor parking lot extension.

Raymond Berube: Stated that Pepsi Cola Company will no longer be bottling in Auburn. Belinda

Gerry: None

Eric Samson: None

### **Report from City Manager**

Aho City Manager Aho presented the year end reports for the following enterprise accounts: Fire Alarm Systems, Great Falls Arts Center, Ingersoll Arena, Parks and Recreation and the Parking Garage.

### **September 2010 Financial Report presented by Finance Director Tracy Roy.**

Councilor Berube, seconded by Councilor Farrell, moved to accept the September 2010 Financial Report.

Vote: 7 Yeas – 0 Nays Motion carried 7-0.

### **Communications, Presentations and Recognitions \* - approved in the consent agenda 11012010-01**

**Communication from Advocates for Children for permission to hang a banner at the intersection of Turner Street and Mount Auburn Avenue (in front of Starbucks Coffee) for their upcoming Holiday Festival for Children on December 4, 2010 from 9am to 2pm at St. Dom's High School. \***

### **Open Session –**

Bill Scarman, Manager of the Lewiston Maniac's explained the Movember challenge. All males to grow a mustaches during the month of November for prostate cancer awareness. The judging will take place on November 26th.

Councilor Farrell, seconded by Councilor Herrick, moved to suspend the rules to discuss the Great Falls Arts Center.

Voted: 5Yea's – 2 Nay's – Councilors Gerry and Young opposed. Motion carried 5-2.

Councilor Farrell, seconded by Councilor Herrick, moved to increase the lease agreements, at the time of annual renewal, for Great Falls Art Center, to accurately reflect the costs associated with the operational costs of the facility.

Councilor Samson, seconded by Councilor Young, moved to table this item until the November 15th Council Meeting.

Voted: 4 Yea's – Councilors Gerry, Hayes, Young and Samson. 2 Nay's – Councilors Farrell and Herrick. 1 Abstained – Councilor Berube. Motion carried 4-2-1.

Councilor Samson, seconded by Councilor Hayes, moved to suspend the rules to discuss Traffic Control Policy.

Voted: 4 Yea's – 3 Nay's – Councilor Gerry, Farrell and Herrick opposed. Motion carried 4-3. Councilor Samson, seconded by Councilor Hayes, moved the Traffic Control Policy Ordinance as presented.

Councilor Farrell, seconded by Councilor Berube, moved to table this item until the November 15th Council Meeting.

Voted: 4 Yea's – 3 Nay's – Councilors Hayes, Young and Samson opposed. Motion carried 4-3. Karen

Ferguson, 1350 Turner Street, Jaylynn Mobile Home Park, 62 Samantha Lane, presented the Mayor and Councilors an advisory petition with 59 signatures asking the council to look into safety issues from speeding and traffic issued in their neighborhood, 1350 Turner Street, Brown Street, and Colby Street. She stated that the signage in place is not effective.

Chief Crowell stated that they will evaluate the speed and signage in the area and bring back information at the next meeting.

Rita Laowman?, resident of Jaylynn Mobile Home Park stated her concerns about the speeding and traffic in the area.

Hillary Yeaton, spoke about the Great Falls Art Center Building, stating that the rent is priced right for what you get, even though the building isn't up to code with an elevator and other amenities. She urged the Council to talk to the tenants about their use of facilities and the rentals.

Adam Dow, 393 Center Street spoke about water rates going up because of the reduced commercial use, but asked why a commercial vehicle (Splash Truck) can pump water out of the lake off Route 4.

Councilor Farrell explained the Lake Auburn Water Shed Protection Commission permits. Karen

Loggins, 60 Vista Drive resident, spoke about the holiday lights and the financial feasibility of the proposed traffic ordinance amendment. She doesn't feel it applies to them.

Joe Gray, Sopers Mill Road, stated that the October 25th meeting was a good example of how the council should take action on items. He asked the Manager why the managerial reports and weekly reviews had been removed from the web site. He asked if there is a term limit for board

members and asked to Council to put term limits in for board members. He asked about the Main Street project and narrowing of the road, because it is dangerous. He asked about an open hydrant running on Route 136 by Gagnon's. He asked where United's income goes and how much it is?

City Manager Aho answered Mr. Gray's questions. United income is \$100,000 and it goes into the general fund. He explained the Vincent Square Park and Main Street projects. He spoke about the traffic control policy recommendation would be divided between the two home owners. He also stated that if Great Falls Arts Center were sole it should be put out to everyone, not just CLT.

Councilor Herrick answered Mr. Gray's questions about the running hydrant and the narrowing of Main Street.

Councilor Farrell explained that the city rents hydrants, but doesn't believe we get charged for the water. He then asked if MDOT was consulted about the narrowing of Main Street, and should it be inspected by MDOT before it's paved.

Paulette Dingley, 11 Haskell Street asked Councilor Farrell when enough property around the lake is enough to protect the water. She asked him to look at water filters from her home.

Kaylyn Bang, 48 Vista Drive, stated that she has never had a problem getting in and out of her road, but asked if the lights become an issue can various groups like the boy scouts do volunteer traffic service to help with the situation.

#### **Unfinished Business - none New**

#### **Business**

**Public Hearing and action on the following Graveyard/Junkyard applications: M&P Auto, Inc., 227 Merrow Rd. Buck's Auto, 249 Merrow Rd. Morris Auto Parts, Inc., 940 Washington St. Isadore T. Miler Co., Old Hotel Rd. Maine Metal Recycling, 522 Washington St. Randy's Auto Parts, Inc., 899 Broad St.**

Councilor Berube, seconded by Councilor Farrell, moved to approve the renewal of all businesses listed above, provided they are in compliance with all State, Federal and Local laws, rules and regulations.

Voted: 7 Yeas – 0 Nay's Motion carried 7-0.

Joe Gray, Soper Mills Road commented on the drive by inspection by the Code Enforcement Officer.

**Public Hearing and action on Liquor License and Special Amusement Permit applications for Jasmine Café located at 730 Center Street (Pending City Staff Approval)**

Councilor Farrell, seconded by Councilor Samson, moved to approve the Liquor License and Special Amusement Permit applications for Jasmine Café located at 730 Center Street, pending city staff approval. Provided they are in compliance with all State, Federal and Local laws, rules and regulations.

Vote: 7 Yeas – 0 Nay’s Motion carried 7-0.

**Public Hearing and action on Liquor License application for George’s Pizza Corp (new owner), 563 Center Street (Pending City Staff Approval)**

Councilor Samson, seconded by Councilor Farrell, moved to approve the Liquor License application for George’s Pizza Corporation (new owner) 563 Center Street, pending city staff approval. Provided they are in compliance with all State, Federal and Local laws, rules and regulations.

Vote: 7 Yeas – 0 Nay’s Motion carried 7-0.

**Tax Acquired Properties, 81 Harvard Street.**

Councilor Farrell, seconded by Councilor Berube, moved Resolve Order #: 15-11012010-05

**DISPOSITION OF TAX ACQUIRED PROPERTY**

Vote: 7 Yeas – 0 Nay’s Motion carried 7-0.

Joe Gray, Sopers Mill Road stated that the assessed value on this property is \$135,000 we need to look at our values if we are selling it for \$40,000.00.

**Public Hearing and approval of Webster School Redevelopment Affordable Housing Municipal Tax Increment Financing District – TIF #16.**

Councilor Hayes, seconded by Councilor Berube, moved Resolve #16-11012010-06 Authorize the City Manager to Execute Documents – Tax Increment Finance District #16 – Webster School Redevelopment Affordable Housing and Submit to MaineHousing (Maine State Housing Authority).

Vote: 7 Yeas – 0 Nay’s Motion carried 7-0.

Joe Gray, Sopers Mill Road wants to know why we are putting 20 low income families in the neighborhood with the highest crime rate.

Rick Whiting, Auburn Housing Authority, responded by stating this are work force housing and this project will create resurgence in the neighborhood.

Larry Pelletier, 129 Second Street asked about screening program for the residents of the building, because this facility would also house a head start program.

Rick Whiting responded by explaining the screening process for residents.

Councilor Berube, seconded by Councilor Samson, moved Resolve # 17-11012010-06 RESOLUTION TO AUTHORIZE SALE OF PROPERTY LOCATED AT 95 Hampshire Street, AUBURN, MAINE

Vote: 7 Yeas – 0 Nay’s Motion carried 7-0.

**rizing the issuance and sale of capital improvement bonds of \$1,000,000, first reading.**

Councilor Young, seconded by Councilor Samson, moved Resolve 18-11012010-07 ORDER -

AUTHORIZING THE ISSUANCE AND SALE OF CAPITAL IMPROVEMENT BONDS IN THE AMOUNT OF \$1,000,000 (Annual Capital Improvement Program) (This being the First Reading – Public Hearing)

Vote: 6 Yeas – 1 Nay – Councilor Herrick. Motion carried 6-1.

**Open Session - none**

**Future Agenda/Workshop Items**

Councilor Gerry disclosed her brother’s participation in CLT.

Councilor Herrick asked for discussion of Planning Board Appointees and term limits for board members.

Councilor Farrell asked about the Main Street improvements issue to have MDOT review the project prior to paving.

Councilor Gerry spoke about the Manager’s weekly review items, discussion of rearranging department and assistant city manager appointment.

Councilor Herrick asked about Young’s Corner, Hotel Road four way stop.

**ADJOURNMENT**

Councilor Farrell, seconded by Councilor Gerry, made a motion to adjourn at 9:15pm. Vote: 7

Yeas – 0 Nay’s Motion carried 7-0.

A true record Attested: Roberta L. Fogg, City Clerk

**Special City Council Meeting November 10, 2010 Minutes**

Present: Mayor Richard D. Gleason, Councilors Belinda A. Gerry, Michael Farrell, David C. Young, Raymond C. Berube, Eric C. Samson, City Manager Glenn Aho, Finance Director Tracy Roy and City Clerk Roberta Fogg.

Councilor Robert Hayes absent.

Councilor Daniel Herrick arrived at 5:25pm.

Mayor Gleason called the meeting to order at 5:15pm in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag.

Councilor Berube, seconded by Councilor Samson, move to approve the consent items: October 4, 2010 minutes.

Voted: 4 Yea's – 0 Nay Motion carried 4-0. **Communications,**

**Presentations and Recognitions - None Open Session - None**

**Unfinished Business - None New**

**Business**

**rizing the issuance and sale of capital improvement bonds of \$1,000,000, second reading and final adoption.**

Councilor Samson, seconded by Councilor Berube, moved Resolve 18-11152010-01 ORDER - AUTHORIZING THE ISSUANCE AND SALE OF CAPITAL IMPROVEMENT BONDS IN THE AMOUNT OF \$1,000,000 (Annual Capital Improvement Program) (This being the Second Reading – Public Hearing)

Vote: 5 Yea's – 0 Nay Motion carried 5-0.

**ption of the Property Assessed Clean Energy (PACE) Ordinance, public hearing and a combined first and second reading, with final adoption.**

Councilor Berube, seconded by Councilor Young, moved Resolve 19-11102010-02 Adopting the Property Assessed Clean Energy (PACE) Ordinance, this is first reading, second reading and final adoption. This is the final reading and shall become effective immediately upon adoption.

Vote: 5 Yea's – 0 Nay Motion carried 5-0.

Councilor Samson, seconded by Councilor Young, moved Resolve 20-11102010-02 Authorize City Manager to execute all necessary documents to authorize Efficiency Maine Trust to

administer the City of Auburn's PACE program. Vote: 4Yea's - 0 Nay – 1 Abstained– Councilor Farrell.  
Motion carried 4-0-1

**11102010-04 Confirmation of the City Manager's appointment of Philip Crowell as Acting Assistant City Manager.**

Councilor Samson, seconded by Councilor Berube, moved to confirm the City Manager's appointment of Phillip Crowell, Jr. as acting Assistant City Manager.

Vote: 6 Yea's – 0 Nay Motion carried 6-0.

**Open Session - None**

**Future Agenda/Workshop Items**

Councilor Herrick asked that the Slaughter House issue move forward sooner rather than later. He also asked for future special council meetings to begin at 7pm.

Councilor Young asked about the Knight House (Auburn Heritage) roof project.

Councilor Berube updated the council on his attempt to get Home Depot to donate material. He stated that there is only \$1,000.00 in the fund and the estimate for a new roof is \$6,000.00.

City Manager Aho explained that the Slaughter House issue is on the November 15th agenda.

**ADJOURNMENT**

Councilor Berube, seconded by Councilor Herrick, moved to adjourn at 6:07 pm. Vote: 6

Yea's – 0 Nay Motion carried 6-0.

A true record Attested: Roberta L. Fogg, City Clerk

**City Council Meeting and Workshop November 15, 2010 Minutes**

Present: Mayor Richard D. Gleason, Councilors Belinda A. Gerry, Michael Farrell, Robert Hayes, David C. Young, Raymond C. Berube, Eric C. Samson, City Manager Glenn Aho, Acting Assistant City Manager Crowell, Finance Director Tracy Roy and City Clerk Roberta Fogg.

Councilor Daniel Herrick arrived at 5:42 pm.

The Council conducted a workshop beginning at 5:30pm on the following items:

Great Falls School; Traffic Control Policy; Progress Report: Auburn Industrial Park and Zoning Amendment Chapter 29, Section 3.31B.2. (Slaughter Houses).

The following workshop items were addressed during the agenda: General Assistance Ordinance Amendment, annual update and Property Abatement for Tax Map 226 Lot 79, Land on ValView Drive.

Break 7:05pm Back

7:20pm

7:00 p.m. City Council Meeting

Mayor Gleason called the meeting to order at 7:20 p.m. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag.

### **Consent Items –**

Councilor Berube, seconded by Councilor Herrick, move to accept the consent agenda items,

**Minutes of November 1, 2010; Acknowledge the return of votes cast in the November 2, 2010 General Election; Confirm Chief Crowell's appointment of Matthew R. Koenig as a constable with firearm for the Auburn Police Department; and Acknowledge the receipt of a Petition for Discontinuance of a public easement on a portion of Browns Crossing Road.**

Vote: 7 Yeas – 0 Nays Motion carried 7-0.

### **Reports**

**Reports from Mayor** – see copy of report in official minutes. Reports from City Councilors: Michael

Farrell: No committee report Commented on article about statements he made about Lake Auburn Watershed.

Robert Hayes: None

Daniel Herrick: Reported about his concerns with Main Street project is too narrow. He has missed two AHA meetings and will miss the third this week because of work conflicts; he asked to resign from this committee.

David Young: None

Raymond Berube: None, commented on Veterans Day show in Lewiston

Belinda Gerry: LA Transit numbers are holding well the first two weeks of the month. LA Public Health Committee she must resign from this committee, because of conflicts.

Eric Samson: None

City Manager asked to add HOME Investment Program as item 11152010-09.

**October 2010 Financial Report** presented by Finance Director Tracy Roy.

Councilor Berube, seconded by Councilor Farrell, moved to accept the October 2010 Financial Report.

Vote: 7 Yeas – 0 Nays Motion carried 7-0.

**Communications, Presentations and Recognitions \*- approved in the consent agenda 11152010-01**

**Acknowledge the return of votes cast in the November 2, 2010 General Election.\***

**firm Chief Crowell's appointment of Matthew R. Koenig as a constable with firearm for the Auburn Police Department.\***

**cknowledge the receipt of a Petition for Discontinuance of a public easement on a portion of Browns Crossing Road. \***

**etition from Karen Ferguson regarding traffic safety concerns at 1350 Turner Street, Brown Street, Colby Street and the surrounding neighborhoods.**

Karen Ferguson, 1350 Turner Street thanked the council for hearing the petition and thanked the Chief for this efforts so far. She stated that the hidden drive sign has been moved up and a speed limit sign has been posted.

Chief Crowell reviewed the data collected. They are doing selective enforcement and have changed some signage. He then answered questions for Mrs. Ferguson.

Mrs. Ferguson asked the council to take some action quickly.

Chief Crowell said that they could submit a request to the state MDOT. He said that there has been talk about reconfiguration of Turner Street.

Charlene Richardson, Turner Street resident asked Chief Crowell questions about the traffic and speed on this street. She suggested hiding the traffic box to get a true test of speed. She asked if they could have an officer there periodically.

Chief Crowell said that they will be using the data they have collected to do selective enforcement.

**Open session -**

Larry Pelletier, 129 Second Street stated that he is a fan of the Manager's weekly review. He commented about the article on the Public Works Employee who handled an issue in appropriately to a request. He asked why the employees name was used in the weekly review.

City Manager Aho explained that the issue was a good one, the department did not follow procedures, the individual did nothing wrong. If we are to be transparent we need to do so, on all issue.

Ken Bellefleur, 100 Royal River Road spoke in favor of the workshop between the Council and Planning Board, because the zoning change is for the whole zone not just this property. He stated that he email that Councilor Farrell mentioned was from him and he does not believe it was a conflict of interest.

## **VI. Unfinished Business**

### **move from the table Great Falls School motion from November 1, 2010.**

Councilor Farrell, seconded by Councilor Gerry, moved to remove the Great Falls Art Center from the table of November 1, 2010.

Voted: 6 Yea's – 1 Nay – Councilor Young. Motion carried 6-1.

Original motion from November 1, 2010: Councilor Farrell, seconded by Councilor Herrick, moved to increase the lease agreements, at the time of annual renewal, for Great Falls Art Center, to accurately reflect the costs associated with the operational costs of the facility.

Public comments –

Bruce Bickford, 64 Cameron Lane, asked how this motion would pass with no numbers or figures attached to this motion. He asked questions about how leases would be calculated.

Diane Doe, Director of the Share Center spoke about their services and partnerships with the community that allows them to function. She asked how much more every month, does the city need to continue to go forward so they will not close the building. She asked if there were other things that could be looked at, lowering the heat, reducing auxiliary electrical uses.

Councilor Hayes, seconded by Councilor Young, moved to amend the motion that the motion be clarified that the costs are to be spread across all the leases based on the sq footage.

Vote 2 Yea's – Councilors Hayes and Young - 5 Nay's Motion failed 2-5.

Vote Main Motion: 3 Yea's- Councilors Gerry, Farrell and Herrick – 4 Nay's – Councilors Hayes, Young, Berube and Samson. Motion failed 3-4.

Councilor Farrell, seconded by Councilor Herrick, moved to suspend rules to discuss vacating Great Falls Property and demolishing the building.

Vote: 4 Yea's – Councilors Gerry, Farrell, Herrick and Berube. -3 Nay's – Councilors Hayes, Young and Samson. Motion carried 4-3.

Councilor Farrell, seconded by Councilor Gerry, moved to vacate the building by May 2011 and slate the building for demolish by June 2011.

Councilor Herrick, seconded by Councilor Berube moved to amend the motion that by the end of May 2011 anyone who wants to come forward with a proposal the council will listen, but that bids for demolition will be sent out in June 2011.

**Public comment:**

Larry Pelletier, 129 Second Street asked the council what they can do to help these people find a new home in the city.

Councilor Gerry asked City Manager Aho if we own the property on Western Avenue and would it be feasible to move people to.

Tom Peters, Community Little Theater reminded the council to review the agreement of how they got the property to see if there are any conditions it was given to the city.

Vote on amendment: 3 Yea's - Gerry, Herrick and Berube – 4 Nay's – Councilors Farrell, Hayes, Young and Samson. Motion failed 3-4.

Main motion vote: 4 Yea's - Councilor Gerry, Farrell, Herrick and Berube – 3 Nay's – Councilors Hayes, Young and Samson. Motion carried 4-3.

**move from the table the Traffic Control Policy motion from November 1, 2010.**

Councilor Farrell, seconded by Councilor Herrick, moved to remove the Traffic Control Policy from the table of November 1, 2010.

Vote: 7 Yea's -0 Nay Motion carried 7-0.

Original motion from November 1, 2010: Councilor Samson, seconded by Councilor Hayes, moved the Traffic Control Policy Ordinance as presented.

Vote: 3 – Yea's - Councilors Hayes, Young and Samson – 4 Nay's – Councilors Gerry, Farrell, Herrick and Berube.

Motion failed 3-4.

**VII. New Business**

**First reading of ordinance amendment Chapter 31, updated General Assistance yearly appendices A, B, and C.**

Councilor Farrell, seconded by Councilor Herrick, moved Resolve Order #21-11152010-07  
ORDINANCE – AMENDMENT TO CHAPTER 31 – ADOPTION OF THE UPDATED GENERAL  
ASSISTANCE MAXIMUMS (First Reading)

Vote: 7 Yea's – 0 Nay Motion carried 7-0.

**roperty Abatement for Tax Map 226 Lot 79, Land on ValView Drive**

Councilor Samson, seconded by Councilor Young, moved Resolve Order # 22-11152010-08 Property Tax  
Abatement for 2009 Property Tax assessed in error.

Vote: 7Yea's -0 Nay Motion carried 7-0.

**ME Investment Partnerships Program loan for Development of 95 Hampshire Street  
Property by Webster School Associates LP**

Councilor Samson, seconded by Councilor Gerry, moved to suspend the rules and add a discussion of  
HOME Investment Partnerships Program loan for Development of 95 Hampshire Street Property by  
Webster School Associates LP. Voted: 7 Yea's – 0 Nay Motion carried 7-0.

Councilor Samson, seconded by Councilor Berube, moved Resolve Order #: 23-11152010-09 Authorize  
Community Development Director to Execute Documents for Loan to Webster School Associates LP for  
Development of 95 Hampshire Street.

Voted: 7 Yea's – 0 Nay Motion carried 7-0.

**VIII. Open Session – none**

Councilor Herrick, seconded by Councilor Farrell, moved to suspend rules and put on the agenda the  
appointment of Planning Board Members.

Vote: 4 Yea's – 3 Nay's - Councilors Hayes, Young and Samson opposed. Motion carried 4-3. Councilor

Herrick, seconded by Councilor Farrell, made a motion to appoint Dan Bilodeau and  
Christopher Gendron to the Planning Board to fill vacancies.

Vote: 3 Yea's – Councilors Gerry, Farrell and Herrick. 3 – Nay's – Councilors Hayes, Young and  
Samson. 1-Abstained – Councilor Berube. Mayor Gleason voted Nay to break the tie.

Motion failed 3-3-1-1. Public

comment:

Roland Miller, Director of Community Development stated that more than one individual has spoken to  
him and feels that all applicants names should be mentioned.

Future Agenda/Workshop Items

Councilor Farrell asked for an executive session to discuss committee applications, he also asked for procedure for installing.

City Clerk Fogg will bring samples of other Communities process for appointing committee members for the council to discussion at the next meeting (12/6).

Councilor Hayes asked where we are with CLT's list of questions for parameters. He suggested a special meeting on the last Monday of the month. He asked what we are expecting the police department to go in respect to the traffic issue.

## **ADJOURNMENT**

Councilor Berube, seconded by Councilor Farrell, made a motion to adjourn at 8:45 pm. Vote: 7 Yeas  
– 0 Nay's Motion carried 7-0.

A true record Attested: Roberta L. Fogg, City Clerk

### **City Council Meeting and Workshop December 6, 2010 Minutes**

Present: Mayor Richard D. Gleason, Councilors Belinda A. Gerry, Michael Farrell, Robert Hayes, Daniel Herrick, David C. Young, Raymond C. Berube, Eric C. Samson, City Manager Glenn Aho, Acting Assistant City Manager Crowell, Finance Director Tracy Roy and City Clerk Roberta Fogg.

Councilor Farrell arrived 5:40pm.

The Council conducted a workshop beginning at 5:30pm on the following items:

Petition for discontinuance of a portion of Browns Crossing Road; Great Falls: Deed Restrictions and Demolition Information.

Break at 6:53pm Back

at 7:02pm

7:00 p.m. City Council Meeting

Mayor Gleason called the meeting to order at 7:20 p.m. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag.

#### **Consent Items:**

Councilor Berube, seconded by Councilor Hayes, moved to accept the consent agenda, minutes of November 10th and 15th, 2010.

Voted 7-0. Motion carried 7-0.

**Minutes:** November 10, 2010 and November 15, 2010\* - approved.

Council discussed if all motions with expenditures must be in writing, in particular section 2.6 of the charter and section 3 of the Chapter I.

**Reports:**

**Mayor (see report) City**

**Councilors**

Michael Farrell: Rec. Adv Bd, Airport, Audit, Lake Aub Watershed Protection Comm, Robert

Hayes: Planning Bd, Water, Library, and Railroad

Daniel Herrick: MMWAC, Auburn Housing

David Young: School Committee, Cable TV Adv Board

Raymond Berube: Lewiston-Auburn Economic Growth Council, Sewer, Audit, USM-L/A Belinda Gerry:

LA Transit, Neighborhood Stabilization Program, L/A Public Health Committee, Eric Samson: 9-1-1,

Auburn Business Development Corp, Andros Valley Council of Gov

**City Manager**

**Communications, Presentations and Recognitions: None Open**

**Session:**

Larry Pelletier 129 Second Street stated that he understands why the majority of the council voted to raise the Great Falls Building. He asked that whatever the council decision on the Great Falls Building they assist the residents of that building in relocating.

Kathryn Begg, 15 Drummond Street suggested the council get legal advice on the deed prior to doing anything with the building. She read a statement supporting CLT and the arts community. She thinks this issue should be brought before the voters. She will be submitting a proposal for this building and she outlined some of the proposal.

Michael Scott, South Witham Road supports Great Falls building. He also spoke about the managers weekly review article about the Auburn Fire Fighters solicitation for MDA on Court Street. He stated that they had obtained the appropriate permit from the Chief of Police. He asked for an apology from City Manager to the Fire Fighters.

City Manager Aho explained that it is his responsibility to limit the city liabilities. He reviewed the reasoning behind his comments and weekly review. They should come to the council ahead of time to get council approval to fund raise wearing city jackets.

Councilor Farrell asked the Manager if this is a grievance issue or potential grievance issue. Gerry St.

Peter, 170 Turner Street spoke on behalf of the Fire Fighters MDA fund raising activities. Pine Tree Camp in Rome, Maine that benefits from this fund rising.

Rita Harry, 11 Maple Hill Road spoke in support of the Great Falls School, She asked if there was a real historical district in Auburn, she also stated that we have a creative economy at the great Falls building.

Karen Mayo, Minot resident and president of Community Little Theater stated where they stand and that they would like to talk to the council about how to get to where we need. CLT would like to have the “right of first refusal” to bring a proposal forward. They will be having other conversations in preparation to the possible relocation of CLT.

Deb Desjardins, 2768 Turner Road spoke in favor of CLT; she also spoke about the roads. Where Turner Road meets Center Street is very dangerous. She asked the city restrict exit from Turner Road onto Center Street.

City Manager Aho said he would get the details and contact the State.

Chris Camire, 1386 Minot Avenue spoke in opposition to demolition of Great Falls building. He stated that the minutes are not available on the web site. The suspension of the rules is wrong. He stated that he mistrusts.

City Manager Aho responded.

Ron Potvin former city councilor resident of 82 Northern Avenue spoke on behalf of residents who are not happy about how quickly things are happening. He spoke to Councilors Gerry and Farrell about not taking more time to get more public input into the Great Falls issue. He stated that marketing study supports the need for a performing arts center. He reviewed the feasibility study conducted by the city. He suggested the city keep the building and support it with tax money. He asked for a motion to reconsider the demolition of Great Falls Arts Center.

Councilor Berube stated that the Franco American Center purchased the building for \$1 and has raised almost 6 million dollars, none of which is tax payer dollars.

Ron Potvin said the difference is that it was a private entity and this building is a municipal building with deed restrictions.

Councilor Hayes raised a point of order to close open session.

**Unfinished Business: none New**

**Business:**

**Public hearing, second and final reading of Ordinance Amendment to Chapter 31, updated General Assistance yearly appendices A, B, and C.**

Councilor Berube, seconded by Councilor Hayes, moved order #21-12062010-01 ORDINANCE – AMENDMENT TO CHAPTER 31 – ADOPTION OF THE UPDATED GENERAL ASSISTANCE MAXIMUMS (Second Reading)

Be It Ordained by the Auburn City Council, That Chapter 31, General Assistance Ordinance, be amended by adopting Appendixes A, B, and C as explained in the attached agenda information form. A copy of the appendixes are attached to this ordinance.

Vote: 7 Yeas – 0 Nays. Motion carried 7-0.

**ME Investment Partnerships Program loan for Development of 95 Hampshire Street Property by Webster School Associates LP.**

Councilor Samson, seconded by Councilor Berube, moved order #24-12062010-02 Authorize Community Development Director to Execute Documents for Loan to Webster School Associates LP for Development of 95 Hampshire Street.

Be It Resolved: That the City Council approves the terms of the Commitment Letter dated December 7, 2010 presented to the City Council, issued to Webster School Associates LP to support the local development of affordable housing; that the City Council authorizes the Community Development Director to execute and deliver any and all other documents necessary in connection with the transaction described in the Commitment Letter; that the City Council ratifies all actions that have been taken and documents that have been executed by the Community Development Director in connection with and related to the transaction described in the Commitment Letter.

Vote: 7 Yea's – 0 Nays. Motion carried 7-0.

**Tax Acquired Property at 34 Davis Ave.**

Councilor Hayes, seconded by Councilor Samson, moved resolve #25-12062010-03 DISPOSITION OF TAX ACQUIRED PROPERTY: Be It Resolved by the Auburn City That: the City Manager is authorized to sell the Tax Acquired properties listed below to the highest bidder.

Assessed # of

Address & Parcel ID Value Bids Abutters

34 Davis Avenue \$91,600 \$25,000 (Simon Streeter) 3 (249-128)

\$10,000 (Garrick Johnson)

Vote: 7 Yea's – 0 Nays. Motion carried 7-0.

**Tax Acquired Property at & 30 Washington Park Rd.**

Councilor Berube, seconded by Councilor Gerry, moved order #26-12062010-04 Be It Resolved by the Auburn City That: the City Manager is authorized to sell the Tax Acquired properties listed below to the highest bidder.

Assessed # of

Address & Parcel ID Value Bids Abutters

30 Washington Park Rd. \$4,300 \$100.00 (Susan Cotnoir) (181-015-000-023)

Vote: 7 Yea's – 0 Nays. Motion carried 7-0.

**proval of Transfer of Forfeiture Assets seized from Jessica Sather, Androscoggin County Superior Court Doc. No. CR-10-342.**

Councilor Berube, seconded by Councilor Samson, moved order #27-12062010-05: Required Vote of Municipal Officers/Approval of Transfer of Forfeiture Assets

The State of Maine, Office of the Attorney General, seeks Auburn City Council approval for the transfer of Forfeiture Assets seized from Jessica Sather, Androscoggin County Superior Court Doc. No. CR-10-342.

The MDEA and Auburn Police Department were instrumental in the seizure of \$13,308 in drug related funds. The Auburn Police Department, after approval from the City Council, will receive a portion of those funds, namely \$4,657.80.

Vote: 7 Yea's – 0 Nay's. Motion carried 7-0.

**ecutive session in accordance with Title 1, Section 405, Subsection 6D, Union Negotiations with the Maine Association of Police, Patrol Unit. No motion made, this item died.**

**ecutive session in accordance with Title 1, Section 405, Subsection 6D, Union Negotiations with the Maine Association of Police, Command Unit.**

Councilor Berube, seconded by Councilor Hayes, moved to enter executive session in accordance with Title 1, Section 405; Subsection 6D, Union Negotiations with the Maine Association of Police, Command Unit, at 8:12 pm.

Vote: 7 Yea's – 0 Nay's. Motion carried 7-0.

Councilor Gerry, seconded by Councilor Hayes, moved to leave executive session and enter regular session at 8:29pm.

Vote: 7 Yea's – 0 Nay's. Motion carried 7-0.

Councilor Samson, seconded by Councilor Berube, moved to suspend rules to authorize the City

**Manager to ratify the collective bargaining agreement between the City and the Command Unit of the Maine Association of Police for the period of July 1st, 2010 to December 31st, 2011.**

Vote: 3 Yea's – Councilors Samson, Berube and Hayes - 4 Nay's – Councilors Gerry, Farrell, Herrick and Young. Motion failed 3-4.

Councilor Hayes, seconded by Councilor Young, moved to suspend rules to discuss the sale of 16 Western Ave property.

Vote: 4 Yea's – Councilors Hayes, Young, Berube and Samson – 3 Nay's - Councilors Gerry, Farrell and Herrick. Motion carried 4-3.

Councilor Hayes, seconded by Councilor Young, moved to accept the \$50,000 offer for city property at 16 Western Avenue.

Vote: 2 Yea's – Councilor Berube and Young - 5 Nay's – Councilors Gerry, Farrell, Hayes, Herrick, Young and Samson. Motion failed 2-5.

City Manager Aho explained the first offer is for a quit claim deed which is how we sell our property, the second is for a warranty deed with a zoning change, which would be spot zoning. Staff does not recommend the second proposal.

### **Open Session:**

Michael Scott, 549 South Whiten Road stated that there is a blind corner on South Whiten Road and Harmon's Corner asked that this be looked at. He stated that he is angry about the fund raising issue, he is passionate about MDA. He said if they knew the rules ahead of time they would comply. He is tired of being stonewalled by the City Manager.

Ron Potvin, 82 Northern Avenue addressed the City Manager and Councilor Hayes questions about the demolition of a garage on Winter Street property, because it is a place where the homeless gather. Contact for this issue is Bernadette Landre at 209 Summer Street.

Joe Gray, Sopers Mill Road stated that MDOT used his property for a staging area and thank them for cleaning up his property.

**Future Agenda/Workshop Items:**

Councilor Herrick asked for the situation at 1863 Pownal Road property to be discussed so we can get to the bottom off it.

**Adjournment:**

Councilor Herrick, seconded by Councilor Hayes, moved to adjourn at 8:41pm. Vote 7

Yea's – 0 Nay's. Motion carried 7-0.

A true record Attested: Roberta L. Fogg, City Clerk

**City Council Meeting and Workshop December 20, 2010 Minutes**

Present: Mayor Richard D. Gleason, Councilors Belinda A. Gerry, Michael Farrell, Raymond C. Berube, Eric C. Samson, City Manager Glenn Aho, Acting Assistant City Manager Crowell, Finance Director Tracy Roy and City Clerk Roberta Fogg.

Absent: Councilor Hayes, Herrick and Young.

The Council conducted a workshop beginning at 5:52pm on the following items: Great Falls building.

Councilor Young and Hayes arrived at 6:02pm Councilor Herrick arrived at 6:10pm. Break at

7:04 pm

Back at 7:13 pm

7:00 p.m. City Council Meeting

Mayor Gleason called the meeting to order at 7:20 p.m. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag.

**Consent Items**

Councilor Young, seconded by Councilor Berube, moved to accept the consent agenda, minutes of December 6, 2010; Confirm Chief Crowell's appointment of Bryan Parker as a constable with firearm for the Auburn Police Department; Confirm Chief Crowell's appointment of Jonathan D. Provisor as a constable with firearm for the Auburn Police Department and Confirm Chief Crowell's re-appointment and appointment of the constables, as listed, without firearm for the Auburn Police Department.

Vote: 7 Yea's – 0 Nay's. Motion carried 7-0. **Minutes**

– December 6, 2010\* - approved **Reports**

**Mayor** (see official minutes)

**City Councilors**

Michael Farrell: Rec. Adv Bd, Airport, Audit, Lake Aub Watershed Protection Comm, - none Robert

Hayes: Planning Bd, Water, Library, and Railroad - none

Daniel Herrick: MMWAC, Auburn Housing - none

David Young: School Committee, Cable TV Adv Board - none

Raymond Berube: Lewiston-Auburn Economic Growth Council, Sewer, Audit, USM-L/A – none

Belinda Gerry: LA Transit, Neighborhood Stabilization Program, L/A Public Health Committee Eric

Samson: 9-1-1, Auburn Business Development Corp, Andros Valley Council of Gov - none

**City Manager** – stated that the Eric Cousens is working with Representative Beaulieu. Corrected agenda issue, executive sessions and first reading of slaughter house issue.

**Tracy Roy, Finance Director** reviewed the November 2010 Financial Report.

Councilor Berube, seconded by Councilor Samson, made a motion to accept the November 2010 Financial Report.

Vote 7 Yea's – 0 Nay's Motion carried 7-0

**Communications, Presentations and Recognitions \***

**firm Chief Crowell's appointment of Bryan Parker as a constable with firearm for the Auburn Police Department \* - approved**

**firm Chief Crowell's appointment of Jonathan D. Provisor as a constable with firearm for the Auburn Police Department \* - approved**

**firm Chief Crowell's re-appointment and appointment of the constables, as listed, without firearm for the Auburn Police Department:\* - approved**

Lucien Asselin Civil Process Only Without Firearm Re-appointment\*

Steven Chouinard Civil Process Only Without Firearm Re-appointment\* Harry Darling Civil Process Only Without Firearm Re-appointment\* Harry Gorman Civil Process Only Without Firearm Re-appointment\* Claire Barclay Civil Process Only Without Firearm Re-appointment\* Joan Godbout Civil Process Only Without Firearm Re-appointment\* Norman Ness Civil Process Only Without Firearm Re-appointment\* Paul Paradis Civil Process Only Without Firearm Re-appointment\* Bruce Tilton Civil Process Only Without Firearm Re-appointment\* Donald Linscott Civil Process Only Without Firearm Appointment\* Matthew Conde Civil Process Only Without Firearm Appointment\* Nick Kyllonen Civil Process Only Without Firearm Appointment\* Keegan Moon Civil Process Only Without Firearm Appointment\*

Carol Desjardins Civil Process Only Without Firearm Appointment\* Megan Laflamme Civil Process Only Without Firearm Appointment\* Robert Fellner Civil Process Only Without Firearm Appointment\* Kenneth Edgerly Civil Process Only Without Firearm Appointment\* Jerry Webster Civil Process Only Without Firearm Appointment\* **Open Session** –

Larry Pelletier 129 Second Street stated that he has never seen the traffic backed up as it was tonight. He thinks we should rethink what we are trying to accomplish by saving money by waiting to address the problem.

City Manager Aho said that we will be looking into it.

Joe Mailey Webster Street apologized to Councilor Berube for a comment he thought Councilor Berube has said about Union Workers and Non-Union Workers.

Larry Morrisette spoke about medical marijuana. He stated that the Mayor was wrong for Kathryn Beggs

15 Dummond Street thanked the City Manager for the workshop discussion on Great Falls building. She stated that the city should find out if the city can sell the property or not

and what the deed restrictions are on the property. She stated that the November 15th council vote was a conditional vote. She thinks the council vote should be rescinded because they got offers on the building which is what they asked for. This building should remain the property of the citizens of Auburn.

Councilor Farrell asked Ms Beggs questions about her proposal for the great Falls building. Karen

Mayo, CLT spoke about their offer to purchase the building for \$1.00. She thinks the 99 year lease for \$1.00 with them taking on the management of the building is what they are willing to offer. They will leave it to the city to determine if the old wing would stay or get demolished. She stated that the code violations in the theater wing can be overcome. She said it takes almost 24 months to plan and prepare for a season. She explained their planned presentations for the 2011 season. She asked the council to make the vote and decision for them to move forward. They are willing to invest in this facility.

Councilor Farrell asked if they were willing to take over the whole building.

Karen Mayo said they are willing to take over the theater wing; they would work with the city to shut down the building heating system.

Councilor Herrick expressed his concern about the splitting of the two buildings. He is concerned about the splitting of the heating system.

Bill Hamilton, Architect and member of CLT stated he has been working with the building committee. He said it is possible to separate the heating system. They are willing to spend some money for the separation of heating, sewer and water.

Councilor Gerry thanked CLT for coming forward with their proposal. She said she is not comfortable with a 99 year lease and would like to see a detailed plan of what they would like to do with the building.

Karen Mayo said that once they have a long term agreement with the city they will put that plan together.

City Manager Aho said the council received the proposal the same day we received it. Councilor

Herrick stated his concerns about costs for razing the old section of the building and making the new section (theater section) viable.

Councilor Berube said that they definitely need a space in Auburn, they need their own home and we have the opportunity to give it to them.

Councilor Gerry asked if someone could come forward with a proposal for the other section of the building once the utilities are disconnected.

Councilor Hayes asked if there was consensus to allow

Whitney Condit 1490 Perkins Ridge Road spoke in regards of the CLT proposal for a community arts center. Thanked the council for the time and consideration they have given to the subject.

### **Unfinished Business - none New**

#### **Business**

#### **Public Hearing and action on new applications for Liquor License and Special Amusement Permit for Maine Lobster Association, LLC d/b/a V.U. Restaurant (new corporation/new business), 34 Court Street, formerly Babylon (Pending City Staff Approval).**

Public hearing was conducted regarding this application.

Councilor Gerry, seconded by Councilor Samson, moved to approve the Liquor License application and Special Amusement Permit for Maine Lobster Association, LLC d/b/a V.U. Restaurant, pending Staff approval and restrictions. Provided they are in compliance with all State, Federal and Local laws, rules and regulations. Vote: 5 Yea's – 1 Nay – Councilor Gerry – 1 Abstained – Councilor Farrell. Motion carried 5-1-1.

Councilor Herrick asked Chief Crowell about issued about facilities at this location and noise. Chief

Crowell explained his review of this application and that the outside seating would be reviewed in addition.

Larry Morrisette spoke in favor of this application for business license.

Councilor Gerry asked Chief Crowell about the yellow lines in front of the buildings. She asked if this is where deliveries should be made.

Chief Crowell said no that is not where deliveries should be made.

Councilor Gerry asked if we can designate where deliveries are made. Chief

Crowell explained that could be evaluated separately. Councilor Farrell said that he has some questions.

#### **continuance of a portion of the Browns Crossing Road.**

Councilor Berube, seconded by Councilor Young, moved ORDER #28-12202010-05– DISCONTINUANCE OF A PORTION OF THE BROWNS CROSSING ROAD.

Vote 1 Yea – Councilor Young – 6 Nay's Motion failed 1-6.

Councilor Herrick expressed his concern about continued recreational uses of this area. He would like a guarantee that this property will not be shut off for recreational uses.

Gary Johnson, Assistant City Engineer explained that the way the petition is written this would be a release of public easement. The abutters could go to court to get a declaratory judgment. If the wish of the council is to keep this as a public easement then you should take no action on the request to discontinuance.

Councilor Herrick explained what he has done on his property to keep it open for recreational uses.

Rachel Jalbert- Palian 528 Trapp Road said that she doesn't plan on putting any chain up because she uses this trail as well. She said they want to keep the bike riders off the property.

Bill Mercier 1573 Jordan School Road, one of the petitioners for discontinuance stated that they are not trying to cut off access to this road. It is to have some control of their property. They do not want to limit the snowmobilers, skiers or horseback riders

Councilor Hayes and Mr. Mercier discuss the type of debris being left and if the change would eliminate it.

Moe Beaulieu stated that he maintains the road, but since Rachel has been there and no one can maintain it, he stated his concerns about not having he said that they cut fire wood and hunt in there. He said you can drive up in the summer time with a car.

Robert Cavanagh 127 Field Ave. stated that he agrees with Councilor Herrick that some public access should be maintained there.

Peter Moore, one of the land owners and petitioners for discontinuance, said that in the 23 or 24 years he has owned his property there have been issues with trespassers and illegal dumping in this area. He said that people go in and take down a 30 foot spruce tree to take the top for a Christmas tree. He said they have a good relationship with the snowmobile club in Auburn and other organizations who maintain responsible land owner relationships. He said that he would seek to have control over this property to limit access. He said they simply don't want people to have access to the rest of their property from the access from this road.

**city owned property located at 16 Western Avenue.**

Councilor Berube, seconded by Councilor Farrell, moved Order #29-12202010-06 Sale of city owned property located at 16 Western Avenue.

Vote: 6 Yea's – 1 Nay's - Farrell Motion carried 6-1

**Discussion of a zoning amendment to allow slaughterhouses in Agriculture and Resource Protection Zoning District.**

Councilor Herrick, seconded by Councilor Farrell , moved Order #30-12202010-07 Amendment the City Of Auburn Zoning Ordinance, Chapter 29, 3.31.B.2, to add the use group: Slaughterhouses, stockyards, abattoirs, dressing plants in compliance with State and Federal Regulations as a special exception use in the Agriculture and Resource Protection zoning district.

Councilor Hayes moved to table, motion died for lack of second.

Vote on Main Motion: 1 Yea's –Councilor Hayes - 5 Nay's – 1 Abstained – Councilor Young. Motion failed 1-5-1.

City Manager Aho asked for council guidance and information for the planning board so that staff can move this along.

Councilor Berube stated that he thought this was a good idea at first, but the reason it hasn't been in an AG zone is the utilities.

Councilor Samson said that he would be voting against amending the zoning.

Councilor Herrick said that this is an industrial zone, because there was a slaughterhouse there. He stated that there is no more water used at this type of facility then filling a swimming pool. He asked for the planning and permitting department to speak about this issue. He said owners of farms can process their own animals in AG zone.

David Galbraith, Director of Planning and Permitting and Eric Cousens, City Planner explained that slaughtering on site is allowed as part of the allowed operations for farms in this zone. He said there is a special planning board workshop on the 28th to work on this issue. He said they are looking for council direction to make sure the planning board is going in the right direction.

Councilor Gerry stated her support for the slaughterhouse in this area. She doesn't think they should have to have a farming operation in order to do this activity. There is a need for this type of facility and would prefer it to be in a specific zone.

City Manager Aho planning board can move forward, issues are with water consumption and utilities.

Councilor Farrell asked about other facilities having public water. City

Manager Aho suggested the motion failed.

Councilor Herrick asked what we accomplished this evening. Councilor

Herrick left the meeting at 8:54 pm.

Larry Morrisette spoke in favor of the slaughterhouse proposal. He stated that this is food delivered locally to keep our prices down. It will help our community and keep costs down. Council should try to go along with the people who are trying to do what they are suppose to.

George Hess, Grandview Ave. stated that it is important to have the council provide the planning board with information to move forward. He asked the council to back up and give the manager the input that he has asked for to give the information to the planning board.

City Manager Aho explained that his intent was for clarification to take direction back to the planning board.

Celeste Daly 18 Grandview Avenue resident is opposed to slaughterhouses in this area. She asked Councilor Herrick why he is so vigorously supporting this issue. She finds his vigorous support of this project somewhat questionable.

Councilor Farrell asked Mr. Linke if there is any relationship between Councilor Herrick and his facility.

Mr. Linke stated that there is no tie to this proposed facility. He said this is a facility that will help the ag industry and farmer.

David Galbraith stated that this proposal is to open the whole ag zone to this type of proposal as a special exception use.

Councilor Hayes stated that the paper suggested that this use would be opened up to the rural residential zone as well.

David Galbraith said that the comprehensive plan talks about expanding this zoning district to areas more than ag zone.

City Manager Aho asked to vote this resolve down.

Councilor Gerry stated that she spoke in favor of this facility at the planning board hearing. She is doing this because she feels it is right for the community.

Ken Bellefleur 100 Royal River Road spoke about the slaughterhouse zoning issue. He explained what type of facility is currently located at the Trapp Road location. He said that this facility has been operated three times as a slaughterhouse, twice it failed and left messes behind.

Councilor Farrell asked the Mayor for a point of order. Councilor

Farrell left the room at 9:19pm.

Ken Bellefleur continued to speak about the proposed slaughterhouse. He asked the council to not approve this type of change in this zone.

Councilor Gerry stated that actions happening previously by this gentleman's family should not be brought up.

Councilor Farrell returned 9:21pm

Councilor Farrell asked David Galbraith and Eric Cousens what would classify this property as a farm.

Councilor Gerry asked staff questions about the current zoning on this property.

Michelle Melaragno 576 Trapp Road resident asked questions about this proposal, decreased property values, road repairs, vandalism issues, inspections, smells, etc. She feels that a non- Auburn resident, non-taxpayer is given more representation than us. She submitted 73 registered Auburn Voters and 10 signatures from people in the area who are opposed to this.

Councilor Farrell moved the question. No second motion failed.

Michelle Melaragno continued to explain her concerns. She stated that there is water contamination in this area. She asked for a focus group to look at this issue, and possibly locate this type of business in the industrial zone.

City Manager Aho explained that she will have another opportunity when this returns to the council.

Joseph Mailey 82 Webster Street the misunderstandings tonight could have been avoided by miscommunication. He stated his concern about councilor leaving this meeting tonight.

Councilor Farrell point of order.

Mayor Gleason asked Mr. Mailey to stay on topic to the slaughterhouse. Councilor Gerry asked the Mayor to not allow the public to pull

Bob Melaragno 576 Trapp Road said that there has been no proven need for this facility at this location. He is upset with this because the city spent funds to try and clean up the problems at this property.

Councilor Gerry, seconded by Councilor Hayes, moved the question.

Vote: 4 Yea's – 2 Nay's – Councilors Hayes and Berube. Motion carried 4-2.

Main Vote: 2 Yea's – Councilors Gerry and Farrell – 4 Nay's - Councilors Hayes, Young, Berube and Samson. Motion carried 2-4.

**Possible executive session in accordance with Title 1, Section 405, Subsection 6D, Union Negotiations with the Maine Association of Police, Patrol Unit. (Pending additional information)**

Councilor Berube, seconded by Councilor Hayes, moved to enter executive session in accordance with Title 1, Section 405; Subsection 6D, Union Negotiations with the Maine Association of Police, Patrol Unit, at 9:45 pm.

Vote: 6 Yea's – 0 Nay's. Motion carried 6-0.

Councilor Hayes, seconded by Councilor Berube, moved to leave executive session at 9:56pm. Vote: 6 Yea's – 0 Nay's Motion carried 6-0.

**Ratify the collective bargaining agreement with the Maine Association of Police, Patrol Unit.**

Councilor Berube, seconded by Councilor Young, moved to authorize the City Manager to ratify the collective bargaining agreement with the Auburn Police Patrol Unit, represented by the Maine Association of Police, commencing 7/1/10 and ending on 6/30/11. Vote: 5 Yea's – 0 Nay's – 1 Abstained – Councilor Gerry. Motion carried 5-0-1.

Councilor Samson said the he has had comments about the contract not available in advance of the meeting.

City Manager Aho explained that this information is not public until the contract is ratified by the council. Until then it is a private negotiations

Larry Morrisette 12 Oak Street spoke in favor of the union contract but it should not be taxpayers money.

**Possible executive session in accordance with Title 1, Section 405, Subsection 6D, Union Negotiations with the Maine Association of Police, Command Unit.**

Councilor Berube, seconded by Councilor Hayes , moved to enter executive session in accordance with Title 1, Section 405; Subsection 6D, Union Negotiations with the Maine Association of Police, Command Unit, at 9:57pm.

Vote: 0 Yea's – 6 Nay's. Motion failed 0-6.

City Manager Aho explained that the reason this is here is so that the council would have an opportunity to discussion the contract if necessary.

**12202010-09A Ratify the collective bargaining agreement with the Maine Association of Police, Command Unit.**

Councilor Farrell, seconded by Councilor Young, moved to authorize the City Manager to ratify the collective bargaining agreement with the Auburn Police Command Unit, represented by the Maine Association of Police, commencing 7/1/10 and ending on 12/31/11.

Vote: 5 Yea's – 0 Nay's - 1 Abstained – Councilor Gerry. Motion carried 5-0-1.

**Open Session -**

Larry Morrissette 12 Oak Street stated that he would be out here to impeach all government beginning from Auburn, Maine.

Joe Mailey, 82 Webster Street spoke about Great Falls building and Community Little Theater can't be separated. He said that he thinks the money spent for this is well spent and helps Auburn grow. He also spoke about a council leaving the meeting. He felt it was paramount to walking out on the job. He asked what kind of actions can be taken against someone who does that.

City Manager Aho said that he has a right to do that.

Mayor Gleason explained he would have to miss three consecutive meetings.

Joe Gray Sopers Mill Road asked about the Planning Board meeting where they discussed Michaud Trailer Company. No left hand turn across the south bound lane to enter that facility. He feels that is arbitrary. He asked about the financing of Great Falls, where the information can be found and what else is off the books.

City Manager Aho explained that this particular case was run in special revenue account. He said we are moving to improve the financial reporting.

Joe Gray asked how the City Manager determines the staffing in departments.

City Manager Aho said it is directly reflective of the funding available from the City Council. Joe Gray asked for a discussion about term limits for boards and committees.

City Manager Aho said that would have been on tonight's agenda but we designated workshop for Great falls

### **Future Agenda/Workshop Items**

Councilor Berube asked Great Falls come back on the workshop.

Councilor Gerry asked to expand upon term limits for committees, mission statement, and historical information about each committee.

### **ADJOURNMENT**

Councilor Young, seconded by Councilor Gerry, moved to adjourn at 10:14 pm. Vote 6

Yea's – 0 Nay's. Motion carried 6-0.

A true record Attested: Roberta L. Fogg, City Clerk

### **City Council Meeting and Workshop January 3, 2011 Minutes**

Present: Mayor Richard D. Gleason, Councilors Belinda A. Gerry, Michael Farrell, Robert Hayes, Daniel Herrick, David Young, Raymond C. Berube, Eric C. Samson, City Manager Glenn Aho, Acting Assistant City Manager Crowell, Finance Director Tracy Roy and City Clerk Roberta Fogg.

The Council conducted a workshop beginning at 5:30pm on the following items: Comprehensive Plan and New Auburn Master Plan; City Appointment Procedure and possible appointments; Update on Great Falls building development, lease and deed; Update on Codification and Auburn Hall

Break 7:03pm Back

7:13pm

7:00 p.m. City Council Meeting

Auburn Lewiston Composite Squadron from the Maine Wing Civil Air Patrol presented the colors.

Mayor Gleason called the meeting to order at 7:13 p.m. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag.

### **Consent Items**

Councilor Berube, seconded by Councilor Young, moved to accept the consent agenda, minutes of December 20, 2010.

Vote: 7 Yea's – 0 Nay's. Motion carried 7-0.

Minutes – December 20, 2010\*- approved **Reports**

Mayor

Swearing in of Police Officers by Mayor Gleason and Badge Pinning Ceremony by Chief Crowell of Officers Matthew Koenig, Bryan Parker and Jonathan Provisor.

Mayor Gleason then read his report (see official minutes). City

Councilors

Michael Farrell: Rec. Adv Bd, Airport, Audit, Lake Aub Watershed Protection Comm, -None Robert

Hayes: Planning Bd, Water, Library, and Railroad - None

Daniel Herrick: MMWAC - None

David Young: School Committee, Cable TV Adv Board - None

Raymond Berube: Lewiston-Auburn Economic Growth Council, Sewer, Audit, USM-L/A – sewer board budget done and approved.

Belinda Gerry: LA Transit, Neighborhood Stabilization Program - None

Eric Samson: 9-1-1, Auburn Business Development Corp, Andros Valley Council of Gov - none City Manager - None

Communications, Presentations and Recognitions - None

### **Open Session – None Unfinished**

#### **Business - None New Business**

#### **resolve amending Chapter 29 Zoning, General Provisions Section 3.1.k.5 to allow more flexibility for residential garage sizes.**

Councilor Berube, seconded by Councilor Farrell, moved Resolve #30-01032011-01 Amendment to Chapter 29 Zoning, General Provisions Section 3.1.k.5 to allow more flexibility for residential garage sizes.

Vote: 7 Yea's – 0 Nay Motion carried 7-0.

#### **Motion to set the date of the second meetings in January and February 2011, from January 17th to the 18th and February 21st to the 22nd.**

Councilor Farrell, seconded by Councilor Beube, moved to set the date of the second meetings in January and February 2011, from January 17th to the 18th and February 21st to the 22nd.

Vote: 7 Yea's – 0 Nay Motion carried 7-0.

#### **Motion to adopt a policy regarding Council Committee Appointments.**

Councilor Hayes, seconded by Councilor Farrell, moved to adopt the policy regarding council committee appointments.

Vote: 0 Yea's – 7 Nay's Motion failed 0-7.

City Manager Aho explained that he would like a monthly action item on the agenda for the council to go into executive session to discuss committee appointments.

Councilor Farrell would like to go into executive session to discuss committee appointments.

Councilor Herrick said that he has not received notice of these appointments expiring.

Councilor Samson asked if there could be a committee of two councilors to review the appointments.

Councilor Hayes stated that he thinks councilors on the selection committee should be for longer than 6 months.

Councilor Gerry said that she like the idea of the whole council reviewing the applicants to help ensure ward recommendations and representation.

**Motion to appoint the following member(s) to the Planning Board.**

Councilor Herrick, seconded by Councilor Farrell, moved to appoint the following Planning Board Members, , , , and .

Councilor Farrell, seconded by Councilor Herrick, moved to amend the main motion to appoint Dan Bilodeau, Jim McPhee and move Emily Mottram to full Planning Board membership.

Motion and second were withdrawn.

Councilor Farrell, Councilor Herrick, moved to amend the main motion to reappoint Preston Chapman, appoint Dan Bilodeau and Jim McPhee and move Emily Mottram to full membership on the Planning Board.

Councilor Hayes would like us to take more time and get a process in place.

Councilor Farrell thinks that the two Councilor and Mayor process could potentially be stacked. He doesn't think that any Councilor should be ruled out of the review process. He feels the selection process should be reviewed by everyone.

Councilor Herrick asked why the Mayor would sit in with two Councilors, when he has no part of the appointment.

Councilor Hayes said that he is concerned about a slate of candidates being presented. He would like to talk about each candidate individually.

Councilor Farrell doesn't believe this is new we have had the applications in both electronic format and hard copies.

Councilor Hayes agreed that Emily be moved up to a full member. He suggested that the associate positions be filled with members who have not been on the board previously.

Councilor Hayes would like to amend the motion to reappoint Dan Moreno to full member of the Planning Board.

Can not amend an amendment.

Vote: 4 Yea's – Councilors Gerry, Farrell, Herrick and Berube - 3 Nay's – Councilors Hayes, Young and Samson. Motion carried 4-3.

Councilor Hayes, seconded by Councilor Young, moved to amend the main motion to reappoint Dan Moreno as full member and move Dan Bilodeau as associate member to Planning Board.

Vote: 2 Yea's – Councilors Hayes and Young – 5 Nay's – Councilors Gerry, Farrell, Herrick, Berube and Samson. Motion failed 2-5.

Vote on main motion: 4 Yea's – Councilors Gerry, Farrell, Herrick and Berube – 3 Nay's – Councilors Hayes, Young and Samson. Motion carried 4-3.

**Motion to appoint the following member to the Board of Assessment Review.**

Councilor Berube, seconded by Councilor Farrell, moved to appoint the following Board of Assessment Review member, reappoint Jonathan Harris.

Vote: 6 Yea's – 0 Nay's – 1 Abstained – Councilor Hayes. Motion carried 6-0-1.

Councilor Berube, seconded by Councilor Herrick, moved to appoint Walter Crites as a full member of the Board of Assessment Review and Denis Berube be appointed as a full member effective on January 15th .

Vote: 6 Yea's – 0 Nay's -1 Abstained – Councilor Hayes. Motion carried 6-0-1. Councilor

Berube, seconded by Councilor Gerry, moved to appoint Andrea Westby as an alternate

Member of the Board of Assessment Review.

Vote: 6 Yea's – 0 Nay's – 1 Abstained – Councilor Hayes. Motion carried 6-0-1.

**Authorize to re-designate funds for the relocation of the Auburn Police Department to Auburn Hall from 1 Minot Avenue.**

Councilor Farrell, seconded by Councilor Berube, moved Resolve #31-01032011-06 Authorize to re-designate funds for the relocation of the Auburn Police Department to Auburn Hall from 1 Minot Avenue.

Roll call vote: 5 Yea's –Councilors Farrell, Hayes, Herrick, Young and Berube - 2 Nay's – Councilors Gerry and Samson. Motion carried 5-2.

Councilor Gerry disagrees with the police department moving to the city building. She thinks it will put a damper on activities in Festival Plaza.

Councilor Samson said that he is concerned that this move would be temporary until a public safety facility has been constructed.

City Manager Aho said that they are not suggesting building a public safety complex, but we are looking at savings to combine Police and Fire administrations.

Councilor Farrell asked Chief Crowell about projected maintenance costs for 1 Minot Avenue. Councilor Herrick asked if the move would give them adequate space to expand in the future. Councilor Young called for a roll call vote on this item.

#### Public Comments:

Joe Mailey, Webster Street asked about that the space is adequate for the police role and pro-activity, fueling station, he asked if it was wise to move the police here based on the possible threats to government and police.

Chief Crowell addressed each concern. He stated that they can use the EOC at the EMA building.

#### **pointment of Registrar of Voters for two year period, from January 1, 2011 to December 31, 2013.**

Councilor Farrell, seconded by Councilor Berube, moved to appoint Roberta L. Fogg as Registrar of Voters for a two year period, from January 1, 2011 to December 31, 2013.

Vote: 7 Yea's – 0 Nay. Motion carried 7-0.

#### **Open Session –**

Larry Pelletier 129 Second Street said the new lights on Main Street are operational and look nice, asked when the old ones would be shut off.

Councilor Berube said that City Electrician Charlie DeAngelis will be asking CMP about that. Joe Gray

Sopers Mill Road stated that the Comprehensive Plan is very confusing. He said he read through the master plan, but he doesn't understand what the council will be voting on. He is opposed to the one way traffic circle in new auburn. Zoning strips in the Ag zone makes the Ag unusable. He spoke about slaughterhouse concerns, and the Sun Journal article. Vehicles delivering heating oil and picking up milk in this zone weigh more than the vehicles delivering animals. Property values were not devalued after the facilities built in West Gardner and Windham. He stated that it should not be in the industrial zone, because of the noise, traffic and population. Spoke about the Planning Board being in place to limit everything, instead of bring new business in to Auburn.

Joe Mailey 82 Webster Street stated that our Planning Board is not anti business, there needs to be balance between potential business and residents. He encouraged the Council and Planning Board Members to look at it and make sure it is not a detriment.

### **Future Agenda/Workshop Items**

Councilor Gerry more items should be workshops instead of them being put in the Manager's weekly reviews. The Council should be discussing these items first before it is placed on the agenda.

Councilor Samson asked if the council should start marketing 1 Minot Ave. Councilor

Farrell asked about term limits for boards and committee **ADJOURNMENT**

Councilor Berube, seconded by Councilor Herrick, moved to adjourn at 8:41pm. Vote: 7

Yea's – 0 Nay's. Motion carried 7-0.

A true record Attested: Roberta L. Fogg, City Clerk

### **City Council Meeting and Workshop January 18, 2011 Minutes**

Present: Mayor Richard D. Gleason, Councilors Belinda A. Gerry, Michael Farrell, Robert Hayes, Daniel Herrick, David Young, Raymond C. Berube, Eric C. Samson, City Manager Glenn Aho, Finance Director Tracy Roy and City Clerk Roberta Fogg.

Absent: Councilors Hayes and Herrick.

The Council conducted a workshop beginning at 5:30pm on the following items: Presentation of the 2010 Fiscal Audit, Downtown Study presentation, Performance Contracting, City Appointment Procedure, and Discussion of Business Licensing Ordinance.

Councilor Hayes arrived during presentation of the 2010 Fiscal Audit.

Councilor Herrick arrived during the presentation at 5:59pm, during the presentation of the Downtown Study.

Break 6:49pm Back 7:00pm 7:00

p.m. City Council Meeting

Mayor Gleason called the meeting to order at 7:00 p.m. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag.

**Consent Items:**

Councilor Berube, seconded by Councilor Gerry, made a motion to accept the consent items, Minutes of January 3, 2011.

Vote: 7 Yea's – 0 Nay's. Motion carried 7-0.

Minutes – January 3, 2011\* - approved **Reports**

Mayor - read his report. (see official minutes) City

Councilors

Michael Farrell: Rec. Adv Bd, Audit, Lake Aub. Watershed Protection Comm, - none Robert

Hayes: Planning Bd, Water, Library, and Railroad, - none

Daniel Herrick: MMWAC, - none

David Young: School Committee, Cable TV Adv Board – reported on school committee concern about PD moving to Auburn Hall in relationship to the location of IT Department.

Raymond Berube: Lewiston-Auburn Economic Growth Council, Sewer, Audit, Airport - none Belinda

Gerry: LA Transit, Neighborhood Stabilization Program, Auburn Housing, - none

Eric Samson: 9-1-1, Auburn Business Development Corp, Andros Valley Council of Gov - none

City Manager Discussed the committee appointments, explaining that we were still working on putting them into a better format. He explained to the council that there was no need to make appointments at this meeting, but that at the last meeting we needed to because it would have affected the operation of city business.

Tracy Roy, Finance Director presented the December 2010 Financials.

Councilor Farrell, seconded by Councilor Berube, made a motion to accept the December 2010 financial report.

Vote: 7 Yea's – 0 Nay's. Motion carried 7-0. **Communications,**

**Presentations and Recognitions - None Open Session - None VI.**

**Unfinished Business**

**VII. New Business**

**Public hearing on proposed amendment to the Chapter 29 Zoning, General Provisions Section 3.1.k.5 to allow more flexibility for residential garage sizes.**

Councilor Farrell, seconded by Councilor Gerry made a motion to go to public hearing. Vote: 7

Yea's – 0 Nay's. Motion carried 7-0.

Mayor Gleason closed the public hearing.

**resolve amending Chapter 29 Zoning, General Provisions Section 3.1.k.5 to allow more flexibility for residential garage sizes, second and final reading.**

Councilor Samson, seconded by Councilor Berube, moved Resolve #30-01182011-02 Amendment to Chapter 29 Zoning, General Provisions Section 3.1.k.5 to allow more flexibility for residential garage sizes, the second and final reading.

Vote: 7 Yea's – 0 Nay's Motion carried 7-0.

**resolve to amend the City Of Auburn Zoning Ordinance, Chapter 29, 3.31.B.2, to add the use group: Slaughterhouses, stockyards, abattoirs, dressing plants in compliance with State and Federal Regulations as a special exception use in the Agriculture and Resource Protection zoning district, first reading.**

Councilor Gerry, seconded by Councilor Herrick, moved Resolve #32-01182011-03a to amend Chapter 29, Section 3.31 of the Agriculture and Resource Protection District.

Roll Call Vote: 4 Yea's - Councilors Gerry, Farrell, Herrick and Berube - 3 Nay's – Councilors Hayes, Young and Samson. Motion carried 4-3.

Public Comment:

Michelle Melaragno, Trapp Road explained that there are still significant concerns that have not been addressed. She spoke about the signatures of 66 residents and 22 area individuals in opposition. She asked the council to consider that they have been misinformed about the number of animals that will be processed at this facility. She stated her concern about the time it would take for USDA to respond to complaints.

Councilor Herrick and Ms. Melaragno discussed the proposed zoning amendment.

Councilor Farrell asked City Planner Cousens questions about things allowed in agricultural zone and in the industrial zone.

Council discussed the proposed amendment.

**esolve to amend the City Of Auburn Zoning Ordinance, Chapter 29, 3.32.B.2.a, to prohibit the use group: Slaughterhouses, stockyards, abattoirs, dressing plants in compliance with State and Federal Regulations as a special exception use in the Low Density Country Residential (LDCR) zoning district, first reading.**

Councilor Berube, seconded by Councilor Hayes, moved Resolve #33-01182011-03b to amend Chapter 29, Section 3.32 – Low Density Country Residential Zoning District.

Vote: 7 Yea's – 0 Nay's. Motion carried 7-0. Public –

none

**esolve that the Draft Comprehensive Plan: 2010 Update, sections Strategy A.1.1.b, Goal A.1, Strategy A.1.2.d (Also Strategy A.2.2.b), Strategy E.1.6.c, Strategy G.2.9.a, Strategy H.2.1.b be amended.**

Councilor Gerry, seconded Herrick, moved Resolve #34-01182011-04a that the Draft Comprehensive Plan: 2010 Update, sections Strategy .1, Strategy A.1.2.d (Also Strategy A.2.2.b), Strategy E.1.6.c, Strategy G.2.9.a, Strategy H.2.1.b; be amended and to include language about YPLAA and the downtown study.

Vote: 7 Yea's – 0 Nay. Motion carried 7-0.

Staff will add language about YPLAA Organization and the downtown study to be referred by reference in the Comprehensive Plan.

Public - none

**01182011-04b Resolve that the Draft Comprehensive Plan: 2010 Update, Chapter 2, Figure 2.3, Future Land Use Designations be amended in the area of Foster Road.**

Councilor Hayes, seconded by Councilor Samson, moved Resolve # 35-01182011-04b that the Draft Comprehensive Plan: 2010 Update, Chapter 2, Figure 2.3, Future Land Use Designations be amended in the area of Foster Road.

Councilor Samson, Seconded by Councilor Farrell, moved to amend the resolve and keep the zoning as it is currently is in the Foster Road area (LDCR).

Councilor Hayes, seconded by Councilor Farrell, called for a vote. Amendment Vote:

6 Yea's – 1 Nay – Councilor Hayes. Motion carried 6-1. Main Motion Vote: 0 – 7

Nay's. Motion failed 0-7.

Councilor Hayes, seconded by Councilor Berube, moved Resolve #35-01182011-04b that the Draft Comprehensive Plan: 2010 Update, Chapter 2, Figure 2.3, Future Land Use Designations be amended in the area of Foster Road.

Vote: 2 Yea's – Councilor Hayes and Berube - 5 Nay's – Councilors Gerry, Farrell, Herrick, Young and Samson. Motion failed 2-5.

**01182011-04c Resolve that the Draft City of Auburn Comprehensive Plan: 2010 Update, Chapter 2, Figure 2.3, Future Land Use Designations be amended along Minot Avenue.**

Councilor Samson, seconded by Councilor Herrick, moved Resolve #36-01182011-04c that the Draft City of Auburn Comprehensive Plan: 2010 Update, Chapter 2, Figure 2.3 Future Land Use Designations be amended along Minot Avenue.

Councilor Samson, seconded by Councilor Young, moved to amend the resolve and remove items 1 and 2.

Amendment Vote: 5 Yea's – Councilors Gerry, Herrick, Young, Berube and Samson – 0 Nay's - 2 Abstained- Councilors Hayes and Farrell. Motion carried 5-0-2.

Councilor Hayes stated he was abstaining, because he owns property in this area.

Main Motion Vote: 5 Yea's – Councilors Gerry, Herrick, Young, Berube and Samson – 0 Nay's - 2 Abstained- Councilors Hayes and Farrell. Motion carried 5-0-2.

**esolve that the Draft City of Auburn Comprehensive Plan: 2010 Update, Chapter 2, Figure 2.3, Future Land Use Designations be amended along Trapp Road.**

Councilor Hayes, seconded Councilor Young, moved Resolve #37-01182011-04d, that the Draft City of auburn Comprehensive Plan: 2010 Update, Chapter 2, Figure 2.3, Future Land Use Designation be amended along Trapp Road, choosing item #2

Vote: 6 Yea's – 1 Nay - Councilor Samson. Motion carried 6-0.

Councilor Hayes asked that Hersey Hill Road be brought back with the language as Trapp Road.

**esolve for the first reading of a new Chapter 24, Business Licensing Ordinance, repealing the previous Chapter 24 and Article 9 of Chapter 26 Traffic Ordinance, taxi cab and taxi driver section.**

Councilor Berube, seconded by Councilor Farrell, moved Resolve #38-01182011-05, repealing the current Chapter 24 Business Licensing Ordinance and Article 9 of Chapter 26, Traffic Ordinance – Taxi Cab and Taxi Driver and replace it a new Chapter 24 Business Licensing Ordinance.

Vote: 7 Yea's – 0 Nay's Motion carried 7-0.

01182011-06 Executive session in accordance with Title 1, Section 405, subsection 6A to review committee applications. Passed over this item.

**01182011-07 Motion to confirm committee appointments. Passed over this item.**

01182010-08 Executive session in accordance with Title 1, Section 405, subsection 6C to discuss a real estate matter, Great Falls.

Councilor Berube, seconded by Councilor Gerry, moved to enter executive session at 8:48pm in accordance with Title 1, Section 405, subsection 6C to discuss a real estate matter, Great Falls.

Vote: 7 Yea's – 0 Nay's. Motion carried 7-0.

Councilor Berube, seconded by Councilor Farrell, moved to leave executive session at 9:12pm. Vote: 7

Yea's – 0 Nay's. Motion carried 7-0.

01182011-09 Executive session in accordance with Title 1, Section 405, subsection 6E to discuss a legal matter.

Councilor Berube, seconded by Councilor Gerry, moved to enter executive session at 9:12 pm in accordance with Title 1, Section 405, subsection 6E to discuss a legal matter.

Vote: 6 Yea's – 0 Nay's – 1 Abstained – Councilor Farrell. Motion carried 6-0 - 1. Councilor

Farrell did not participate in executive session.

Councilor Berube, seconded by Councilor Gerry, moved to leave executive session at 9:32 pm. Vote: 7

Yea's – 0 Nay's. Motion carried 7-0.

**Open Session: None**

**Future Agenda/Workshop Items**

Councilor Herrick asked that the Comprehensive Plan petition dated Oct 15, 2009, 2.2 on map, be moderate density

Councilor Young discussed an issue on Route 136, and getting a work order removing a stop sign at four way stop.

Councilor Gerry asked for a presentation from Manager on the 5 P Management System and Reorganization.

Councilor Herrick discussed four way stop issue on Route 136.

## **ADJOURNMENT**

Councilor Samson, seconded by Councilor Herrick, made a motion to adjourn at p.m. Vote: 7

Yea's – 0 Nay's. Motion carried 7-0.

A true record Attested: Roberta L. Fogg, City Clerk

### **City Council Meeting and Workshop February 7, 2011 Minutes**

Present: Mayor Richard D. Gleason, Councilors Belinda A. Gerry, Michael Farrell, Robert Hayes, Daniel Herrick, David Young, Raymond C. Berube, Eric C. Samson, City Manager Glenn Aho, Finance Director Tracy Roy and City Clerk Roberta Fogg.

Absent: Councilors Farrell, Hayes and Herrick.

The Council conducted a workshop beginning at 5:30pm on the following items: Discussion of the FY 2012 Budget, City Appointment Procedure Update, Presentation Interactive Community,

The following workshop items were not discussed, due to a lack of time: Presentation on 5P Team Management will be placed on the February 22nd workshop agenda. Discussion of Codification Adoption will be discussed during the agenda item for first reading. Distribution of proposed Business Licensing Fees will be placed on the February 22nd workshop agenda.

Councilor Herrick arrived at 5:39pm Break

at 6:55pm

Back at 7:05pm

7:00 p.m. City Council Meeting

Presentation of colors by the L/A Civil Air Patrol.

Mayor Gleason called the meeting to order at 7:05 p.m. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag.

Moment of silence for Gail Phoenix – 1949-2011 Consent

Items

Councilor Berube, seconded by Councilor Gerry, moved to accept the consent items, Minutes of January 18, 2011, donation from Oxford Networks, forfeiture of assets – Blair and Powell.

Vote: 5 Yea's – 0 Nay's. Motion carried 5-0. Minutes

– January 18, 2011\* - approved

## **Reports**

Mayor Gleason, read his report. (See official minutes) City

### **Councilors**

Michael Farrell: Rec. Adv Bd, Audit, Lake Aub. Watershed Protection Comm, - absent Robert

Hayes: Planning Bd, Water, Library, and Railroad, - absent

Daniel Herrick: MMWAC, - none

David Young: School Committee, Cable TV Adv Board – updated on school board concerns about where plays might be held in future with the loss of Great Falls Art Center.

Raymond Berube: Lewiston-Auburn Economic Growth Council, Sewer, Audit, Airport - none Belinda

Gerry: LA Transit, Neighborhood Stabilization Program, Auburn Housing, - Transit ridership update, Auburn Housing Authority regarding housing waiting list and annual report.

Eric Samson: 9-1-1, Auburn Business Development Corp, Andros Valley Council of Gov - none City

### **Manager**

Open Discussion regarding Auburn Water and Sewer, by request, he asked the council what questions they might have and if a presentation at a workshop if necessary.

John Storer, Superintendent of the Auburn Water and Sewer District and Sid Hazelton, Assistant Superintendent, offered to answer questions and schedule a meeting with council.

Discussion of how the water and sewer district was created.

Councilor Gerry would like a future workshop and other watershed groups be present, and discuss each groups duties and boundaries. How much land do we need to preserve the water quality of Lake Auburn.

Councilor Farrell arrived at 7:25pm.

John Storer explained about the creation of the Lake Auburn Watershed Commission, 3 Auburn Representatives, 3 Lewiston Representatives, 1 Turner Representative, 1 Representative from Minot, Hebron and Buckfield and 1 Representative from the Water Board.

Councilor Berube stated that the Lake Auburn Watershed is not accountable as all the other organizations.

Mr. Storer explained that he can get the budget information, he explained that he acts as recording secretary and clerk of the commission.

Councilor Farrell asked questions about the portfolio of the LA Watershed Commission, between land and cash assets.

This item will be placed on a future workshop item. **Communications,**

### **Presentations and Recognitions - none Open Session**

Karen Ferguson 1350 Turner Street, J&L Mobile Home Park, Samantha Lane, presented the council with a petition regarding speeding on Turner Street. She asked the council to take action on their request the council to place a dead end street sign at the end of Turner Street.

City Manager Aho asked her to turn her petition in to the City Clerk and staff will review the petition and put this on a future workshop item.

Mrs. Ferguson asked for the council to take action tonight.

City Manager Aho explained that there are a lot of speeding issues throughout the community. He promised that we would look at this issue, but could not promise what will be done about this.

Larry Morrisette spoke about the war in Egypt. He said that he wants to abolish all government related to Auburn, Maine. He said he is fighting for truth and justice, in Auburn.

Leroy Walker new Auburn resident spoke in regards to public works department doing removal of snow in residential neighborhoods when it is needed more in the business areas. The city needs to find the money to maintain the snow removal and get the business districts taken care of first.

Councilor Farrell said that he would like to have another committee to review city services. He asked Leroy if he would be on that board or committee.

Mr. Walker said it takes the extra eyes to bring these issues forward. He said he would participate in any committee.

Francois Bussiere Winter Street resident questioned the plowing on side streets when there was little to know snow accumulation. He asked that someone sees that this is reviewed.

Councilor Herrick said that something needs to be re-coordinated. City

Manager Aho responded to comments about plowing concerns.

Councilor Gerry asked that public works to get to the sidewalks on the busy streets and intersection.

City Manager Aho explained that this is the problem; you can't cut services and funding and maintain the same level of services.

Robert Cavanaugh said that it's too easy to complain about public works. He suggested people listen to the public works radio and listen to how they operate. He said that we have a lot of mileage to cover, and there are three sidewalk plows in town. He commended Public Works for the job they do.

Larry Pelletier 129 Second Street asked that something be done about the intersection of Newbury and Main Street, trucks cannot make that turn because of the new sidewalk.

#### **Unfinished Business - none New**

#### **Business**

#### **\*02072011-01 Resolve accepting donation of funds from Oxford Networks for the 2010 Twin Cities Holiday Celebration Parade of Lights. \* Approved**

Councilor Berube, seconded by Councilor Gerry, moved Resolve #39-02072011-01 to accept donation of funds for the Twin Cities Holiday Celebration Parade of Lights.

Vote: 5 Yea's – 0 Nay's. Motion carried 5-0.

#### **\*02072011-02 Resolve accepting Transfer of Forfeiture Assets – Blair. \* Approved Councilor Berube, seconded by Councilor Gerry, moved Resolve # 40-02072011-02 Transfer of Forfeiture Assets – Blair.**

Vote: 5 Yea's – 0 Nay's. Motion carried 5-0.

\*02072011-03 Resolve accepting Transfer of Forfeiture Assets – Powell. \* Approved Councilor Berube, seconded by Councilor Gerry, moved Resolve # 41-02072011-03 Transfer of Forfeiture Assets - Powell.

Vote: 5 Yea's – 0 Nay's. Motion carried 5-0

#### **Public Hearing on the new Chapter 24, Business Licensing Ordinance, repealing the previous Chapter 24 and Article 9 of Chapter 26 Traffic Ordinance, taxi cab and taxi driver section.**

Mayor Gleason opened the public hearing asking for comments on the proposed business licensing ordinance.

No public comments received.

Mayor Gleason then closed the public hearing.

**esolve for the second and final reading of a new Chapter 24, Business Licensing Ordinance, repealing the previous Chapter 24 and Article 9 of Chapter 26 Traffic Ordinance, taxi cab and taxi driver section.**

Councilor Berube, seconded by Councilor Young, moved Resolve #38-02072011-05 Resolve repealing the current Chapter 24 Business Licensing Ordinance and Article 9 of Chapter 26, Traffic Ordinance – Taxi Cab and Taxi Driver and replace it a new Chapter 24 Business Licensing Ordinance.

Vote 6 Yea’s – 0 Nay’s. Motion carried 6-0.

**Public Hearing on an amendment the City of Auburn Zoning Ordinance, Chapter 29, 3.31.B.2, to add the use group: Slaughterhouses, stockyards, abattoirs, dressing plants in compliance with State and Federal Regulations as a special exception use in the Agriculture and Resource Protection zoning district and to amend Chapter 29, 3.32.B.2.a to prevent the same use group from being added in the Low Density Country Residential zoning district, pursuant to Section 8.1 of Chapter 29.**

Mayor Gleason opened the public hearing asking or comments on the proposed Zoning Ordinance amendment, Chapter 29, 3.31.B.2 and Chapter 29, 3.32.B.2.a, regarding Slaughterhouses.

No public comments received.

Mayor Gleason then closed the public hearing.

**esolve to amend the City of Auburn Zoning Ordinance, Chapter 29, 3.31.B.2, to add the use group: Slaughterhouses, stockyards, abattoirs, dressing plants in compliance with State and Federal Regulations as a special exception use in the Agriculture and Resource Protection zoning district, second and final reading.**

Councilor Berube, seconded by Councilor Gerry, moved Resolve #32-02072011-07 to amend the City of

Auburn Zoning Ordinance, Chapter 29, 3.31.B.2, to add the use group: Slaughterhouses, stockyards, abattoirs, dressing plants in compliance with State and Federal Regulations as a special exception use in the Agriculture and Resource Protection zoning district. Vote: 4

Yea’s – 2 Nay’s – Councilors Young and Samson. Motion carried 4-2.

**esolve to amend the City of Auburn Zoning Ordinance, Chapter 29, 3.32.B.2.a, to prohibit the use group: Slaughterhouses, stockyards, abattoirs, dressing plants in compliance with State and Federal Regulations as a special exception use in the Low Density Country Residential (LDCR) zoning district, second and final reading.**

Councilor Farrell, seconded by Councilor Herrick, moved Resolve #33-02072011-08 to amend the City of Auburn Zoning Ordinance, Chapter 29, 3.32.B.2.a, to prohibit the use group: Slaughterhouses, stockyards, abattoirs, dressing plants in compliance with State and Federal Regulations as a special exception use in the Low Density Country Residential (LDCR) zoning district, second and final reading.

Vote: 5 Yea's – 1 Nay – Councilor Young Motion carried 5-1.

**ncil discussion and direction on the 2010 Draft Comprehensive Plan, residential strip extensions.**

Councilor Herrick, seconded by Councilor Gerry, made a motion to table the discussion and direction on the 2010 draft Comprehensive Plan, residential strip extensions, until the February 22nd meeting

Vote: 5 Yea's -1 Nay- Councilor Samson. Motion carried 5-1.

**esolve accepting an ordinance adopting and enacting a new code for the City of Auburn, Maine; providing for the repeal of certain ordinances not included therein; providing a penalty for the violation thereof; providing for the manner of amending such code; and providing when such code and this ordinance shall become effective, this is the first reading.**

Councilor Berube, seconded by Councilor Young, moved **Resolve #42-02072011-10 AN ORDINANCE ADOPTING AND ENACTING A NEW CODE FOR THE CITY OF AUBURN, MAINE; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE.**

Vote: 4 Yea's – 2 Nay's - Councilors Farrell and Herrick. Motion carried 4-2.

**Open Session**

Joe Gray, Sopers Mill Road asked about the public hearing process. City Manager Aho explained that public input is not the same as public hearing with public notice for the public process. This is a much clearer and process.

Joe Gray, asked about the codification and CIP from last budget, L/A Economic Growth Council he asked what they do for their funding, Sewer and Water District, he asked about the fees for the hydrants, he asked if this group is under the PUC and can we go through them to regulate them.

City Manager Aho explained the codification process and responded to Mr. Gray's comments.

Councilor Farrell asked the City Manager about a new frontend loader being used by city staff.

Dan Bilodeau, spoke about Winter Festival and what a great activity and he thanked the city for keeping it going. He said Tracey Steuber, Parks and Recreation for their hard work.

Leroy Walker, new Auburn resident spoke about the parking ban and how it affects new Auburn residents, he said that the parking bans are too long.

Chief Crowell responded to the issue of parking bans. He said they are working toward having two separate parking bans, residential and downtown area's as needed.

Leroy Walker said that the New Auburn Social Club is willing to share their parking lot during parking bans.

### **Future Agenda/Workshop Items**

Councilor Gerry asked that workshop items be reduced in order to keep things on time. Mayor

Gleason said that we can also prioritize

Councilor Herrick stated his concerns about the narrow width of Main Street since the reconstruction this summer, this road was a really poorly designed.

Councilor Samson asked that the 5P Team Management presentation be on the workshop as the first item at the next meeting.

Councilor Young asked about the intersection at Harmons Corner and Pownal Road status. Councilor

Farrell asked if the council can move to an electronic format and get rid of paper council material. He suggested we use proceeds from sale of properties so it doesn't come from tax payer money.

Councilor Gerry expressed her concern about the plowing crosswalks and safety hazards at Court Street and in New Auburn, or where it is identified as heavy traffic areas.

### **ADJOURNMENT**

Councilor Herrick, seconded by Councilor Samson, made a motion to adjourn at 8:40p.m. Vote: 7

Yea's – 0 Nay's. Motion carried 7-0.

A true record Attested: Roberta L. Fogg, City Clerk

### **City Council Meeting and Workshop February 22, 2011 Minutes**

Present: Mayor Richard D. Gleason, Councilors Belinda A. Gerry, Michael Farrell, Robert Hayes, Daniel Herrick, David Young, Raymond C. Berube, Eric C. Samson, Assistant City Manager Phil Crowell, Finance Director Tracy Roy and City Clerk Roberta Fogg.

Absent: City Manager Aho.

The Council conducted a workshop beginning at 5:30pm on the following items: Discussion of proposed Business Licensing Fees; Discussion of technology, iPads for City Council and Report on the public safety trip to Grants Pass, Oregon.

City Manager Aho was not able to make his presentation, because of illness. The Presentation on 5P Team Management will be placed on another workshop agenda.

Break at 6:42pm Back

at 7:00pm

7:00 p.m. City Council Meeting

Mayor Gleason called the meeting to order at 7:00 p.m. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag.

### **Consent Items**

City Clerk Fogg requested to amend the minutes of February 7, 2011 to reflect the meeting being called to order at 7:05pm.

Councilor Young, seconded by Councilor Gerry, moved to accept the consent items, Minutes of February 7, 2011 as amended, request by Kora Temple to place approximately 30 road signs for up to 14 days prior to the 2011 circus, April 15th and 16th, 2011 and forfeiture of assets – Paul.

Vote: 7 Yea's – 0 Nay's. Motion carried 7 -0.

Minutes – \* February 7, 2011

Councilor Young, seconded by Councilor Gerry, moved to accept the consent items, Minutes of February 7, 2011.

Vote: 7 Yea's – 0 Nay's. Motion carried 7-0.

### **Reports**

Mayor Gleason, read his report. (See official minutes) City

Councilors

Michael Farrell: Rec. Adv Bd, Audit, Lake Aub. Watershed Protection Comm, - rec advisory board meeting.

Robert Hayes: Planning Bd, Water, Library, and Railroad, - none Daniel

Herrick: MMWAC, - none

David Young: School Committee, Cable TV Adv Board – School Committee meeting, they have the budget which does reflect an increase.

Raymond Berube: Lewiston-Auburn Economic Growth Council, Sewer, Audit, Airport –Tour of the exterior and interior of the Airport by the Airport Manager, they will be coming to the council for some zoning changes. Commented on how well the Airport Crew does maintaining the airport and their equipment.

Belinda Gerry: LA Transit, Neighborhood Stabilization Program, Auburn Housing, - none

Eric Samson: 9-1-1, Auburn Business Development Corp, Andros Valley Council of Gov – 911 Committee meeting proposed budget has a slight increase for both communities.

City Manager

January 2011 Financials

Tracy Roy, Finance Director presented the January 2011 Financials.

Councilor Gerry, seconded by Councilor Berube, made a motion to accept the January 2011 financial report.

Vote: 6 Yea's – 0 Nay's – 1 Abstained – Councilor Farrell Motion carried 6-0-1.

### **Communications, Presentations and Recognitions**

**\*02222011-00 Approve the request by Kora Temple to place approximately 30 road signs for up to 14 days prior to the 2011 circus, April 15th and 16th, 2011.**

Councilor Young, seconded by Councilor Gerry, moved to accept the consent items, approve the request by Kora Temple to place approximately 30 road signs for up to 14 days prior to the 2011 circus, April 15th and 16th, 2011.

Vote: 7 Yea's – 0 Nay's. Motion carried 7-0.

### **Open Session –**

Daniel Corriveau 215 Harmons Corner Road, asked to have guardrails installed at the corner of Tournament Drive and Harmons Corner Road, because of accidents that have happened at this location.

Chief Crowell said that he would take a look at traffic issues in that area.

Leroy Walker resident of New Auburn and Steve Martell 371 Main Street spoke about issues in New Auburn area. They thanked Councilor Berube for coming to the meeting and taking the brunt of the comments. Mr. Walker thanked Denis D'Auteuil, Deputy Director of Public Works for coming to talk to them about snow removal in New Auburn. He reviewed material he gave the council regarding new equipment that might make things easier for the city to do the job. They invited City Manager Aho and Deputy Director Denis D'Auteuil to the next meeting of the New Auburn society on Tuesday March 29th at 6pm at Rolly's Diner.

Cindy Doyle, 96 Tournament Drive said that many residents have had problems at the intersection of Tournament Drive and Harmons Corner Road.

## **VI. Unfinished Business**

### **02072011-09 Council discussion and direction on the 2010 Draft Comprehensive Plan, residential strip extensions. Tabled from February 7, 2011 agenda**

Councilor Gerry, seconded by Councilor Herrick, moved to remove from the table the discussion and direction on the 2010 Draft Comprehensive Plan, residential strip extension, tabled on February 7, 2011.

Vote: 7 Yea's – 0 Nay's. Motion carried 7-0.

City Planner Eric Cousens explained that staff is looking for direction from the council on these four residential strips. He reviewed them individually by extension.

Hersey Hill Road:

Councilors Herrick and Hayes do not see the need to change the zoning on this road.

Christine Wood, 249 Hersey Hill Road said that they were attracted to their property because it could not have more building and traffic concerns.

Councilor Herrick, seconded by Councilor Berube, moved to leave the zoning on Hersey Hill Road as it currently is; this will be a change to the draft Comprehensive Plan.

Vote: 7 Yea's – 0 Nay's Motion carried 7-0 Perkins

Ridge Road:

Councilor Samson, seconded by Councilor Herrick, moved to leave the zoning on Perkins Ridge Road as it currently is; this will be a change to the draft Comprehensive Plan.

Vote: 5 Yea's - 2 Nay's – Councilors Young and Berube. Motion carried 5-2.

Joe Gray, Sopers Mill Road said that he doesn't understand why we are keeping all the development on the roads; it will make the back land unusable. He suggested the planning process of developing in concentric circles to concentrate development and services in a logical process.

Quail Run Road:

Councilor Samson, seconded by Councilor Young, moved to accept the draft Comprehensive Plan recommendations on Quail Run Road.

Vote: 1 Yea's – Councilor Young – 6 Nay's Motion failed 1-6

Councilor Hayes, seconded by Councilor Gerry, moved to leave the zoning on Quail Run Road as it currently is; this will be a change to the draft Comprehensive Plan.

Vote: 7 Yea's - 0 Nay's Motion carried 7-0 Trapp

Road:

No change to the direction previously given by Council.

## **VII. New Business**

### **\*02222011-01 Resolve accepting Transfer of Forfeiture Assets – Paul.**

Councilor Young, seconded by Councilor Gerry, moved to accept the consent items, Resolve #43-02222011-01 State of Maine v. Jonathan Paul, Defendant And \$114,220.00 U.S. Currency Defendant(s) In Rem.

Vote: 7 Yea's – 0 Nay's. Motion carried 7-0.

**Public Hearing on an ordinance adopting and enacting a new code for the City of Auburn, Maine; providing for the repeal of certain ordinances not included therein; providing a penalty for the violation thereof; providing for the manner of amending such code; and providing when such code and this ordinance shall become effective.**

Mayor Gleason opened the public hearing asking for comments on the proposed ordinance adopting and enacting a new code for the City of Auburn, Maine.

No public comments received.

Mayor Gleason then closed the public hearing.

**Resolve accepting an ordinance adopting and enacting a new code for the City of Auburn, Maine; providing for the repeal of certain ordinances not included therein; providing a penalty for the violation thereof; providing for the manner of amending such**

**code; and providing when such code and this ordinance shall become effective. (second and final reading)**

Councilor Samson, seconded by Councilor Young, moved Resolve #42-02222011-03 an ordinance adopting and enacting a new code for the City of Auburn, Maine; providing for the repeal of certain ordinances not included therein; providing a penalty for the violation thereof; providing for the manner of amending such code; and providing when such code and this ordinance shall become effective. (second and final reading)

Vote: 5 Yea's – 2 Nay's – Councilors Gerry and Herrick. Motion carried 5-2.

**resolve to authorize the City Manager to expend up to \$30,000 from the proceeds of the sale of City Property for the purchase of technology.**

Councilor Berube, seconded by Councilor Farrell, moved Resolve #44-02222011-04 to authorize the City Manager to expend up to \$30,000 from the proceeds of the sale of City Property for the purchase of technology.

Councilor Herrick supports the iPads, but doesn't support the web site portion.

Councilor Samson feels that until EnerGov is cleaned up why would we add to the plate; let's clean it up and bring it back later. He questioned the use money from the sale of city properties and where the money will come from.

Councilor Hayes supports the web site more than iPads, but thinks we should look at what the school department might be able to offer us.

Councilor Hayes, seconded by Councilor Young, made a motion to table the discussion of the use of proceeds from the sale of city property for the purchase of technology.

Vote on tabling: 3 Yea's – Councilors Hayes, Young and Samson – 4 Nay's – Councilors Gerry, Farrell, Herrick and Berube. Motion failed 3-4.

Renee Bogart, ITC Director, answered questions about the costs associated with the redesign of the web site.

Councilor Herrick, seconded by Councilor Farrell, motion to remove the web site redesign from the resolve.

Francois Bussiere, member of the school board, thinks the council is jumping the gun with this purchase and thinks the city should talk to the school department first, about sharing laptops.

Vote on amendment to remove website: 4 Yea's – Councilors Gerry, Farrell, Herrick and Samson - 3 Nay's – Councilors Hayes, Young and Berube. Motion carried 4-3

Councilor Gerry, seconded by Councilor Farrell, motion to amend the dollar amount to be reduced to \$8,000.

Vote on amendment: 3 Yea's - Councilors Gerry, Farrell and Herrick – 4 Nay's – Councilors Hayes, Young, Berube and Samson. Motion failed 3-4

Vote on main motion: 3 Yea's - Councilors Farrell, Herrick and Berube – 4 Nay's – Councilors Gerry, Hayes, Young and Samson. Motion failed 3-4.

Chief Crowell and Renee Bogart, ICT Director stated that they will send the Council some designs of web sites.

**esolve adopting an ordinance establishing a committee appointment process. (first reading)**

Councilor Berube, seconded by Councilor Young, moved Resolve # 45-02222011-05 adopting an ordinance establishing a committee appointment process. (first reading)

Councilor Herrick does not see a point to have an appointment committee.

Councilor Gerry, move to amend language to clarify committee to include joint committee, board and any appointments. Motion died for lack of second.

Councilor Hayes, seconded by Councilor Young, moved to amend the committee appointment ordinance language to reflect it be a member of council, which includes the Mayor.

Vote on amendment: 3 Yea's - Councilors Hayes, Young and Samson – 4 Nay's – Councilors Gerry, Farrell, Herrick and Berube. Motion failed 3-4.

Councilor Herrick, seconded by Gerry, moved to table this item until it is rewritten and all councilors agree where we are going and what we are doing with the Committee Appointment Ordinance.

Vote 4 Yea's – Councilors Gerry, Farrell, Herrick and Berube - 3 Nay's - Councilors Hayes, Young and Samson. Motion carried 4-3.

**esolve to amend the traffic ordinance to install a four way stop at Harmons Corner intersection. (first reading)**

Councilor Gerry, seconded by Councilor Berube, moved Resolve #46-02222011-06 to amend the traffic ordinance to install a four way stop at Harmons Corner intersection. (first reading)

Vote: 6 Yea's – 0 Nay's – 1 Abstain – Councilor Young. Motion carried 6-0-1. Chief

Crowell answered questions about removing signs on Harmons Corner Road.

Daniel Corriveau, 215 Harmons Corner Road spoke in favor of having the four-way stop put back in place.

Cindy Corriveau, 215 Harmons Corner Road spoke about traffic issues on Harmons Corner Road and traffic accidents that have taken place at that intersection.

Michael Doyle, 96 Tournament Drive supports the stop signs.

Cindy Doyle, 96 Tournament Drive supports the stop signs and stated her concerns with traffic in this area.

Eldora Collins, 201 Harmons Corner Road supports the four way stop. Gary Haley, 190 Pownal Road supports the four way stop being returned to the intersection.

Councilor Berube asked if the driveway that is a blind spot should be looked at for possible sign. Mr.

Haley said that the speed limit sign is not being noticed.

### **Open Session -**

Mr. Corriveau, 215 Harmons Corner Road said that there is a dangerous bus stop at the corner of Harmons Corner Road and Tournament Drive. He said the children are standing at a stop sign with no protection from traffic. He asked for the bus stop to be looked at and possibly changed.

Chief Crowell will contact the School Department to work with them on the bus stop issue. Leroy

Walker new Auburn resident thanked the Public Works Department for their hard work and asked for a few more pieces of equipment to get the snow removed.

Joe Gray, Sopers Mill Road apologized to Richard Whiting about a comment he made regarding the Roak Block purchase.

Councilor Samson commented and questioned about the web site being interactive with the community.

Renee Bogart, IT Director explained that it is an interactive web site. She addressed comments about EnerGov. It highlights that we are half way through the EnerGov project.

Councilor Young congratulated Edward Little High School for their four place finish in indoor track and field, and Connor Harris for coming in first place in the triple high jump.

Councilor Farrell spoke about iPads and technology uses.

Councilor Berube said that the employees are working hard to make EnerGov to work and they are making it work.

### **Future Agenda/Workshop Items**

Councilor Herrick asked Planning and Permitting look into an ordinance to allow people to raise poultry for personal use.

Councilor Berube stated that in June or July Lewiston will be going to single sort recycling, we should look at it before we have not place to bring our recycling.

Councilor Gerry asked City Manager Aho to present about the teams and 5P' Team Management

## **ADJOURNMENT**

Councilor Berube, seconded by Councilor Herrick, made a motion to adjourn at 9:04 p.m. Vote: 7

Yea's – 0 Nay's. Motion carried 7-0.

A true record Attested: Roberta L. Fogg, City Clerk

## **City Council Meeting and Workshop March 7, 2011**

### Minutes

Present: Mayor Richard D. Gleason, Councilors Belinda A. Gerry, Michael Farrell, Robert Hayes, Daniel Herrick, David Young, Raymond C. Berube, Eric C. Samson, City Manager Glenn Aho, Assistant City Manager Phil Crowell, Finance Director Tracy Roy and City Clerk Roberta Fogg.

The Council conducted a workshop beginning at 5:30pm on the following items: Citizen Concern Tracking; Presentation on 5P Team Management and Engine 2.

### **Committee Appointment Ordinance will be placed on the next council workshop.**

Break at 6:58 pm Back

at 7:11 pm

7:00 p.m. City Council Meeting

Mayor Gleason called the meeting to order at 7:11 p.m. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag.

### **Consent Items**

Councilor Berube, seconded by Councilor Herrick, moved to accept the consent items, minutes of February 22, 2011.

Vote: 7 Yea's – 0 Nay's. Motion carried 7 -0.

Minutes – \* February 22, 2011

Councilor Berube, seconded by Councilor Herrick, moved to accept the consent items, minutes of February 22, 2011.

Vote: 7 Yea's – 0 Nay's. Motion carried 7-0.

## **Reports**

Mayor, read his report (See official minutes) City

Councilors

Michael Farrell: Rec. Adv Bd, Audit, Lake Aub. Watershed Protection Comm, - none Robert

Hayes: Planning Bd, Water, Library, and Railroad, - none

Daniel Herrick: MMWAC, - none

David Young: School Committee, Cable TV Adv Board - none

Raymond Berube: Lewiston-Auburn Economic Growth Council, Sewer, Audit, Airport – Read a report from Auburn Water and Sewer Districts.

Belinda Gerry: LA Transit, Neighborhood Stabilization Program, Auburn Housing, - Reported that LA Transit meeting is this Thursday at 1pm, no meetings of stabilization program and auburn housing authority. She said that either the Manager or Mayor come up with more members of the LA Transit in order to keep operating

Eric Samson: 9-1-1, Auburn Business Development Corp, Andros Valley Council of Gov - none City

Manager

He stated that he and Renee Bogart, ICT Director made a presentation at the MMA

Technology Workshop regarding using technology to better use operational and financial data. He stated that we are going a good job leading the way in innovative and technology. He stated that we are working to assemble the budget; revenues are going to be down, valuations appear to be down approximately \$19 million, county budget increased and school budget increased. It is going to be a tough budget season, but he is not sure he can fix it. This will not be an ordinary budget year, he will need council help to come together to decide on how to use our resources.

## **IV. Communications, Presentations and Recognitions**

03072011-00 Request by Advocates for Children to use the Main Street parking lot, across from Festival Plaza, on Saturday, June 11, 2011 to conduct a fundraiser called Family Fun Fest.

Councilor Samson, seconded by Councilor Young, moved to approve the request by Advocates for Children to use the Main Street parking lot, across from Festival Plaza, on Saturday, June 11, 2011 to conduct a fundraiser called Family Fun Fest

Vote: 7 Yea's – 0 Nay's. Motion carried 7-0.

Councilor Gerry has questions about the use of the parking lot and festival plaza. She asked if they had talked to Chief of Police and safety concerns. She is also concerned about visiting parking for Roak Block.

Chief Crowell said that they are partners with the Children's Advocates they will be working with them and having volunteers assisting people crossing Main Street. He stated that they have always made accommodations for those types of activities.

### **Open Session**

Councilor Berube said that he is having a problem in new Auburn with snow; he passed out pictures of sidewalks that have not been cleaned. He said there are snow banks in new Auburn like he has never seen. He explained that he went around with a public works supervisor back on February 16th and nothing has happened since. He asked his fellow Councilors to look at the pictures.

City Manager Aho responded to Councilor Berube and he explained that 43% of the time we have been in new Auburn. He said we can always do better. We listen to new Auburn and any citizen concerns and we try to do better. He explained that we have to take time to maintain and repair equipment after each storm. We can improve and we are dedicated to improving. There is not always an apparent reason to what we do and why, but that there is a reason.

Councilor Herrick stated that in the past we had subcontractors do some of the snow removal. He asked what it costs to have public works crews pick up snow VS private contractors.

City Manager Aho explained that we are limited on funds and we eliminated private contractors.

Councilor Samson asked about some of the sub-contracting for snow removal.

Councilor Gerry agrees that there are hard times and we are trying to save money, but we should pick up the snow in new Auburn.

City Manager Aho explained that we will do what the Council directs us to, but we need to create a plan.

Councilor Berube said that Ray's Foodland lost faith in Public Works thirty years ago and they pay for their own snow removal.

Steve Martell 371 Main Street stated Mr. Leroy Walker and he have been watching snow removal in new Auburn. He reviewed some problems that they consider visible and wasteful. He reviewed problems and issues in new Auburn and snow removal issues.

Joseph Mailey 82 Webster Street asked if there was a policy in place that said a Councilor has to keep all contact information. He said 99.99% of the time any emergency vehicle is going from point A to point B for a reason. He stated that they did remove the snow on Webster Street last Friday and it was a good thing because it was very dangerous getting in and out of that street. He has a \$500 deductible on his insurance policy, so any money the city saved him on his taxes it could have cost him more if he had an accident. He said the savings to the tax payers are coming at a cost. Willow Street is a two lane street, but right now it is one lane.

Denis D'Auteuil, Deputy Direct of the Public Works Department explained that they are not 100% efficient, but they are managing their problems. He then reviewed the snow plowing and snow picking programs. He explained that we are identifying inefficiencies every day. He people take pride in what they do. He stated that the additional snow picking was not a result of an email.

Bob Belz, Public Works Director explained that the current snow picking program was developed 20 years ago. He explained that that program has been cut back. He explained that they are working on evaluating and updating those programs.

Councilor Berube explained that he has no problems talking to either one of you, but if you cross the bridges you have snow banks.

Councilor Herrick commented on the narrowing of streets in the city and how it effects the snow removal.

Dan Corriveau 215 Harmons Corner Road stated that public works came out with a loader and cleared the snow banks at the intersection with Pownal Road. He spoke about missing signs.

Chief Crowell said that by ordinance he can make a change for 90 days and put the signs back if the council desires.

Mr. Corriveau stated that private land owners are pushing snow across the street and it is not being stopped and enforced. It is not a public works department problem.

## **VI. Unfinished Business - none**

## **VII. New Business**

**03072011-01 Public Hearing on a new liquor license application for Jasmine Café, LLC d/b/a Jasmine Café located at 730 Center Street, for Malt, Spirituous and Vinous Restaurant Class license.**

Mayor Gleason opened the public hearing asking for any comments on the new liquor license application for Jasmine Café, LLC d/b/a Jasmine Café located at 730 Center Street, for Malt, Spirituous and Vinous Restaurant Class license.

No public comments received.

Mayor Gleason then closed the public hearing.

03072011-02 Motion to approve the liquor license application for Jasmine Café, LLC d/b/a Jasmine Café located at 730 Center Street, for Malt, Spirituous and Vinous Restaurant Class license.

Councilor Farrell, seconded by Councilor Gerry, moved to approve the liquor license application for Jasmine Café, LLC d/b/a Jasmine Café located at 730 Center Street, for Malt, Spirituous and Vinous Restaurant Class license.

Vote: 7 Yea's - 0 Nay's Motion carried 7-0.

**Motions on committee appointments.**

Councilor Farrell, seconded by Councilor Berube, made a motion to reappoint Bob Cavanagh to the Auburn Sewerage District for a 4 year term.

Councilor Hayes expressed his frustration about discussing committee appointments without having a process in place to bring appointments forward. He stated his support for reappointments.

Councilor Herrick asked questions about the length of appointments and process. Councilor

Hayes, seconded by Councilor Gerry, made a motion to table committee appointments.

Vote: 3 Yea's – Councilors Gerry, Hayes and Samson – 4 Nay's – Councilors Farrell, Herrick, Young and Samson. Motion failed 3-4.

Councilor Hayes, seconded by Councilor Samson, moved to amend the motion to approve all reappointments listed.

Richard Valcourt – Auburn Housing Authority, reappointment, 5 yr term Normand

Morin – L/A Cable Television Advisory Board, reappointment, ?term Walter Gary –

Zoning Board of Appeals, reappointment, 3 yr term

Preston Chapman – Auburn Water District, reappointment, 4 yr term

Bob Cavanagh – Auburn Sewer District, reappointment, 4 yr term Stephen Lunt

– L/A Airport Board, reappointment, 3 yr term

Vote: 4 Yea's – Councilors Gerry, Hayes, Young and Samson -3 Nay's – Councilors Farrell, Herrick, Berube. Motion carried 4-3.

Vote on motion as amended: 5 Yea's – 2 Nay's - Councilors Farrell and Herrick. Motion carried 5-2.

**Executive session in accordance with Title 1, Section 405, subsection 6D to discuss the Fire Union IAFF 797 contract.**

Councilor Samson, seconded by Councilor Young, moved to enter executive session at 8:19 pm, in accordance with Title 1, Section 405, subsection 6D to discuss the Fire Union IAFF 797 contract.

Vote: 5 Yea's - 2 Nay's – Councilors Farrell and Herrick. Motion carried 5-2.

Councilor Farrell, seconded by Councilor Berube, made a motion to leave executive session and enter regular session at 8:43pm. Vote 5 Yea's – 0 Nay's Councilor Gerry and Samson were absent from room at time of vote.

Motion carried 5-0.

### **VIII. Open Session**

Joe Mailey 82 Webster Street asked Chief Low which is cheaper to run a fire truck or rescue vehicle.

Chief Low explained the costs to run equipment.

Joe Mailey asked if there was any state or federal law that requires us to respond to rescue calls. Chief

Low said there are no laws that require us to respond. They are doing it as best practice and a community service.

Joe Mailey stated that we cut the budget now everything is coming back to roost. The Council needs to think about everything and how and what it effects, what are the ramifications. What is the benefit to the entire city and its citizens.

Joe Gray Sopers Mills Road asked the Mayor about the recycling committee.

Mayor Gleason stated that the Chair of the committee Dominique Casavant has been invited by the City Manager to review the trash removal contracts in an advisory capacity.

Joe Gray stated that the web site is not being updated, and whether we get new software or not it will still need to be updated. The last three weekly reports have not been updated and put on the web site, we are on December's monthly reports and we are in March. He suggested we hire a clerk to answer the phones and write a tracking number on it and distribute to the right place. He said he is not anti technology but there is a way to do it without spending tons of cash. He said the council didn't not approve the rescue vehicle out of hand it was cheaper to not hire more fire fighters and to use United to do that program. He said it might be beneficial to have a rescue, but we would have to do the billing. If we can do the billing can we offset the cost of the firefighters. He asked about maintaining Engine 2.

Councilor Farrell explained the need to maintain Engine 2 regardless. He then explained that part of the fee would include web hosting and maintenance of the site. He stated that it is a good thing that Auburn got out of the rescue business. He said he spoke with Brunswick about the billing, they couldn't tell us what the cost was to provide the service.

Mr. Gray asked the Council to consider going to a combination fire service, part professional and part volunteer service. He said there are over 80 departments in Maine doing it now. He thinks we could save a ton of money and he is prepared to make a full presentation if the council wants. He suggested going to volunteers in the two outer stations and keeping the central station open. He also suggested three 12 hours shifts.

Councilor Gerry asked Chief Crowell if the stop signs on Harmons Corner will be put back up and asked if the speed limit sign would be put back up before the next meeting.

Chief Crowell said the signs would be put back up and the speed limit sign will be reviewed and put back up.

Councilor Gerry read the Police Department December Managerial Report and asked Chief Crowell questions about the Vista Drive holiday light show. She thanked the Chief for working with the doctors. She said she did not see any problems on Vista Drive this year.

City Manager Aho asked Council what they like and do not like about the Committee Procedure Ordinance language.

Councilor Herrick said the language had changed around and he doesn't think we need a committee to appoint committees. Length of committee term limits, he wants to discuss appointments at council meetings.

Councilor Samson doesn't agree with that he thinks it would be more organized if two people go through the applications and do some preliminaries. He would like a two person councilor committee.

Councilor Farrell said the only reason we don't have anything on the books on how to deal with this is again this councils in ability to act, we table and push off items. We have no procedure

and there is no more information than what comes forth and again tonight we tried to table this item.

City Clerk Fogg explained that since the last council meeting the Clerk's office had sent out letters to committee members whose terms have either expired or is about to expire between now and June and to anyone who has submitted an application, asking them if they would like to remain on a committee or if they are still interested in the committee they applied for.

City Manager Aho explained that it has been difficult for staff because there are no votes on what you want staff to do.

Councilor Farrell stated that he would like it on the next agenda workshop because he is committee to ironing it out until it's done.

Councilor Hayes agrees with Councilor Samson, the procedure we did have was to sit down with the Clerk and review the applications and take in ward representation and committee chairs comments back to the council with recommendations. He recommended the two elected at large councilors be the ones to be on this councilor committee.

City Clerk Fogg explained that Reine Mynahan needs a banker on the CDBG Loan Committee and she needs guidance from the Council on whether they would consider a non-resident banker in Auburn for this appointment.

Councilor Berube stated to bring the resume forward. **Future**

#### **Agenda/Workshop Items – none ADJOURNMENT**

Councilor Berube, seconded by Councilor Young, made a motion to adjourn at 9:11 pm. Vote: 7

Yea's – 0 Nay's Motion carried 7-0.

A true record Attested: Roberta L. Fogg, City Clerk

### **City Council Meeting and Workshop March 21, 2011**

#### Minutes

Present: Mayor Richard D. Gleason, Councilors Belinda A. Gerry, Michael Farrell, Robert Hayes, Daniel Herrick, David Young, Raymond C. Berube, Eric C. Samson, City Manager Glenn Aho, Assistant City Manager Phil Crowell, Finance Director Tracy Roy and Deputy City Clerk Susan Clements-Dallaire.

The Council conducted a workshop beginning at 5:30pm on the following items: Discussion regarding 1 Minot Avenue; Discussion of the FY 2012 School Budget.

The following FY 2012 Budget discussions were continued during open session; Public Works, Engineering, Parks & Recreation.

The following items will be put on the next council agenda workshop; Mayor & Council Budgets as well as Committee Appointment Ordinance and Distribution of proposed Business Licensing Fees.

Break at 6:50 pm Back

at 7:00 pm

7:00 p.m. City Council Meeting

Mayor Gleason called the meeting to order at 7:00 p.m. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag.

### **Consent Items**

Minutes – \* March 7, 2011

Councilor Gerry, seconded by Councilor Hayes, moved to accept the consent items, minutes of March 7, 2011.

Vote: 7 Yea's – 0 Nay's. Motion carried 7-0.

Councilor Farrell, seconded by Councilor Berube, made a motion to suspend the rules to continue with Budget Discussion.

Councilor Gerry said she would like to finish Budget discussions, but wanted to continue with the regular meeting first.

Vote: 2 Yea's – 4 Nay's Councilors Gerry, Hayes, Young, Samson. Councilor Herrick did not vote.

Motion Failed 2 – 4.

### **Reports**

Mayor, read his report (See official minutes) City

Councilors

Michael Farrell: Rec. Adv Bd, Audit, Lake Aub. Watershed Protection Comm, - None Robert

Hayes: Planning Bd, Water, Library, and Railroad, - None

Daniel Herrick: MMWAC, - None

David Young: School Committee, Cable TV Adv Board – He apologized that he was unable to make it to the last School Committee meeting but he did attend the Great Falls advisory Board meeting.

Raymond Berube: Lewiston-Auburn Economic Growth Council, Sewer, Audit, Airport – None Belinda

Gerry: LA Transit, Neighborhood Stabilization Program, Auburn Housing, - Reported that she attended the LA Transit meeting and they are working on the budget and are coming over budget with a proposed increase in the budget. She would like to urge people who support public transportation to please contact your City Councilor to let them know that you support public transit and the budget increase.

Eric Samson: 9-1-1, Auburn Business Development Corp, Andros Valley Council of Gov – Reported that he attended the 911 Communications Meeting on Thursday. They have been going over the budget and are trying to find ways to come up with funding outside of passing the cost over to the City. He also wanted to remind everyone that the Business Development Corporation is going to be holding their annual meeting and everyone is invited to attend.

City Manager

The City Manager wanted to bring the City Council up to speed on the recent memo regarding Spring Clean Up. He said that it was not budgeted for in FY 2012 but the funds are there to offer a traditional Spring Clean Up. He wanted to know how Council felt about charging a \$10 fee to help cover the cost. He would like Council to start thinking about it.

February 2011 Financials

Tracy Roy, Finance Director presented the February 2011 Financial Report.

Councilor Hayes, seconded by Councilor Farrell, moved to accept the February 2011 Financial Report.

Vote: 5 Yea's – 2 Nay's – Councilors Gerry and Herrick. Motion carried 5 -2.

#### **IV. Communications, Presentations and Recognitions**

**Open Session – The following people spoke during open session:**

Gary Bricker-23 Beckett Street, Donald Dean and Katherine Dean-133 Howe Street, Ron Potvin- 82 Northern Avenue, Larry Morissette, Dan Corriveau-215 Harmons Corner Road, Joe Gray- Sopers Mill Road, Gary Haley-190 Pownal Road.

Continued with Budget discussions: Public Works

#### **VI. Unfinished Business - none**

## **VII. New Business**

### **Public Hearing on an amendment to the City of Auburn Code of Ordinances, Division 7 Stop Signs, Section 52-443 Designation, four way stop Harmons Corner Road.**

Mayor Gleason opened the public hearing and asked for any comment on an amendment to the City of Auburn Code of Ordinances, Division 7 Stop Signs, Section 52-443 Designation, four- way stop Harmons Corner Road.

Public Comment:

Dan Corriveau wanted to reiterate his position for wanting the speed limit and stop signs to go up and requested it be done in a day or two.

Mayor Gleason then closed the public hearing.

### **resolve to amend the City of Auburn Code of Ordinances, Division 7 Stop Signs, Section 52-443 Designation, four way stop Harmons Corner Road, (second and final reading).**

Councilor Gerry, seconded by Councilor Sampson, moved resolve #46-03212011-02 Resolve to amend the City of Auburn Code of Ordinances, Division 7 Stop Signs, Section 52-443 Designation, four way stop Harmons Corner Road, (second and final reading).

Vote: 7 Yea's - 0 Nay's Motion carried 7-0.

### **resolve to expend funds from the Abatement Account for 2010 property taxes due on properties purchased through the Community Development Block Grant, Main Street Beautification Project, in the amount not to exceed \$6,365.47.**

Councilor Gerry, seconded by Councilor Berube, moved resolve #44-03212011-03 Resolve to expend funds from the Abatement Account for 2010 property taxes due on properties purchased through the Community Development Block Grant, Main Street Beautification Project, in the amount not to exceed \$6,365.47.

Vote: 7 Yea's – 0 Nay's Motion carried 7-0.

### **executive session in accordance with Title 1, Section 405, subsection 6C to discuss a real estate matter, the possible sale of City property in the Great Falls Plaza area; with possible Council action following..**

Councilor Berube, seconded by Councilor Farrell, moved to enter executive session at 8:18 pm, in accordance with Title 1, Section 405, subsection 6C to discuss a real estate matter, the possible sale of city property in the Great Falls Plaza area.

Vote: 7 Yea's - 0 Nay's Motion carried 7-0.

Councilor Samson, seconded by Councilor Berube, made a motion to leave executive session and enter regular session at 8:32 p.m. Vote: 7 Yea's – 0 Nay's Motion carried 7-0.

Councilor Samson, seconded by Councilor Berube, moved resolve #45-03212011-04 Sale of City owned property located westerly of the property at 31 Court Street.

Vote: 6 Yea's – 1 Nay Motion carried 6-1.

**Executive session in accordance with Title 1, Section 405, subsection 6A to discuss personnel; City Manager evaluation.**

Councilor Samson, seconded by Councilor Gerry, moved to enter executive session at 8:35 pm, in accordance with Title 1, Section 405, subsection 6A, to discuss personnel; City Manager evaluation.

Vote: 7 Yea's - 0 Nay's Motion carried 7-0.

Councilor Herrick, seconded by Councilor Hayes, made a motion to leave executive session and enter regular session at 9:35 p.m. Vote 7 Yea's – 0 Nay's Motion carried 7-0.

### **VIII. Open Session**

Larry Morissette spoke during open session.

Continued with Budget discussions: Engineering and Parks and Recreation. Councilor

Young left meeting at 10:10pm.

Future Agenda/Workshop Items:

Councilor Herrick would like to discuss the Ordinance on Poultry and wanted to discuss the cost of the tree cutting operation on Route 136.

Councilor Gerry would like to discuss the City Manager's Weekly Review.

Councilor Samson would like to talk about options for the budget and the Consumer Price Index of 2.1% as noted in the 2007 Ordinance

Councilor Berube would like to discuss salaries for the various departments. City

Manager Aho will provide the current salary guide the City is using.

Councilor Gerry would like to talk about the hiring the new Assistant City Manager.

### **ADJOURNMENT**

Councilor Herrick, seconded by Councilor Berube, made a motion to adjourn at 10:20 pm.

Vote: 6 Yea's – 0 Nay's Motion carried 6-0. Councilor

Young was not present during the vote.

A true record Attested: Susan Clements-Dallaire, Deputy City Clerk

### **City Council Meeting and Workshop April 4, 2011**

#### Minutes

Present: Mayor Richard D. Gleason, Councilors Belinda A. Gerry, Robert Hayes, Daniel Herrick, David Young, Raymond C. Berube, Eric C. Samson, City Manager Glenn Aho, Assistant City Manager Phil Crowell, Finance Director Tracy Roy and City Clerk Roberta Fogg.

Councilor Michael Farrell absent.

The Council conducted a workshop beginning at 5:30pm on the following items: Discussion with Legislative Representatives regarding funding; Discussion of MOU between Community Little Theater (CLT) and the City and Discussion of a Poultry Ordinance.

Break at 6:50pm Back

at 7:05pm

These following items were not completed during the workshop and will be placed on the April 6th budget workshop; Data Driven Approach Presentation (Phil Crowell, Renee Bogart, Denis D'Auteuil - 25 min)

And Discussion of the 2012 Budget (CDBG Budget and general discussion) (Glenn Aho – 20 min)

The following item will be put on the April 19th workshop, Discussion of City Manager's Weekly Review (Glenn Aho – 10 min)

7:00 p.m. City Council Meeting

Mayor Gleason called the meeting to order at 7:05 p.m. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag.

#### **Consent Items**

Councilor Young, seconded by Councilor Gerry, move to accept the consent items as follows: Minutes of March 21, 2011; approve the request by Auburn Business Association to place signs honoring its Citizen of the Year on May 5th, at the following locations: Vincent Square, Center

Street and Court Street and motion to set the date of the second meeting in April 2011, from April 18th to 19th.

Vote: 6 Yea's – 0 Nay's. Motion carried 6-0.

Minutes – \* March 21, 2011

Councilor Young, seconded by Councilor Gerry, move to accept the minutes of March 21, 2011. Vote: 6 Yea's – 0 Nay's Motion carried 6-0.

### **Reports:**

Mayor, read his report. (See official minutes) City

Councilors

Michael Farrell: Rec. Adv Bd, Audit, Lake Aub. Watershed Protection Comm. - absent Robert

Hayes: Planning Bd, Water, Library, and Railroad - none

Daniel Herrick: MMWAC - none

David Young: School Committee, Cable TV Adv Board - none

Raymond Berube: Lewiston-Auburn Economic Growth Council, Sewer, Audit, Airport -none Belinda

Gerry: LA Transit, Neighborhood Stabilization Program, Auburn Housing – LA Transit Committee was recognized for best overall transit map award

Eric Samson: 9-1-1, Auburn Business Development Corp, Andros Valley Council of Gov. - none City Manager

FY12 Budget workshop information, the city increase would be .80 if the school funding request had been a flat funding request; we would need to cut 3 million from the budget or have a 192 million dollars of new growth is need to fund the increase. He outlined policy decisions needed for this budget process. He asked for guidance from the council regarding pay per bag system, because there is a grant that they can submit an application. He reviewed the team management approach.

### **Communications, Presentations and Recognitions:**

**\*04042011-00 Approve the request by Auburn Business Association to place signs honoring its Citizen of the Year on May 5th, at the following locations: Vincent Square, Center Street and Court Street.**

Councilor Young, seconded by Councilor Gerry, move to approve the request by Auburn Business Association to place signs honoring its Citizen of the Year on May 5th, at the following locations:

Vincent Square, Center Street and Court Street. Vote: 6

Yea's – 0 Nay's. Motion carried 6-0.

**\*04042011-00a Motion to set the date of the second meeting in April 2011, from April 18th to 19th.**

Councilor Young, seconded by Councilor Gerry, moved to set the date of the second meeting in April 2011, from April 18th to 19th.

Vote: 6 Yea's – 0 Nay's. Motion carried 6-0.

**Open Session:**

Steve Damon former resident at 2530 Pownal Road gathered 60 or 70 signatures from people who want to remove the stop signs just put up at the intersection of Harmons Corner Road and Pownal Road. He asked that the Council consider removing that stop sign on Pownal Road. He said most homes that he stopped at could not sign this petition fast enough. He said it was suggested that we do something about the speed on that road.

Councilor Herrick said he supported putting the stop sign back up and asked that the speed signs be put back up. He said speed had nothing to do with putting the stop signs back up.

Dan Corriveau, 215 Harmons Corner Road spoke in favor of the stop signs at Harmons Corner Road and Pownal Road.

Larry Morrisette, Lake View Drive spoke about when people can talk at open session and what people's rights are to talk in open to public. He stated we need to put God back into our schools, government and people's lives.

Leroy Walker, New Auburn said we inherited Oak Hill Cemetery in 1999. Oak Hill Cemetery was started in 1884, there is somewhere around 600 plots outlined with concrete where equipment has to be lifted over. We also have 15 other cemeteries that the city maintains. He said the cemetery costs this city somewhere around \$20,000 to maintain it. There is no way to go in the cemetery and cut it under 200 hours. He said that Oak Hill Cemetery had vandalism done last summer. He said that he does not want the New Auburn Fire Station moved or closed. City needs to think of a master plan and build a fire station and police presence at the Airport.

Stephen Martelli, New Auburn commended the Public Works Department for getting the snow removal taken care of in new Auburn

Gary Hailey 190 Pownal Road resident, disagrees with the request to take the stop signs down at the intersection of Harmons Corner Road and Pownal Road. He asked that the 25 MPH sign replaced.

Hilary Eaton, 126 Whitney Street resident has been waiting for information on the Minot Ave. gateway discussions. She suggested that we have move ways to automate how we engage citizens and allow people to choose what type of information they get and are also able to give information back.

Joseph Mailey 82 Webster Street asked the City Manager if all land value is assessed the same city wide.

City Manager Aho said it would not be.

Joseph Mailey said that he hopes the city does not do pay per bag system, it is a tax no matter how you package. He said mile for mile it is cheaper to pick up into trash, because there are more houses in a shorter distance. Ask Mayor Gleason about his procedural style.

Mayor Gleason said that under Roberts Rules the moderator is not supposed to participate in discussion.

Joseph Mailey said that it was disappointing when he watched the Lewiston Council Meeting when it was mentioned that Councilors left a room during a meeting. He said when you leave the meeting you look immature and unprofessional.

#### **Unfinished Business: None New**

#### **Business:**

##### **Public input on the 2012 Proposed Budget.**

Mayor Gleason opened the public input on the 2012 Proposed Budget. Karen

Mathews 188 Hickory Drive advocated for the school budget. Larry Morrisette

Lake Shore Drive spoke about the national budget. Jacob Capenter 65 Gamage

Ave. spoke on behalf of the Library.

April Dooley 59 Heath Lane supports the school budget. She wants to know that the council has her children best interest at heart.

Jeff Soifer 15 Shepley Street spoke in favor of the Library funding.

Liza Dimitri 8 Fern Street spoke in favor of school funding.

Linda Norman 146 Conant Ave. spoke in favor of the library funding, she told about her use of the career counseling outreach.

Jillian Carter 129 Lake Street resident and PTO President, spoke in favor of the school budget. April

Joyce 37 Hickory Drive resident spoke in favor of school and library funding.

Trisha Fletcher 240 Fairway Drive spoke in favor of the school budget.

Sharon Wood 106 Lake Street and treasurer of the Park Avenue PTO spoke in favor of the school budget.

Ron Potvin 82 Northern Avenue spoke opposed to any school budget increase over 2.15%. He said that education is one of the founding principles of a community. We appreciate the school department keeping their budget at 0 the last two years; that is why they support an increase, but not a 5% increase. Gradually reinvest in the city in small amounts. Challenged the council to address the LD1 formula to determine a formula on what funding for school and tax

Poppy Clark 32 Pinewood Drive supports the school budget and is considering leaving Auburn because of the school system.

Aric Fogg 240 Park View Ave. spoke opposed to the school budget, this is not the time to be raising taxes; we have to cut.

Dave Simpson 152 Allen Ave. spoke in favor of the school budget. Colleen

Scholer 80 Davis Ave. spoke in favor of the school budget.

Pam Hart 80 Country Club Drive spoke in favor of the school budget. She stated the kids are doing a walk a ton to raise funds for technology.

Joseph Mailey 82 Webster Street stated that he has been unemployed since June 2008 so any tax increase is too much. He asked the City Manager why we are not fighting the state and making them pay the 55% they are required toward school funding. He asked the Council to go after the state for what we are supposed to be getting. Every time you take a person's pay you are reducing the tax that person pays to the state at the end of the year. 1.5% of the school increase is in wages, he suggested they decide if they want the extra money in their wallet or in materials. He said it takes commitment and dedication to stick around to teach the kids.

Anita Charles 42 Elm Street spoke in favor of education and the sacrifices for lifelong education. She said they chose Auburn because of the school department putting the child at the center of the conversation not the dollar sign.

Diana Iwaszkiewicz-Carson 110 Jacques Road spoke in favor of school funding.

Gary Hailey 190 Pownal Road supports the school budget.

Dominique Casavant 158 Valview Drive encouraged the council to invest in our community and schools.

Francois Bussiere 9 Winter Street and School Committee Member spoke in favor of the school budget.

Dave Dawn 57 Cook Street spoke in favor of the Library funding and the services they provide to our community and school funding.

Melissa Sundell 42 East Bates Street spoke in favor of the school department's vision of where we are going and our vision and priorities. She supports the schools and their vision and we need to give them what we can to get there. She asked what the City's vision is and where we want to go. She supports the arts in our community, LA Arts.

Barry Skillings 1425 Riverside Drive spoke about giving his name when he speaks, he asked the council to give the names of the people who email and call them when quoted in a meeting, opposed to fire station cuts, he said his wife and daughter are both teachers and they spend their own money for supplies.

Rachel Lowe 33 Bramblewood Road spoke in favor of the school budget and how funding cuts affect children's needs at a basic level.

Marty Doherty 194 Oak Hill Road spoke about school funding; his wife is a teacher who does not have the resources needed. He said it is time to fund schools, library and LA Arts.

Joe Gray Sopers Mill Road spoke about the school budget, per student capita, administrator wages and the need for good management. He said that we need to stop spending so much money. He would like to see the statistics again on the school department's progress. 33% of Auburn School children do not graduate. He said it has to be realistically expensive.

David Das 104 Fourth Street resident and member of the School Committee spoke about the school department budget figures.

Mayor Gleason then closed the public hearing. Break at

9:27pm

Back at 9:41pm

### **Public hearing on 2010 Comprehensive Plan and New Auburn Master Plan.**

Mayor Gleason opened the public hearing asking for any comments on the 2010 Comprehensive Plan and New Auburn Master Plan.

Mr. Leroy Walker Broad Street resident speaking about the New Auburn Master Plan.

Stephen Martelli 371 Main Street spoke about the New Auburn Master Plan. He reviewed concerns as outlined in their April 3rd letter to City Manager Aho.

Mr. Walker stated that it was a pleasure to have City Manager Aho for attending the meeting in New Auburn to talk to the residents. The master plan for the New Auburn Area is a step in the wrong direction. He asked that the city help bring some business to the new Auburn area.

New Auburn meeting is last Tuesday of the month April 26th at Rolly's Diner at 6pm.

Councilor Berube said the New Auburn Master Plan is a starting point, it is just a plan. We can't just have a plan we have to fund those plans.

City Manager Aho suggested these comments be incorporated into the New Auburn Master Plan. Larry Morrisette spoke in favor of the New Auburn Committee's participation.

Dominique Casavant, 158 Valview Drive stated that he attended the meetings on the Comprehensive Plan and New Auburn Master Plan. He said the present traffic pattern in New Auburn does not allow for developers to come in and make investment. He spoke in favor of the plan.

Rick Whiting 24 Beaver Road and chairman of the Comprehensive Planning Committee spoke about the process and public participation in the process. He urged the council to adopt the plan.

Denis Bergeron 23 Dexter Ave. and Comprehensive Planning Committee member spoke about the changes to the plan and the history of those recommendations.

Patricha Ohler 76 Nottingham Road member of the Comprehensive Planning Committee spoke in support of the plans adoption.

Roland Miller, Director of Community Development spoke about the planning process that was run to take citizen comments and input through the whole planning process.

Mayor Gleason then closed the public hearing.

**esolve to accept the first reading of the 2010 Comprehensive Plan and New Auburn Master Plan.**

Councilor Samson, seconded by Councilor Herrick, moved resolve # 47-04042011-03  
Comprehensive

Plan and New Auburn Master Plan First Reading. Be it resolved that the Auburn City Council accept the 2010 Comprehensive Plan and New Auburn Master Plan. This is the First Reading and Public Hearing.

(Final draft to be attached to the second and final reading) Vote: 6

Yea's – 0 Nay's. Motion carried 6-0.

Councilor Gerry feels there are enough checks and balances in the implementation committee to address some of the concerns of the united new auburn association.

**ty Council hearing to decide whether to approve or disapprove an application for a tattoo license by Bruce Flash.**

Bruce Flash read his letter appealing the denial of his application for a tattoo license. Chief

Crowell spoke explaining the police department review and decision based on his infraction.

Councilor Herrick suggested a probationary period.

Councilor Samson asked various questions of Mr. Flash and Chief Crowell.

Councilor Young, seconded by Councilor Hayes, moved the approve the application for tattoo license by Bruce Flash for one year.

Vote: 3 Yea's – 3 Nay's. Motion died 3-3.

**Motions on committee appointments.**

Councilor Young, seconded by Councilor Gerry, moved to reappoint Paul Douglass to Recreation Advisory Committee for a term of two years. Vote: 5 Yea's – 0-Nay's -1 Abstained – Councilor Hayes. Motion carried 5-0-1.

Councilor Young, seconded by Councilor Samson, moved to reappoint Charles Morrison to Cable TV Advisory Committee for a term of two years.

Vote: 5 Yea's – 0-Nay's -1 Abstained – Councilor Hayes. Motion carried 5-0-1.

Councilor Berube, seconded by Councilor Young, moved to appoint Nancy Bard to CDBG Loan Committee for a term of three years.

Vote: 4 Yea's – 0 Nay's -2 Abstained – Councilor Hayes and Herrick. Motion carried 4-0-2.

**Motion to authorize the City Manager to prepare a lease with CLT for the Great Falls Arts Center consistent with the terms as outlined in the memorandum of understanding.**

Councilor Berube, seconded by Councilor Hayes, moved to authorization of the City Manager to prepare a lease to CLT of the Great Falls Arts Center consistent with the terms as outlined in the memorandum of understanding. Vote: 6 Yea's – 0 Nay's. Motion carried 6-0.

## **Open Session**

Larry Morrisette spoke about how people can speak in a meeting. Councilor

Young left meeting at 10:39 pm.

Dena Chapman 40 Vivian Street resident feels the taxes system is still flawed in Auburn. She purchased a piece of property to build a house that was non-conforming and had to bring it into compliance in order to purchase. She explained that she got an estimated tax of \$3,900.00 and actually got a bill for \$6,000.00. She asked for an answer from the city as to why she is being assessed on square footage from the exterior of the building. She asked the city to hold the budget with taxes as high as they are.

Leroy Walker Broad Street new Auburn area spoke about the swimming area in Lake Auburn, the geese are making a nest in that area now and we need to get on it quickly. The tot lot isn't being maintained and we need to do something to bring this back to life. He suggested we get some Boy Scout groups in there to get help us get it back to life.

Roger Lehouillier 210 Cook Street spoke against budget increase and spoke against pay per bag. Joe

Gray Sopers Mill Road asked questions of Chief Crowell about the reason we require a license for tattoo artists. He asked why the city denied his license.

Future Agenda/Workshop Items

Councilor Berube asked City Manager Aho to email John Storer at Auburn Water about the geese.

Councilor Samson asked what happens if budget validation fails.

## **ADJOURNMENT**

Councilor Herrick, seconded by Councilor Berube, made a motion to adjourn at 11:09 pm. Vote: 5

Yea's – 0 Nay's. Motion carried 5-0.

A true record Attested: Roberta L. Fogg, City Clerk

## **City Council Meeting and Workshop April 19, 2011**

Minutes

Present: Mayor Richard D. Gleason, Councilors Belinda A. Gerry, Michael Farrell, Robert Hayes, David Young, Raymond C. Berube, Eric C. Samson, City Manager Glenn Aho, Assistant City Manager Phil Crowell, Finance Director Tracy Roy and City Clerk Roberta Fogg.

Councilor Daniel Herrick absent.

The Council conducted a workshop beginning at 5:30pm on the following items: Donald Dean request to use city property on Howe Street; Fee Scheduled for Municipal review of Development; Committee Appointment Ordinance and Discussion of proposed Business Licensing Fees.

Discussion of City Manager's Weekly Review was conducted in the future workshop items section.

Councilor Herrick arrived 6pm

Break 6:50pm

Back 7:00pm

7:00 p.m. City Council Meeting

Mayor Gleason called the meeting to order at 7:00 p.m. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag.

### **Consent Items**

Councilor Berube, seconded by Councilor Hayes, move to accept the consent items as follows: Minutes

of April 4, 2011; Approve the request by Kiwanis to place up to 12 signs in grassy areas around the city for up to 10 days prior to their pancake breakfast on June 12, 2011; Approve the request by AVCOG to place two signs (3'x6') at the intersection of Lake Street and Court Street, the week of April 25th to advertise a medicine disposal collection on April 30th from 10am to 2pm at the Farwell Elementary School in Lewiston.

Vote: 7 Yea's - 0 Nay's Motion carried 7-0.

Minutes – \* April 4, 2011

Councilor Berube, seconded by Councilor Hayes, moved to accept the minutes of April 4, 2011. Vote: 7

Yea's - 0 Nay's Motion carried 7-0.

### **Reports**

Mayor, read his report. (see attached to official minutes) City

Councilors

Michael Farrell: Rec. Adv Bd, Audit, Lake Aub. Watershed Protection Comm. - none Robert

Hayes: Planning Bd, Water, Library, and Railroad - none

Daniel Herrick: MMWAC - none

David Young: School Committee, Cable TV Adv Board - none

Raymond Berube: Lewiston-Auburn Economic Growth Council, Sewer, Audit, Airport - none Belinda

Gerry: LA Transit, Neighborhood Stabilization Program, Auburn Housing - none

Eric Samson: 9-1-1, Auburn Business Development Corp, Andros Valley Council of Gov. - none City Manager

March 2011 Financials

Tracy Roy, Finance Director presented the March 2011 Financial Report.

Councilor Gerry, seconded by Councilor Farrell, made a motion to accept the March 2011 Financials.

Vote: 7 Yea's - 0 Nay's Motion carried 7-0

### **Communications, Presentations and Recognitions**

**\*04192011-00 Approve the request by Kiwanis to place up to 12 signs in grassy areas around the city for up to 10 days prior to their pancake breakfast on June 12, 2011.**

Councilor Berube, seconded by Councilor Hayes, made a motion to approve the request by Kiwanis to place up to 12 signs in grassy areas around the city for up to 10 days prior to their pancake breakfast on June 12, 2011.

Vote: 7 Yea's - 0 Nay's Motion carried 7-0.

**\*04192011-01 Approve the request by AVCOG to place two signs (3'x6') at the intersection of Lake Street and Court Street, the week of April 25th to advertise a medicine disposal collection on April 30th from 10am to 2pm at the Farwell Elementary School in Lewiston.**

Councilor Berube, seconded by Councilor Hayes, made a motion to approve the request by AVCOG to place two signs (3'x6') at the intersection of Lake Street and Court Street, the week of April 25th to advertise a medicine disposal collection on April 30th from 10am to 2pm at the Farwell Elementary School in Lewiston.

Vote: 7 Yea's - 0 Nay's Motion carried 7-0.

**\*04192011-02 Approve the request by AVCOG to place two signs (3'x6') at the intersection of Lake Street and Court Street, from May 2nd through May 16th to advertise the Western Maine Environmental Depot for disposal of Household Hazardous Waste.**

Councilor Berube, seconded by Councilor Hayes, made a motion to approve the request by AVCOG to place two signs (3'x6') at the intersection of Lake Street and Court Street, from May 2nd through May 16th to advertise the Western Maine Environmental Depot for disposal of Household Hazardous Waste.

Vote: 7 Yea's - 0 Nay's Motion carried 7-0.

**request by the Liberty Festival to waive banner permit fees.**

Councilor Berube, seconded by Councilor Hayes, made a motion to waive the banner permit fees for the Liberty Festival.

Vote: 7 Yea's - 0 Nay's Motion carried 7-0

**Open Session**

Ron Potvin Small Business Owners spoke about a 0 tax increase to the tax levy. The asked the Council to embrace that 0 increase. They asked the council to use as much of the School Department undesignated fund balance as possible. The Council cap of no more than the 2.1 % budget increase, maintain a 0 % tax increase. CPI index, Undesignated Fund Balance and

Virginia LaVasseur 177 Sopers Mill Road asked the Council to keep taxes down. Seniors are not going to be able to stay in their homes.

Larry Morrisette Auburn resident spoke about due process, freedom of religious prosecution and child abuse. He asked the Council to consider the issue of child abuse and stop the hurt.

Steven Damon asked for consideration of removing the stop sign at Pownal Road and Harmon's Corner Road. He asked for a traffic count at that intersection and for City Manager Aho to forward an email from MDOT.

Gary Smart 157 Cook Street asked the Council to look hard at the cuts now, because it may cost us more in the future. He asked City Manager Aho if there is a complete cost for moving the Police Department into City Hall.

Leroy Walker Broad Street, New Auburn, United New Auburn Association they think that the council is in jeopardy of taxing people out of town. He said UNA generally supports a 0% tax increase. He spoke in opposition of the IPAD's for the kindergarten classes and the cost to maintain the program going forward. He read an article from the paper regarding Auburn is wasting money on the Main Street project and school committee agreement to do the IPAD's.

Fernand Bussier 34 Sixth Street spoke about taxes and a 0% increase.

Andrew Titus 17 Lamplighter Circle reminded the council that most of the public will not be here, but they are concerned about their taxes, but when you cut a program people will come out in force. He asked the council to do their best to stop the increase in taxes.

Christopher Langis 85 Pride Road spoke in opposition to the IPADs for the kindergarten program and funding. He asked the Council to get rid of any discretionary funding in the school budget.

City Manager Aho explained what the council will have to cut to keep the 2.1% and 0 tax increase. He explained that staff would need council direction on Harmon's Corner intersection issue.

Councilor Herrick said that he listened to the people about what is going on in this city. He stated that he feels for the seniors. He said when we charge a higher tax but take away services, he feels for you people. He spoke about general assistance program. He said that this is the worst budget he has seen since he has been on the Council. He asked Tracy Roy to help him to donate his salary for his remainder of his term to the General Assistance Fund to help the people in this city.

### **Unfinished Business - none New**

#### **Business**

#### **esolve to accept the second and final reading of the 2010 Comprehensive Plan and New Auburn Master Plan.**

Councilor Berube, seconded by Councilor Herrick, moved resolve #47-04192011-04 Comprehensive Plan and New Auburn Master Plan First Reading. Be it resolved that the Auburn City Council accept the 2010 Comprehensive Plan and New Auburn Master Plan. This is the Second and Final Reading.

(Final draft to be attached to the second and final reading) Vote: 7

Yea's - 0 Nay's Motion carried 7-0.

#### **esolve approving the fee schedule for Municipal Review of Development.**

Councilor Samson, seconded by Councilor Young, moved resolve #48-04192011-05 approving the fee schedule for Municipal Review of Development. The City of Auburn hereby adopts the State of Maine fee schedule for municipal delegated review of public buildings that constitute a mercantile occupancy over 3,000 square feet, a hotel, a motel or a business occupancy of 2 or more stories. Fees as amended from time to time, see attached schedule dated 8/23/2004.

Vote: 7 Yea's - 0 Nay's Motion carried 7-0

Andy Titus 17 Lamplighter Circle asked where the fees are going to be used for and will we have to hire anyone to administer this program.

City Manager Aho responded undesignated general fund and no additional staff is anticipated. Gary

Smart 157 Cook Street stated that we need to be proactive with our inspections, and concerned about over burdened staff.

**ecutive session in accordance with Title 1, Section 405, subsection 6E, to discuss a legal matter; with possible Council action following.**

Councilor Gerry, seconded by Councilor Young, moved to enter executive session at 7:53 pm, in accordance with Title 1, Section 405, subsection 6E, to discuss legal matter.

Vote: 6 Yea's - 0 Nay's – 1 Abstained – Councilor Farrell Motion carried 6-0 -1.

Councilor Young, seconded by Councilor Gerry, made a motion to leave executive session and enter regular session at 8:06 p.m. Vote 6 Yea's – 0 Nay's – 1 Abstained - Councilor Farrell Motion carried 6-0 - 1.

**ecutive session in accordance with Title 1, Section 405, subsection 6A, to discuss personnel; City Manager evaluation.**

Councilor Samson, seconded by Councilor Gerry, moved to enter executive session at 8:10 pm, in accordance with Title 1, Section 405, subsection 6A, to discuss personnel; City Manager evaluation.

Vote: 6 Yea's - 1 Nay's – Councilor Farrell Motion carried 6-1.

Councilor Gerry, seconded by Councilor Herrick, made a motion to leave executive session and enter regular session at 9:30 p.m. Vote 7 Yea's – 0 Nay's Motion carried 7-0.

### **Open Session**

Larry Morrisette Po Box 3036 Auburn spoke in favor of the right bear arms and protect ourselves. He spoke in favor of sportsman's right to have firearms.

Ronald Clark 129 Fish Street, Leeds spoke about the school department budget requests and discussed specific items. He compared Auburn School Department to Avon, Connecticut, reviewing specific line items in the proposed school budget.

Paul Champaign 51 High Street spoke about the fence at his house which abuts the park. He wants to give the fence to the city. He spoke in opposition to IPADS for kindergarteners, and asked the Council to leave the Police and Fire Departments alone. He spoke about the estimate for demolition of Great Falls School being too low and asked why it wasn't the real number. He

would like to see us spend money on the right things. He asked the Council to upgrade the TV system and to give Larry Morrisette his three minutes.

Joe Gray Sopers Mill Road asked the City Manager about the stipends for the team leaders, why they are not a set amount that doesn't increase annually, why a percentage of their current wage?

City Manager Aho explained that the 10% has been a practice of the city from the past to compensate for additional responsibilities.

Mr. Gray asked why we have the three team leaders; there is no ordinance that requires the Manager to meet with all department heads at the same time.

City Manager Aho explained the needs for different degrees of management needed for different departments to help evaluate cost controls. He explained the different teaching needs for different department budgets through the cost accounting management.

Mr. Gray asked about the private sector workers that are being brought in to help departments don't have that departments experience. He asked Chief Crowell about the ISO rating and who is paying for that expense.

Chief Crowell explained that we are not paying for that, he said that they have had a rating in the 1990's and some changes that impact our ISO rating. The ISO rating directly affects business insurance rates.

Mr. Gray commented on the use of temporary staff from temp agencies and where we are getting labor at 10 – 15% more.

Councilor Herrick stated that he and Mr. Gray met with a business specialist who recommended they locate their business in Sabattus.

Michael Scott 549 South Whitham Road asked Councilor Herrick to explain that recommendation.

Gary Smart explained ISO effects home owners insurance ratings and premiums.

City Manager Aho explained that last week he gave examples of the ICT and Public Works Department. He reviewed the organization chart for Public Works Department.

Councilor Samson asked questions about the funding for a mechanic for Fire and Police –VS- the maintenance line item.

City Manager Aho answered questions about the maintenance of Police and Fire vehicles. He said no one ever evaluated the cost analysis to determine if it is more effective to do the maintenance.

### **Future Agenda/Workshop Items**

### **Discussion of the Weekly review.**

Councilor Gerry asked to invite Mr. Clark to a workshop and invite Auburn School Department Business Manager Jude Cyr to review the school budget.

### **ADJOURNMENT**

Councilor Herrick, seconded by Councilor Samson, made a motion to adjourn at 10:12 pm. Vote: 7

Yea's – 0 Nay's Motion carried 7-0.

A true record Attested: Roberta L. Fogg, City Clerk

### **Special City Council Meeting and Workshop April 25, 2011**

#### Minutes

Present: Mayor Richard D. Gleason, Councilors Belinda A. Gerry, Michael Farrell, Robert Hayes, David Young, Raymond C. Berube, Eric C. Samson, City Manager Glenn Aho, Assistant City Manager Phil Crowell, Finance Director Tracy Roy and City Clerk Roberta Fogg.

Councilor Daniel Herrick absent.

The Council conducted a workshop beginning at 5:30pm on General Budget Discussion. City

Manager Aho gave an example of Munis budget sheet with greater history. He then reviewed the 5P Team Management. He reviewed the team costs.

Councilor Herrick arrived at 5:41pm.

City Manager Aho reviewed the tax levy council resolve. He reviewed changes in the budget to date, both expenditures and revenue.

Break at 6:45pm Back

at 7:00pm

7:00 p.m. City Council Meeting

Mayor Gleason called the meeting to order at 7:00 p.m. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag.

### **I. New Business**

**04252011-01 Sign the Special Municipal Election Warrant for the May 10, 2011 School Budget Validation Referendum.**

Councilor Samson, seconded by Councilor Hayes, moved to sign the Special Municipal Election Warrant for the May 10 17th, 2011 School Budget Validation Referendum, with a non-binding advisory question.

Council and City Manager discussed the 2.1% budget cap. Councilor

Hayes asked to move the question

Vote: 3 Yea's- 4 Nay's. Motion failed 3-4.

Council Herrick moved to reduce the school budget by 2.5 million or zero increase. Councilor Gerry,

seconded by Councilor Herrick moved to amend the election warrant to set May 17th, 2011 as the Special Municipal Election for the school budget validation.

Councilor Hayes stated that we need more time to work on the budget and avoid a revote budget.

Amendment vote: 4 Yea's – 3 Nay's- Councilor Hayes, Young and Samson. Motion carried 4-3. Main

motion vote: 6 Yea's -1 Nay – Councilor Hayes. Motion carried 6-1.

Councilor Gerry, seconded by Councilor Berube, moved to suspend the rules and to add the budget discussion to the agenda, after open session.

Vote: 5 Yea's – 2 Nay's - Councilors Farrell and Young. Motion carried 5-2.

## **II. Open Session**

Steve Morgan South Avenue, Lewiston (Lewiston City Councilor) spoke about the Lewiston Auburn Economic Growth Council.

Councilor Herrick asked to forgive the five minute time line for open session.

Ron Potvin, 82 Northern Avenue and Director of Small Business Owners of Auburn. He said that the spirit in the room four years ago was to alleviate the burden off the tax payers. They asked the Council abide by the 2.1% increase to the school department as well.

Glenys Ryder Old Danville Road, retired teacher said that she is still pro-education; however she is a taxpayer in Auburn who pays \$3,300 taxes. She said that they will have no cost of living increase for five years and all her bills are going up. She stated that they can't afford any increase in taxes, not even one penny.

Sharon Bergeron Citizens Advisory Committee, 23 Dexter Avenue read into record a letter to the council for the discussion next week, urged the council to not include the SRO's in the CDBG budget funding.

Jim Tierney 7 Drummond Street asked the Council what the likely hood of the voter turnout for the election.

Virginia LeVasseur 177 Sopers Mill Road spoke against giving IPADS to five year olds. Jason

Levesque Beech Hill Road said we need to get our priorities in order. Spoke the school budget handout. He stated a tax increase will push his family over the edge.

Ronald Clark 129 Fish Street, Leeds read an article indicating that Maine is more likely to declare a child as disabled. He recommended the council to eliminate fraud and waste in the school budget.

Priscilla Miller, 211 Summer Street thanked the Council who are really trying to hold the taxes down. She spoke about the school problem, parents better be aware and take responsibility to feed and take care of after school care. She thinks that they can get teachers in to reduce class sizes. She suggested getting rid of breakfast, sports, and stop extending the day. Parents should be asked what kind of education do you want.

David Das, 104 Court Street and chairman of the Auburn School Department responded to comments about IPADS, breakfast and lunch programs are self supported through federal tax dollars, afterschool program is run on soft grant money including transportation, pre-k is an optional program.

Priscilla Miller doesn't let anyone tell you that it's free, but it is not, it's from our other pocket. Do your primary job well and then do other things.

Jonathan Lamonte 41 Third Street, asked what our priorities are. He asked the council to develop the policies and programs.

Leroy Walker Broad Street resident and Chairperson of the United New Auburn Association asked the council to hold the line on taxes.

Councilor Herrick, seconded by Councilor Gerry, moved to extend open session by 15 min Vote: 6

Yea's -1 Nay – Councilor Samson Motion carried 6-1.

Joe Gray Sopers Mill Road asked for a line item year to date expenditures for the city. He said no one is looking at the numbers. He suggested a CPA be hired to see how the city is doing. He stated that he would email a list of questions, line item review by month. He asked about a variance report.

Tracy Roy, Finance Director stated that there is a variance report on page six.

Joe Gray requests the variance report and financials, and made comments about fire department purchase of foam and public works recycling program.

City Manager Aho explained that the recycling program costs went back to their respective cost centers. He explained that we budget in anticipation of events, but if we don't use it we put don't spend it. He said about .5% of the budget will be unexpended and put back into the Undesignated General Fund.

Councilor Gerry said what Joe Gray is looking for is the budget to actual report and not the summary report.

City Manager Aho stated that we had a presentation from the Auditor in September on the CAFER.

Bud Large 148 Ever Road stated that his background is in turn around management. He called on the city and inquired on the budget process. He suggested that the discussion should be how great a decrease should be allowed. He said that the reduction should always start at the top in the senior managers are willing to give up. He commends the Council for their efforts and back bone.

Chief Crowell updated everyone on the Police Department move into Auburn Hall on Tuesday and Wednesday.

Mayor Gleason closed the open session.

Councilor Hayes asked the City Manager how to deal with the 2.1% cap.

City Manager Aho said that is sounds like the council want that tax levy to apply to the school and the city. He said the cut would need to be \$600,000+ he asked the council how they would like to see those cuts.

Councilor Herrick, seconded by Councilor Berube, moved to cut 2.5 million dollars from the original school department budget submitted.

Councilor Farrell asked where would those funds be taken from, what line items.

Councilor Herrick said that the Council cannot tell the school department where to spend their money.

City Manager Aho said the council can specify an amount by line item. Councilor

Young asked what this cut will do to the tax rate.

City Manager Aho said it would reduce the tax rate by .30. Public

comment:

Ron Potvin 82 Northern Ave said that he appreciates the effort, but is concerned about the requirements by the state to get our funding.

Tom Morrill Superintendent of School explained the EPS (Essential Programs and Services) and the City requirements to raise a local levy. He said that if the city takes 2.5 million dollars off the bottom line, he would have to recalculate the money we would receive from the state.

Ron Potvin said the goal is to get to a zero increase. He said the reduction of the additional million dollars requested be removed and using more school undesignated fund balance. (1.5 million)

Councilor Farrell asked Mr. Das if we would be installing air conditioners in all schools. David

Das said that the goals are to install air conditioning in all elementary schools. Break 8:42pm

Back 9:05 pm

Tom Morrill, Superintendent explained what a zero increase would mean. Amend the motion to reduce 1.24%, local commitment \$14, 548,558 dollars, total school budget \$34,849,353, school mil rate \$7.10 to obtain a zero % increase to tax levy, but a total of 2% increase to the budget, and keeping the school mil rate flat.

Vote: 4 Yea's – 3 Nay's - Councilors Hayes, Young and Samson. Motion carried 4-3. Councilor

Hayes asked where we had to be in order to not suffer a penalty in state funding.

Councilor Gerry moved to suspend the rules to continue budget workshop. Motion died for lack of second.

Councilor Gerry, seconded by Councilor Samson, motion to set May 9th as the date the council will formally adopt the school budget.

Vote: 4 Yea's – 3 Nay's - Councilors Farrell, Hayes and Young. Motion carried 4-3.

### **III. Future Agenda/Workshop Items**

Councilor Gerry asked to schedule a workshop with the school department and Mr. Clark's recommendations.

Councilor Hayes suggested Mr. Clark work directly with the school department. Councilor

Samson asked about continuing the budget workshop

Councilor Herrick requested a couple of items from departments and didn't expect to get just a piece of paper. He asked all employees wages with split out benefits, health, retirement, FICA, etc. He asked for two years information.

Councilor Gerry request to have a workshop and have Mr. Clark present to explain his findings with the school budget, have Tom Morrill, Jude Cyr and David Das present.

Councilor Farrell asked where the person who is referenced is in the budget. Councilor

Berube asked for volunteers to help him with the Knight House repairs.

#### **IV. ADJOURNMENT**

Councilor Herrick, seconded by Councilor Young, moved to adjourn at 9:37pm. Vote 7

Yea's – 0 Nay's Motion carried 7-0.

A true record Attested: Roberta L. Fogg, City Clerk

### **City Council Meeting and Workshop May 2, 2011**

#### Minutes

Present: Mayor Richard D. Gleason, Councilors Belinda A. Gerry, Robert Hayes, David Young, Raymond C. Berube, Eric C. Samson, City Manager Glenn Aho, Finance Director Tracy Roy and City Clerk Roberta Fogg.

Councilors Michael Farrell and Daniel Herrick absent.

The Council conducted a workshop beginning at 5:30pm on the following items: Discussion of City Manager's Weekly Review, Budget discussion continued, Review of the FY12 Capital Improvement Program and New Auburn Master Plan Implementation Committee.

Councilor Farrell arrived at 6:06pm.

Councilor Herrick arrived at 6:54 pm. Break

6:56p

Back 7:10p

7:00 p.m. City Council Meeting

Mayor Gleason called the meeting to order at 7:10 p.m. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag.

#### **Consent Items**

City Clerk Fogg apologized and stated that the agenda has an error, item 05022011-01\*Consent item should be Safe Voices, formerly Abused Women's Advocacy Project.

Councilor Berube, seconded by Councilor Hayes, moved to approve the consent agenda Approve the request by Safe Voices, formerly the Abused Women's Advocacy Project (AWAP) for their Walk to End Domestic Violence and Resolve setting dates for council meetings which fall on holidays in 2011 and 2012.

Vote: 7 Yea's - 0 Nay's Motion carried 7-0.

II. Minutes - None

### **III. Reports**

Mayor, read his report. (see official minutes) City

Councilors

Michael Farrell: Rec. Adv Bd, Audit, Lake Aub. Watershed Protection Comm, - reported on Lake Auburn Watershed Protection Committee possible land acquisition.

Robert Hayes: Planning Bd, Water, Library, and Railroad, - none Daniel

Herrick: MMWAC, - none

David Young: School Committee, Cable TV Adv Board – unable to attend the last school board meeting.

Raymond Berube: Lewiston-Auburn Economic Growth Council, Sewer, Audit, Airport - none Belinda

Gerry: LA Transit, Neighborhood Stabilization Program, Auburn Housing, - reported on the

Auburn Housing Authorities dinner and employee recognition, she talked about the CDBG budget.

Eric Samson: 9-1-1, Auburn Business Development Corp, Andros Valley Council of Gov - none City

Manager - none

### **IV. Communications, Presentations and Recognitions - None**

### **V. Open Session**

Councilor Herrick spoke about the school budget and the council decision to cut their budget. He stated that he would not be changing his mind on that vote. He suggested people go to the polls on May 17th and accept or reject the school budget.

Melissa Sundell 42 East Bates Street asked the councilors to reconsider their vote to cut the school budget. She reviewed the budget and her frustration with the school committee and their

handling of the budget process. She is also frustrated with the council for cutting the school budget to the degree that they did. She gave examples of the good things that are happening in our schools. The budget that is good for the schools, property owners and city is in your reach.

Larry Morrisette Po Box 3036, Auburn spoke for the children, women and poor.

Gary Simard 157 Cook Street asked the councilors to keep a list of the people who talk to them and the issues. He stated that signage has not been installed to indicate where the police department has located; the police are parking in a space designed for pedestrian traffic. He said some of the changes by the city manager are good, some are bad. He explained that people are frustrated by the process at city hall.

We have the responsibility to protect and serve the people of Auburn. Councilor

Farrell asked for specifics on what we are not doing.

Councilor Herrick explained that he gets emails through his wife. He asked what gives him the right to read emails publicly.

Ron Potvin 82 Northern Ave, Small Property Owners Association and Leroy Walker United New Auburn Association spoke in opposition to the council reduction of the school department budget by 2.5 million dollars. Mr. Potvin stated that majority of the people they spoke with this week were shocked with this decision. They said the 2.1%, 714,000 tax increase and use all the fund balance to get to the zero tax levies. They suggested taking everything up to the minimum getting the school budget to \$34,384,000; take an additional \$200,000 from fund balance. This will mean an additional \$500,000 in reductions to the school budget. To create a zero increase to the tax levy, asked the council to come to a number that people can deal with, and they wouldn't lose state funding.

Leroy Walker agreed with Mr. Potvin and what he has stated, we are looking for a zero increase, but we are not looking to hurt people. If we can't get to zero we need to get very close to zero increase.

April Joyce 37 Hickory Drive asked the council to reconsider the vote to cut 2.5 million dollars from the school budget. She spoke about the fundamental right to education, do we want to be in a community that cuts 3.1 million dollars from school budget.

Craig Jipson 24 Hickory Drive stated that he thinks the council's decision is affecting our children and education in Auburn for a long time. He thinks that the Councilors are letting their egos effect their decisions. He asked the council to do the right thing. He said he is sick of coming here every year and hearing about the minimum we can do. You have to invest in greatness.

Andy Titus 17 Lamplighter Circle stated that he remembers how this all started, with a 5.5% increase in the school budget. He said that now he is seeing the information and the true information is coming out and he is hurt. He said if the slight increase had been proposed a month ago we would be here. If we are not increasing the tax levy that we should give the schools what they need.

Jennifer Rombalski 180 Andrew Drive spoke in favor of the council approving a school budget that does not increase taxes, but also does not lose state funding.

Ron Clark 129 Fish Street, Leeds stated that he spoke with the Department of Education in regards to the school departments comments on the loss of state funding. He said that they are taking money from programs that the state does not want them to cut the fund from the essential programs and services. He stated that the school department lied to the city.

Councilor Farrell stated that he would be interested in ironing this out tonight, but each time we talk about this he gets different numbers, at the end of the day there are going to be cuts. He asked Mr. Clark and Mr. Cyr to talk and bring out the real figures.

Councilor Berube asked for figures from some one other then Jude Cyr. He said he trusts the numbers from our Finance Director Tracy Roy. He talked about the stipends in the school department are out of hand, you could take \$500,000 out of your budget.

Councilor Herrick asked Mr. Clark if a councilor ask you to meet with the school department and another councilor

Mr. Clark said that he did not get involved until three councilors walked out of a presentation of the school department.

Mayor Gleason asked Mr. Clark to present his back ground and a resume so the city will know who we are dealing with.

Laurie Tannenbaum 36 Lake Street said that last year the city taxes went up and the schools came in with a zero increase. We are willing to spend money on some things but not our schools. She thought the vote on the school budget would be tonight. She said there are communication issues across the board. She asked the council to rethink the decision to cut 2.5 million from the school budget.

Larry Pelletier 129 Second Street thanked Mayor Gleason for taking Mr. Clark to task. He thinks Mr. Clark is out of line for his statements about the school department.

Melissa Sundell East Bates Street stated that she respects the council but she is not going to stand here and let someone from another town call public servant liars. She said it is a legitimate negotiating strategy.

Larry Morrisette objected to extending open session and letting people speak twice.

Councilor Gerry, seconded by Councilor Farrell, moved to suspend the rules and extend open session for 30 minutes.

Vote 7 Yea's – 0 Nay's Motion carried 7-0.

Whitney Condit 1490 Perkins Ridge Road spoke about finding a way to communicate better and make our schools survive and thrive.

Jennifer Rombalski 180 Andrew Drive said that there is no excess in her contract. She stated that coaching is a second job, and you would not work that many extra hours and not get paid for it.

Craig Jipson 24 Hickory Drive stated that Mr. Clark's comments are disrespectful of our school administration. He suggested that we take the time to iron it out tonight.

Larry Morrisette Auburn spoke about the Mayor or Secretary's responsibility to object and notice the time limits for speakers. He stated that May is domestic violence month. He thanked the council for extending the open session.

Marty Doherty 194 Oak Hill Road spoke in favor of the schools.

Councilor Farrell said that he would like to discuss the school budget. He said that there has been an ongoing feud with the fire department about use of fire trucks. He explained that fire union has submitted a freedom of access request for his emails. He said there are some things we cannot share a lot of things that we know.

Councilor Herrick said that when it comes to the fire department he is happy to sit down and answer questions, he does not know how to email. He gets emails through his wife. He said they get the phone calls and emails with comments about the use of fire trucks to run errands. He stated that he has a couple of emails about things that are happening in the city. He read emails from the Mayor to a councilor who did not vote to support a committee the councilor was on.

Mayor Gleason explained that he asked the councilors what boards they want to serve on. Councilor

Herrick read an email from the Manager to a staff individual regarding finance issues.

He stated that he has a problem with the email stating it is micro managing. He stated that the council gave the school department the opportunity to come forward with a responsible budget. He said that he wishes we could go to public referendum on the city side of the budget too.

Councilor Farrell encouraged the fire department and encouraged them to come to open the public.

Councilor Berube thanked the public for setting him straight; he thought it was about the kids.

Councilor Gerry doesn't think we are doing anything wrong. She thinks that the budget as it is now will be voted down and then the school and council can work together and come together. She asked that we work together to improve the schools.

Mayor Gleason closed open to the public.

Councilor Gerry, Councilor Farrell, moved to suspend he rules to add an agenda item and take it out of order to continue the school budget discuss and allow Ron Clark to participate.

Councilor Hayes believes we should have a vote to reconsider.

Councilor Young stated that he is disturbed that a person who doesn't work for the city and not part of the school committee is respected more than staff.

Councilor Samson said that he is not interested in a show down between this individual and the school department.

Councilor Farrell thinks the Mayor can keep things in check.

Councilor Herrick said that what impresses him is he has nothing to gain or lose by giving us the facts.

Ron Clark gave his background and experience with municipal government; he worked for federal government, beginning in the military and eventually retiring from the US Post Office.

Vote: 4 Yea's – 3 Nay's Motion carried 4-3.

Councilor Hayes objects to talking about the school budget when we have not reconsidered the motion on the school budget.

Superintendent Morrill and Ron Clark discussed a conversation they had in regards to the school budget.

Jude Cyr, Business Manager explained the state requirements for federal and state requirements. He stated they have nothing to hide and their books are open.

Mr. Ron Clark responded to comments made by Mr. Cyr.

David Das, chairman of the school department responded to comments about the vocational budget.

## **VI. Unfinished Business - None**

## **VII. New Business**

**\*05022011-01 Approve the request by Safe Voices, formerly the Abused Women's Advocacy Project (AWAP) for their Walk to End Domestic Violence on Saturday, May 14, 2011 and place small signs in the medians from May 3rd to May 14th.**

Councilor Berube, seconded by Councilor Hayes, moved to approve the request by Safe Voices, formerly the Abused Women's Advocacy Project (AWAP) for their Walk to End Domestic Violence on Saturday, May 14, 2011 and place small signs in the medians from May 3rd to May 14th.

Vote: 7 Yea's - 0 Nay's Motion carried 7-0.

**\*05022011-02 Approve the request by Androscoggin Home Care and Hospice House for their 5K Remembrance Walk/Race on May 22, 2011.**

Councilor Gerry removed from consent agenda.

Councilor Herrick, seconded by Councilor Young, moved to approve the request by Androscoggin Home Care and Hospice House for their 5K Remembrance Walk/Race on May 22, 2011.

Vote: 7 Yea's - 0 Nay's Motion carried 7-0.

**\*05022011-03 Resolve setting dates for council meetings which fall on holidays in 2011 and 2012.**

Councilor Berube, seconded by Councilor Hayes, moved to approve resolve #49-05022011-03 setting dates for council meetings which fall on holidays in 2011 and 2012.

Vote: 7 Yea's - 0 Nay's Motion carried 7-0.

**esolve approving the 2011 Action Plan of the Community Development Block Grant and HOME Investment Partnerships Program.**

Councilor Gerry, seconded by Councilor Young, moved Resolve #50-052011-04 approving the 2011 Action Plan with the money for the SRO's restored back to their original programs for the Community Development Block Grant and HOME Investment Partnerships Program.

Reine Mynahan, CDBG Administrator explained where the waiver would be sent and why it is necessary to file such a waiver.

Vote: 4 Yea's - 3 Nay's – Councilors Farrell, Hayes and Herrick Motion carried 4-3.

**esolve adopting the business licensing fee schedule.**

Councilor Samson, seconded by Councilor Berube, moved Resolve #51-052011-05 adopting the business licensing fee schedule. (see attached to official minutes)

Public comment:

Leroy Walker new Auburn resident stated that these fees were not sent to the business. He stated that this is going to drive us out of the city, with these fees. Business should be notified, about the increases.

Councilor Herrick stated that he can't support this as it is. Councilor

Gerry stated that she can't support this either.

Vote: 4 Yea's - 3 Nay's – Councilors Gerry, Farrell and Herrick. Motion carried 4-3.

**esolve adopting a Committee Appointment Policy.**

Councilor Hayes, seconded by Councilor Young, moved Resolve #52-05022011-06 adopting a Committee Appointment Policy. (see attached to official minutes)

Councilor Hayes, seconded by Councilor Young, move to amend the Committee Appointment Policy as follows: item #4 paper copies of the applications be provided as part of the package for the vote; item #7 that going into executive session automatically for discussion; and #8 a standing committee to be appointed in advance to gather the additional information in needed.

Amendment vote: 4 Yea's – 3 Nay's – Councilors Farrell, Herrick and Berube. Motion carried 4- 3.

Main motion vote: 4 Yea's - 3 Nay's – Councilor's Farrell, Herrick and Berube. Motion carried 4-3.

**ecutive session in accordance with Title 1, Section 405, subsection 6A, to discuss personnel, City Manager evaluation.**

Councilor Hayes, seconded by Councilor Young, moved to enter executive session at 10:17 pm, in accordance with Title 1, Section 405, subsection 6A, to discuss personnel, City Manager evaluation.

Vote: 6 Yea's - 1 Nay's – Councilor Farrell Motion carried 6-1.

Councilor Herrick, seconded by Councilor Hayes, moved to leave executive session at 11:28 pm. Vote: 6

Yea's - 1 Nay's – Councilor Farrell Motion carried 6-1.

**VIII. Open Session**

Steven Martell read part of President Lincoln's Gettysburg Address, than asked the council to pick members for the New Auburn Master Plan Implementation Committee to be a cross section of the residents and businesses in New Auburn.

Larry Morrisette Auburn spoke about May being Domestic Violence Awareness month; April was Child Abuse Awareness month.

### **IX. Future Agenda/Workshop Items**

Councilor Farrell, seconded by Councilor Hayes, moved to reconsider the school budget motion of April 25, 2011.

Vote: 4 Yea's – 3 Nay's – Councilor Gerry, Herrick and Berube. Motion carried 4-3.

Councilor Farrell, seconded by Councilor Hayes, move to approve the total FY12 school budget of \$34,334,995; the use of \$1, 250,000.00 million of the fund balance; the total local share of \$13,784,200.

Public comment:

Ron Potvin proposed as follows: total school budget 34,884,994 reduced to 34,334,995, and adding 214,368 additional fund balance to the 1.35 million fund balance

Councilor Farrell withdrew is motion and Councilor Hayes withdrew his second.

Councilor Farrell, seconded by Councilor Hayes, moved to approve the total FY12 school budget of \$34,334,995; the use of \$1,250,000 of the fund balance with the local share not to exceed \$13,784,200.00.

Vote: 3 Yea's -Councilors Farrell, Hayes and Berube – 4 Nay's - Councilors Gerry, Herrick, Young and Samson. Motion failed 3-4.

Councilor Berube would like 911 on a workshop

Councilor Gerry asked that committee members for New Auburn Master Plan committee be from New Auburn or own businesses in new Auburn.

Councilor Farrell thinks we should have a finance committee.

Councilor Hayes, seconded by Councilor Farrell, moved to approve a FY 12 total school budget of \$34,334,995.00.

Vote: 5 Yea's – 2 Nay's – Councilor Gerry and Herrick. Motion carried 5-2. Break at

12:01am

Back at 12:06am

### **X. ADJOURNMENT**

Councilor Samson, seconded by Councilor Berube, moved to adjourn at 12:19am.

Vote: 7 Yea's – 0 Nay's. Motion carried 7-0.

A true record Attested: Roberta L. Fogg, City Clerk

### **Special City Council Meeting and Workshop May 9, 2011**

#### Minutes

Present: Mayor Richard D. Gleason, Councilors Belinda A. Gerry, Robert Hayes, David Young, Raymond C. Berube, Eric C. Samson, City Manager Glenn Aho, Philip Crowell, Police Chief and Acting Assistant City Manager, Finance Director Tracy Roy and City Clerk Roberta Fogg.

Councilors Michael Farrell and Daniel Herrick absent.

The Council conducted a workshop beginning at 5:30pm on the following items: Discussion of acceptance of a portion of Carrier Court and Budget discussion continued.

Review of the FY12 Capital Improvement Program was not discussed due to the lack of time. Break at 6:56pm

Back at 7:08pm

7:00 p.m. City Council Meeting

Mayor Gleason called the meeting to order at 7:10 p.m. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag.

#### **I. Consent Items – None**

#### **II. Minutes - None**

#### **III. Reports**

Mayor - none

City Councilors

Michael Farrell: Rec. Adv Bd, Audit, Lake Aub. Watershed Protection Comm, - absent Robert

Hayes: Planning Bd, Water, Library, and Railroad, - none

Daniel Herrick: MMWAC, - none

David Young: School Committee, Cable TV Adv Board – Invited the Mayor and Council to the Edward Little High School graduation on June 10th at 7pm, Councilors need to RSVP by May 26th.

Raymond Berube: Lewiston-Auburn Economic Growth Council, Sewer, Audit, Airport - none Belinda

Gerry: LA Transit, Neighborhood Stabilization Program, Auburn Housing, - none

Eric Samson: 9-1-1, Auburn Business Development Corp, Andros Valley Council of Gov - none City Manager - none

#### **IV. Communications, Presentations and Recognitions - None**

#### **V. Open Session – None**

#### **VI. Unfinished Business – None**

#### **VII. New Business**

##### **Public Hearing on the Proposed Municipal/Education Budget FY 2011-2012.**

City Manager Aho gave reviewed the city budget.

Superintendent Tom Morrill reviewed the School Department Budget. Councilors questioned Superintendent Morrill about the budget.

Larry Pelletier 129 Second Street feels it's a sad state of affairs to take away from the schools. He hopes people will vote no and put down why.

Jodd Bowles Lake Street reviewed the history of school funding and issues with the schools. He stated that he doesn't feel like this community values schools.

Ron Potvin 82 Northern Avenue and Small Business Owners of Auburn asked the council to set the local tax levy at 14 million to reduce the tax levy to zero. He also suggested that city could amend individual line items #7 be reduced \$300,000 and restore that money to the sports and other programs the school committee reduced that effect the students.

Leroy Walker United New Auburn Association stated that he believes these numbers will get us to a zero increase on the tax levy.

Councilor Herrick said that he believes the 2.5 million dollar school budget reduction would have passed. He believes the system is broken.

Leroy Walker suggested the school department take a direction from City Manager Aho to run the same way as the city.

Arlene Bowles 239 Lake Street asked about how school funding was approved for school funding. She stated her concerns about decreasing school funding and how it is affecting our city.

Susan Pease 77 Dawes Avenue stated how the reduction of the budget will affect the students and our Library's.

Virginia LeVasseur 177 Sopers Mill Road thinks that the part time and teachers are taking the cuts and they should look at the administration. She asked what happened to the IPAD program.

Ronald Clark 129 Fish Road, Leeds stated that he wrote an article for the Twin City Times that will be coming out in next week's paper. He reviewed cost center figures.

Dave Simpson Allen Ave stated that he believes everyone's perspective is true. Mayor

Gleason closed a public hearing.

#### **esolve adopting the School Budget for Fiscal Year 2011-2012.**

Councilor Samson, seconded by Councilor Gerry, moved to increase the bottom line school budget to \$34,705,246.00 with the additional funds required of \$370,251.00 from the undesignated fund balance.

Public comment:

Ron Potvin stated that he supports the services for the children but the motion does nothing for the tax levy. He said that this will still have a .53 cents increase in the tax levy.

Councilor Young explained that this is a spending cap and it doesn't matter where the money is coming from.

Councilor Herrick asked if the School Department can use the fund balance throughout the year like the Council does.

Councilor Hayes asked for a roll call vote.

Roll call vote: 4 – Yea's – Councilors Gerry, Hayes, Young and Samson. – 2 Nay's – Councilors Herrick and Berube. Motion carried 4-2.

#### **esolve adopting the 2011-2012 Annual Appropriation and Revenue Resolve (First Reading).**

Councilor Herrick, seconded by Councilor Samson, moved to table the first reading of the resolve adopting the 2011-2012 Annual Appropriation and Revenue Resolve. Vote 6 Yea's – 0 Nay's. Motion carried 6-0.

**VIII. Open Session - none**

**XI. Future Agenda/Workshop Items**

Councilor Gerry asked council continue to work on the budget next Monday and Thursday nights.

Councilor Herrick asked to have a workshop on how the chipper bids were sent out and how they were accepted. He would like to stop the purchase of a chipper bid that was accepted.

Finance Director Tracy Roy explained how bids are sent out and how departments review bid specifications and the selection.

Denis D'Auteuil, Deputy Director Public Works explained that the process was followed, the licensed arborist has tested each machines performance and they made the decision. He stated that he would be looking into this situation.

Mayor Gleason recessed the meeting to 10:00 am, Tuesday, May 10th, 2011.

Present: Mayor Richard D. Gleason, Councilors Belinda A. Gerry, Michael Farrell, Robert Hayes, Daniel Herrick, David Young, Raymond C. Berube, Eric C. Samson, City Manager Glenn Aho, Philip Crowell, Police Chief and Acting Assistant City Manager, Finance Director Tracy Roy and City Clerk Roberta Fogg.

Mayor Gleason reconvened the meeting at 10:10 am on Tuesday, May 10th, 2011. Councilor Hayes, seconded by Councilor Young, moved to dispense with the reading of the School Budget Resolve for Fiscal Year 2011-2012.

Vote: 7 Yea's – 0 Nay's. Motion carried 7-0.

Councilor Hayes, seconded by Councilor Samson, moved to adopt resolve #53-05092011-02 approving the School Budget for Fiscal Year 2011-2012.

Roll call vote: 4 Yea's – Councilor Gerry, Hayes, Young and Samson – 3 Nay's – Councilor Farrell, Herrick and Berube. Motion carried 4-3.

## **X. ADJOURNMENT**

Councilor Samson, Councilor Berube, moved to adjourn at 10:24am. Vote: 7

Yea's – 0 Nay's. Motion carried 7-0.

A true record Attested: Roberta L. Fogg, City Clerk

### **City Council Meeting and Workshop May 16, 2011**

Minutes

Present: Mayor Richard Gleason, Councilors Belinda A. Gerry, Michael Farrell, Robert Hayes, David Young, Raymond C. Berube, Eric C. Samson, City Manager Glenn Aho, Assistant City Manager Phil Crowell and City Clerk Roberta Fogg.

Councilor Daniel Herrick and Finance Director Tracy Roy absent. Councilor

Herrick arrived at 5:52pm

The Council conducted a workshop beginning at 5:30pm on the following items: Discussion of 9-1-1 Communications; Discussion of the County Budget; Unexpended bond money for football helmets; Firearms Discharge Zone Waiver and General Budget discussion continued.

7:00 p.m. City Council Meeting

Mayor Gleason called the meeting to order at 7:02 pm in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag.

### **I. Consent Items**

Councilor Hayes, seconded by Councilor Gerry, moved to accept the consent items as follows: Minutes of April 19th, 2011; April 25th, 2011; May 2nd, 2011 and May 9th, 2011.

Vote: 7 Yea's – 0 Nay's Motion carried 7-0.

I. Minutes – \* April 19th, 2011; April 25th, 2011; May 2nd, 2011 and May 9th, 2011.

### **III. Reports**

Mayor

City Councilors, read his report. (see official minutes)

Michael Farrell: Rec. Adv Bd, Audit, Lake Aub. Watershed Protection Comm. –none, but asked about the monthly financial report.

Robert Hayes: Planning Bd, Water, Library, and Railroad – none, but spoke about a zoning petition for Center Street and the activity to control the duck population at Lake Auburn.

Daniel Herrick: MMWAC - none

David Young: School Committee, Cable TV Adv Board - none

Raymond Berube: Lewiston-Auburn Economic Growth Council, Sewer, Audit, Airport – none, but thanked the Public Works Department for the great job they did with the clean up week.

Belinda Gerry: LA Transit, Neighborhood Stabilization Program, Auburn Housing – none, but spoke about the method being used to control the duck population at the outlet at Lake Auburn.

Eric Samson: 9-1-1, Auburn Business Development Corp, Andros Valley Council of Gov - none City Manager - none

#### **IV. Communications, Presentations and Recognitions - none**

#### **V. Open Session:**

Larry Pelletier 129 Second Street commented on positive things in new Auburn by listing businesses and the physical improvements that have happened in new Auburn. He encouraged people to vote on the school budget referendum in support of the schools.

David W. Steele 42 Terrace Road lives on an unaccepted city street and receives no services spoke about a drainage issue with his neighbor who installed a catch basin which diverted run off onto his property. He said that the city allowed the neighbor to do this without a permit. He explained that he received a notice requiring him to register his alarm system with the City of Auburn Police Department. He stated that he understands a reasonable charge for false alarms, he hasn't had that. He feels that this is double taxation and questioned what he is getting. He asked that the alarm fee ordinance be amended.

City Manager Aho said he would look into the water, drainage issue.

Elizabeth Carver 49 Fourth Street explained that she has had a problem with a stray cat and the Animal Control Officer will not return her calls or capture cats. She stated that she had Mr. Burton trap the cat and take it to Coastal Animal Shelter.

Chief Crowell stated that he would talk to Animal Control Officer Strout. He said we do not trap cats but if you are able to it can be taken to the ASPCA. He said that he would check on this issue.

Councilor Herrick said that he has been talking about this for the last two years.

Michael Koch 46 Willard Drive on behalf of the Liberty Festival explained to the Council the request for funding the fireworks this year and the reason they are requesting additional funds for fireworks this year. He stated that they are requesting an additional funding of \$1,250.00 for a total of \$10,000.00 for fireworks.

Tizz Crowell 35 University Street property owner read a statement about the proposed zoning change through the Planning Board meeting. She stated that there is no Planning Board minutes available on the city web site. She asked no action be taken on the zoning request until the minutes are available to the public for review. She feels the zoning change is being rammed through the process. She asked for time for things to slow down. She stated that the lack of minutes on the web site is a lack of process, not a staff failure. She thanked the council and publicly acknowledged the work of the city administrative support staff, Rhonda Russell, Geri

Crane and Karen Veilleux. She asked the Auburn residents remember the excellent staff at Auburn Hall.

City Manager Aho explained that the state is having some changes to the submission process for the City's Comprehensive Plan.

Larry Morrisette PO Box 3036, Auburn thanked the Council for the hearing aid. He spoke about the good people who have been helping him out in support of his God. Our government needs to give back to our mental health, elderly and children.

Tim Dotts 35 University Street spoke about the need for minutes in a timely fashion. City

Manager Aho explained that we are behind and we have a plan in place.

Mr. Dotts stated that 35 University Street is a very quiet little street, he stated that he does not want to see that go away.

Councilor Farrell spoke about fire fighters requests and the request for court action for the Freedom of Access request. He again offered to allow the Fire Department to pay \$40 to the general assistance department.

## **VI. Unfinished Business**

### **05092011-03 Resolve adopting the 2011-2012 Annual Appropriation and Revenue Resolve (First Reading). Tabled from May 9, 2011**

Councilor Berube, seconded by Councilor Hayes, moved to remove the resolve adopting the 2011-2012 Annual Appropriation and Revenue Resolve from the table of May 9, 2011.

Vote: 4 Yea's – 3 Nay's – Councilor's Gerry, Herrick and Samson. Motion carried 4-3 Councilor Hayes, seconded by Councilor Berube, moved to adopt the first reading of the 2011-2012 Annual Appropriation and Revenue Resolve #54-05092011-03.

#### **Public Input:**

Ron Potvin 82 Northern Avenue said that they were hoping for a zero percent increase to the tax levy. They asked for an amendment to the resolve to use more undesignated fund balance from the school department, a total of 1.3 million. He said that they agree with Councilors Herrick and Samson that things don't add up on the city side of the budget.

Leroy Walker new Auburn said that the tax levy needs to be at zero so that people are not paying more in taxes.

Joe Gray Sopers Mill Road asked about discrepancy with equipment operators.

City Manager Aho explained that we did not account for it last year and that has been corrected.

Mr. Gray asked specific questions about specific positions that are listed in the budget that were not listed in last year's budget.

Dan Bilodeau 207 North Auburn Road supports the kids in Auburn, but is supporting the 0% increase to the tax levy. He hopes to come back with some suggestions for revenue in the Lake Auburn water shed.

Councilor Gerry, seconded by Councilor Hayes, moved to table the first reading the first reading of the 2011-2012 Annual Appropriation and Revenue Resolve #54-05092011-03 until the special council meeting on Tuesday, May 31st.

Vote: 2 Yea's -Councilor Gerry and Hayes – 5 Nay's – Councilors Farrell, Herrick, Young, Berube and Samson. Motion failed 2-5.

Break 8:46pm Back

9:09pm

City Manager Aho explained that the total bottom line is still a .54 cent increase.

Main motion vote: 3 Yea's – Councilor Farrell, Hayes and Young – 4 Nay's – Councilors Gerry, Herrick, Berube and Samson. Motion failed 3-4.

## **VII. New Business**

### **Discussion of wood chipper bid for Public Works.**

Denis D'Auteuil, Deputy Director Public Works Department explained the spreadsheet used to review the bids received for the wood chipper bid, explained the bid specifications and the bid process.

Councilor Herrick expressed concerns about how bids are awarded.

Dave Hammond, Hammond Tractor 110 Minot Avenue stated that bid specs are too narrow and are excluding equipment that is better than the requested item.

### **Resolve accepting a portion of Carrier Court.**

Councilor Berube, seconded by Councilor Hayes, moved order #55-05162011-02 to accept a portion of Carrier Court as a City Street.

Vote: 7 Yea's - 0 Nay's Motion carried 7-0.

### **Resolve reallocating unexpended bond funds for football helmets.**

Councilor Farrell, seconded by Councilor Gerry, moved order #56-05162011-03 Be it ordered that the City of Auburn City Council hereby authorizes the reallocation of \$2,206.89 of unexpended bond funds (GL Account #30003065 650000-04300) for the purchase of new football helmets.

Vote: 7 Yea's - 0 Nay's Motion carried 7-0.

**Discussion of Firearms Discharge Zone Waiver.**

Councilor Farrell, seconded by Councilor Berube, moved to support the request by Mr. Bussiere and Mr. McCabe to waive the firearm discharge restrictions on their property during regular hunting season.

Councilor Hayes, seconded by Councilor Gerry, moved to amend to refer to the question back to the committee to consider the right of property owners in similar situations.

Vote on amendment: 5 Yea's – 2 Nay's - Councilors Herrick and Berube. Amendment carried 5- 2.

Main motion vote: 4 Yea's – 3 Nay's- Councilors Hayes, Herrick and Samson. Motion carried 4- 3.

**Executive session in accordance with Title 1, Section 405, subsection 6A, to discuss personnel; City Manager evaluation continued.**

Councilor Gerry, seconded by Councilor Herrick, moved to enter executive session at 9:40 p.m. in accordance with Title 1, Section 405, subsection 6A, to discuss personnel; City Manager evaluation continued.

Vote: 6 Yea's - 1 Nay's – Councilor Farrell Motion carried 6-1. Councilor

Berube left the meeting at 10:14pm

Councilor Herrick returned to the Council Chambers at 10:27pm.

Councilor Hayes, seconded by Councilor Farrell, moved to leave executive session at 10:41 p.m. Vote: 5

Yea's - 0 Nay's Motion carried 5-0.

**VIII. Open Session**

Larry Morrisette PO Box 3036 Auburn stated that he represents the people that the government isn't representing. If you are not going to consider our needs, I am not going to give you my money anymore.

Councilor Samson returned to the Council Chambers at 10:44pm. Auburn City Council Meeting & Workshop Minutes of May 16, 2011 P IX. Future Agenda/Workshop Items Councilor Hayes

asked to revisit the alarm registration, excessive calls and fees.

Councilor Farrell asked to discuss the fleet tracking system on the fire department fleet and a policy on for evaluating management from now forward.

Councilor Gerry asked for an update on police department's move into Auburn Hall; costs and how it working out.

Councilor Farrell thanked the chief and his staff for the tour of the new offices.

## **X. ADJOURNMENT**

Councilor Farrell, seconded by Councilor Young, moved to adjourn at 10:51pm. Vote: 6

Yea's – 0 Nay's Motion carried 6-0.

A true record Attested: Roberta L. Fogg, City Clerk

## **Special City Council Meeting May 23, 2011**

### Agenda

Present: Mayor Richard Gleason, Councilor's Belinda Gerry, Robert Hayes, Daniel Herrick, David Young, Raymond Berube and Eric Samson, City Manager Glenn Aho, Acting Assistant City Manager Philip Crowell, Finance Director Tracy Roy and City Clerk Roberta Fogg.

Absent Councilor Michael Farrell.

Mayor Gleason called the meeting to order at 7:00 p.m. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag.

### **I. Consent Items**

Councilor Gerry, seconded by Councilor Hayes, moved to accept consent agenda, Acknowledge the return of votes cast in the May 17, 2011 Special Municipal Election, School Budget Validation.

Vote: 6 Yea's – 0 Nay's Motion carried 6-0.

### **II. Open Session**

Ed Degrosseilliers 121 Hatch Road stated a point of order, when he asked for a special meeting about a statement in the paper from City Manager who has no direction from the council on the budget. He feels nothing else should be on the agenda.

Tizz Crowell 35 University Street resident thanked the city for posting the full copy of the 2010 Comprehensive Plan being placed on the city web site, she hopes that the Planning Board minutes are also posted soon (see statement as part of the official minutes).

Councilor Herrick, seconded by Councilor Berube, moved to eliminate both open sessions from this agenda.

Vote: 3 Yea's – 3 Nay's – Mayor Gleason voted in the affirmative. Motion carried 4-3.

### **III. Unfinished Business – None**

### **IV. New Business**

#### **acknowledge the return of votes cast in the May 17, 2011 Special Municipal Election, School Budget Validation.\***

Councilor Herrick, seconded by Councilor Berube, made a motion to acknowledge the return of votes cast in May 17, 2011 Special Municipal Election School Budget Validation.

Vote: 6 Yea's – 0 Nay's Motion carried 6-0.

#### **discussion of the FY2012 Budget for the sole purpose of seeking a solution to the budget, with possible action.**

Councilor Samson, seconded by Councilor Young, moved to reconsider the first reading of the FY2012 Budget Appropriation Resolve.

Vote: 5 Yea's – 0 Nay's -1 Abstained- Councilor Gerry. Motion carried 5-0-1.

Councilor Samson, seconded by Councilor Hayes, moved to accept the first reading of FY2012 Budget Appropriation Resolve as presented at the last meeting.

Council discussed budget and if figures they were given the council are correct. Councilor

Farrell arrived at 8:22pm.

Councilor Hayes, seconded by Councilor Samson, move to amend the FY12 Budget Appropriation Resolve to use an additional \$350,000 of the revenue from the sale of property to fund the budget.

Roll call vote: 7 Yea's – Councilor's Gerry, Farrell, Hayes, Herrick, Young, Berube and Samson – 0 - Nay

Motion carried 7-0.

Councilor Samson, seconded by Councilor Gerry, moved to amend the remove \$39,000 from the Manager's budget for the receptionist position.

Public Input:

Larry Morrisette asked for the council to allow him to speak for his five minutes.

Roll call vote: 6 Yea's – Councilor's Gerry, Hayes, Herrick, Young, Berube and Samson – 1 Nay – Councilor Farrell Motion carried 6-1.

Councilor Berube, seconded by Councilor Herrick, moved to amend the FY12 Annual Appropriation Resolve and remove any and all stipends from the FY12 budget.

Public Input:

Ron Potvin 82 Northern Avenue stated that the annual stipend will be carried over from year to year, but will not be added to the salary.

Councilor Hayes, seconded by Councilor Young, made a motion to move the question. Vote: 5

Yea's – 2 Nay's- Councilor's Gerry and Herrick. Motion carried 5-2.

Roll call vote on amendment: 3 Yea's – Councilor's Gerry, Herrick and Berube – 4 Nay's – Councilor's Farrell, Hayes, Young and Samson. Motion failed 3-4.

Councilor Gerry, seconded by Councilor Herrick, moved to amend the FY12 Budget Appropriation Resolve to include the hiring of an Assistant City Manager for \$50,000 plus benefits.

Public Comment:

Ron Potvin 82 Northern Avenue asked if the proposal to add the assistant city manager to take the place of the stipends.

Roll call vote: 2 Yea's – Councilor's Gerry and Herrick – 5 Nay's – Councilor's Farrell, Hayes, Young, Berube and Samson. Motion failed 2-5.

Councilor Herrick, seconded by Councilor Samson, moved to cut election wages to \$6,000.00 a reduction of \$4,850.00.

Councilor Herrick, seconded by Councilor Samson, amended the motion to reduce the City Clerk's total budget by \$4,241.00 as outlined by the City Clerk (\$1,000 from temporary assistance, \$1,000 from training, \$2,241. from election wages).

Roll call vote: 4 Yea's – Councilor's Gerry, Hayes, Herrick and Samson. – 3 Nay's – Councilor's Farrell, Young and Berube. Motion carried 4-3.

Councilor Herrick, Hayes to table until June 6th council meeting

Vote: 5 Yea's – 2 Nay's – Councilor's Farrell and Young. Motion carried 5-2.

## **V. Open Session - removed**

## **VI. Future Agenda/Workshop Items**

Councilor Samson asked for a workshop on the 36" wastewater ordinance.

Councilor Farrell asked for a workshop on GPS units or tracking system in the fire trucks. Councilor Gerry asked for a workshop to discuss the park in front of CLT.

## **VII. ADJOURNMENT**

Councilor Young, seconded by Councilor Herrick, moved to adjourn the meeting at 10:02 pm. Vote: 7

Yea's – 0 Nay's Motion carried 7-0.

A true record Attested: Roberta L. Fogg, City Clerk

### **City Council Meeting and Workshop June 6, 2011**

#### Agenda

Present: Mayor Richard Gleason, Councilor's Belinda Gerry, Michael Farrell, Robert Hayes, David Young, Raymond Berube and Eric Samson, City Manager Glenn Aho, Acting Assistant City Manager Philip Crowell, Finance Director Tracy Roy and City Clerk Roberta Fogg.

Absent Councilor Daniel Herrick.

The Council conducted a workshop beginning at 5:30pm on the following items: Status Report – Great Falls Art Center; Capital Improvement Program FY 12; New Fund Balance Policy; Amendment to Animal Ordinance – poultry and Watershed Protection Ordinance.

The following topics were not discussed and held over for a future meeting: Discussion of the agenda process and Auburn Water and Sewer presentation, clarification.

Break at 7:04pm Back

at 7:18pm

7:00 p.m. City Council Meeting

Mayor Gleason called the meeting to order at 7:00 p.m. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag.

## **I. Consent Items**

Councilor Gerry objected to the Liberty Festival funding request and mass gathering permit and asked it be removed from the consent items.

Councilor Hayes, seconded by Councilor Berube, moved to accept the consent items as follows: Minutes of May 16, 2011 and May 23, 2011; Confirm Chief Crowell's appointment of Eric M. Ward as a constable with firearm for the Auburn Police Department; Request by New Auburn Little League requesting the Food Service Establishment – Class G license fee of \$150.00 be waived for both Sherwood Heights and Pulsifer Park facilities.

Vote: 7 Yea's - 0 Nay's Motion carried

City Clerk Fogg asked to amend the minutes of May 23rd to correct Open Session indicates Tizz Crowell and it should be Crowley.

**II. Minutes** – \* May 16, 2011 and May 23, 2011 - approved

### **III. Reports**

Mayor read his report. (See attached to official minutes) City

Councilors

Michael Farrell: Rec. Adv Bd, Audit, Lake Aub. Watershed Protection Comm - none Robert

Hayes: Planning Bd, Water, Library, and Railroad - none

Daniel Herrick: MMWAC - none

David Young: School Committee, Cable TV Adv Board – reported on ELHS Class “A” track and field event in Windham, and attended the ELHS graduation.

Raymond Berube: Lewiston-Auburn Economic Growth Council, Sewer, Audit, Airport - none Belinda

Gerry: LA Transit, Neighborhood Stabilization Program, Auburn Housing – reported the ELHS 2011 graduation.

Eric Samson: 9-1-1, Auburn Business Development Corp, Andros Valley Council of Gov. - none City  
Manager

April 2011 Financials

Tracy Roy, Finance Director presented the highlights of the April 2011 financial report. Councilor

Herrick, seconded by Councilor Hayes, moved to accept the April 2011 financial report.

Vote: 7 Yea's – 0 Nay's Motion carried 7-0.

### **IV. Communications, Presentations and Recognitions**

**06062011-00\* Communication from Liberty Festival Committee RE: Financial Support (\$10,000) and request for donation of in kind city services. – removed from consent.**

City Manager Aho explained that we are only budgeting \$8,750 for the Liberty Festival funding. He explained that approving the consent agenda is just acknowledging the communication, but not approving the funding.

Councilor Herrick stated that if we accept this letter we are increasing the budget.

Michael Koch 46 Willard Road and member of the Liberty Festival Committee explained the increase in the funding request.

Councilor Gerry asked about roping off the area in front of the Esplanade for the residents and the hotel's right to rope off their property. She also asked the Police Chief for more police presence along the river walk sidewalk.

Chief Crowell explained that they have fewer resources and are concentrating them on the bridge and intersections. He explained the reduction of staffing and the costs.

Cathy McDonald President of the Liberty Festival stated that they have security in the river walk / Esplanade area.

Councilor Samson, seconded by Councilor Gerry, moved to file the communication from Liberty Festival Committee RE: Financial Support in the same amount as last year \$8,750.00.

Vote: 7 Yea's – 0 Nay's. Motion carried 7-0.

**V. Open Session**

Larry Morrisette PO Box 3036 Auburn, spoke about the budget and schools.

Ron Potvin 82 Northern Avenue spoke about the proposed Capital Improvement Program and the reduction of 2 million dollars from the road repair program and the infrastructure of the school department.

Doug Stone 8 Bridge Street, Lewiston representing the Lake Auburn Neighborhood Association, volunteered two committee members for the Mayor's committee on the watershed.

Leroy Walker 41 Broad Street, New Auburn spoke about the funding that are returned to the general fund from the parks and recreation department when we have things like the municipal beach that are not being maintained. He thinks the \$20,000 should be used to maintain the beach. He asked where the \$50,000 is spent on part time parks and recreation employees. He said we need to hire the parks employees earlier to keep things maintained.

Councilor Herrick asked why some parks are not being maintained and we are spending a lot of time in Vincent Park.

Joe Gray Sopers Mill Road asked about the consent agenda items and how they get approved. He asked about city owned properties that are not taxed. He asked that the city look into a pool of part time police officers for festivals and these types of events. He also spoke about road investment and the installation of curbing on Fletcher and Hatch Roads. He asked why we don't eliminate that curbing and use that money on other roads. He asked about the possibility of narrowing Riverside Drive like Main Street. He asked the city to rethink this and drop this project.

City Manager Aho explained that it is in the planning and review process.

Councilor Farrell asked if we are still getting taxed on the whole area of the Lake Auburn Watershed area. He asked if the state recognizes that these properties are not taxable. He asked about the LAWPC charter. He then spoke about the Fire Department Union lawsuit against the city, which was served the City Councilors for material that he has already offered freely. He reviewed the freedom of information law in relation to the request for emails from the Fire Department.

Councilor Herrick stated that he had a complaint on Northern Avenue about traffic speeding, he asked Mr. Potvin is there was a problem out there regarding speeding traffic.

Mr. Potvin explained the type of traffic and speeding.

Councilor Herrick said that he worked with 300 fire fighters in NH this weekend and he now has a better understanding of how and why they do what they do.

Councilor Farrell asked the City Manager to share the information from Nova Scotia for Lake Auburn Ave to be used on Northern Ave.

City Manager Aho responded.

Councilor Berube said that he has now lost a great deal of respect for the fire fighters who served the Council with a law suit.

Larry Morrisette objects to the council comments.

City Manager Aho explained that this is the fire fighters exercising their rights to request information.

Councilor Farrell explained that the Mayor and City Councilors all received summons from the Auburn Fire Fighters Union regarding any correspondence about the use of fire trucks.

## **VI. Unfinished Business**

**05232011-02 Resolve adopting the 2011-2012 Annual Appropriation and Revenue Resolve (First Reading). Tabled from May 23, 2011**

Councilor Farrell, seconded by Councilor Samson, moved to remove the 2011-2012 Annual Appropriation and Revenue Resolve (First Reading) from the table of May 23, 2011.

Vote: 5 Yea's – 1 Nay's – Councilor Herrick? - 1 Abstained – Councilor Berube. Motion carried 5-1-1.

City Manager Aho reviewed the budget, proposed changes, proposed CIP and property tax impacts.

Councilor Samson, seconded by Councilor Young, moved to approve the budget as proposed this evening.

Councilor Gerry, seconded by Councilor Herrick, moved to amend the budget to use of the money from the sale of Court Street property, up to \$50,000, for an Assistant City Manager position.

Vote on amendment: 2 Yea's – Councilors Gerry and Herrick – 5 Nay's Motion failed 2-5. Public

Input:

Ed Degrossilliers 121 Hatch Road thanked the Council for defeating the amendment, the amendment would be illegal, because you cannot tell the Manager who to hire and fire, but you can give him money to do the job.

Vote on main motion vote: 4 Yea's – Councilors Farrell, Hayes, Young and Samson - 3 Nay's – Councilors Gerry, Herrick and Berube. Motion carried 4-3.

## **VII. New Business**

**06062011-01\* Confirm Chief Crowell's appointment of Eric M. Ward as a constable with firearm for the Auburn Police Department. - approved**

06062011-02\* Request by New Auburn Little League requesting the Food Service Establishment – Class G license fee of \$150.00 be waived for both Sherwood Heights and Pulsifer Park facilities. – approved.

**Request by Liberty Festival for a mass gathering permit and in kind services. Removed from consent.**

Councilor Gerry wants security at the section of the river walk where the fence was removed or patrolling that area.

Councilor Samson, seconded by Councilor Gerry, moved to approve the request by Liberty Festival for a mass gathering permit and in kind services.

Vote: 6 Yea's – 0 Nay's -1 Abstained – Councilor Herrick. Motion carried 6-0-1.

**Public hearing on a new Liquor License application by Pictor Enterprises VII, Inc. d/b/a Buffalo Wild Wings Grill & Bar, 648 Turner Street.**

Mayor Gleason opened the public hearing asking for any comments, hearing none he declared the hearing closed.

06062011-05 Motion to approve the Liquor License application by Pictor Enterprises VII, Inc. d/b/a Buffalo Wild Wings Grill & Bar, 648 Turner Street.

Councilor Farrell, seconded by Councilor Samson, moved to approve the liquor license application by Pictor Enterprises VII, Inc. d/b/a Buffalo Wild Wings Grill & Bar at 648 Turner Street, pending staff approval and provided they are in compliance with all State, Federal and Local laws, rules and regulations.

Vote: 7 Yea's – 0 Nay's. Motion carried 7-0.

**06062011-06 Public hearing on a new Special Amusement application by Trimen Enterprises, Inc. d/b/a Heidi's Brooklyn Deli, 600 Turner Street.**

Mayor Gleason opened the public hearing asking for any comments, hearing none he declared the hearing closed.

06062011-07 Motion to approve the Special Amusement permit by Trimen Enterprises, Inc. d/b/a Heidi's Brooklyn Deli, 600 Turner Street.

Councilor Farrell, seconded by Councilor Samson, moved to approve the Special Amusement permit by Trimen Enterprises, Inc. d/b/a Heidi's Brooklyn Deli, 600 Turner Street, pending staff approval and provided they are in compliance with all State, Federal and Local laws, rules and regulations.

Vote: 7 Yea's – 0 Nay's. Motion carried 7-0.

**06062011-08 Motions on committee appointments (possible executive session in accordance with Title 1, Section 405, subsection 6A).**

Councilor Samson, seconded by Councilor Young, moved to reappoint Daniel Philbrick to the zoning board of appeals.

Councilor Hayes, seconded by Councilor Gerry, moved to table until the June 20, 2011 meeting. Vote: 5

Yea's – 2 Nay's – Councilor Farrell and Berube. Motion carried 5-2.

**VIII. Open Session**

Larry Morrisette Po Box 3036 Auburn thanked everyone who has been working on the continental constitution.

## **IX. Future Agenda/Workshop Items**

Councilor Herrick asked about the City Manager's evaluation and when it would be clarified for the public.

Mayor Gleason explained that nothing has been presented to the council for action.

Councilor Gerry asked if the Council received a copy of what has been done. Mayor

Gleason stated yes and a copy is filled with HR.

Councilor Farrell asked the Manager to do a study on the efficiencies of the emergency services staffing. He asked that council consider a no soliciting in public ways ordinance.

## **X. ADJOURNMENT**

Councilor Herrick, seconded by Councilor Young, moved to adjourn the meeting at 9:26 pm. Vote: 7

Yea's – 0 Nay's. Motion carried 7-0.

A true record Attested: Roberta L. Fogg, City Clerk

### **Special City Council Meeting June 13, 2011**

Minutes

Present: Mayor Richard Gleason, Councilor's Belinda Gerry, Michael Farrell, Robert Hayes, David Young, Raymond Berube and Eric Samson, City Manager Glenn Aho, Acting Assistant City Manager Philip Crowell, Finance Director Tracy Roy and City Clerk Roberta Fogg.

Councilor Daniel Herrick absent. 7:00

p.m. City Council Meeting Pledge of

Allegiance

Mayor Gleason called the meeting to order at 7:00 p.m. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag.

## **I. Consent Items –none**

## **II. Open Session –**

Larry Morrisette Po Box 3036 Auburn, spoke about the continental constitution being wrong. Larry

Pelletier 129 Second Street spoke about the Knight House roof on the River Walk is being replaced and is about 75% done. He pointed out the positive things happening in Auburn, the improvements with city government and staff. He spoke about the behavior of the council,

disrespecting the manager, staff and the citizens of Auburn. He asked the council to respect themselves, the staff and citizens of Auburn.

Tizz Crowley University Street resident read a statement about the Comprehensive Plan. She recommends the Comprehensive Plan timeline be followed.

Michael Scott 549 So. Withen Road expressed his displeasure about comments made at the last meeting regarding the subpoena delivered to the council from the fire union.

Geoff Low, Deputy Fire Chief clarified a few issues in regards to the 797 Fire Fighters Union. He clarified that the fire fighters are not suing the city; it is the Fire Fighters Union and not the department. He said that he has no control over 797 Fire Fighters Union. He responded to the comments about joy riding by the fire department. He explained that the truck was out preparing for an exercise they will be having tomorrow night. He said if there are questions about what the fire trucks are doing then he needs to know so he can respond. He explained the training that will take place tomorrow night.

Joe Mailey 82 Webster Street told the Councilors to give the emails out and not hide behind the law. He urged the Council to make a motion on how emails are being used by the council and make them public.

### **III. Unfinished Business – None**

### **IV. New Business**

06132011-01 Public Hearing on the Proposed Municipal/Education Budget FY 2011-2012. Mayor

Gleason asked for public comments on the budget.

Larry Morrisette Po Box 3036 Auburn spoke about the continental constitution.

Mayor Gleason asked for any other comments, hearing none he declared the hearing closed.

### **Resolve adopting the 2011-2012 Annual Appropriation and Revenue Resolve (Second and Final Reading).**

Councilor Samson, seconded by Councilor Farrell, moved to adopt the 2011-2012 Annual Appropriation and Revenue Resolve #54-06132011-02, second and final reading.

Vote: 4 Yea's – 2 Nay's – Councilor Gerry and Berube Motion carried 4-2.

Councilor Gerry explained that a lot of work was put into this budget, she thinks we could have gotten to the lower rate if the departments and manager had reviewed it earlier. And she believes it could have been gotten lowered.

City Manager Aho explained that the council could cut this budget but there are logical consequences to cutting the budget. If we reduce the budget further it would do real damage to the employees and the city.

Councilor Gerry thinks we could cut more without cutting staff.

**esolve adopting the FY12-16 Capital Improvement Program (First Reading).**

City Manager Aho explained the updated handout on Capital Improvement Program that includes four additional projects; Auburn Hall – Parking Garage Renovations; ICT – Server Replacement and Network Infrastructure SAN and the removal of the GIS Flyover Project.

Council, City Manager Aho, Chief Crowell and ICT Director Renee Bogart discussed the Capital Improvement Program and what projects are included in the proposed program.

Councilor Young, seconded by Councilor Hayes, moved to adopt order # 57-06132011-03 for the FY12-16 Capital Improvement Program, as attached, this is the first reading.

Vote: 4 Yea's – 2 Nay's – Councilor Gerry and Berube. Motion carried 4-2.

**esolve adopting the FY12 Capital Improvement Program (CIP2) Bond Projects (Beginning the bonding process).**

Councilor Young, seconded by Councilor Hayes, moved to adopt order # 58-06132011-04 for the FY12 Capital Improvement Program (CIP2) Bond Projects (Beginning the bonding process).

Vote: 3 Yea's – Councilors Hayes, Young and Samson – 3 Nay's – Councilors Gerry, Farrell and Berube. Mayor Gleason voted Yea to break the tie. Motion carried 4-3.

Councilor Farrell expressed concern about the additional \$600,000 for the school building and equipment CIP bond and where it would be spent.

Councilor Samson asked about an item on the second page of the school capital improvement program handout.

**esolve adopting the FY12 Capital Improvement Program (CIP3) Special Revenue (First Reading).**

Councilor Samson, seconded by Councilor Young, moved to adopt order #59-06132011-05 adopting the FY12 Capital Improvement Program (CIP3) Special Revenue (First Reading).

Vote: 3 Yea's – Councilors Hayes, Young and Samson – 3 Nay's – Councilors Gerry, Farrell and Berube. Mayor Gleason voted Yea to break the tie. Motion carried 4-3. Special City Council Meeting & Workshop Minutes of June 13, 2011 Page 3 of 3

**V. Open Session:**

Larry Morrisette thinks the government needs to be researched for corruption.

Joe Mailey 82 Webster Street stated that an email, whether it is a complaint or compliment it should be presented as evidence. He feels there should be control on the use of emails. He hopes the council will think about it and come up with a policy.

Tizz Crowley University Street stated her sadness over the tones and lack of curtesy. She stated that there is a great policy on email on Brunswick's web site.

Larry Pelletier 129 Second Street thinks that if a citizen or councilor thinks something is going on with city staff those comments should be directed to the City Manager.

Chief Crowell explained Freedom of Speech and that meeting's are conducted by the Council.

#### **VI. Future Agenda/Workshop Items:**

Councilor Farrell concerns about the auditing company we use. He asked the council and staff to give direction on how to proceed with the auditing bid.

City Manager Aho wants to work with Finance Director Roy to understand the difference, the staff time and the qualifications of those working on the City of Auburn audit.

Councilor Gerry explained concerns from residents at Barker Arms about concerns about the dam.

#### **VII. ADJOURNMENT:**

Councilor Farrell, seconded by Councilor Young, moved to adjourn the meeting at 8:26pm. Vote: 6

Yea's – 0 Nay's Motion carried 6-0.

A true record Attested: Roberta L. Fogg, City Clerk

### **City Council Meeting and Workshop June 20, 2011**

#### Minutes

Present: Mayor Richard Gleason, Councilor's Belinda Gerry, Michael Farrell, Robert Hayes, Daniel Herrick and Raymond Berube, City Manager Glenn Aho, Acting Assistant City Manager Philip Crowell, Finance Director Tracy Roy and City Clerk Roberta Fogg.

Absent Councilors David Young and Eric Samson.

The Council conducted a workshop beginning at 5:30pm on the following items: Fire Department independent efficiency audit; Update on Police and Department move into Auburn Hall; Transfer of Capital Funding Reallocation and Citizen Initiated Petition for Zoning Map Amendment.

The following workshop items to be carried forward to next meeting: Update on disposition of 1 Minot Avenue; Discussion of the agenda process; Waiver of Rehabilitation Loan Program Limit for 393 Garfield Road and Disposition of 285 Court Street.

Break at 6:55pm Back

at 7:08

7:00 p.m. City Council Meeting

Mayor Gleason called the meeting to order at 7:08 p.m. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag.

### **I. Consent Items**

Councilor Gerry request to remove the minutes of June 13th from the consent items and amend her statement in future agenda items regarding dam, this will be done by reviewing the DVD.

Councilor Berube, seconded by Councilor Hayes, moved to accept the consent items as follows: Minutes of June 6, 2011 and Communications from Great Falls Model Railroad for permission to place signs in New Auburn to a two week period, advertising their open house on August 20th, 2011.

Vote: 5 Yea's - 0 Nay's Motion carried 5-0.

### **II. Minutes – \* June 6, 2011 – approved; the June 13, 2011 minutes removed.**

### **III. Reports**

Mayor (See attached to official minutes) City

Councilors

Michael Farrell: Rec. Adv Bd, Audit, Lake Aub. Watershed Protection Comm. - none Robert

Hayes: Planning Bd, Water, Library, and Railroad - none

Daniel Herrick: MMWAC – possibility MMWAC will be changing its name.

Raymond Berube: Sewer, Audit, Airport – no report, but Knight House roof has been completed. Belinda

Gerry: LA Transit, Neighborhood Stabilization Program, Auburn Housing - none

City Manager

May 2011 Financials

Finance Director Tracy Roy reviewed the May 2011 financial report highlights.

Councilor Herrick, seconded by Councilor Berube, moved to accept the May 2011 financial report.

Vote: 5 Yea's – 0 Nay's Motion carried 5-0.

#### **IV. Communications, Presentations and Recognitions**

**06202011-00\* Communications from Great Falls Model Railroad for permission to place signs in New Auburn to a two week period, advertising their open house on August 20th, 2011. - approved**

#### **V. Open Session:**

Tim Dotts University Street read a statement in opposition to the proposed citizens initiated petition for a zoning map amendment on Center Street.

Donna Rowell 95 Munroe Street (former City Councilor) conveyed an experience she had with the Auburn Fire Department and a medical emergency she had. The assistance given her and how important it is to see a friendly face when you are in need, the Fire Fighters, Police Officers and Teachers are there to help us. She asked Councilor Farrell to stop picking apart the people who work for us.

Larry Morrisette PO Box 3036 Auburn spoke about the needing a ceiling on the deficit and budgets.

Mitch Sperry 193 Cook Street read an email sent to Chief Crowell about a video posted on the internet by Councilor Farrell videoing the fire department and violating Maine's distracted driver law. Then spoke as a tax payer and fire fighter about why people are being so nasty. He urged citizens to direct complaints about the fire fighters to Deputy Chief Low to address. He stated that he is sick and tired of the harassment and stocking by Councilor Farrell. He addressed Councilor Herrick on his comment that he does not get emails, he has publicly stated in the past that his wife did his emails. He also addressed Councilor Berube about comments on the Union Contract. He continued to address other comments made about the fire fighters and the use of equipment. He asked the council to please let the fire fighters do their job.

Tizz Crowley University Street read a statement in opposition to the proposed change to the zoning on Center Street. She stated that if a change is needed it should be done as part of the whole comprehensive plan. She then explained why this change shouldn't be allowed.

City Manager Aho explained that City Planner Cousens is one of our best employees and he is following his direction for business development.

Craig Bouchard, President of Fire Fighters Union 797 read a statement in regards to the fire department and fire fighters. He stated that the Union works in a proactive manner with the Fire Department Administration.

Councilor Farrell, seconded by Councilor Herrick, moved to extend the open session for an additional 20 minutes.

Councilor Hayes explained that we always have the second open session at the end of the meeting.

Councilor Gerry agrees with Councilor Hayes about moving this discussion to the second session at the meeting.

Vote: 3 Yea's – 2 Nay's - Councilors Gerry and Hayes. Motion carried 3-2.

Craig Bouchard continued reading a statement on behalf of Fire Fighters Union 797. Councilor Farrell responded to comments made by Mr. Bouchard.

Councilor Herrick responded to the Freedom of Access request by explaining he has no emails.

Chief Low asked Mayor Gleason if there is a way to have a workshop with the Council and the Fire Fighters Union 797 to discuss this issue.

City Manager Aho explained that this is in the hands of the City Attorney and has been resolved. This direction is not helping productivity. He recommended that we move on.

Mayor Gleason asked if there was anyone else who would like to speak in open session, hearing none he declared open session closed.

## **VI. Unfinished Business**

**06062011-08 Motions on committee appointments (possible executive session in accordance with Title 1, Section 405, subsection 6A). – Tabled from June 6, 2011**

## **VII. New Business**

06202011-01 Public hearing on a new Liquor License application by Wing Da Restaurant, Inc. d/b/a Tin Tin Buffet, 120 Center Street.

Mayor Gleason opened the public hearing asking for any comments, hearing none he declared the hearing closed.

**Motion to approve the Liquor License application by Wing Da Restaurant, Inc. d/b/a Tin Tin Buffet, 120 Center Street.**

Councilor Farrell, seconded by Councilor Berube, moved to approve the Liquor License application by Wing Da Restaurant, Inc. d/b/a Tin Tin Buffet, 120 Center Street, pending staff approval and provided they are in compliance with all State, Federal and Local laws, rules and regulations.

Vote: 5 Yea's – 0 Nay's Motion carried 5-0.

**esolve adopting the first reading of an amendment to the City Code of Ordinances, Chapter 8 Animals to allow poultry for personal use.**

Councilor Farrell, seconded by Councilor Herrick, moved Resolve #60-06202011-03 adopting the first reading of an amendment to the City Code of Ordinances, Chapter 8 Animals to allow poultry for personal use.

City Manager said we need to amend the zoning ordinance language for the second reading, the definition of house hold pet and the sec 8-300 would allow poultry throughout the city.

Vote: 5 Yea's – 0 Nay's Motion carried 5-0.

**esolve approving a Waiver of Rehabilitation Loan Program Limit for 393 Garfield Road.**

Councilor Gerry, seconded by Councilor Hayes, moved Resolve # 61-06202011-04 approve Waiver of Rehabilitation Loan Program Limit for 393 Garfield Road. Be It Resolved by the Auburn City Council, that the loan limit under the Spot Rehabilitation Loan Program be waived to provide a \$16,500 loan for a term of 300 months as approved by Community Development Loan Committee.

Reine Mynahan, Director of Community Development explained that occasionally they run into a situation when the set loan limit needs to be waived and they are asking the council to approve the extra funds and time for this project.

Councilor Herrick asked why would we as a city make them this loan, if they can't get a loan at a bank.

Reine Mynahan explained that we would have a mortgage on this property, the property is in very serious condition. This program is specifically for very serious problems. She explained that we do not issue a check without an inspection.

Vote: 5 Yea's – 0 Nay's Motion carried 5-0.

**esolve approving the disposition of 285 Court Street.**

Councilor Berube, seconded by Councilor Farrell, moved Resolve # 62-06202011-05 approving the disposition of 285 Court Street. Be It Resolved by the Auburn City Council, that the City Manager to execute all necessary documents to sell the property at 285 Court Street to Goff Hill Corporation.

Reine Mynahan, Director of Community Development explained that there are three abutters to this property two are the company purchasing and the other stated they were not interested.

Joe Gray Sopers Mill Road asked about the dates of purchase and the loss of tax revenue to the city.

Ms. Mynahan responded and stated that this property was part of the bid package for purchasing property; this is an appraisal of vacant land and not housing units.

Councilor Berube explained that this can't even be considered a lot.

Councilor Gerry reviewed the reasons the city purchased this property.

Public Input:

Joe Gray Sopers Mill Road said that the point is that the assessing department assessed it at \$186,000 and was part of the commitment. This property was purchased for \$189,000 in 2006. Vote: 3

Yea's – 2 Nay's – Councilor Farrell and Herrick Motion carried 3-2.

**esolve to confirm initiating an independent efficiency audit of Auburn Fire.**

Councilor Farrell, seconded by Councilor Hayes, moved Resolve #63-06202011-06 to confirm initiating an independent efficiency audit of Auburn Fire. The Auburn City Council hereby confirms the initiating of an independent efficiency audit of Auburn Fire, estimated cost not to exceed \$25,000; to be charged to Fire Departments operational budget (Purchased Services Account) with review later, if necessary.

Vote: 3 Yea's – 2 Nay's – Councilor Gerry and Herrick Motion carried 3-2.

**esolve adopting a policy on fund balance.**

Councilor Berube, seconded by Councilor Gerry, moved Resolve #64-06202011-07 adopting a policy on fund balance. Be it resolved that the Auburn City Council, hereby repeals all previous Fund Balance Policies (last adopted March 1, 2004) and replaces the General Fund Balance Policy with the attached. General Fund - Fund Balance Policy (GASB 54)

City Manager Aho asked the Council to change the fund balance policy from 16.67% down to the current 8.3%.

Council, City Manager and Finance Director discussed the general fund balance policy. Councilor Farrell, seconded by Councilor Hayes, moved to amended to the 16.67% general fund balance to 8.3%.

City Manager Aho explained that it makes more sense to use the additional money toward capital projects.

Amendment vote: 2 Yea's – Councilors Farrell and Hayes – 3 Nay's Motion failed 2-3.

Councilor Gerry moved to table, died for lack of second.

Councilor Berube, seconded by Councilor Herrick, moved to amend from 16.67% to 12.5%

Amendment vote: 3-2 – Councilor Farrell and Hayes. Motion carried 3-2.

Main motion vote: 3 Yea's – 2 Nay's – Councilor Farrell and Hayes. Motion carried 3-2.

**esolve establishing the property tax payment due dates and to establish the property tax delinquency and overpayment interest rates for Fiscal Year 2012.**

Councilor Hayes, seconded by Councilor Herrick, moved Resolve #65-06202011-08 To establish the property tax payment due dates and to establish the property tax delinquency and overpayment interest rates for Fiscal Year 2012.

Vote: 3 Yea's – 1 Nay's – Councilor Gerry – 1 Abstained – Councilor Berube. Motion carried 3- 1-1.

**Public hearing on the FY2012-2016 Capital Improvement Program.**

Mayor Gleason opened the public hearing asking for any comments.

Joe Gray Sopers Mill Road, asked about the request by the Clerk for funding to get an engineering evaluation for fire rating the records room.

City Manager Aho explained what is requested and what is being asked to be funded. Chief

Crowell explained the capital program for cruiser replacement.

Mayor Gleason asked for any other comments, hearing none he declared the hearing closed.

**esolve adopting the FY2012-2016 Capital Improvement Program. (Second and Final Reading)**

Councilor Hayes, seconded by Councilor Farrell, moved Resolve #57-06202011-10 adopting the FY12-16 Capital Improvement Program (Second and Final Reading).

Councilor Berube, seconded by Councilor Farrell, moved to amend the Capital Improvement Program FY12-16 to reduce the school bond funding from \$1.66 million down to \$1 million.

Vote: 2 Yea's – Councilors Gerry and Berube - 2 Nay's – Councilors Hayes and Herrick – 1 Abstained – Councilor Farrell – Mayor Gleason voted Nay to break the tie. Motion failed 2-3.

Councilor Gerry, seconded by Councilor Farrell, moved to reconsider the second and final reading of th4e Capital Improvement Program.

Vote: 5 Yea's – 0 Nay's Motion carried 5-0.

Councilor Farrell, seconded by Councilor Hayes, moved to adopt the second and final reading of the CIP FY12-16 as amended.

Vote: 3 Yea's – 2 Nay's – Councilors Herrick and Berube. Motion carried 3-2.

### **Discussion of the FY12 Capital Improvement Program (CIP2) Bond Projects.**

Councilor Berube, seconded by Councilor Farrell, moved to reduce the School Capital Improvement Program funding from \$1.66 million to \$1 million.

Public Input:

Larry Pelletier 129 Second Street stated that he doesn't understand Councilor Berube's train of thought.

Larry Morrisette thanked the council for their actions tonight.

City Manager Aho explained that air conditioning is for air quality not just cooling. Vote: 4

Yea's – 1 Nay's – Councilor Hayes. Motion carried 4-1.

City Manager Aho asked if the council would like to add funding to upgrading the audio system for the cable system.

Councilor Farrell, seconded by Councilor Hayes, moved to add the PA System upgrade with up to \$25,000.

Vote 2 Yea's – Councilors Farrell and Hayes – 3 Nay's – Councilors Gerry, Herrick and Berube. Motion failed 2-3.

### **VIII. Open Session:**

Tizz Crowely University Street stated that if people do not speak directly into the microphone you cannot hear in the back of the room and she asked that in the future the city should consider the upgrade. Then she spoke about the proposed zoning change.

Councilor Herrick thanked her for putting the time and effort into this subject.

Larry Morrisette PO Box 3036 Auburn stated that we need to re-evaluate and acknowledge who we are to determine true justice and the right way of doing things.

Joe Gray Sopers Mill Road said that there is some people in New Auburn would like to start a community garden.

### **IX. Future Agenda/Workshop Items**

Councilor Herrick thanked Chief Crowell for putting a cruiser on Northern Ave monitoring speed. He asked for a cruiser of Hatch Road, because they are speeding and doing donuts. He said a year or so ago people contacted him about grading roads in south Auburn, there is no sense on it, why are we grading one road a day in the same area and bring the grader back and forth. He asked if there was a program or system with grading the roads.

City Manager Aho said he would look into it.

Councilor Farrell asked for an update on trash bid and GPS for fleet vehicles. Councilor

Berube asked about recycling since Lewiston is going single stream.

City Manager Aho explained that Lewiston does not want to share the revenues with Auburn, so we are looking at other options.

Councilor Gerry thanked Public Works and Fire Department for coming over to Barker Arms when we had the pen stock leak. She asked to have the policy on use of fire trucks being able to stop if they are route back to the station.

## **X. ADJOURNMENT**

Councilor Herrick, seconded by Councilor Hayes, moved to adjourn the meeting at 9:58 pm. Vote: 5

Yea's – 0 Nay's. Motion carried 5-0.

A true record Attested: Roberta L. Fogg, City Clerk

### **City Council Meeting and Workshop July 5, 2011**

#### Minutes

Present: Mayor Richard Gleason, Councilor's Belinda Gerry, Michael Farrell, Robert Hayes, Daniel Herrick, David Young and Raymond Berube, City Manager Glenn Aho, Acting Assistant City Manager Philip Crowell, Finance Director Tracy Roy and City Clerk Roberta Fogg.

Absent Councilor Eric Samson.

The Council conducted a workshop beginning at 5:30pm on the following items: Update on disposition of 1 Minot Avenue, Update on Great Falls, Citizen Initiated Zoning Ordinance Amendment, Composting facilities,

The Council discussed the fleet tracker GPS, Rural Metro, Legal fees and the agenda process during the second open session.

Break at 6:55 pm Back

at 7:06 pm

7:00 p.m. City Council Meeting

Mayor Gleason called the meeting to order at 7:06 p.m. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag.

### **I. Consent Items**

Councilor Berube, seconded by Councilor Hayes, moved to accept the consent items as follows: minutes of June 13th and 20th, 2011; resolve accepting the Transfer of Forfeiture of Assets – Croom and Resolve accepting the Transfer of Forfeiture Assets – Clavet.

Vote: 6 Yea's - 0 Nay's Motion carried 6-0.

### **II. Minutes – \* June 13, 2011 (as amended) and June 20, 2011- approved.**

### **III. Reports**

Mayor, read his report (see attached to official minutes) City

Councilors

Michael Farrell: Rec. Adv Bd, Audit, Lake Aub. Watershed Protection Comm - none

Robert Hayes: Planning Bd, Water, Library, and Railroad – reported on Planning Board from Auburn met with Planning Board from Lewiston and heard a presentation by Jonathan Labonte.

Daniel Herrick: MMWAC - no reports, but questioned the Mayor about his meeting with prospective candidates.

David Young: School Committee, Cable TV Adv Board – participated in the senior games in Houston.

Raymond Berube: Sewer, Audit, Airport – stated we would be extending water and sewer in next couple of months.

Belinda Gerry: LA Transit, Neighborhood Stabilization Program, Auburn Housing – reported on Auburn Housing putting a plaque up at Webster School housing for the person who died on site.

Eric Samson: 9-1-1, Auburn Business Development Corp, Andros Valley Council of Gov - absent

City Manager - none

### **IV. Communications, Presentations and Recognitions - none**

### **V. Open Session - none**

## **VI. Unfinished Business**

### **06062011-08 Motions on committee appointments. (Possible executive session in accordance with Title 1, Section 405, subsection 6A) – Tabled from June 6, 2011**

Councilor Hayes moved to remove committee appointments from the June 6, 2011 table, died for lack of second. He feels there is some sorting out need to determine where the applicant's best fit.

Councilor Hayes, seconded by Councilor Young, moved to remove committee appointments from the June 6, 2011 table.

Vote: 2 Yea's – 4 Nay's- Councilors Gerry, Farrell, Herrick and Berube. Motion failed 2-4. Councilor Gerry volunteered to review committee applicants.

## **VII. New Business**

07052011-01\* Resolve accepting the Transfer of Forfeiture of Assets – Croom - approved Councilor

Berube, seconded by Councilor Hayes, moved resolve # 01-07052011-01 State of Maine v. John Croom, Defendant and \$756 U.S. Currency Defendant(s) In Rem.

Vote: 6 Yea's – 0 Nay's Motion carried 6-0.

### **07052011-02\* Resolve accepting the Transfer of Forfeiture Assets – Clavet - approved.**

Councilor Berube, seconded by Councilor Hayes, moved resolve #02-07052011-02 State of Maine v. Teri Lou-Ann Clavet, Defendant And One 2004 Cadillac Escalade LL VIN #1GYEK63N54R253062 Defendant(s) In Rem.

Vote: 6 Yea's – 0 Nay's Motion carried 6-0.

### **07052011-02a Public Hearing on a new Special Amusement application by Fox Ridge Golf Club, LLC, 550 Penley Corner.**

Mayor Gleason opened the public hearing asking for any comments, hearing none he declared the hearing closed.

07052011-02b Motion to approve the Special Amusement permit by Fox Ridge Golf Club, LLC, 550 Penley Corner.

Councilor Farrell, seconded by Councilor Young, moved to approve the Special Amusement permit by Fox Ridge Golf Club, LLC, 550 Penley Corner.

Vote: 6 Yea's – 0 Nay's Motion carried 6-0.

**07052011-03 Resolve on a Citizen Initiated Zoning Map proposal to amend the City of Auburn Zoning Map in the area of Center, West Dartmouth, Blackmer and Alpha Streets including Parcel ID# 281-001, 271-045, 271-049 and 271-047 from Urban Residential to General Business. (First Reading)**

Councilor Farrell, seconded by Councilor Berube, moved to accept the first reading of a Citizen Initiated Zoning Map proposal to amend the City of Auburn Zoning Map in the area of Center, West Dartmouth, Blackmer and Alpha Streets including parcel ID #281-001, 271-045, 271-049 and 271-047 from Urban Residential to general Business.

Councilor Herrick feels that this proposal is being done for a small group and he cannot do this without knowing that this is for all citizens. He doesn't know what would be going in that neighborhood and cannot proceed without knowing how it would affect the neighborhoods.

Roland Miller, Director of Economic Development explained the citizen's petition process for rezoning and commercial rezoning process.

Michael Gotto petitioner (Technical Services, LLC) and property owner, reviewed his reasons for bring this petition forward, economics being the first reason. He explained that the properties are split zoned and are not fully usable for commercial development.

Councilors each expressed their concerns and opinions on the proposed amendment.

Peter Whitmore and his wife Constance own 329 Center Street property which is included in this proposed zoning map amendment, reviewed his ownership history, issues they have had and how this proposal affects his property and its possible future redevelopment. He feels the original proposal for a ten foot buffer is what should be passed, not the recommendation by the planning board for the 25 foot buffer zone.

Councilor Farrell, seconded by Councilor Berube, moved to amend the main motion and change the stated buffer zone from 25' to a 10' buffer zone.

Amendment vote: 4 Yea's – 2 Nay's- Councilors Gerry and Herrick. Motion carried 4-2. Public

Input:

Fern Masse 25 Blackmer Street spoke about his concerns and the neighbor's concerns. He stated that there should be a 25' buffer along Blackmer Street. He asked the Council to think about this carefully, where is the buffer zone.

Councilor Hayes asked Roland Miller where the buffer is measured.

Roland Miller, Director of Economic Development explained that the buffer is normally measured from property line. He explained contract zoning, planed zoning and the new growth management act in Maine.

Mr. Whitmore explained that if this change passes or doesn't pass it will not affect the value of his land.

Kathy Serpico 4 University Street expressed her concerns about the proposed zoning map amendment. She stated that the neighbors feel defeated and have been left out of this process. She said the change of buffer when none of the neighbors are present is insulting.

Main motion vote: 4 Yea's – 2 Nay's – Councilor Gerry and Herrick Motion carried 4-2. 07052011-04

Resolve reallocating \$25,000 of Capital Funding for Integrated Messaging Server to city web site design and build.

Councilor Farrell, seconded by Councilor Berube, moved resolve #04-07052011-04 reallocating \$25,000 of Capital Funding for Integrated Messaging Server to city web site design and build. Vote: 4

Yea's – 2 Nay's – Councilors Gerry and Herrick Motion carried 4-2.

**esolve adopting the FY2012 Capital Improvement Program Bonding (First Reading).**

Councilor Berube, seconded by Councilor Young, moved resolve #05-07052011-05 ORDER - AUTHORIZING THE ISSUANCE AND SALE OF CAPITAL IMPROVEMENT BONDS IN THE AMOUNT OF \$4,850,000 (Annual Capital Improvement Program) (First Reading)

Vote: 2 Yea's – Councilors Berube and Young - 3 Nay's – Councilors Gerry, Farrell and Herrick - 1 Abstained – Councilor Hayes Motion failed 2-3-1.

Councilor Farrell commented on the undesignated fund balance policy and the use of that money could be used for these bonding projects.

Councilor Gerry asked about the bonding for the Great Falls Art Center demo and infrastructure. City

Manager Aho explained that we could use local funds for demo of the building, but when we use federal funds there are certain requirements and this is a place holder for those federal funds. The worst case scenario if the federal funding is not available.

Councilor Hayes asked what is being budgeted for the school building committee recommendation for 2 million dollars annual maintenance.

**resentation and discussion of Ingersoll Arena potential plans.**

City Manager Aho introduced Ravi Sharma, Director of Parks and Recreation and Mike Berube, Ingersoll Arena Manager.

Ravi Sharma reviewed a proposal to renovate the Ingersoll Arena and the relocation of facilities and services, as well as the estimated expenses and potential revenue. The possible funding

sources are bonds, use of the fund balance of \$763,000, donations from businesses, individuals and organizations. They would propose this construction during this shut down season.

Councilor Farrell suggested new bleachers being installed with this update to the facility. Councilor Berube asked why a second floor.

Ravi explained that it is to utilize the space we have currently by using the height of the facility.

City Manager Aho explained that we need to discuss with our CPA to make sure we are budgeting for the depreciation and making sure our cash flow is adequate for the needs of the facility.

**Discussion of the lease for the Great Falls Art Center. (Possible executive session in accordance with Title 1, Section 405, subsection 6C) - none**

### **VIII. Open Session**

Leroy Walker 41 Broad Street thanked the Public Works and Parks and Recreation laborers for the way that the medians look and especially for the fourth of July weekend. He spoke about the ice arena bond that is costing the city and it is paying for it and making money. He hopes that the council would take the money in the enterprise fund to do the whole project. He explained that you need the second level and places where people can sit.

Joe Gray Sopers Mill Road spoke about the Public Works grader work, he said the people operating them are doing fine, but the management of the grader leaves a lot to be desired. He explained the traveling of the grader to and from location. He asked why Auburn Housing vehicles have municipal plates.

City Manager Aho explained that they qualify for municipal plates.

Joe Gray said that he is worried about the rumors for River Side Drive reconstruction. He asked where he could find that plan.

City Manager Aho explained the MDOT review and the process for redesign, as well as the public input process.

Joe Gray said that the area plan sounds great; he asked questions about the enterprise funding for the facility.

Councilor Farrell explained the enterprise fund.

Joe Gray thanked Chief Low and the Fire Department for offering up a spot for a community garden at the South Main Street station. He then asked if anything would be coming out in the paper about the manager's evaluation and contract.

Councilor Herrick explained that he got his answer about the grading issue.

Denis D'Auteuil, Deputy Director explained that at the last meeting he wasn't given any dates. He said he researched the work order system for information about the road. He answered questions about grading of various roads in Auburn. He asked Council to call him when they see this kind of activities so that he can respond immediately.

The following workshop items were continued in open session: Discussion of fleet tracker GPS, Discussion of Rural Metro and Agenda process.

### **IX. Future Agenda/Workshop Items**

Councilor Farrell would like a workshop on the soil ordinance (36" wastewater); trash/recycling contract; sidewalk policy – where CMP puts their poles.

Councilor Herrick has concerns about cigarette butts all over the plaza.

### **X. ADJOURNMENT**

Councilor Herrick, seconded by Councilor Young, moved to adjourn the meeting at 9:54 pm. Vote: 6

Yea's – 0 Nay's. Motion carried 6 -0.

A true record Attested: Roberta L. Fogg, City Clerk

## **City Council Meeting and Workshop July 18, 2011**

### Minutes

Present: Mayor Richard Gleason, Councilor's Belinda Gerry, Robert Hayes, David Young, Raymond Berube and Eric Samson, City Manager Glenn Aho, Acting Assistant City Manager Philip Crowell, Finance Director Tracy Roy and City Clerk Roberta Fogg.

Absent Councilors Farrell and Herrick. Councilor

Herrick arrived at 6:03pm.

The Council conducted a workshop beginning at 5:30pm on the following items: Housing Tax Increment Financing to Coastal Enterprises, Inc.; fleet tracker GPS; Discussion of the Fire Department policy on use of vehicles; Discussion of alarm fees; Update on PAL; Discussion of a request for fund raising by the MDA boot drive and Discussion of the size of the New Auburn Master Plan Committee.

The following workshop item will be put on the next agenda; Update of Rural Metro. Break at

6:57 pm

Back at 7:11 pm

7:00 p.m. City Council Meeting

Mayor Gleason called the meeting to order at 7:11 p.m. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag.

### **I. Consent Items**

Councilor Berube, seconded by Councilor Gerry , motion to approve consent items; minutes of July 5, 2011 and the confirmation of Chief Crowell's appointment of Nicholas Sparaco as a constable with firearms for the Auburn Police Department.

Vote: 6 Yea's – 0 Nay's Motion carried 6-0.

### **II. Minutes – \* July 5, 2011 - approved**

### **III. Reports**

Mayor, read his report (see attached to official minutes). City

Councilors

Michael Farrell: Rec. Adv Bd, Audit, Lake Aub. Watershed Protection Comm, - absent

Robert Hayes: Planning Bd, Water, Library, and Railroad – outlet beach opened today for swimming, thanked Leroy Walker for prompting the city for getting the beach open.

Daniel Herrick: MMWAC - none

David Young: School Committee, Cable TV Adv Board – school department master plan for use of buildings and having a study completed to evaluate the schools and create that master plan.

Raymond Berube: Sewer, Audit, Airport - none

Belinda Gerry: LA Transit, Neighborhood Stabilization Program, Auburn Housing – LA Transit bus fare modest increase on August 1st.

Eric Samson: 9-1-1, Auburn Business Development Corp, Andros Valley Council of Gov - none City Manager - none

### **IV. Communications, Presentations and Recognitions**

Mayor Gleason read the notice regarding nomination papers available.

### **V. Open Session**

Leroy Walker 41 Broad Street thanked Ravi and the Parks and Recreation Department staff did good work to get the beach ready. He would like to see something in the area to bring a little more life, like docks, and paddle boats.

Jim Drummond Ocean Street thanked the Mayor for demonstrating the use of our river for fishing and activities.

Larry Morrisette PO Box 3036 Auburn spoke about parliamentary rights. He said we need more people to run for Mayor and City Council. He state that he is running for Mayor.

Jim McPhee Auburn resident and member of the last Comprehensive Plan Committee reminded the Council that the New Auburn Master Plan is a portion of the whole Comprehensive Plan, which calls for a implementation committee for the whole plan. He explained that the changes in the New Auburn will change the whole city. He suggested separate focus groups for specific areas if necessary.

Tizz Crowley University Street resident read a written statement in opposition to the proposed zoning change on Center Street. (See attached to the official minutes)

Councilor Herrick stated that he asked Sun Journal to run an article if the Council did or did not extend the City Manager's contract. He said that he questions if we want candidates who are meeting behind closed doors to discuss changing the city, they should run on their own ticket. He wishes everyone running for this council seat all the luck in the world, because it takes a lot of work and time. He wished everyone running luck.

Mayor Gleason responded stating that the City Manager has not asked for an extension of his contract or a raise, there is nothing for the Council to vote on.

## **VI. Unfinished Business - None**

## **VII. New Business**

### **firm Chief Crowell's appointment of Nicholas Sparaco as a constable with firearm for the Auburn Police Department.**

Councilor , seconded by Councilor , motion to confirm Chief Crowell's appointment of Nicholas Sparaco as a constable with firearm for the Auburn Police Department.

Vote: 6 Yea's – 0 Nay's Motion carried 6-0.

### **tizen Initiated Zoning Ordinance Amendment – Proposal to amend the City Of Auburn Zoning Ordinance, Chapter 60, Article IV, Division 3, to add the use group: Composting facilities as a permitted or special exception use in the Agriculture and Resource Protection zoning district, pursuant to Article XVII, Division 2 of the Ordinances of the City of Auburn. (First Reading)**

Councilor Samson, seconded by Councilor Hayes, motion to approve Resolve #06-07182011-02 Citizen Initiated Zoning Ordinance Amendment – To amend the City Of Auburn Zoning Ordinance, Chapter 60, Article IV, Division 3, to add the use group: Composting facilities as a permitted or special exception use in the Agriculture and Resource Protection zoning district, pursuant to Article XVII, Division 2 of the Ordinances of the City of Auburn. (First Reading)

Eric Cousens, City Planner explained a change from the workshop presentation, the recommendation that the Composting Facilities use be eliminated from allowed and special exceptions allowed in the Low Density Residential Zoning uses. He then answered questions of the Council.

Councilor Berube, seconded by Councilor Samson, moved to amend the first reading language to strike the composting facilities as a permitted use or special exception use from the Low Density Residential Zoning District.

Amendment vote: 6 Yea's – 0 Nay's Motion carried 6-0

Michelle Melaragno 576 Trapp Road submitted the petition for zoning change to allow composting facilities in the Agriculture and Resource Protection zoning district answered questions.

Dr. Bill Seekins answered questions about the best management practices for composting. Councilor Herrick, seconded by Councilor Young, made a motion to move the question. Vote: 5 Yea's – 1 Nay – Councilor Hayes Motion carried 5-1.

Main motion vote: 4 Yea's – 0 Nay's – 2 Abstained – Gerry and Hayes Motion carried 4-0-2.

**resolve adopting the FY2012 Capital Improvement Program Bonding (First Reading).**

Councilor Berube, seconded by Councilor Hayes, motion to approve Resolve #05-07182011-03 ORDER - AUTHORIZING THE ISSUANCE AND SALE OF CAPITAL IMPROVEMENT BONDS IN THE AMOUNT OF \$4,500,000 (Annual Capital Improvement Program) (First Reading)

City Manager Aho brought projects such as the Airport Terminal Reconstruction project, Engine Two Truck, Great Falls Demo & Infrastructure improvements.

Councilor Berube asked what improvements at Great Falls.

Roland Miller, Economic Development Director explained that it would reconnect utilities, sewer, water and electric and site grading.

Councilor Samson asked what happens to the proposed lease agreement if this money isn't put into the bond.

Mr. Miller explained that the bond funding would allow the city to move forward before the winter months to eliminate the cities responsibilities to heat and maintain the building.

Councilor Hayes asked the School Department about what the additional bonding funding. Jude Cyr, Business Manager and Tom Kendall, Ward 3 School Committee member.

Hayes, it takes 2 million annually to keep the building investment, he asked if the additional funds are in the annual budget.

Mr. Cyr explained that they have not been budgeting for the fully needed funds; they have been relying on the city bonding. He explained the state asset management requirements and recommendations for renovations and renewal programs (CIP).

Council asked questions of the School Department regarding their building maintenance and construction plans.

Councilor Samson, seconded by Councilor Herrick, moved to amend the bond Resolve #05- 07182011-03 to remove the \$350,000 for Great Falls Demo & Infrastructure Improvements.

Councilor Gerry asked how much it would cost if we have to change the utilities in the building to allow Community Little Theater to remain in that section of the building.

Roland Miller, Economic Development Director explained the total estimate of the project is \$350,000. We have these funds today, but they are connected to federal regulations. Amendment vote:

4 Yea's – 2 Nay's - Councilor Gerry and Berube.

Main motion vote: 4 Yea's – 2 Nay's – Councilor Gerry and Herrick Motion

failed 4-2, did not achieve super majority.

Councilor Gerry, seconded by Councilor Young, moved to reconsider Resolve #05-07182011–03 bond as amended.

Vote: 5 Yea's -1 Nay's - Councilor Herrick Motion carried 5-1, with super majority.

**ecutive session in accordance with Title 1, Section 405, subsection 6C, real estate matter, Great Falls building. (Possible action to follow)**

Councilor Berube, seconded by Councilor Hayes, moved to enter executive session at 8:45 pm in accordance with Title 1, Section 405, subsection 6C, real estate matter, Great Falls building.

Vote: 6 Yea's – 0 Nay's Motion carried 6-0.

Councilor Herrick left the meeting.

Councilor Young, seconded by Councilor Samson, moved to leave executive session at 9:06pm. Vote: 5

Yea's – 0 Nay's Motion carried 5-0.

**Executive session in accordance with Title 1, Section 405, subsection 6A, committee appointments. (Possible action to follow)**

Councilor Berube, seconded by Councilor Gerry, moved to enter executive session at 9:09 pm in accordance with Title 1, Section 405, subsection 6A, personnel matter, committee appointments.

Vote: 3 Yea's – 2 Nay's Motion carried 3-2.

Councilor Berube, seconded by Councilor Young, moved to leave executive session at 9:23 pm. Vote: 5

Yea's – 0 Nay's Motion carried 5-0.

Councilor Hayes, seconded by Councilor Samson, moved to appoint Jeremy Hammond and Tim Goss as full members of the Planning Board.

Vote: 4 Yea's – 0 Nay – 1 Abstained – Councilor Gerry Motion carried 4-0-1.

Councilor Hayes, seconded by Councilor Samson, moved to appoint Kenneth Bellefleur and Robert Gagnon, Jr. as alternate members of the Planning Board.

Vote: 3 Yea's – 1 Nay – Councilor Berube - 1 Abstained – Councilor Gerry Motion carried 3-1-1

Councilor Hayes, seconded by Councilor Gerry, moved to appoint Roger Needham and Daniel J. Curtis, Jr. to the Ethics Committee.

Vote: 4 Yea's – 0 Nay -1 Abstained – Councilor Berube Motion carried 4-0-1.

**VIII. Open Session**

Tizz Crowley University Street rebutted comments made at the July 5th Council meeting in regards to the proposed zoning amendment for Center Street.

Councilor Berube, Councilor Young, moved to reappoint Daniel Poisson and Phil Savignano to the Recreation Board.

Vote 5 Yea's – 0 Nay Motion carried 5-0.

Leroy Walker New Auburn resident explained that there is a cruise in night on Friday night at Rolly's Diner and he invited everyone to the July 26th meeting of United New Auburn Association meeting at Rolly's Diner. He said on September 9th is a family night for kids and they are working with Public Works Department to have a piece of equipment available.

## **IX. Future Agenda/Workshop Items**

Eric Samson thanked the Citizens of Auburn for the opportunity to serve, City Staff and wished the candidates good luck. He stated that he would not run again, because of obligations with his employment.

## **X. ADJOURNMENT**

Councilor Samson, seconded by Councilor Hayes, moved to adjourn the meeting at 9:40 pm. Vote: 5

Yea's – 0 Nay's. Motion carried 5 -0.

A true record Attested: Roberta L. Fogg, City Clerk

### **City Council Meeting and Workshop August 1, 2011**

Minutes

Present: Mayor Richard Gleason, Councilor's Belinda Gerry, Michael Farrell, Robert Hayes, David Young, Raymond Berube and Eric Samson, City Manager Glenn Aho, Acting Finance Director Tracy Roy and City Clerk Roberta Fogg.

Absent Councilors Herrick. Councilor

Herrick arrived at 5:40pm.

The Council conducted a workshop beginning at 5:30pm on the following items: Discussion of Rural Metro; Citizen Initiated Zoning Map Amendment proposal-314 Center Street (Parcel ID# 271-021) from Urban Residential to General Business and Discussion of a Comprehensive Plan Implementation Committee.

Break at 6:12 pm Back

at 7:00 pm

7:00 p.m. City Council Meeting

Mayor Gleason called the meeting to order at 7:00 p.m. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag.

## **I. Consent Items –**

Councilor Gerry asked to remove from consent agenda: Request for city services Dempsey Challenge and Request for city services Great Falls Balloon Festival.

Councilor Young, seconded by Councilor Hayes, motion to approve consent items; minutes of July 18, 2011; Confirm Chief Crowell's appointment of Brandon Kelly and Tyler Ham as constables with firearm for the Auburn Police Department;

Vote: 7 Yea's – 0 Nay's Motion carried 7-0.

## **II. Minutes – \* July18, 2011- approved**

### **III. Reports**

Mayor, read his report (see attached to official minutes). City

Councilors

Michael Farrell: Rec. Adv Bd, Audit, Lake Aub. Watershed Protection Comm, - none Robert

Hayes: Planning Bd, Water, Library, and Railroad, - none

Daniel Herrick: MMWAC, - none

David Young: School Committee, Cable TV Adv Board – updated the council on the new channels for Great Falls TV for the Auburn, Lewiston and Lisbon governmental meetings which will begin in September.

Raymond Berube: Sewer, Audit, Airport - none

Belinda Gerry: LA Transit, Neighborhood Stabilization Program, Auburn Housing, - increase in City Link fees, attended flag dedication.

Eric Samson: 9-1-1, Auburn Business Development Corp, Andros Valley Council of Gov - none City

Manager Aho reviewed the FY12 tax rate at \$19.39, an increase of \$0.09 per thousand. He brought to the Council's attention a letter from Chamber of Commerce President Chip Morrison.

### **IV. Communications, Presentations and Recognitions**

Mayor Gleason read a proclamation in support of National Night Out 2011. He asked Chief Crowell what time it would start and what activities would take place.

Chief Crowell stated that it would start at 5pm and reviewed the various activities.

### **V. Open Session –**

Larry Morrisette Po Box 3036 Auburn spoke about the IMF.

Ed Desgrosseillier 121 Hatch Road thanked the Mayor and Councilors for their service. He spoke to the Council about how they select committee members and how things have changed

over the years during the selection of committee members. He asked where the master plans are for each ward, and why are the New Auburn Master Plan more important the whole plan. He joined a committee two years ago to work on recycling. He explained the difference between ad- hoc committees charge and a regular committee with an ongoing task. He stated that they have been ignored and insulted. He said he was very insulted with how the recycling is being done, with single sort when he sorts his materials. He said two years of work by the committee is not going to be considered.

City Manager Aho responded to the comments on recycling. He stated that we are looking at single sort recycling to see if we are going to be able to continue to work with Lewiston. He explained that this was a test pilot to measure the times it takes VS curbside sorting.

Council, City Manager Aho and Mr. Desgrosseilliers discussed the recycling issues. Councilor Farrell asked for a workshop on recycling at the next meeting.

Councilor Hayes agreed that a workshop with the recycling committee to discuss their recommendations.

Councilor Samson agreed.

Leroy Walk 41 Broad Street thanked the Council for the low budget and low tax rate for the people of Auburn. He explained why they feel the New Auburn area is involved in the planning for the city.

Tim Doughty Cherry Vale Circle spoke about an issue he had with City Manager Aho in regards to not receiving a response regarding an issue with the Assessing Department. He asked what the value of his home is. He stated that he does not want the Manager to respond, he wants the Council to answer this question.

City Manager Aho explained that Mr. Doughty has had concerns about his assessment. He stated that each time he has come to the city he is given the information from the Assessing Department.

Mr. Doughty stated that he did not want the Manager to respond, he wants to see the Council take some action on this matter.

Councilor Gerry, seconded by Councilor Farrell, moved to extend open session. Vote: 6

Yea's -1 Nay's – Councilor Young. Motion carried 6-1.

Tizz Crowley University Street read a written statement in regards to Center, Alpha, West Dartmouth and Blackmer Street rezoning request. (see written statement attached to official minutes)

Councilors Samson and Hayes responded to several comments from Ms. Crowley.

City Manager Aho responded to Mr. Doughty's comments regarding assessing issues. He responded to the recycling questions.

Ms. Crowley stated that open session is for citizens to comment. Mayor

Gleason decided Manager Aho should continue to respond.

City Manager Aho explained the bids they received for recycling. He stated that as far as meeting places, it is standard practice that it is required to have a staff member present.

Councilor Farrell asked what the bond rating this year.

Tracy Roy, Finance Director stated that we have not gone to bond yet

Councilor Farrell questioned Finance Director Roy about the fund balance policy, stated that we are giving away \$130,000 when we bond for projects.

Finance Director Roy stated that she is not a policy maker. She explained that she has done a fund balance analysis for the City Manager that he has chosen not to give the Council.

## **VI. Unfinished Business - none**

## **VII. New Business**

### **firm Chief Crowell's appointment of Brandon Kelly and Tyler Ham as constables with firearm for the Auburn Police Department. - Approved**

Councilor Young, seconded by Councilor Hayes, moved to confirm Chief Crowell's appointment of Brandon Kelly and Tyler Ham as constables with firearms for the Auburn Police Department.

Vote: 7 Yea's – 0 Nay's Motion carried 7-0.

### **request for city services Dempsey Challenge. – Removed from consent items.**

Councilor Samson, seconded by Councilor Young, moved to approve the request for city services and waive the fees.

Councilor Gerry asked that they leave 10 spaces for residents at the Roak Block. She also asked about parking for people who are coming into the police department.

Chief Crowell responded by explaining that the parking in the parking garage will still be available. He said staff has been park of these committee meetings and bring concerns forward.

Vote: 6-1 – Councilor Farrell. Motion carried 6-1.

**request for city services Great Falls Balloon Festival. – Removed from consent items.**

Councilor Gerry, seconded by Councilor Young, moved to approve the request for city services and waive the fees.

Vote: 7-0. Motion carried 7-0.

**Public hearing on a Citizen Initiated Zoning Map Amendment – Proposal to amend the City Of Auburn Zoning Map at 314 Center Street including Parcel ID# 271-021 from Urban Residential to General Business pursuant to Chapter 60, Division 2 of the Ordinances of the City of Auburn.**

Mayor Gleason opened the public hearing asking for any comments.

Tizz Crowley University Street read a written statement asking why this is before the Council when the Planning Board minutes in regards to this amendment are not even published (see written statement attached to the official minutes). She asked the Council to table this item.

Councilor Hayes asked for a presentation about this issue prior more public comment. Mayor

Gleason read the information sheet on the proposed zoning amendment.

City Planner Eric Cousens presented the information regarding the citizen initiated zoning map amendment for 314 Center Street.

Bill Turner owner of Maine Source Realty explained that since they have grown it is no longer feasible to run a real estate office at this location.

Larry Morrisette stated that these three properties need to be incorporated. He is in support of growth and industry, but we need to look out for the property owners.

Mayor Gleason asked for any other comments, hearing none declared the hearing closed. 08012011-05

Citizen Initiated Zoning Map Amendment – Proposal to amend the City Of Auburn Zoning Map at 314 Center Street including Parcel ID# 271-021 from Urban Residential to General Business pursuant to Chapter 60, Division 2 of the Ordinances of the City of Auburn. (First Reading)

Councilor Farrell, seconded by Councilor Samson, moved to approve the Citizen Initiated Zoning Map Amendment – Proposal to amend the City Of Auburn Zoning Map at 314 Center Street including Parcel ID# 271-021 from Urban Residential to General Business pursuant to Chapter 60, Division 2 of the Ordinances of the City of Auburn. (First Reading)

Councilor Berube explained that he looked at the property and this does fit better in the General Business zone.

Mr. Turner explained that he has an agreement with the abutting property owner to have a second access from their property and to place a sign on their property.

Vote: 7 Yea's – 0 Nay's Motion 7-0.

**08012011-06 Public hearing Citizen Initiated Zoning Ordinance Amendment – Proposal to amend the City Of Auburn Zoning Ordinance, Chapter 60, Article IV, Division 3, to add the use group: Composting facilities as a permitted or special exception use in the Agriculture and Resource Protection zoning district, pursuant to Article XVII, Division 2 of the Ordinances of the City of Auburn.**

Mayor Gleason read the information sheet for the zoning amendment. City

Planner Eric Cousens reviewed the proposal

Mayor Gleason opened the public hearing asking for any comments.

Meris Bickford stated that she has the applicant on the phone if there are any questions.

Leroy Walker Broad Street had questions asked of him regarding the amount of heavy traffic that would be coming through the south Auburn area.

City Planner Cousens stated that the ordinance required review of the special exception use and vehicle traffic is reviewed as part of that process.

Mayor Gleason then asked if there were any other comments, hearing none he declared the hearing closed.

08012011-07 Citizen Initiated Zoning Ordinance Amendment – Proposal to amend the City Of Auburn Zoning Ordinance, Chapter 60, Article IV, Division 3, to add the use group: Composting facilities as a permitted or special exception use in the Agriculture and Resource Protection zoning district, pursuant to Article XVII, Division 2 of the Ordinances of the City of Auburn. (Second and Final Reading)

Councilor Herrick, seconded by Councilor Farrell, moved Resolve # 06-08012011-07 Composting Facilities special exception in Agriculture and Resource Protection Zones.

Councilor Hayes expressed his concern about the ability to gain a special exception in the overlay districts.

Councilor Hayes, seconded by Councilor Gerry, moved amend the language to go back to original wording of petition to restrict the environmental overlay districts.

Amendment vote: 2 – 5 Motion failed 2-5.

Vote on main motion: 6 Yea's – 1 Nay - Gerry Motion carried 6-1.

Councilor Young, seconded by Councilor Herrick, moved Resolve # 08-08012011-07b Composting Facilities special exception excluding use in Low Density Country Residential Zone.

Vote: 6 Yea's – 1 Nay – Councilor Gerry. Motion carried 6-1.

**Authorize the City Manager to ratify the lease with Community Little Theater for the Great Falls Art Center.**

Councilor Samson, seconded by Councilor Farrell, moved Resolve # 09-08012011-08 to authorize the City Manager to execute the attached lease and any other necessary documents; that commits a portion of the Great Falls Art Center, which remains after demolition, to Community Little Theater for 99 years for \$1.00 per year.

Roland Miller, Director of Economic and Community Development explained the types of utilities that would be done for this project. He reviewed material handed to the Council this evening and any changes from the material provided in the support material.

Larry Morrisette asked how much money this group will be putting into this project. Why has the public money been paying for these projects? He asked for a review of where all the money to none profit groups has been spent.

Vote: 7 Yea's - 0 Nay's Motion carried 7-0.

Karen Mayo, Community Little Theater thanked the Council and stated she is going to take signing this lease very seriously. They are very much taking this to heart and committed to raising the money they need.

**Executive session in accordance with Title 1, Section 405, subsection 6A, committee appointments. (Possible action to follow)**

Councilor Berube, seconded by Councilor Hayes, moved to enter executive session committee appointments at 9:24pm.

Councilor Herrick stated that reason he left the meeting last time was for work. He stated that he doesn't believe that it is right to go into executive session unless the people being discussed are present.

Vote: 2 Yea's – Councilor Hayes and Young - 5 Nay's. Motion failed 2-5.

Councilor Berube, seconded by Councilor Young, moved to appoint Joel Simons to the Cable Television Advisory Board.

Councilor Hayes stated that he has a problem making appointments when there are multiply openings and applicants.

Vote: 7 Yea's – 0 Nay's. Motion carried 7-0.

Councilor Hayes, seconded by Councilor Young, moved to appoint Benoit Blondeau and Daniel Curtis, Jr. to the Investment Advisory Committee.

Vote: 6 Yea's – 0 Nay's -1 Abstained- Councilor Gerry. Motion carried 6-0-1. Councilor

Samson, seconded by Councilor Berube, moved to appoint Bruce Richardson, Christopher Gendron, Daniel Curtis, Jr. and Elizabeth Shardlow to the Zoning Board of Appeals.

Vote 7 Yea's – 0 Nay's. Motion carried 7-0.

Councilor Farrell, seconded by Councilor Berube, moved to appoint Eric Audette and Roy Tassinary to the Recreation Advisory Board.

Vote: 7 Yea's – 0 Nay's. Motion carried 7-0.

Mr. Alan Harvey stated that the sign is missing from the Dr. Bernard Lown Peace Bridge and asked the Council to look into what has happened.

### **VIII. Open Session –**

Councilor Hayes stated that open session should be only items that are city business.

Tim Doughty spoke about the assessing issue and asked that this be reviewed so that it should not happen again. He stated that we should be in re-evaluation by the state statutes.

Councilor Herrick responded to comments about Mr. Doughty's frustrations with the city assessing.

Larry Pelletier spoke about respect and the Council disrespecting staff in the City. He stated that tonight we saw it with our Finance Director. He doesn't have a problem with a Councilor asking a tough questions, but it's with the manner it was asked.

Larry Morrisette stated that our government didn't think his God would send one man to check on his people.

Councilor Gerry stated that she supports the recommendations of our Finance Director Tracy Roy. She said she is sorry she did not speak up to change the tone of the exchange of information.

Councilor Farrell stated that people can effect change and encouraged people to put pen to paper.

Councilor Berube asked Councilor Farrell talked about bonding for Ingersoll Area and bonding for city projects.

### **IX. Future Agenda/Workshop Items**

Councilor Gerry asked that when the Mayor's committees change direction from their original creation it be brought back to inform the Council of those changes. She asked if the Planning Board minutes could be posted monthly. She asked for a copy of the material compiled by the Mayor for the Manager's evaluation.

Mayor Gleason stated that he is being told that he cannot share material from other Councilor's, which is a personnel matter.

Councilor Farrell asked about the 36" wastewater ordinance, term limits, demanded a meeting with a the city attorney on the personnel issue, the UDF, and asked if we could bond less then what we have advertised.

Councilor Young left the meeting at 10:09 pm.

Councilor Samson asked what the need for an attorney on personnel matters. Council, City Manager and Finance Director discussed bonding.

## **X. ADJOURNMENT**

Councilor Farrell, seconded by Councilor Hayes, moved to adjourn the meeting at 10:16 pm. Vote: 7 Yea's – 0 Nay's. Motion carried 7-0.

A true record Attested: Roberta L. Fogg, City Clerk

## **City Council Meeting and Workshop August 15, 2011**

### Minutes

Present: Mayor Richard Gleason, Councilor's Belinda Gerry, Michael Farrell, Robert Hayes, Daniel Herrick, David Young and Raymond Berube, City Manager Glenn Aho, Finance Director Tracy Roy and City Clerk Roberta Fogg.

Absent Councilor Samson.

The Council conducted a workshop beginning at 5:30pm on the following items: Discussion of a proposed amendment to the Zoning Ordinance, Chapter 60, Section 60-578.b(7) to modify the use group Motels to read Motels and Hotels pursuant to Article XVII, Division 2; Discussion of the 36" Wastewater Ordinance; Discussion with City Attorney regarding personnel.

Discussion with City Attorney regarding personnel. (Glenn Aho) Skipped and moved to item C.

City Manager Aho stated that he recommend going into executive session with the City Attorney to discuss personnel matters.

Councilor Farrell, seconded by Councilor Young, moved to enter executive session in accordance with Title 1, Section 405, subsection 6A, to discuss a personnel matter.

Vote: 2 Yea's- Councilor Farrell and Young - 3 Nay's – Councilors Gerry, Herrick and Berube - 1 Abstained – Councilor Hayes. Motion failed 2-3-1.

Break at 7:05pm Back

at 7:19 pm

7:00 p.m. City Council Meeting

Mayor Gleason called the meeting to order at 7:00 p.m. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag.

### **I. Consent Items –**

Councilor Farrell, seconded by Councilor Hayes, motion to approve consent items; minutes of August 1, 2011 and confirm Chief Crowell's appointment of Mark A. Lemos, Justin H. Richardson and Andrew J. Shute as constables with firearm for the Auburn Police Department. Vote: 6 Yea's – 0 Nay's Motion 6-0.

### **II. Minutes – \* August 1, 2011 - approved**

### **III. Reports**

Mayor, read his report (see official minutes). City

Councilors

Michael Farrell: Rec. Adv Bd, Audit, Lake Aub. Watershed Protection Comm. - none Robert

Hayes: Planning Bd, Water, Library, and Railroad - none

Daniel Herrick: MMWAC, - none

David Young: School Committee, Cable TV Adv Board - none

Raymond Berube: Sewer, Audit, Airport – no report, but thanked New Auburn residents who lived in reconstruction last summer.

Belinda Gerry: LA Transit, Neighborhood Stabilization Program, Auburn Housing - none

Eric Samson: 9-1-1, Auburn Business Development Corp, Andros Valley Council of Gov – absent.

Mayor Gleason read Councilor Samson's request for a leave of absence for the remainder of his term. Mayor Gleason requested the Council to allow Councilor Samson be allowed to miss three consecutive meetings.

Councilor Farrell asked that this be placed on the next workshop to discuss how to proceed. Councilor Herrick stated that Councilor Samson has basically resigned from the Council.

City Manager Aho thanked Tracy Roy for her assistance and help for the last three years. He stated that he has hired Maura Halkiotis as Interim Finance Director. He explained that they will be touching base with the School Department and City of Lewiston to see if there are any services we can bundle. He stated that we are trying to decide between needs and wants. He is looking for the Interim Director to develop a list of duties and work for the department. He spoke about recycling; he stated that we are working with the one bidder, Almighty Waste. He stated that the single stream recycling program allows for a quicker collection process. He explained that some of the problems they have had with the committee is they want to influence administration policy.

Councilor Herrick said that he has repeated what was said two week ago; this was to be placed on a workshop this week. He asked if the Finance Director Position had been advertised yet.

City Manager Aho explained that the 36" Wastewater Ordinance took priority, because it had been postponed.

Mayor, City Councilors and City Manager discussed when the Recycling Committee would come to a workshop. Mayor Gleason suggested it be on a September agenda.

#### **IV. Communications, Presentations and Recognitions - none**

#### **V. Open Session**

Larry Morrisette PO Box 3036, running for Mayor, spoke about revenue and spirit. He said that what needs to be done for people who need money is put them back to work. He commented on Proctor and Gamble hiring 60 handicapped people.

Tizz Crowley University Street spoke about timely and effective communications. She read a statement to the Council (see attached statement in the official minutes). She thanked Mr. Cousens for changing the method of posting notices for public notices. She suggested using volunteers to do minutes and posting to the city web site for city council and city committees.

City Manager Aho responded to several comments by Ms. Crowley, about recording and minutes.

Councilor Gerry asked if a copy of the Planning Board meeting DVD could be sent to the library.

Dan Bilodeau 207 North Auburn Road reviewed the history of one parcel in the Lake Auburn watershed.

Tim Doughty past president of the Lake Auburn Watershed stated that he believes that technology has moved on and it should be reviewed, but offered the Council to come back and give the history of the 36" Wastewater Ordinance. He asked the Council if they had taken any action on the assessing issue he spoke to at the last meeting. He requests the Council to look at what transpired in assessing. He asked what his real value that they set his mill rate on?

Doug Stone Lewiston resident and rate payer of the Auburn Water District he stated that he believes the quote for a filtration system was grossly over stated. He stated that Mr. Crouse and Mr. Storer have a long standing relationship and history. He stated that this ordinance was based on fear. He asked that the ordinance be based on science and not fear from the past. He asked what was the cost to connect the Town of Poland to our water source and what is the revenue to the City of Lewiston and Auburn residents for this service.

Councilor Berube stated that all cost of water and sewer to Poland will be paid by the Town of Poland.

Joe Gray Sopers Mill Road offered three people the opportunity to apologize to Ms. Roy for last meeting. He asked the Manager why he did not defend Ms. Roy. He asked how many lawsuits are currently pending against the city.

City Manager Aho said he did not know, he would have to review the information. Joe Gray asked if the City monitors voicemail and emails of city employees.

City Manager Aho said that he did not know.

Councilor Farrell stated that the Manager is not responsible for the Assessor's function, only the Assessor's behavior.

Tim Doughty Cherryvale Circle stated that this is not a situation between the employees; it is a dynamic problem in the assessing department. He stated that there is something wrong with the mechanism of this system. He said the first thing to do with a problem is recognize the problem, you cannot fix the problem.

Joe Gray stated that he doesn't understand why it takes more time to make copies of the planning board minutes at the library. He spoke to Councilor Hayes about the New Auburn area wanting to have participation in the planning process. He suggested Councilor Hayes encourage the other wards have more participation.

Councilor Gerry quoted section 2.484 law suits must be reported to Manager.

Mayor Gleason asked the Manager to bring this information back at next meeting. Councilor Herrick, Councilor Gerry, moved to extend open session for another 15 minutes. Vote: 5 Yea's – 0 Nay's – Councilor Berube did not vote. Motion carried 5-0-1.

Tim Doughty asked to respond to comments and asked for a point of order.

Ron Potvin 82 Northern Avenue thanked Tracy Roy for her service to Auburn. He said that she eased his fears with reporting, TIF's and budgets. He commented on the watershed ordinance, stating that the entire state operates on a 12" standard. He wanted to know why Auburn has such a restrictive standard. He hopes the Council will continue to take this on more aggressively. He said the bottom line is we live in a horrible time right now, people are not going to get services like they use to. Budget had to get cut, services had to be cut, we need to be patient and move forward. When revenues start to come back from the state and federal government we can have another dialogue.

Councilor Herrick thanked Tracy Roy for what she has done for this city. He said he is sorry to see her go. He apologized to her for the attack at the last meeting. He told the public that it is a not city hall interior staff who is talking to him. He has nothing against the employees he feels bad that we are losing employees but they need to move on. He stated that he just wants to do the right thing.

Councilor Farrell spoke stating that there have been many evenings when other staff has been chewed out. He apologized if he misappropriated his anger.

Councilor Young stated that Councilor Farrell's anger was misappropriated he was in the minority.

Councilor Berube said that Mr. Potvin's comments were right on, there was no accountability in the finance office when she came here and now there is. He hates to see her go and he is very sorry about how she was treated at the last meeting.

Councilor Gerry spoke to that she has quickly available information to back her comments up. She stated that she finds Ms Roy very professional she gets her information through the City Manager.

## **VI. Unfinished Business - none**

## **VII. New Business**

**firm Chief Crowell's appointment of Mark A. Lemos, Justin H. Richardson and Andrew J. Shute as constables with firearm for the Auburn Police Department.**

Councilor Farrell, seconded by Councilor Hayes, moved to confirm Chief Crowell's appointment of Mark A. Lemos, Justin H. Richardson and Andrew J. Shute as constables with firearm for the Auburn Police Department.

Vote: 6 Yea's – 0 Nay's Motion carried 6-0.

**Public hearing on a new Liquor License application by Apple New England LLC, d/b/a Applebee's Neighborhood Grill & Bar (new owner).**

Mayor Gleason opened the public hearing asking for any comments. Mayor Gleason asked for any other comments, hearing none declared the hearing closed.

08152011-03 Motion to approve the new Liquor License application by Apple New England LLC, d/b/a Applebee's Neighborhood Grill & Bar (new owner).

Councilor Farrell, seconded by Councilor Berube, moved to approve the new Liquor License application by Apple New England LLC, d/b/a Applebee's Neighborhood Grill & Bar (new owner); provided they are in compliance with all State, Federal and Local laws, rules and regulations, pending staff review and approval.

Vote: 6 Yea's – 0 Nay's Motion carried 6-0.

**esolve adopting a Citizen Initiated Zoning Map Amendment to the City Of Auburn Zoning Map at 314 Center Street including Parcel ID# 271-021 from Urban Residential to General Business pursuant to Chapter 60, Division 2 of the Ordinances of the City of Auburn. (Second and Final Reading)**

Councilor Hayes, seconded by Councilor Herrick, moved resolve #08-08152011-04 314 Center Street Citizen Zoning Map Amendment, Parcel ID #271-021. Be It Resolved by the Auburn City Council that City Of Auburn Zoning Map in the area of 314 Center Street including Parcel ID# 271-021 be amended from Urban Residential to General Business.

Public Input:

Tizz Crowley University Street stated her concerns about the zoning change taking place prior to the Planning Board minutes being available (see written statement).

John Spruill 10 Aaron Drive stated that it's important that we look at the residential areas carefully prior to rezoning.

Vote: 6 Yea's – 0 Nay's Motion carried 6-0.

**Public hearing on a Citizen Initiated Zoning Map proposal to amend the City of Auburn Zoning Map in the area of Center, West Dartmouth, Blackmer and Alpha**

**Streets including Parcel ID# 281-001, 271-045, 271-049 and 271-047 from Urban Residential to General Business.**

Mayor Gleason opened the public hearing asking for any comments. City

Planner Cousens offer to give any back ground.

John Spruill 10 Aaron Drive resident explained that to rezone this area really disturbs the residential area.

Tim Dotts University Street resident stated that the city was presented with a petition signed by almost 200 people who want the Council to slow down on this process and not go to the 10' buffer but the 25' buffer.

Councilor Hayes asked City Planner Cousens to answer what additional protection 25' VS 10' would give the residents.

Councilor Gerry explained that these signatures come from the neighborhoods.

Peter Whitmore spoke about 11 Alpha and 392 Center Street properties that he and his wife own. He spoke about the setback of 10' being consistent with the rest of the setbacks in the city. He asked that the Council stay with the 10' setback limit.

Jim McPhee Auburn resident, former planning director and former member of the Planning Board commented on the setback comments made by Mr. Whitmore. He explained the building location is not barring on the setback distance, buildings must be 25' from the roadway.

Kathy Serpico 4 University Street said that she purchased her home knowing Center Street is commercial. She thinks the property owners could give the 25' buffer to the neighbors, as the right thing to do.

Mike Gotto one of the owners of the property at 400 Center Street stated that the he thinks we accomplish the same thing with the 10' setback.

City Planner Eric Cousens answered questions about setback for buildings and parking lots. He explained that the setback is always based off the property line. There will still be 25' setback for buildings and 10' for parking lots from the property line.

Fern Masse 25 Blackmer Street stated that he understands the Planning Board is appointed by the Council, but his concern is that the board said they wanted to protect the neighborhood with a good buffer along Alpha, Blackmer and West Dartmouth Street. He said they felt comfortable with the 25' buffer, they asked it be kept at the 25'. He asked the Council to make a good decision and help the neighborhood out.

Joe Gray Sopers Mill Road asked that we are not making another none conforming lot.

City Planner Cousens explained that some of the lots in the zoning area are none conforming, some will remain none conforming, but they would still be usable.

Tizz Crowley University Street read a stated regarding the process being flawed and information has been lacking (see statement attached to official minutes). She asked the Council to balance the needs of the neighborhood by supporting the 25' boarder. She asked if the rezoned buffer allow access from Alpha Street on Mr. Whitmore's property.

City Planner Cousens stated it would not.

Mr. Crowley asked if the properties are redeveloped separately would it allow access from Alpha Street with or without a variance.

Mr. Cousens said that if they are developed in pairs or a group there is no way to justify access from Alpha Street. If developed separately they might be able to show a hardship to allow access through the residential strip.

Mayor Gleason asked for any other comments, hearing none declared the hearing closed.

**esolve adopting a Citizen Initiated Zoning Map amendment the City of Auburn Zoning Map in the area of Center, West Dartmouth, Blackmer and Alpha Streets including Parcel ID# 281-001, 271-045, 271-049 and 271-047 from Urban Residential to General Business. (Second and Final Reading)**

Councilor Berube, seconded by Councilor Farrell, moved resolve #10-08152011-06 Resolve adopting the Center, West Dartmouth, Blackmer and Alpha Street Citizen Initiated Zoning Map Amendment for Parcel ID# 271-045, 271-049 and 271-047. Be It Resolved by the Auburn City Council that City Of Auburn Zoning Map in the area of Center, West Dartmouth, Blackmer and Alpha Streets including Parcel ID# 271-045, 271-049 and 271-047 from Urban Residential to General Business, excepting a strip of land that is 10' wide and parallel to Alpha, Blackmer and University Streets along the lot lines of Parcel ID#s 271-045, 271-049 and 271-047.

Councilor Gerry, Councilor Hayes, moved to amend the buffer back to 25' boundary in consideration of the Planning Board recommendation.

Councilor Hayes questioned the Clerk on the need to bring this change back for another public hearing and reading.

Clerk explained that this set back was not referenced in the hearing ad and both setbacks have been discussed through this process. In her opinion this subject would not require re- advertisement.

Councilor Hayes questioned Mr. Whitmore about how the 25' setback would affect his property.

Mr. Whitmore responded to proposed change to the buffer and what he losses with the change in buffers.

City Planner Cousens explained that he felt it was a good compromise with the 10' setback. He doesn't think it affects it either way because of the building and parking setback. He doesn't think it limits the development.

Councilor Farrell explained why he supports a 10' setback.

Councilor Gerry stated that these petitioners are home owners and the whole neighborhood. It will accomplish something for the home owners to help maintain their quality of life.

Councilor Berube and Councilor Farrell moved the question.

Vote on amendment: 2 Yea's – Councilor Gerry and Hayes – 3 Nay's- Councilor Farrell, Young and Berube – 1 Abstained – Councilor Herrick Motion failed 2-3-1.

Vote on main motion: 4 Yea's – Councilors Farrell, Hayes, Young and Berube – 2 Nay's – Councilors Gerry and Herrick. Motion carried 4-2.

**resolve to amend the City Of Auburn Zoning Ordinance, Chapter 60, Section 60-578.b(7) to modify the use group Motels to read Motels and Hotels pursuant to Article XVII, Division 2 of the Ordinances of the City of Auburn. (First Reading)**

Councilor Berube, seconded by Councilor Farrell, moved to amend the City of Auburn Zoning Ordinance, Chapter 60, Section 60-578.b(7) to modify the use group Motels to read Motels and Hotels pursuant to Article XVII, Division 2 of the Ordinances of the City of Auburn, this is the First Reading.

Vote: 6 Yea's – 0 Nay's Motion carried 6-0.

#### **Public hearing on the FY2012 Capital Improvement Program Bonding.**

Mayor Gleason opened the public hearing asking for any comments.

Joe Gray Sopers Mill Road asked if the \$225,000 was enough to purchase a new fire truck. City

Manager Aho explained that we would be using money that was bonded for paving last year.

Mr. Gray asked why we are using our credit card for small amounts like server replacement. He asked why the only thing cut was infrastructure.

City Manager Aho explained how the City bonds and why we bond certain things. Explaining the why projects were selected for bonding.

Mr. Gray asked a variety of questions about bonding.

Larry Morrisette asked what the capital improvements mean. He stated we spent a lot of money on parks and parking garages. He thinks we need to evaluate where this money is going.

Tizz Crowley University Street commended Councilor Berube for his suggestion to cut the school capital budget. She said that she tried to get information from the school department to find out what their one million dollar line item includes.

Mayor Gleason asked for any other comments, hearing none declared the hearing closed.

**esolve adopting the FY2012 Capital Improvement Program Bonding. (Second and Final Reading)**

Councilor Berube, seconded by Councilor Hayes, moved resolve #05-08152011-09 ORDER - AUTHORIZING THE ISSUANCE AND SALE OF CAPITAL IMPROVEMENT BONDS IN THE AMOUNT OF \$4,850,000 \$4,500,000 (Annual Capital Improvement Program) (Second and Final Reading)

Vote: 4 Yea's – 2 Nay's – Councilors Gerry and Herrick. Motion

failed 4-2, did not achieve super majority.

Councilor Gerry, Councilor Young, moved to reconsider the question. Vote 5

Yea's – 1 Nay - Councilor Herrick. Motion carried 5-1.

Councilor Farrell, seconded by Councilor Berube, moved resolve #05-08152011-09 Vote: 5

Yea's -1 Nay - Councilor Herrick. Motion carried 5-1, super majority.

**VIII. Open Session**

Larry Morrisette PO Box 3036 explained that people who are working in the medical field should receive higher pay. Consider everyone and not just your selves.

Tizz Crowley University Street spoke about the value of Auburns participation in the LA Growth Council. She spoke about the risk and exposure with the continued loss of high level staff. She asked if there is an emergency plan. She thanked Ms. Roy for her help.

Councilor Young left the meeting at 10:10pm

City Manager Aho stated that he would recommend Chief Crowell be appointed as City Manager. The Police Department has a very good succession plan.

**IX. Future Agenda/Workshop Items**

Councilor Herrick asked for a presentation from Renee Lachapelle, City Assessor on where she found the extra value.

City Manager Aho said he would reach out the Recycling Committee.

Councilor Farrell asked for an analysis of lawsuits and how many involve council intervention. He asked how much the investigation cost and the legal fees. He asked for an HR analysis.

Councilor Hayes asked for an update on Park Ave., Mount Auburn Ave. and Summer Street issue.

City Manager Aho said Summer Street extension would be paved by the state. Councilor

Gerry asked if the assessor could address Mr. Doughty's concerns. City Manager Aho said that he would write Mr. Doughty a letter regarding

Councilor Gerry asked for a written report on legal fees, what they were and costs. She asked for a copy of the discharge of the Fire Department freedom of information lawsuit.

## **X. ADJOURNMENT**

Councilor Herrick, seconded by Councilor Hayes, moved to adjourn the meeting at 10:19 pm. Vote: 6

Yea's – 0 Nay's. Motion carried 6-0.

A true record Attested: Roberta L. Fogg, City Clerk

### **City Council Meeting and Workshop September 6, 2011**

#### Minutes

Present: Mayor Richard Gleason, Councilor's Belinda Gerry, Michael Farrell, Robert Hayes, Daniel Herrick, David Young and Raymond Berube, City Manager Glenn Aho, and City Clerk Roberta Fogg.

Absent Councilor Daniel Herrick and Councilor Samson. Councilor

Herrick arrived at 5:53pm.

The Council conducted a workshop beginning at 5:30pm on the following items: Adoption of National Electrical Code NFPR 70-2011, latest edition; Municipal Valuation Report; Ingersoll Arena Renovation; Neighborhood Stabilization Program Grant Acceptance and Development Agreement;

The following workshop items were continued in open session: Fire Department Efficiency Audit and Discussion of councilor request for leave of absence

Break at 6:53 pm Back

at 7:08 pm

7:00 p.m. City Council Meeting

Mayor Gleason called the meeting to order at 7:08 p.m. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag.

### **I. Consent Items**

Councilor Farrell, seconded by Councilor Hayes, moved to approve the consent items: Minutes of August 15, 2011.

Vote: 6 Yea's – 0 Nay's Motion carried 6-0.

### **II. Minutes – \* August 15, 2011 - approved**

### **III. Reports**

Mayor read his report (see attached to official minutes) He then read a letter regarding the new location of the law enforcement memorial, which was moved to the intersection of Turner Street and Court Street. He thanked K&K and all donors who contribute materials and labor to this project.

City Councilors

Michael Farrell: Rec. Adv Bd, Audit, Lake Aub. Watershed Protection Comm. - none Robert

Hayes: Planning Bd, Water, Library, and Railroad - none

Daniel Herrick: MMWAC - none

David Young: School Committee, Cable TV Adv Board – School Committee meeting discussion on where the money from the iPad's came from, being part of the Federal Stimulus money.

Raymond Berube: Sewer, Audit, Airport – no reports, but read a letter from Tracy Roy, former Finance Director. He stated that we need to hire a full time finance director.

Belinda Gerry: LA Transit, Neighborhood Stabilization Program, Auburn Housing – LA Transit Authority fluctuates in ridership; Housing Authority waiting list of 138 for one bedroom, 141 for two bedroom, 50 on three bedroom and 14 on the four bedroom lists or a total of 631 families in or around Auburn looking for housing.

City Manager Aho – stated his shock at the letter Councilor Berube read. He stated that he has been meeting with non-union employees the last few weeks. He explained some of the concerns;

two types of employees, at-will and just cause employees; and that the any claims or information given to the city are reviewed by the City Solicitor.

Councilor Herrick said that he would like a copy of the investigative report and he wants a copy of the City Manager's file.

City Manager Aho explained that personnel records are confidential, but that he is more than willing to talk to Councilor Herrick. He then reviewed the financial report for July 2011. He stated that the audit is underway and we should have a completed audit in a few months. He reviewed TIF's and explained there are nine TIF's and we are currently working on four. He submitted a memo to the Council regarding delinquent payments by the School Department for workers compensation and building lease expenses. He asked the Council what they want to do, there is a clause in the lease where two Councilors and two School Committee Member to negotiate with a mediator.

Councilor Farrell volunteered.

Councilor Gerry asked about statements that were made during the budget process. July 2011

Financials

Councilor Young, seconded by Councilor Farrell, moved to accept the July 2011 Financials. Vote: 6

Yea's – 0 Nay's Motion carried 6-0.

#### **IV. Communications, Presentations and Recognitions - none**

#### **V. Open Session**

Larry Morrisette, Po Box 3036 spoke said that he is also running for mayor, but didn't quite make it, but he thanked everyone who voted for him. He asked for a job description for the mayor's position, but was never provided with the material he requested. He said that he was asked by the Boy Scouts who sent him a letter asking for help with a ball field. He asked that the city evaluate the parks, who owns them and who is maintaining them.

Larry Pelletier 129 Second Street asked the City Manager about the Park Avenue trail and where it would be.

City Manager Aho said that the land acquisitions would not be complete until the 20th. Mr.

Pelletier asked if the whole trail would be visible from the road.

City Manager Aho said yes it would be.

Andy Titus 17 Lamplighter Circle said that he was pleased that his valuation went up. He spoke about TIF Districts and his concerns about property tax system being unfair. He suggested a

committee or group of people to work to see how the tax system works and the TIF system works. He is concerned that there is an automatic system that is not working.

Councilor Farrell explained that he believes that the current Governor and Administration are willing to help us and work with us. He said that he is going to ask Lois Snow-Mello to submit a bill to include foreclosures and short sales in the valuation equation.

City Manager Aho explained the growth penalty and how TIF's shelter tax dollars and how the TIF's are negotiated.

Tim Doughty 75 Cherryvale Circle stated that he received a letter of clarification regarding a statement of 20% abatement on land granted to Robert Mennealy, he stated that information was give to him from Mr. Mennealy. He stated that he would be applying for property tax abatement this year.

City Manager Aho stated that regardless of what Mr. Mennealy calls it, it was not abatement, it was an adjustment.

Mr. Doughty said that when it comes to the wastewater ordinance, he created it and volunteered to be on City Manager's research committee.

Tizz Crowley University Street resident read a statement regarding the weekly reviews. She asked Councilor Farrell and Mayor Gleason's concerns about her remarks. She stated that all Planning Board minutes are now available on the city web site and she thanked the City Manager. (See written statement attached to the official minutes)

Joe Gray Sopers Mill Road said that this Friday night is Cruise Night at Rollie's Diner and is Kid's night with a petting zoo, hot wheels, fire truck, public works vehicle sponsored by the United New Auburn Social Club from 5:30pm to 8pm and invited everyone to come on out.

Workshop Items continued in open session: Fire

Department Efficiency Audit:

Deputy Chief Low stated that this Sunday morning will be an event to commemorating the tenth anniversary the 9-11 attacks beginning at Central Station at 8:45am. He then reviewed the company selected; Matrix Consulting Group from Palo Alto, California with a head quarters in Mass has been selected to conduct the efficiency audit, initial recommendation in about 60 days with a complete report in six months.

Discussion of Councilor Request for leave of absence:

Councilor Berube stated that the Mayor and City Council are governed by the City Charter. He stated that a Councilor will lose their position if they do not attend their committee meetings.

This Councilor has only attended 10 to 15% of his committee meetings. He then stated that City Manager is required to hire an Assistant City Manager as specified by the charter.

Councilor Farrell moved to suspend the rules and appropriate \$60,000.00 for the hiring an Assistant City Manager.

City Manager stated that with benefits it would need to be \$90,000.00.

Councilor Berube, seconded by Councilor Farrell, moved to suspend the rules in order to take \$60,000.00 from the general fund to hire an Assistant City Manager. Vote: 4

Yea's – 2 Nay's Motion carried 4-2.

Councilor Berube, seconded by Councilor Herrick, moved to amend motion to change dollar amount from \$60,000 to \$100,000 for hiring an Assistant City Manager.

Councilor Herrick stated that he believes there should be an Assistant City Manager as required by the charter.

Councilor Gerry asked if we could delay hiring other positions until after hiring an assistant city manager.

City Manager Aho explained that he thinks delaying the hiring of other positions would be detrimental to the city.

Public input:

Tizz Crowley stated that she agrees with the assistant city manager position. She said we might get through the remainder of this fiscal year by with the \$60,000 amount. She asked the Council would spend the next three months focusing on projects and work together. You need to be more respectful to each other and the process.

Leroy Walker New Auburn resident said that he thinks to start \$60,000 should take care of us for six months. He then thinks we need to go back to the budget process. He asked when we would hire the people missing from the fire department.

Councilor Hayes thinks it is wrong to suspend the rules and take a hasty vote.

Councilor Farrell explained that the Assistant City Manager position was cut by the Council not the City Manager. He discussed problems with discussing personnel issues in public meetings. He asked to cap the Assistant City Manager position at \$75,000.00.

Councilor Gerry stated that she wanted an Assistant City Manager in the budget. She stated that she wants the Council to work together.

Councilor Hayes thinks we have spent too much time on this subject. He thinks this should come back as a workshop item.

Councilor Berube stated that this is not a workshop item, this is in the agenda. Councilor Hayes, seconded by Councilor Young moved to table.

Vote to table: 2 Yea's – Councilors Hayes and Young – 4 Nay's - Councilor Gerry, Farrell, Herrick and Berube. Motion failed 2-4.

Vote on amendment to change the dollar amount from \$60,000 to \$100,000 for an Assistant City Manager:

3 Yea's – Councilors Gerry, Berube and Young – 3 Nay's - Councilors Farrell, Herrick and Hayes – Mayor voted Nay to break a tie. Motion failed 3-4.

Councilor Farrell, seconded by Councilor Herrick, moved to amend the motion to not exceed \$75,000.00 including payroll expenses and benefits.

Amendment Vote: 4 Yea's – Councilors Gerry, Farrell, Herrick and Berube – 2 Nay's – Councilors Hayes and Young. Motion carried 4-2.

Main Motion Vote: 4 Yea's - Councilors Gerry, Farrell, Herrick and Berube -2 Nay's -Councilor Hayes and Young. Motion carried 4-2.

Councilor Herrick asked about Councilor Samson situation.

Mayor Gleason stated that he will check all Councilors attendance at committee meetings. Councilors discussed the situation with Councilor Samson's leave of absence request.

## **VI. Unfinished Business – none**

## **VII. New Business**

### **09062011-01 Public hearing on an amendment to the City of Auburn Zoning Ordinance, Chapter 60, Section 60-578.b(7) to modify the use group Motels to read Motels and Hotels pursuant to Article XVII, Division 2 of the Ordinances of the City of Auburn.**

Mayor Gleason asked for any comments and invited City Planner Cousens to present the proposed amendment.

City Planner Eric Cousens explained the request to amend this use group. Motels were originally excluded because of the concerns with flight paths at the Airport. He explained that height of the building would be looked at for each individual proposal.

Mayor Gleason asked for any comments, hearing none the he closed the hearing.

09062011-02 Resolve amending the City of Auburn Zoning Ordinance, Chapter 60, Section 60-578.b(7) to modify the use group Motels to read Motels and Hotels pursuant to Article XVII, Division 2 of the Ordinances of the City of Auburn. (Second and Final Reading)

Councilor Farrell, seconded by Councilor Hayes, moved resolve # 11-09062011-02 amending the City of Auburn Zoning Ordinance, Chapter 60, Section 60-578.b(7) to modify the use group Motels to read Motels and Hotels pursuant to Article XVII, Division 2 of the Ordinances of the City of Auburn. (Second and Final Reading)

Roll call vote: 6 Yea's – Councilors Farrell, Hayes, Herrick, Young, Berube and Gerry – 0 Nay's.

Motion carried 6-0.

**Public hearing on an amendment to the City of Auburn Code of Ordinances, Chapter 8 Animals, add section 8-300 Keeping of poultry for personal use and Zoning Text amendment to allow the keeping of chickens in residential zoning districts by amending Chapter 60, Section 60-2 Definitions: Household Pet and Chapter 8- Animals, Article VII- Nondomestic Animals, Division 4- Other Animals, Sec, 8-300 – Keeping of Poultry for Personal Use, to allow for the keeping of chickens in all residential zoning districts.**

Mayor Gleason opened public hearing and invited City Planner Cousens the opportunity to explain the amendment.

City Planner Cousens explained that the Council has discussed chapter 8 animal section, he mentioned the differences. Planning Board recommendation to prohibit poultry on lots less than ½ acre. The proposal be open to laying hens' not generally to poultry which.

Pauline Bernier 180 Mill Street is opposed to poultry in the city. She explained her concerns about rodents.

Joe Gray Sopers Mill Road said that he has 400 chickens and has no rodents that he can find. He addressed some of Mrs. Bernier's concerns. He stated that he agrees with the change in the language to restrict to chickens and not poultry.

Mayor Gleason asked for any comments, hearing none the he closed the hearing.

**esolve adopting an amendment to the animal ordinance to allow poultry. (Second and Final Reading)**

Councilor Herrick, seconded by Councilor Farrell, moved to accept resolve # 12-09062011-04 to adopt an amendment to the animal ordinance to allow poultry. (Second and Final Reading)

Councilor Gerry asked how residents would complain if there were problems, would it be with the Code Enforcement or Animal Control.

City Planner Cousens explained it might be a combination of both.

Councilor Farrell asked for a cap on the penalty of \$100.00 with no fine for a third offense, but where an owner would lose their right to keep poultry after the fourth offense.

City Planner Cousens explained option A and option B. Planning Board recommendations was to eliminate the ½ acre allowance and a registration process for ½ acre lots and larger and a proration of the number of birds allowed. He asked the council to let him know what changes the Council would like to make.

Councilor Herrick thinks 6 birds per residence is plenty.

Councilor Hayes, seconded by Councilor Herrick, moved to changing the wording of poultry to laying hen.

Amendment vote: 6 Yea's – 0 Nay's Motion carried 6-0.

Councilor Hayes, seconded by Councilor Young, moved to amend to allow laying hens on ½ to 1 acre lots with simple registration.

Councilor Hayes and Councilor Young withdrew motion

Councilor Hayes, seconded by Councilor Young, moved to amend first reading to the Planning Board recommended ordinance with the change of the definition of poultry to laying hen.

Councilor Herrick is opposed to the registration process and would like to allow 6 laying hens per residence.

Councilor Hayes explained the concerns addressed in the recommended amendments from the Planning Board.

Councilor Farrell asked who would the public call with complaints, the Code Officer or Animal Control.

Amendment vote: 2 Yea's - Councilor Hayes and Young - 4 Nay's – Councilors Farrell, Herrick, Berube and Gerry. Motion failed 2-4.

Main Motion Roll Call Vote: 5 Yea's – Councilors Farrell, Herrick, Young, Berube and Gerry – 1 Nay – Councilor Hayes. Motion carried 5-1.

**esolve adopting an amendment to the zoning text to allow the keeping of chickens in residential zoning districts by amending Chapter 60, Section 60-2 Definitions: Household Pet and Chapter 8- Animals, Article VII-Nondomestic Animals, Division 4- Other Animals, Sec, 8-300 – Keeping of Poultry for Personal Use, to allow for the keeping of chickens in all residential zoning districts. (First Reading)**

Councilor Farrell, seconded by Councilor Herrick, moved to accept resolve #13-09062011-05 adopting an amendment to the zoning text to allow the keeping of chickens in residential zoning districts by amending Chapter 60, Section 60-2 Definitions: Household Pet and Chapter 8- Animals, Article VII- Nondomestic Animals, Division 4- Other Animals, Sec, 8-300 – Keeping of Poultry for Personal Use, to allow for the keeping of chickens in all residential zoning districts.

City Planner Cousens asked the language for poultry be amended from Poultry to laying hens. Councilor Farrell, seconded by Councilor Gerry, moved to amend the definition of poultry to be that of laying hens.

Amendment vote: 6 Yea's – 0 Nay's. Motion carried 6-0.

Roll call vote on main motion: 6 Yea's – Councilors Farrell, Hayes, Herrick, Young, Berube and Gerry -0 Nay's. Motion carried 6-0.

### **VIII. Open Session**

Larry Morrisette, PO Box 3036 stated that the government of today did not write the continental constitution, but they need to defend it. Everyone from the Auburn and Lewiston Mayor to the President are public enemy number one. He wants things changed back to what is good and right for the future generations.

Mayor Gleason read a letter commending the police department.

Councilor Herrick asked about the take a number system that was put into the tax department. He asked if we were going to advertise for a finance director.

City Manager Aho explained that we have an elderly population and this way they can take a number and have a seat to wait for their turn. He then answered questions about the interim Finance Director.

Councilor Herrick asked why we did not received the information from MMA about lawsuits. City Manager Aho said that when he receives them the Council will receive them.

Councilor Farrell asked about the MMA information if it is dealing with pending suits, how can it be released to the Council.

City Manager Aho explained that it could not be released and MMA will not release that information. Councilor Farrell said that he does not want to let the school budget issue and asked the Council to act on this.

Mayor Gleason said that the Mayor and available councilors should meet with the head of the school committee and superintendent meet.

Councilor Young said that he just learned about this today at 3pm.

City Manager Aho said that he thinks the School Committee will be discussing this tomorrow night.

Councilor Farrell, Councilor Young and Mayor Gleason would be on the committee to negotiate with the School Department.

Joe Gray Sopers Mill Road spoke about suspending the rules is part of Robert's Rules, it okay to use it once in a while. The Planning Board should either be revamped or gotten rid of because of this type of issue that we have spent months talking about this subject. The Planning Board comments are not based in logic. If the Planning Board can't do their research get rid of them.

Councilor Hayes explained that he is the Mayor's representative to the Planning Board and he has a responsibility to bring those recommendations back to the Council.

Councilor Gerry stated that she doesn't mean any disrespect to CEI when she stated that she stated her support for one plan and not the other. She stated that Auburn hasn't done a comprehensive study of housing inventory and available housing stock.

#### **IX. Future Agenda/Workshop Items**

Councilor Farrell asked to discuss term limits for committees and volunteers to 5 years of consecutive service.

Councilor Berube asked to look into how Lewiston is using of the rain tax money to purchase a vacuum cleaner to clean streets, and the spraying along the streets to control the grass.

Councilor Gerry suggested a term limits and a waiting period for reapplying for committees Councilor Farrell water district committee members with expired terms?

#### **X. ADJOURNMENT**

Councilor Farrell, seconded by Councilor Young, moved to adjourn the meeting at 9:35pm. Vote: 6

Yea's – 0 Nay's. Motion carried 6-0.

A true record Attested: Roberta L. Fogg, City Clerk

### **City Council Meeting and Workshop September 19, 2011**

#### **Minutes**

Present: Mayor Richard Gleason, Councilor's Belinda Gerry, Michael Farrell, Robert Hayes, Daniel Herrick, David Young and Raymond Berube, City Manager Glenn Aho, and City Clerk Roberta Fogg.

Absent Councilor's Michael Farrell, Daniel Herrick and Eric Samson. Councilor

Herrick arrived at 5:43pm

Councilor Farrell arrived at 6:59pm.

The Council conducted a workshop beginning at 5:30pm on the following items: Update on City Recycling Program; Recycling Committee presentation; EMA Interlocal Agreement; Ingersoll Arena funding; Ingersoll Arena funding; Discussion of councilor vacancy and Discussion of committee term limits.

Break at 7:11pm Back

at 7:23pm

7:00 p.m. City Council Meeting

Mayor Gleason called the meeting to order at 7:23 p.m. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag.

### **I. Consent Items –**

Councilor Hayes, seconded by Councilor Farrell, moved to approve the consent items: Minutes of September 6, 2011.

Vote: 6 Yea's – 0 Nay's Motion carried 6-0.

### **II. Minutes – \* September 6, 2011 - approved**

### **III. Reports**

Mayor, read his report (see report attached to official minutes) City

Councilors

Michael Farrell: Rec. Adv Bd, Audit, Lake Aub. Watershed Protection Comm. - None Robert

Hayes: Planning Bd, Water, Library, and Railroad - None

Daniel Herrick: MMWAC - None

David Young: School Committee, Cable TV Adv Board – Attended the Great Falls TV banquet and they asked if the Council will commit to Monday and Wednesday for meetings. He then reviewed a presentation given to the school committee and a difference about school rental space.

Raymond Berube: Sewer, Audit, Airport - reported on the Airport and stated that he has a sewerage meeting next week.

Belinda Gerry: LA Transit, Neighborhood Stabilization Program, Auburn Housing – reported on ridership and fuel costs for the buses.

Eric Samson: 9-1-1, Auburn Business Development Corp, Andros Valley Council of Gov – absentee.

Mayor Gleason stated that the council needs to resolve how to replace Councilor Samson.

City Manager – reviewed the information on how square footage was obtained for the school rental agreement. He then reviewed the audit and financial report. He explained that there is an increase in tax revenue compared to last year.

August 2011 Financials

Councilor Farrell, seconded by Councilor Young, moved to accept the August 2011 Financials. Vote: 5

Yea's – 0 Nay's – 1 Abstained – Councilor Berube Motion carried 5-0 -1.

#### **IV. Communications, Presentations and Recognitions**

Mayor Gleason read a statement in support of Save Voices, October's Domestic Violence awareness month.

#### **V. Open Session –**

Larry Pelletier 129 Second Street, spoke about the Knight House on River Walk having a new roof, but needs new siding. He spoke about the Dr. Loud monument is not being maintained. He then addressed Councilor Farrell's comments about school fundraisers.

Councilor Berube responded to the comments about the Knight House.

City Manager Aho explained that the Parks and Recreation Crew have 6 people and half are on leave, so we are at 50% staffing. He said that he would bring that memorial to the Public Works crew attention.

Larry Morrisette Po Box 3036 spoke about said that he was going to run for Mayor, but we have a non-functioning government. He then spoke about the UN request for funding and that we need to focus on us and helping our people.

Tim Doughty 75 Cherryvale Circle asked to put the assessing department on the agenda to discuss value. He asked for the Assessor to be present to answer questions. He stated that City Tax Collector Betty Griebel stated that she did not have to accept any legal tender under \$1.00.

He then called on citizens to pay their tax bills in \$1.00. He stated that the mill rate went up and homestead went down, which is a double tax rate.

Leroy Walker 41 Broad Street spoke on behalf of the New Auburn Association and thanked the neighborhood and businesses that helped them out with the Kids Night.

Steven Martelli 371 Main Street thanked the various participants with the Cruise In and Kids Night.

Tizz Crowley 35 University Street spoke about the Council behavior at the last meeting and asked that people improve communication. She spoke about the changes to the Clerk's and Tax lobby being positive changes. She asked the Council to focus on unfinished city business. She asked that an annual review and evaluation of the 5P program, and action on the 36" Watershed Ordinance. She asked for analysis of lawsuits, a presentation to the public by Renee Lachapelle, Tracy Roy's fund balance analysis, sidewalk policy where CMP is putting their poles, email policy, web site upgrade. She asked that the monthly financial reports to the web site, separately from the council packets.

City Manager Aho said that assessing is a contentious topic; he suggested that the council invite the state legislatures to discuss possible changes to the assessing system.

Councilor Gerry read a letter from Betty Kimball (see attached to the official minutes). Councilor Farrell stated that this is not appropriate.

Mayor Gleason quoted Title 30-A as a personnel matter.

Councilor Herrick stated that he has if they get permission from the employee they can read the letter. He stated that there is more and more people coming forward and this isn't stopping until they review this. He asked for legal counsel for the Council.

Councilor Gerry thinks it is discriminatory to stop her from reading this letter.

Mayor Gleason stated that the City Manager is due the dignity and respect and unless there are five councilors who want to vote to get rid of the Manager.

Councilor Young asked about a letter from James and Mary Lawler regarding problems they are having with their sewer.

City Planner Cousens explained that the Sewer District is a separate entity and he would follow up.

Councilor Gerry asked for an executive session at the next meeting to discuss the final evaluation summary and time to hash out a final resolution.

Councilor Farrell objects and stated that they had a legal counsel and did not want to go into executive session. He said that the Council needs to follow the appropriate course of action and include HR.

Mayor and Councilor's discussed going into executive session to discuss the manager's evaluation.

## **VI. Unfinished Business - none**

## **VII. New Business**

### **November 8, 2011 Municipal Election Warrants.**

Councilor Gerry, seconded by Councilor Hayes, moved to sign the November 8, 2011 Municipal Election Warrants.

Vote: 6 Yea's – 0 Nay's Motion carried 6-0.

### **Public hearing on a new Liquor License and Special Amusement Permit application for Fire House Grille LLC d/b/a Fire House Grille, 47 Broad Street.**

Mayor Gleason opened public hearing and invited any comments; hearing none the he closed the hearing.

### **Motion to approve a new Liquor License and Special Amusement Permit for Fire House Grille LLC d/b/a Fire House Grille, 47 Broad Street.**

Councilor Young, seconded by Councilor Hayes, moved to approve a new Liquor License and Special Amusement Permit for Fire House Grille, LLC d/b/a Fire House Grille, 47 Broad Street; pending staff approval and provided they are in compliance with all State, Federal and Local laws, rules and regulations.

Leroy Walker 41 Broad Street said that it is pretty much the same business, but they have renovated the building and updated things.

Vote: 5 Yea's – Councilors Gerry, Hayes, Herrick, Young and Berube - 0 Nay's – 1 Abstained – Councilor Farrell Motion carried 5-0-1.

### **Motion to adopt the most current edition of the National Electrical Code NFPA 70-2011. (First Reading)**

Councilor Farrell, seconded by Councilor Young, moved to adopt the most current edition of the National Electrical Code NFPA 70-2011. (First Reading)

Roll call vote: 6 Yea's – Councilors Gerry, Farrell, Hayes, Herrick, Young and Berube - 0 Nay's Motion carried 6-0

**esolve adopting the Neighborhood Stabilization Program Grant Acceptance and Development Agreement.**

Councilor Farrell seconded by Councilor Hayes, moved Resolve #14-09192011-05 Acceptance of Neighborhood Stabilization Grant and Execute Development Agreement with Coastal Enterprises Inc.

Reine Mynahan, Community Development Director explained that this is the former bowling alley building.

Vote: 5 Yea's – Councilors Gerry, Farrell, Hayes, Young and Berube - 1 Nay's – Councilor Herrick  
Motion carried 5-1.

**Public hearing on an amendment to the City of Auburn Code of Ordinances, Chapter 8 Animals, add section 8-300 Keeping of poultry for personal use and Zoning Text amendment to allow the keeping of chickens in residential zoning districts by amending Chapter 60, Section 60-2 Definitions: Household Pet and Chapter 8- Animals, Article VII- Nondomestic Animals, Division 4- Other Animals, Sec, 8-300 – Keeping of Poultry for Personal Use, to allow for the keeping of chickens in all residential zoning districts.**

Mayor Gleason opened public hearing and invited City Planner Cousens the opportunity to explain the amendment.

Joe Gray Sopers Mill Road asked if they council voted to restrict it to 6 laying hens.

City Planner Cousens said that the restriction of 6 laying hens was discussed, but what was voted was to limit it to laying hens.

Joe Gray stated that the library has a book on how to raise backyard chickens.

Tizz Crowley University Street she stated that we have spent more time on laying hens then on hotels. She suggested we keep it simple, 6 laying hens per household in a single family residential home.

Councilor Berube spoke about chickens in his residential neighborhood.

Mayor Gleason asked for any comments, hearing none the he closed the hearing.

**esolve adopting an amendment to the animal ordinance to allow laying hens. (Second and Final Reading)**

Councilor Farrell, seconded by Councilor Herrick, moved Resolve #12-09192011-07 Resolve adopting an amendment to the animal ordinance to allow poultry. (Second and Final Reading)

Roll call vote: 6 Yea's – Councilors Farrell, Hayes, Herrick, Young, Berube and Gerry - 0 Nay's Motion carried 6-0.

**esolve adopting an amendment to the zoning text to allow the keeping of chickens in residential zoning districts by amending Chapter 60, Section 60-2 Definitions: Household Pet and Chapter 8- Animals, Article VII-Nondomestic Animals, Division 4- Other Animals, Sec, 8-300 – Keeping of Laying Hen’s for Personal Use, to allow for the keeping of chickens in all residential zoning districts. (Second and Final Reading)**

Councilor Farrell, seconded by Councilor Herrick, moved Resolve #13-09192011-08 Resolve adopting an amendment to the zoning text to allow the keeping of chickens in residential zoning districts by amending Chapter 60, Section 60-2 Definitions: Household Pet and Chapter 8- Animals, Article VII- Nondomestic Animals, Division 4- Other Animals, Sec, 8-300 – Keeping of Poultry for Personal Use, to allow for the keeping of chickens in all residential zoning districts. (Second and Final Reading)

Roll call vote: 6 Yea’s – Councilors Hayes, Herrick, Young, Berube, Garry and Farrell - 0 Nay’s Motion carried 6-0.

**esolve authorizing the City Manager to sign the EMA Interlocal Agreement.**

Councilor Hayes, seconded by Councilor Farrell, moved Resolve #15-09192011-09 EMA Interlocal Agreement.

Chief Crowell and Joanne Potvin, EMA Director answered questions about the Interlocal Agreement.

Vote: 5 Yea’s – 1 Nay’s – Councilor Farrell Motion carried 5-1.

**Possible executive session in accordance with Title 1, Section 405, Subsection 6C, contact negotiations, regarding 911.**

Councilor Hayes, seconded by Councilor Berube, moved to enter executive session at 8:53PM in accordance with Title 1, Section 405, Subsection 6C, negotiations, regarding 911.

Vote: 6 Yea’s – 0 Nay’s Motion carried 6-0.

Councilor Farrell, seconded by Councilor Berube, moved to leave executive session at 9:11PM. Vote: 6 Yea’s – 0 Nay’s Motion carried 6-0

**ecutive session in accordance with Title 1, Section 405, Subsection 6D, discussion of the Public Works Union contract, possible action.**

Councilor Berube, seconded by Councilor Hayes, moved to enter executive session at 9:11PM in accordance with Title 1, Section 405, Subsection 6D, discussion of the Public Works Union contract.

Vote: 5 Yea’s – 1 Nay’s – Councilor Farrell Motion carried 6-0.

Councilor Farrell, seconded by Councilor Berube, moved to leave executive session at 9:34PM. Vote: 6 Yea's – 0 Nay's Motion carried 6-0.

Councilor Farrell, seconded by Councilor Berube, move to authorize the City manager to ratify the Public Works Union Contract.

Vote: 6 Yea's – 0 Nay's.

### **VIII. Open Session –**

Larry Pelletier 129 Second Street spoke about School employees running for city council. He asked how the Council could do a proper performance evaluation if you do not have access to his personnel file.

Tim Doughty 75 Cherryvale Circle stated that it is not about him being unsatisfied about his value, but to clarify things for the citizens.

Leroy Walker 41 Broad Street says that there are buildings vacant that are not being sold and vacant lots that are not being maintained. He asked the council to put a rule or regulation into effect to force the maintenance of vacant properties.

Councilors Herrick and Berube responded.

City Manager Aho stated that he visited some houses like Mr. Walker has described. He stated they are trying to get the contact information for a vacant building registry to contact the building owners. He said the tools exist for us to look at, but have been put on the back burner.

Councilor Farrell asked Mr. Walker questions about ice arenas and the Ingersoll Arena renovation plans.

Mr. Walker thinks we can start the renovation and addition, but maybe do it in phases. He suggested a 15 year bond.

Joe Gray Sopers Mill Road asked Mike Berube about the arena project and his vision. He suggested the Council listen to the whole vision.

Councilor Farrell, Councilor Hayes, authorize the City Manager to include the funds necessary for the ice arena in the proposed bonding package.

Councilor Farrell suggested the City use the UDF and loan it to the arena and charge them the interest rate they would pay for bonding.

City Manager Aho explained where the unallocated bond money remaining for projects that have been completed.

Vote: 3 Yea's – Councilor Farrell, Young and Berube – 2 Nay's -Councilor Gerry and Herrick – 1 Abstained – Councilor Hayes. Motion carried 3-2-1.

Councilor Farrell, seconded by Councilor Young, moved to have the City Clerk advertise the At- large Council position and take applications until October 27th.

Councilor Hayes asked to leave it vacant until the November 8th election. Councilor

Herrick feels the seat needs to be filled.

City Clerk Fogg asked what format to submit, letter of interest, employment application or committee application.

Councilor Gerry, seconded by Councilor Herrick, moved to amend and stipulate that the applicant cannot be a current candidate for Council.

Public Input:

Tizz Crowley University Street is sad to see that candidates are disqualified.

Vote: 4 Yea's –Councilors Gerry, Hayes, Herrick and Young – 0 Nay's -2 Abstained – Councilor Farrell and Berube. Motion carried 4-0-2.

### **IX. Future Agenda/Workshop Items**

Councilor Herrick stated his concerns about trash. He asked about road maintenance on Butler Hill Road and Small Road.

City Manager Aho explained that the municipality cannot discontinue after October 1st, but he will have Gary Johnson come. We will get the costs for maintaining these roads.

### **X. ADJOURNMENT**

Councilor Herrick, seconded by Councilor Young, moved to adjourn the meeting at 10:08 pm. Vote: 6 Yea's – 0 Nay's. Motion carried 6-0.

A true record Attested: Roberta L. Fogg, City Clerk

## **City Council Meeting and Workshop October 3, 2011**

Minutes

Present: Mayor Richard Gleason, Councilor's Belinda Gerry, Michael Farrell, Robert Hayes, Daniel Herrick, David Young and Raymond Berube, City Manager Glenn Aho, and City Clerk Roberta Fogg.

The Council conducted a workshop beginning at 5:30pm on the following items: Presentation: Team Report; Review of At-Large City Council applications; CMP Pole placement policy; Technical Review Committee and discussion of committee term limits.

Break 6:50pm Back

7:04pm

7:00 p.m. City Council Meeting

Mayor Gleason called the meeting to order at 7:04 p.m. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag.

**I. Consent Items – none**

**II. Minutes – none**

**III. Reports**

Mayor, read his report (see attached to the official minutes) City

Councilors

Michael Farrell: Rec. Adv Bd, Audit, Lake Aub. Watershed Protection Comm, - none Robert

Hayes: Planning Bd, Water, Library, and Railroad, - none

Daniel Herrick: MMWAC, - none

David Young: School Committee, Cable TV Adv Board - none

Raymond Berube: Sewer, Audit, Airport – sewer expansion, art walk project, Roger Perault, Parking Enforcement Officer is retiring.

Belinda Gerry: LA Transit, Neighborhood Stabilization Program, Auburn Housing, - no committee reports, thanked United New Auburn Association for their activities this summer and announced a special event on October 29th with a business Halloween from 1pm to 4pm.

Vacant: 9-1-1, Auburn Business Development Corp, Andros Valley Council of Gov. City

Manager

City Manager Questions and Answer – reviewed meetings with non-union city employees, scoping sessions on projects, software training, access of HR information and resources.

Muskie Institute – he has been invited to give a lecture at the Muskie Institute this fall, November 9th.

City Clerk Fogg announced the award of the 2011 Lorraine M. Fleury award to Mary Lou Magno.

#### **IV. Communications, Presentations and Recognitions**

Mayor Gleason read a notice explaining that October is Domestic Violence Awareness month; public buildings will be lighted by purple lights in recognition.

##### **ecognition of the Auburn Community Concert Band celebrating their 30th Anniversary.**

Mayor Gleason read a letter in recognition of the Auburn Community Concert Band.

##### **ward Presentation to City Councilors from L/A Community Little Theatre.**

Roland Miller, Economic Development Director presented the award received from Community Little Theater.

#### **V. Open Session –**

Larry Morrisette PO BOX 3036 spoke about the protest going on in New York.

Dan Bilodeau 207 North Auburn Road spoke about the Lake Auburn Watershed Association has purchased another parcel, which brings them to 90% of the shore frontage along Lake Auburn, with no public easement. He related a story about access to the lake.

Tizz Crowley 35 University Street read a statement regarding Auburn Art Walk project. (see attached to official minutes) She stated that the City did not follow the ADA requirement for a city event. She then reviewed ADA concerns.

Leroy Walker 41 Broad Street resident stated that the United New Auburn Association will be putting on the Halloween program, because of the support from the local businesses.

#### **VI. Unfinished Business - none**

#### **VII. New Business**

**Motion to appoint Planning Board Members to the Technical Review Committee, as per the 2010 Comprehensive Plan.**

Councilor Farrell, seconded by Councilor Hayes, moved to appoint the Planning Board Members to the Technical Review Committee, as per the 2010 Comprehensive Plan.

Vote: 6 Yea's – 0 Nay's Motion carried 6-0.

**Public hearing on adopting the most current edition of the National Electrical Code NFPA 70-2011. (Second and Final Reading)**

Mayor Gleason opened public hearing and invited any comments; hearing none the he closed the hearing.

**Motion to adopt of the most current edition of the National Electrical Code NFPA 70-2011. (Second and Final Reading)**

Councilor Farrell, seconded by Councilor Young, moved to adopt Resolve #14-10302011-04 to amend Chapter 12 – Buildings and Building Regulations, Article III. – Building & Technical Codes, Division 3. – Electrical Code, Sec. 12-96. – National Electrical Code Adopted. The City hereby adopts a certain electrical code known as the National Electrical Code NFPA 70-2011.

Roll call vote: 6 Yea's – Councilors Gerry, Farrell, Hayes, Herrick, Young and Berube – 0 Nay's.

Motion carried 6-0.

**Public hearing on and addition to the FY2012 Capital Improvement Program Bonding - Ingersoll Ice Arena Renovations.**

Mayor Gleason opened public hearing and invited any comments.

Scott Bussiere 70 Towle Ave spoke in favor of the Ingersoll Ice Arena expansion, explaining that the older people need the warming room, the need for locker rooms; currently don't have the facilities to do a big tournament. He asked the council to vote for this project.

Edward Little Hockey Coach's spoke in favor of the expansion of the ice arena. They stated that they can't hold any tournaments at this facility. Explaining his safety issued with his high school hockey teams use of the current facility. They explained that they have local businesses willing to donate to this expansion.

Larry Morrisette spoke in support of inner city activities.

Dennis Berube 26 Crest Ave spoke in favor of the Ingersoll Ice Arena expansion.

Julie Shaw 222 Lake Street and a hockey mom, her daughter has played since she was three. She spoke about the locker room situation for the women's locker room or lack of a locker room.

Aaron Jeffroy East Ave, Lewiston spoke in support of the expansion.

Leroy Walker 41 Broad Street stated his support for this project and explained that the expansion would help with open skating, handicapped skating programs.

Coach Paul Morin 16 Vickery Road spoke in favor of the expansion and how this program will pay for itself.

Dan Poisson 26 Gosnald Street and member of the Parks and Recreation Board explained that this project will pay of itself and it's a service that will serve our community year round.

Fred Carpentier 134 Cook Street explained that he started on an outside rink and the fun they had with the youth hockey program. He explained the changes from when they left Lewiston to start our own hockey program. He said it only took them ten years to build a strong youth hockey program. He asked if we have a plan for the long term.

Councilor Farrell addressed issued and the proposed plan for Ingersoll Arena expansion. Mayor

Gleason hearing none the he closed the hearing.

**resolve adopting and addition to the FY2012 Capital Improvement Program Bonding - Ingersoll Ice Arena Renovations. (Combined First Reading, Second and Final Reading)**

Councilor Hayes, seconded by Councilor Farrell, moved to dispense with two separate readings. Vote: 3

Yea's – Councilor Farrell, Hayes, Young – 3 Nay's – Councilor Gerry, Herrick, and Berube.

Motion failed per City Charter Section 2.6 C, requiring a unanimous vote.

Councilor Hayes, seconded by Councilor Young, moved to adopt Resolve #15-10032011-06 an ORDER - AUTHORIZING THE ISSUANCE AND SALE OF CAPITAL IMPROVEMENT BONDS IN THE AMOUNT OF \$450,000 (Ingersoll Arena) (First Reading)

Councilor Gerry asked Ravi Sharma, Parks and Recreation Director and Mike Berube, Ice Arena Manager about the cost to break down various parts of the proposed expansion and do part of the project in phases.

Ravi Sharma stated that he could come back with a detailed breakdown.

Council, Director Sharma and City Manager discussed the Ingersoll Ice Arena proposed expansion and revenues.

Councilor Berube asked the City Manager to find out if this issue can be separated from the rest of the bonds and make it for 15 years and not 10 years.

Roll call vote: 4 Yea's – Councilor's Farrell, Hayes, Young and Gerry - 2 Nay's – Councilor Herrick and Berube.

Motion failed, did not achieve 5 affirmative votes as required by charter.

Councilor Farrell, seconded by Councilor Young, moved to suspend the rules and that the city lend the money from the fund balance to the enterprise fund for the Ingersoll Ice Arena.

Vote: 2 Yea's – Councilor's Farrell and Young – 4 Nay's – Councilor's Gerry, Hayes, Herrick, Berube.

Motion failed 2-4.

Councilor Hayes asked that the Ingersoll Ice Arena expansion project funding be the next agenda. Councilor Gerry asked for a breakdown of the project.

Councilor Berube moved to give the Ingersoll Arena another \$200,000 to fund the expansion project.

Mayor Gleason asked for a motion to suspend the rules.

**Executive session in accordance with Title 1, Section 405, subsection 6A, to discuss personnel; City Manager evaluation results review.**

Councilor Herrick, seconded by Councilor Gerry, moved to enter executive session at 9:13 pm, in accordance with Title 1, Section 405, subsection 6A, to discuss a personnel matter, City Manager evaluation results review.

Councilor Farrell disagreed and objected to entering executive session for the manager's evaluation.

Councilor Hayes, seconded by Councilor Young, moved the question. Vote: 5

Yea's -1 Nay - Councilor Farrell. Motion carried 5-1.

Main motion vote: 5 Yea's – 1 Nay's – Councilor Farrell. Motion carried 5-1.

Councilor Farrell, seconded by Councilors Hayes, moved to leave executive session at 9:43 pm. Vote: 5

Yea's – 0 Nay's Motion

**Motion to appoint \_\_\_\_\_ as the At-Large City Councilor filling the vacancy created by At-Large City Councilor Eric Sampson, in accord with City Charter Section 2.3 Vacancies; forfeiture of office; possible executive session in accordance with Title 1, Section 405, subsection 6A personnel matter (Oath of Office and orientation to take place on October 4th, conducted by City Clerk Roberta Fogg)**

Councilor Berube, seconded by Councilor Herrick, moved to appoint Stanwood “Joe” Gray as At-Large City Councilor filling the vacancy created by At-Large City Councilor Eric Sampson, in accord with City Charter Section 2.3 Vacancies; forfeiture of office.

Councilor Farrell, seconded by Councilor Young, motion to move the question.

Vote: 2 Yea’s – Councilors Farrell and Young – 3 Nay’s – Councilors Hayes, Herrick and Berube.

Councilor Hayes, seconded by Councilor Young, moved to enter executive session in accordance with Title 1, Section 405, Subsection 6A personnel matter.

Vote: 3 Yea’s – Councilors Hayes, Young and Gerry -3 – Councilors Farrell, Herrick and Berube – Mayor Gleason voted Nay. Motion failed 3-4.

Main motion vote: 3 Yea’s – Councilors Gerry, Herrick and Berube – 2 Nay’s – Councilor Farrell and Young – 1 Abstained – Councilor Hayes. Motion carried 3-2-1.

City Clerk Fogg administered the oath of office to Stanwood “Joe” Gray. Councilor Gray assumed his council seat.

### **VIII. Open Session –**

Larry Morrisette PO Box 3036 spoke about the candidates who currently employed by the school department.

Tizz Crowley University Street read a statement regarding the art walk project and the process followed. She asked for more public participation in the process and making it fully ADA accessible. (see copy of statement attached to official minutes)

Leroy Walker 41 Broad Street asked Ms. Crowley to finish reading her statement for him. Ms.

Crowley continued reading her statement. She asked several questions.

### **IX. Future Agenda/Workshop Items**

Councilor Farrell asked for a succession plan for the City Manager. He asked Councilor Gray if he had done any work for Councilor Herrick.

Councilor Farrell left at 10:08pm

Councilor Hayes asked for the Ingersoll Arena Expansion funding to be on the agenda.

### **X. ADJOURNMENT**

Councilor Herrick, seconded by Councilor Young, moved to adjourn at 10:09 pm.

Vote: 5 Yea's – 1 Nay's Motion carried 5-1.

A true record Attested: Roberta L. Fogg, City Clerk

### **City Council Meeting and Workshop October 17, 2011**

#### Agenda

Present: Mayor Richard Gleason, Councilor's Belinda Gerry, Michael Farrell, Robert Hayes, David Young, Raymond Berube, Joe Gray, City Manager Glenn Aho, and City Clerk Roberta Fogg.

Absent: Councilor Daniel Herrick

The Council conducted a workshop beginning at 5:30pm on the following items: Discussion of General Assistance maximums for 2011-2012 Appendices A, B & C; Discussion Road Maintenance Expense – Butler Hill and Small Road; Ingersoll Ice Arena Expansion Funding; Discussion of the use of city property and equipment

Break at 6:13 pm Back

at 7:00 pm

7:00 p.m. City Council Meeting

Mayor Gleason called the meeting to order at 7:00 p.m. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag.

#### **I. Consent Items –**

Councilor Farrell seconded by Councilor Berube, moved to approve the consent items: Minutes of September 19, 2011 Communication from AVCOG regarding the placement of civic activity signs for their medicine disposal collection on October 29, 2011 from 10am to 2pm at the Central Fire Station in Auburn.

Vote: 7 Yea's – 0 Nay's Motion carried 7-0.

#### **II. Minutes – September 19, 2011\* - approved**

#### **III. Reports**

Mayor, read his report (see report attached to official minutes) City

Councilors

Michael Farrell: Rec. Adv Bd, Audit, Lake Aub. Watershed Protection Comm. - none

Robert Hayes: Planning Bd, Water, Library, and Railroad, - reported the invitation by the Planning Board to attend a meeting a week from tomorrow to discuss Plan Unit Development consideration;.

Daniel Herrick: MMWAC, - none

David Young: School Committee, Cable TV Adv Board – invitation given to the Council to participate in the master facilities plan for Auburn School Department, next Tuesday and Wednesday.

Raymond Berube: Sewer, Audit, Airport – walls are going up at the new terminal at the airport. Belinda

Gerry: LA Transit, Neighborhood Stabilization Program, Auburn Housing, - attended Mr. Wellhan energy summit this past weekend; she stated that she attended the Auburn Fire Departments open house; she stated that she received an invitation for a candidates night next Monday, October 24t ; Saturday, October 29th Hello-ween event in New Auburn.

Joe Gray: 9-1-1, Auburn Business Development Corp, Andros Valley Council of Gov - none City

Manager Aho congratulated Jill Eastman for returning to the City of Auburn as Finance Director, she would be here full time on November 7th. He spoke about re-designating unallocated bond moneys for other projects. He reviewed the September financials.

September 2011 Financials

Councilor Herrick, seconded by Councilor Hayes, moved to accept the September 2011 Financials.

Vote: 7 Yea's – 0 Nay's Motion carried 7-0

#### **IV. Communications, Presentations and Recognitions**

Mayor Gleason reminded everyone why Auburn Hall is lit in purple lights, to bring awareness to domestic violence. October is Domestic Violence Awareness month. He then read a notice about the upcoming council candidate debate on Monday, October 24th at 6pm and a notice about the September 11th memorial ceremony.

#### **10172011-00\* Communication from AVCOG regarding the placement of civic activity signs for their**

medicine disposal collection on October 29, 2011 from 10am to 2pm at the Central Fire Station in Auburn. – approved

Councilor Farrell, seconded by Councilor Berube, moved to accept communication from AVCOG regarding their medicine disposal collection.

Vote: 7 Yea's – 0 Nay's Motion carried 7-0

## **V. Open Session –**

Charles Arthur Soule 135 Bartlett Street, Lewiston spoke about a violation of his civil rights and asked the City of Auburn for the services of one of our detectives to investigate Chief Bussiere, Lewiston Police Chief.

City Manager Aho offered Chief Crowell to speak with Mr. Soule about the process Police Department complaints go through.

Tizz Crowley University Street read a statement about no opportunity to speak at a Planning Board meeting, because there is no open session at Planning Board meetings. She asked the Council to enforce compliance for the properties being redeveloped on Center and Blackmer Streets. (see copy of statement read attached to the minutes)

Gary Haley 190 Pownal Road spoke about the very bad condition of South Main Street. He thanked the City for the good job they did on Center Street. He stated that out next to Prospect Hills Golf Course there has been some work done in the road and there was no sign to warn the drivers. He stated that he appreciates the work the council does and thanked them for that work.

Councilor Berube reminded people that there is a haunted house at the old Edward Little High School building. He then spoke about Goldwaite Road and Minot Ave. concrete spill, and city crews had to clean it up. He suggested an ordinance to allow the city to bill the companies who create these types of clean up by city crews.

Councilor Hayes asked Mrs. Crowley for more clarification regarding the situation on Blackmer Street.

Mrs. Crowley reviewed the situation on Blackmer and Alpha Street. Council

and Mrs. Crowley discussed the issue.

Chief Crowell explained the Police Departments response to complaints from Mrs. Crowley.

Gary Johnson explained that 400 Center Street has applied for a gas connection and they would be working from Blackmer Street.

Councilor Gerry spoke about giving the City Clerk the night before the election off and have someone take minutes on November 7th.

City Clerk Fogg updated the public on absentee balloting and polling locations and times.

## **VI. Unfinished Business - none**

## **VII. New Business**

**Public hearing on Graveyard/Junkyard applications for M&P Auto, Inc., 227 Merrow Rd.; Buck's Auto, 249 Merrow Rd.; Morris Auto Parts, Inc., 940 Washington St.; Isadore T. Miler Co., Old Hotel Rd.; Maine Metal Recycling, 522 Washington St. and Randy's Auto Parts, Inc., 899 Broad St.**

Mayor Gleason opened public hearing and invited any comments; hearing none the he closed the hearing.

**Motion to approve the 2011-2012 Graveyard/Junkyard permits.**

Councilor Farrell, seconded by Councilor Gerry, moved to approve the renewal of all 2011-2012

Graveyard/Junkyard permits for the businesses listed above, provided they are in compliance with all State, Federal and Local laws, rules and regulations.

Vote: 7 Yea's – 0 Nay's Motion carried 7-0.

**Motion to approve the first reading of the General Assistance Maximums for 2011-2012 Appendices A, B & C.**

Councilor Farrell, seconded by Councilor Young, moved to approve the first reading of the General Assistance Maximums for 2011-2012 Appendices A, B & C.

Vote: 7 Yea's – 0 Nay's Motion carried 7-0.

**Motion to transfer \$450,000 from account 1000-037104 (general fund) to account 60006029-580001 (arena fund) for the purpose of making capital improvements to the Ingersoll Ice Arena.**

Councilor Farrell, seconded by Councilor Gerry, moved to transfer \$450,000 from account 1000- 037104 (general fund) to account 60006029-580001 (arena fund) for the purpose of making capital improvements to the Ingersoll Ice Arena.

Councilor Farrell, seconded by Councilor Young, moved to amend the motion to \$454,000.00 Amendment

vote: 2 Yea's – Councilor Farrell and Young – 5 Nay's – Councilors Gerry, Hayes, Herrick, Berube and Gray. Motion failed 2-5.

Councilor Farrell, seconded by Councilor Young, moved to amend the motion for the terms of an interest rate of 2.5% for a term of 10 years.

Ravi Sharma, Director of Parks and Recreation and Mike Berube, Ice Arena Manager answered questions on how the terms would affect the project.

Amendment vote: 3 Yea's – Councilor Gerry, Farrell and Young – 4 Nay's – Councilors Hayes, Herrick, Berube and Gray. Motion failed 3-4.

Councilor Herrick, seconded by Councilor Berube, moved to amend the motion to set terms of 15 years at 2%.

Amendment vote: 7 Yea's – 0 Nay's Motion carried 7-0. Main

motion vote: 7 Yea's – 0 Nay's Motion carried 7-0

**Motion to enter executive session to consult with the City's attorney concerning the legal rights and duties of the City in accordance with Title 1, Maine Revised Statutes, Section 405(6)(E).**

Councilor Gerry, seconded by Councilor Berube, moved to enter executive session at 7:59 pm, to consult with the City's attorney concerning the legal rights and duties of the City in accordance with Title 1, Maine Revised Statutes, Section 405(6)(E).

Vote: 6 Yea's – 1 Nay – Councilor Farrell Motion carried 6-1.

Councilor Berube, seconded by Councilor Herrick, moved to leave executive session at 9:03 pm. Vote: 5 Yea's – 0 Nay's Motion carried 5-0.

Councilor Gerry and Farrell absent from chambers during vote.

Councilor Berube, seconded by Councilor Gerry, moved to enter executive session at 9:05pm, to discuss a personnel matter with the City Attorney, in accordance with Title 1, Maine Revised Statutes, Section 405 (6)(A).

Vote: 6 Yea's – 0 Nay's Motion carried 6-0. Councilor

Farrell absent from chambers during vote.

Councilor Gerry, seconded by Councilor Berube, moved to leave executive session at 9:46 pm. Vote: 7 Yea's – 0 Nay's Motion carried 7-0

Councilor Gerry, seconded by Councilor Berube, moved to suspend to vote on employment agreement.

Vote: 4 Yea's – Councilors Gerry, Hayes, Herrick, Berube and Gray – 2 Nay's -Councilor Farrell and Young. Motion carried 4-2.

Mayor Gleason read a resolve terminating the employment of City Manager Aho as follows:

Resolution:

The Auburn City Council resolves as follows:

Whereas, paragraph 8(D) of the Employment Agreement between the City of Auburn and City Manager Glenn Aho provides that the City Council may terminate the Employment Agreement at any time, without cause, with 90 days written notice to Glenn Aho, subject to payment of certain severance benefits; and

Whereas, the City Council has decided they no longer desires to have Mr. Aho serve as City Manager and chooses to exercise its rights to terminate the Employment Agreement under the above-referenced provision;

Now, therefore

The Employment Agreement between Mr. Aho and the City is terminated without cause, and by doing so Mr. Aho is removed from the office of City Manager, effective 90 days after receipt of written notice by delivery to him of this resolution; and

Mr. Aho shall be placed on paid administrative leave through the effective date of termination of the Employment Agreement.

Adopted this 17th day of October 2011

Councilor Berube, seconded by Councilor Herrick, moved to adopt the resolve terminating the employment agreement resolve as read by Mayor Gleason.

Councilor Farrell amended motion to reflect five councilors not Auburn City Council

Roll call vote: 5 Yea's – Councilor Hayes, Herrick, Berube, Gray and Gerry – 1 Nay – Councilor Farrell – 1 Abstained – Councilor Young Motion carried 5-1-1

Councilor Farrell stepped down and sat in the audience. City

Clerk Fogg asked for a copy of the motion.

### **VIII. Open Session –**

Michael Farrell Beaver road asked what the succession plan.

### **IX. Future Agenda/Workshop Items - none**

### **X. ADJOURNMENT**

Councilor Berube, seconded by Councilor Herrick, moved to adjourn the meeting at 9:53 pm. Vote: 7

Yea's – 0 Nay's. Motion carried 7-0.

A true record Attested: Roberta L. Fogg, City Clerk

**City Council Special Meeting October 18, 2011**

## Agenda

Present: Mayor Richard Gleason, Councilor's Belinda Gerry, Robert Hayes, Daniel Herrick, David Young, Raymond Berube, Joe Gray and City Clerk Roberta Fogg.

Absent: Councilor Michael Farrell 7:00

p.m. City Council Meeting

Mayor Gleason called the meeting to order at 7:00 p.m. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag.

### **I. New Business**

#### **Executive session in accordance with Title 1, Section 405(6)(A), personnel.**

Councilor Berube, seconded by Councilor Gerry, moved to enter executive session at 7:02pm in accordance with Title 1, Section 405(6)(A), personnel with Chief Crowell.

Vote: 6 Yea's – 0 Nay's Motion carried 6-0.

Councilor Herrick, seconded by Councilor Gerry, moved to leave executive session at 7:37 pm. Vote: 5

Yea's – 0 Nay's Motion carried 5-0.

Councilor Berube was absent from the room during the vote.

#### **Motion to appoint Chief of Police, Phillip L. Crowell, Jr. to perform the duties of City Manager, in accordance with Section 6.6 of the City Charter, until further vote of the City Council.**

Councilor Berube, seconded by Councilor Herrick, moved to appoint Chief of Police, Phillip L. Crowell, Jr. to perform the duties of City Manager, in accordance with Section 6.6 of the City Charter, until further vote of the City Council.

Public Input:

Ron Potvin 82 Northern Avenue asked what the terms were for Chief Crowell taking this position.

Mayor Gleason stated that currently the term is 3 weeks. Vote: 6

Yea's – 0 Nay's Motion carried 6-0

### **X. ADJOURNMENT**

Councilor Berube, seconded by Councilor Young, moved to adjourn the meeting at 7:39 pm.

Vote: 6 Yea's – 0 Nay's. Motion carried 6-0.

A true record Attested: Roberta L. Fogg, City Clerk

### **City Council Special Meeting October 27, 2011**

Minutes

Present: Mayor Richard Gleason, Councilor's Belinda Gerry, Robert Hayes, Daniel Herrick, David Young,

Raymond Berube, Joe Gray, Acting City Manager Phil Crowell and Acting City Clerk Susan Clements-Dallaire.

Absent: Councilor Michael Farrell 7:00

p.m. City Council Meeting

Mayor Gleason called the meeting to order at 7:00 p.m. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag.

#### **I. New Business**

##### **Motion to appoint Susan Clements-Dallaire as Registrar of Voters for a term which expires on December 31, 2011**

Councilor Gerry, seconded by Councilor Berube Vote: 6

Yea's – 0 Nay's Motion carried 6-0.

##### **Motion to enter into Executive session in accordance with Title 1 M.R.S.A. Section 405, subsection 6C to discuss a real estate matter.**

Councilor Berube, seconded by Councilor Hayes, moved to enter executive session at 7:05 pm Vote: 6

Yea's – 0 Nay's Motion carried 6 - 0

Councilor Berube, seconded by Councilor Herrick, moved to leave executive session at 7:20 pm Vote: 6

Yea's – 0 Nay's Motion carried 6 - 0

#### **X. ADJOURNMENT**

Councilor Berube, seconded by Councilor Herrick, moved to adjourn the meeting at 7:21 pm Vote: 6

Yea's – 0 Nay's. Motion carried 6-0.

A true record Attested: Susan Clements-Dallaire, Acting City Clerk

## City Council Meeting and Workshop November 7, 2011

### Minutes

Present: Mayor Richard Gleason, Councilors Belinda Gerry, Michael Farrell, Robert Hayes, David Young,

Raymond Berube, Joe Gray, Daniel Herrick, Acting City Manager Phil Crowell, and Executive Assistant Karen Veilleux

The Council conducted a workshop beginning at 5:30pm on the following items:

- A. Discussion on the Amendment to Loan Programs – Reine Mynahan
- B. Discussion on the revised Purchasing Policy – Phil Crowell
- C. Dempsey Challenge After Action Report – Tim Cogle and Phil Crowell
- D. Fireworks Ordinance Review – Geoff Low and Phil Crowell

Break at 6:47pm

Back at 7:00pm

7:00 p.m. City Council Meeting Pledge  
of Allegiance

### **I. Consent Items –**

Councilor Berube seconded by Councilor Young moved to approve the consent items: Minutes of October 3, 2011, October 17, 2011, October 18, 2011 and October 27, 2011.

Vote: 7 Yeas and 0 Nays Motion

Carried

### **II. Minutes –** October 3, 2011, October 17, 2011 and October 18, 2011, and October 27, 2011\*

### **III. Reports**

The Mayor read his report. City

Councilor Reports:

- Michael Farrell: Rec. Adv Bd, Audit, Lake Aub. Watershed Protection Commission: No report
- Robert Hayes: Planning Bd, Water, Library, and Railroad: No report

- Daniel Herrick: MMWAC: No report

- David Young: School Committee, Cable TV Adv Board: 1. A historical tree was accidentally cut down over near Fairview school when the new parking lot was built. 2. Encouraged citizens to attend the Master Facility Committee Meeting on November 16, 2011.

- Raymond Berube: Sewer, Audit, Airport: Made mention of the grand opening of the Fire House Grill in New Auburn.

- Belinda Gerry: LA Transit, Neighborhood Stabilization Program, Auburn Housing: Discussed the Happy Hello-ween New Auburn event.

- Joe Gray: 9-1-1, Auburn Business Development Corp, Andros Valley Council of Gov: No report  
Acting City Manager:

Election information – Made mention of Linda Cohen and Nadeen Daniels assisting us with the election preparation.

Sale of Bond – Rating review discussion and bond rating of 1.9% Auburn

City Council Meeting & Workshop

November 7, 2011

- Councilor Farrell requested a budget summary of the election/City Clerk's office.
- Mayor Gleason made mention of the award the City of Auburn received from the American Heart Association.

#### **IV. Communications, Presentations and Recognitions**

**11072011-00\* Auburn Ski – sign request**

**Doms – sign request**

#### **V. Open Session –**

Councilor's Concerns (if time allows)

1. Don Vachon, 19 Church Street, Lewiston, Maine – read a letter from the newly formed union to the Council

2. Tizz Crowley, University Street, Auburn, Maine – discussed the importance of voting
3. Larry Morrisette, PO Box 3036, Auburn, Maine
4. John Keene, 1159 Old Danville Road, Auburn, Maine – does not support restrictions on fireworks

Open Session over at 7:35pm

**VI. Unfinished Business: None**

**VII. New Business**

**Motion to approve the second and final reading of the General Assistance Maximums for 2011-2012 Appendices A, B & C.**

Councilor Berube, seconded by Councilor Gerry, moved to approve the motion. Vote: 7

Yeas and 0 Nays

Motion Carried

**Motion to appoint Wardens & Ward Clerks for the November 8, 2011 Election**

Councilor Young, seconded by Councilor Hayes, moved to approve the motion. Vote: 7

Yeas and 0 Nays

Motion Carried

**Motion to ratify and make final the October 17, 2011 City Council Resolution approving termination of the City Manager's Employment Agreement**

Councilor Berube, seconded by Councilor Gerry, moved to approve the motion. Vote: 5

Yeas and 2 Nays

Motion Carried

**Motion to enter into executive session to review contracts for Management Consultant Firm for City Manager Position pursuant to 1, M.R.S.A., Section 405(6) (A).**

Councilor Berube, seconded by Councilor Herrick, moved to approve the motion at 7:43pm. Vote: 5

Yeas, 1 Nay and 1 Abstention

Motion Carried

Auburn City Council Meeting & Workshop

November 7, 2011

Motion to come out of Executive Session

Councilor Gray, seconded by Councilor Gerry, moved to approve the motion at 7:59pm. Vote: 7

Yeas, 0 Nays

Motion Carried

**VIII. Open Session -**

1. Leroy Walker, New Auburn, Maine – Discussed the New Auburn event, Happy Hello-ween and made mention of the Holiday festivities to come.

2. Larry Morrisette, PO Box 3036, Auburn, Maine – Discussed the casino Open

Session over at 8:05pm

**IX. Future Agenda/Workshop Items –**

1. PAL update – building renovations

2. Assessment and survey of the fire department

3. Updated position list and salaries

4. Term limits on committees

**X. ADJOURNMENT**

Councilor Berube, seconded by Councilor Herrick, moved to adjourn the meeting at 8:09pm. Vote: 7

Yeas and 0 Nays

Motion Carried

A true record Attested: \_\_\_\_\_

Susan Clements Dallaire

**City Council Meeting and Workshop November 21, 2011**

Minutes

Present: Mayor Richard Gleason, Councilors Belinda Gerry, Robert Hayes, David Young, Daniel Herrick, Raymond Berube, Joe Gray, Acting City Manager Phil Crowell, and Acting City Clerk Susan Clements-Dallaire

The Council conducted a workshop beginning at 5:30pm on the following items:

- A. Discussion on Helms Bridge – Bob Belz
- B. Discussion on the EDA Grant application – Roland Miller
- C. Fireworks Ordinance – Phil Crowell
- D. City Clerk Budget review – Phil Crowell

Break at 6:40 pm

Back at 7:00 pm

7:00 p.m. City Council Meeting

Mayor Gleason called the meeting to order at 7:00 p.m. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag.

**I. Consent Items** – Councilor Berube seconded by Councilor Hayes, moved to approve the consent items: Minutes of November 7, 2011.

Vote: 6 Yea's – 0 Nay's Motion carried 6-0.

## **II. Reports**

Mayor – went over the Mayor's report City

Councilors

- Michael Farrell: Rec. Adv Bd, Audit, Lake Aub. Watershed Protection Comm. - Not present
- Robert Hayes: Planning Bd, Water, Library, and Railroad – No report
- Daniel Herrick: MMWAC – No report
- David Young: School Committee, Cable TV Adv Board – talked about the rental agreement between the Council and the School Board
- Raymond Berube: Sewer, Audit, Airport – At the end of December there will be a sewer line running to Rt 26 to Poland

- Belinda Gerry: LA Transit, Neighborhood Stabilization Program, Auburn Housing – December 11 at 3pm there will be a procession with Santa Clause traveling from Raymond Park to Rolly's Diner providing the necessary permits are granted.

- Joe Gray: 9-1-1, Auburn Business Development Corp, Andros Valley Council of Gov – No report  
Phil Crowell, Acting City Manager

The Acting City Manager responded to Councilor Young regarding the rental agreement between Council and the School Board. He met with Superintendent Katie Grondin and reached an agreement on the rental of the 4th floor space.

PAL Center update – the progression is going well, they are ahead of schedule. They are ready for winter, with a new roof, doors, and windows. Lowes sided the building at no cost. This not only included the materials but the labor as well.

Acting City Manager, Phil Crowell introduced our new Finance director, Jill Eastman. Jill Eastman, Finance Director

October Finance Report – Jill went over the October Finance report which is on track with where it should be at this time.

Motion: Councilor Berube, Seconded by Councilor Gerry to acceptance of the October Finance Report

Vote: 6 Yea's – 0 Nay's Motion carried 6-0

### **III. Communications, Presentations and Recognitions - None**

### **IV. Open Session**

Larry Morrisette, PO Box 3036, Auburn, ME

### **V. Unfinished Business - None**

### **VI. New Business**

**Motion to set the date of the second meeting in December from the 19th to the 21<sup>st</sup> of 2011 for the Inauguration Celebration to be held at Walton School, 92 Mary Carroll Street.**

Motion by Councilor Berube, seconded by Councilor Herrick

Vote: 6 Yea's – 0 Nay's Motion carried 6-0.

**Motion to set the date of the first meeting in January 2012 from the 2nd to the 3<sup>rd</sup> due to the New Year holiday.**

Motion by Councilor Berube, seconded by Councilor Herrick Vote: 6

Yea's – 0 Nay's Motion carried 6-0

**der action on Resolve to adopt the amendments to the CDBG Loan Program**

Motion by Councilor Berube, seconded by Councilor Young Vote: 6

Yea's – 0 Nay's Motion carried 6-0

**pointment of April R. Smith as a Constable with a firearm for the City of Auburn**

Motion by Councilor Berube, seconded by Councilor Gerry Vote:

6 Yea's-0 Nay's Motion carried 6-0

**der action on Resolve to authorize the City Manager to execute required documents for filing a grant application to the Economic Development Administration in order to fund street and utility extensions into the new Industrial Park**

Motion by Councilor Young, seconded by Councilor Hayes No

discussion or public comment

Vote: 5 Yea's-1 Nay (Councilor Gray) Motion carried 5-1

**proval and authorization to transfer funds to the Bridge Program**

Motion by Councilor Young, seconded by Councilor Gerry

Councilor Herrick asked for more information as he was not present for this part of the workshop. Bob Belz provided the information he was looking for.

No discussion or public comment

Vote: 6 Yea's-0Nay's Motion carried 6-0

**First Reading to adopt an ordinance to prohibit the sale and use of consumer fireworks within the City of Auburn.**

Motion by Councilor Berube, seconded by Councilor Hayes

Public comment:

Tizz Crowley, University Street, Auburn spoke stating she supports not having fireworks and feels that the fines do not support the cost to police and monitor the use.

She also had safety concerns. She said she has heard only one person speak in favor of allowing the use of fireworks based on free will and revenue opportunities but she felt that did not balance with the safety issues.

Roll Call Vote: 5 Yea's (Councilor's Hayes, Herrick, Berube, Gerry, Gray) - 1 Nay

(Councilor Young) Motion carried 5-1

**Executive session to review contracts for Management Consultant Firm for City Manager position pursuant to 1, M.R.S.A., Section 405 (6) (A).**

Motion by Councilor Berube, seconded by Councilor Hayes to move into executive session Vote: 6

Yea's-0 Nay's Motion carried 6-0

Entered into Executive Session at 7:45pm

Motion by Councilor Berube, seconded by Councilor Gerry to move out of executive session Vote: 6  
Yea's-0 Nay's Motion carried 6-0

Moved out of Executive Session at 8:35pm

Motion by Councilor Berube, seconded by Councilor Hayes to appoint Don Gerrish from Eaton Peabody as the Acting City manager starting 11/28/2011 and Eaton Peabody will fill the role of appointing a City Manager.

Vote: 4 Yea's-2 Nay's (Councilor's Herrick and Gray) Motion carried 4-2 Public

comment:

Tim dots, University Street, Auburn commented that he served on the Brunswick Town Council for a few years while Don Gerrish was Town Manager. He commented on Gerrish as "A finer person I've never worked for before" and "a great administrator".

Motion by Councilor Berube, seconded by Councilor Young authorizing the Acting City Manager, Phil Crowell to enter into the contract agreement with Eaton Peabody.

Vote: 5 Yea's 1 Nay (Councilor Herrick) Motion carried 5-1

**Executive session to review MAP Police Command contract pursuant to 1, M.R.S.A., Section 405 (6) (D)**

Motion by Councilor Berube, seconded by Councilor Hayes to move into executive session Vote: 6

Yea's-0 Nay's Motion carried 6-0

Entered into Executive Session at 8:40pm

Motion by Councilor Berube, seconded by Councilor Hayes to move out of executive session Vote: 6

Yea's-0 Nay's Motion carried 6-0

Moved out of Executive Session at 8:45pm

Motion by Councilor Herrick, seconded by Councilor Berube to ratify the NAP Police

Command contract Motion carried 6-0

Vote: 6 Yea's 0 Nay's

**Executive session to review Police MAP Patrol/Detective contract pursuant to 1, M.R.S.A., Section 405 (6) (D)**

Motion by Councilor Berube, seconded by Councilor Hayes to move into executive session Vote: 6

Yea's-0 Nay's Motion carried 6-0

Entered into Executive Session at 8:47pm

Motion by Councilor Berube, seconded by Councilor Young to move out of executive session Vote: 6

Yea's-0 Nay's Motion carried 6-0

Moved out of Executive Session at 9:00pm

Motion by Councilor Berube, seconded by Councilor Young to ratify the Police MAP Patrol/Detective contract.

Vote: 6 Yea's-0 Nay's Motion carried 6-0

**VIII. Open Session**

Steve Martelli, 371 Main Street, Auburn, ME wanted to mention that Santa was coming to New Auburn.

Saturday 11/26 he would be at the Great Falls Model Railroad Club at 2pm for the Extrainaganza and also in a parade, tree lighting on December 11 at 3pm. Cookies and hot chocolate will be provided by local businesses. This is pending obtaining the necessary permits that may be required.

Larry Morrisette, PO Box 3036, Auburn, ME

## **IX. Future Agenda/Workshop Items**

Public hearing and second and final reading on the Fireworks Ordinance Zoning item

Possibly two liquor license approvals

**X. ADJOURNMENT** – a motion was made by Councilor Herrick, seconded by Councilor Berube to adjourn. Vote: 6 Yea's-0 Nay's Motion carried 6-0

A TRUE COPY.

ATTEST \_\_\_\_\_

Susan Clements-Dallaire, Acting City Clerk

## **City Council Meeting and Workshop December 5, 2011**

Minutes

Present: Mayor Richard Gleason, Councilors Belinda Gerry, Robert Hayes, David Young, Daniel Herrick, Raymond Berube, Joe Gray, Acting City Manager Don Gerrish, and Acting City Clerk Susan Clements-Dallaire. Councilor Farrell was not present.

7:00 p.m. City Council Meeting

Mayor Gleason called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. He also welcomed the new Acting City Manager, Don Gerrish.

**I. Consent Items** – Motion by Councilor Gerry seconded by Councilor Hayes to approve the consent items: Minutes of November 21, 2011.

Vote: 6 Yea's – 0 Nay's Motion carried 6-0

## **II. Reports**

Mayor

City Councilors

Michael Farrell: Rec. Adv Bd, Audit, Lake Aub. Watershed Protection Comm. Robert

Hayes: Planning Bd, Water, Library, and Railroad

Daniel Herrick: MMWAC

David Young: School Committee, Cable TV Adv Board Raymond

Berube: Sewer, Audit, Airport

Belinda Gerry: LA Transit, Neighborhood Stabilization Program, Auburn Housing Joe Gray:

9-1-1, Auburn Business Development Corp, Andros Valley Council of Gov Don Gerrish,

Acting City Manager

### **III. Communications, Presentations and Recognitions –**

Mayor Gleason wanted to thank the City of Auburn employees and congratulate the United Way. Over \$8,000 was raised.

Renee Bogart and Bob Belz gave thanks to Mayor Gleason and the outgoing Councilors (Councilor Farrell - not present, Councilor Herrick, Councilor Berube, Councilor Gray) for their hard work and dedication to public service noting that together they brought 20 years of service to the City.

### **IV. Open Session**

Linda Johnston – 406 River Street

Councilor Dan Herrick

Acting Fire Chief Geoff Low

### **V. Unfinished Business - None**

### **VI. New Business**

#### **Public hearing and motion to approve a new Liquor License application for 84 Court Pizza Restaurant, 84 Court Street**

Public Comment –

Genti and Enkelejda Suli owners of 84 Court Pizza Restaurant

Motion by Councilor Berube, seconded by Councilor Hayes

Vote: 6 Yea's – 0 Nay's

Motion carried 6-0.

#### **Public hearing and motion to approve a new Liquor License and Special Amusement permit for Paribartan, LLC, DBA Naral's, 34 Court Street.**

Public Comment –

Nabin Naral and Pramod Shrestha owners of Naral's, 34 Court Street. Motion by  
Councilor Berube, seconded by Councilor Herrick

Vote: 6 Yea's – 0 Nay's

Motion carried 6-0

#### **Discussion of Firearms Discharge Zone Waiver**

Acting City Manager Don Gerrish said that he read the ordinance and there was nothing in there stating that Council can waive the ordinance and he suggested Council take a look at the authority to do that. He also suggested we postpone this item and seek legal council to look into this further before taking action. If it is determined that Council does have the authority to waive or make exceptions to the ordinance, we will ask Mr. Potvin to come back. If not, we would have to rescind the approval for the two individuals who brought this forward at the May 19, 2011 Council meeting.

Public comment - Richard Potvin, 49 Sunset Terrace

This item has been postponed so we can get legal council on the issue. This was a discussion item, no action requested, no vote taken.

#### **second and final reading with motion to adopt an ordinance to prohibit the sale and use of consumer fireworks within the City of Auburn**

Motion by Councilor Berube, seconded by Councilor Hayes Public

comment -

Adam Smith, Garfield Road Gary

Simard, 157 Cook Street

John Keene, 1159 Old Danville Road

Roll Call Vote: 6 Yea's - 0 Nay's

Motion carried 6-0

#### **Motion to approve the resolve authorizing the Acting city Manager to execute all necessary documents to accept the offer of \$700 in condemnation for a strip of tax acquired property on Minot Avenue.**

Motion by Councilor Berube, seconded by Councilor Hayes Public

comment – none

Discussion – Keith McBride, Economic Development Office presented background information

Vote: 6 Yea's-0 Nay's

Motion carried 6-0

**12052011-06 Motion to approve the property tax abatement for 24 Joseph Lane Public**

comment - none

Renee Lachapelle, Assessor presented background information

Vote: 6 Yea's-0Nay's

Motion carried 6-0

**VII. Open Session - none**

**VIII. Future Agenda/Workshop Items - none**

**IX. ADJOURNMENT** - Motion by Councilor Herrick, seconded by Councilor Young to adjourn.

Vote: 6 Yea's-0 Nay's

Motion carried 6-0

A true record

Attested: \_\_\_\_\_

Susan Clements-Dallaire, Acting City Clerk

**Special City Council Meeting December 27, 2011**

Minutes

Mayor LaBonte called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

**I. NEW BUSINESS**

**setting the January Council meeting dates**

Motion was made by Councilor Shea and seconded by Councilor Lafontaine for passage to move the meeting from January 3rd to January 9th in order to be able to attend the Lewiston Inauguration.

Motion was made by Councilor Crowley and seconded by Councilor Young to amend the order by changing the Council meeting to January 3 at 5:00 P.M. with a workshop scheduled for Thursday, January 5th at a time set by the Mayor.

Passage 6 – 1 (Councilor Shea)

Passage, as amended, 6 – 1.

**appointing the Registrar of Voters**

Motion was made by Councilor Gerry and seconded by Councilor Hayes. Passage 7 – 0.

## **II. ADJOURNMENT**

Motion was made by Councilor Walker seconded by Councilor Lafontaine to adjourn. Passage 7–0.

The meeting adjourned at 7:30 P.M. A

TRUE COPY.

ATTEST \_\_\_\_\_

Susan Clements-Dallaire, Acting City Clerk

IN COUNCIL REGULAR MEETING JANUARY 3, 2012 VOL 33 PAGE 1

**Mayor LaBonte called the meeting to order at 5:00 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Councilor Hayes arrived at 5:10, all other Councilors were present.**

**I. Consent Items** – Motion by Councilor Young seconded by Councilor Walker, moved to approve the consent items: Minutes of December 5, 2011 and December 27, 2011 Council Meetings.

Passage, 6-0 (Councilor Hayes was not present for this vote)

## **II. Reports**

### **Mayor's Report**

### **Committee Reports**

- **Robert Hayes: Planning Bd, Water, Library, and Railroad –no report**
- **David Young: School Committee, Cable TV Adv Board-report given**
- **Belinda Gerry: LA Transit, Neighborhood Stabilization Program, Auburn Housing-no report**

### **Don Gerrish, Acting City Manager**

**Jill Eastman, Finance Director** – Motion by Councilor LaFontaine, seconded by Councilor Young to approve the November 2011 Finance Report. Passage 6-0 (Councilor Crowley abstained) .

## **III. Communications, Presentations and Recognitions**

## **IV. Open Session**

Francois Bussiere (School Committee Member), 9 Winter Street, Auburn  
School Committee attendance for the January 30<sup>th</sup> joint workshop between the City Council and the School Committee.

V. Unfinished Business - None

VI. New Business - None

VIII. Open Session - no public comment

**IX. Future Agenda/Workshop Items**

Councilor Shea – Inviting community groups to speak during workshops

Councilor Walker – Discussion regarding road maintenance during the last storm

**X. ADJOURNMENT** – Motion by Councilor LaFontaine, seconded by Councilor Walker to adjourn. Passage 7-0.

A TRUE COPY.

ATTEST \_\_\_\_\_

Susan Clements-Dallaire, Acting City

Clerk

IN COUNCIL SPECIAL MEETING JANUARY 9, 2012 VOLUME 33 PAGE 2

**Mayor LaBonte called the meeting to order at 7:05 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All City Councilors were present.**

**I. Consent Items**

**Minutes of January 3, 2012 Council Meeting**

Motion was made by Councilor LaFontaine and seconded by Councilor Walker, for passage of the consent items.

Motion was made by Councilor Crowley and seconded by Councilor Shea to add the word “none” after the listing for Councilor Hayes; add the word “none” after the listing for Councilor Young; add the word “none” after the listing for Councilor Gerry; add topic item next to speakers name under the open session; add “no reports” under the second open session, and add the title and signature of the Clerk.

Motion was made by Councilor Young and seconded by Councilor Crowley to remove the word “none” after his listing. Passage 7-0 to amend the amendment.

Passage of the amendment, as amended, 7-0.

Passage of amended minutes 7-0.

**II. Reports**

**Mayor’s Report** – Reported

**Committee Reports**

- **Robert Hayes: Planning Bd, Water, Library, and Railroad** –Reported
- **David Young: School Committee, Cable TV Adv Board**-Reported
- **Belinda Gerry: LA Transit, Neighborhood Stabilization Program, Auburn Housing-** Reported

- **Joshua Shea: L-A Economic Growth Council-Reported**

**Don Gerrish, Acting City Manager**

- **Winter road response** – Denis D’Auteuil, Deputy Director of Public Works reported on the December 21<sup>st</sup> ice storm response.

### **III. Communications, Presentations and Recognitions**

On January 23, 2012 there will be a Community Engagement Event hosted by the School Committee at ELHS from 6:00 P.M. to 7:30 P.M. with featured speaker, Bea McGarvey, author of the book Inevitable. The public is invited to attend.

### **IV. Open Session**

The following people addressed the Council:

Larry Pelletier-129 Second Street, Auburn  
Tim Doughty-75 Cherry Vale Circle

IN COUNCIL SPECIAL MEETING JANUARY 9, 2012 VOLUME 33 PAGE 3

V. Unfinished Business - None

VI. New Business

**Item 1-01092012** Amending the Code of Ordinances, Chapter 2-Administration, Article III-Officers and Employees, Division 4-City Clerk, Section 2-180-Duties, Item #6 and in Article V-Boards, Commissions and Committees, Division 2-Registration Voter Appeals Board, Section 2-406-Membership: chair. First reading.

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry to pass the first reading.

Motion was made by Councilor Hayes and seconded by Councilor Gerry to postpone to another meeting. Passage 7-0.

VIII. Open Session - no public comment

### **IX. Future Agenda/Workshop Items**

Mayor LaBonte – Scheduled a workshop on January 23, 2012 at 7:45 to discuss goals  
Councilor Shea – Inviting community groups to speak during workshops  
Councilor Walker – Discussion regarding road maintenance during the last storm

### **X. Adjournment**

Motion by Councilor Shea and seconded by Councilor Hayes to adjourn. Passage 7-0, 8:45 P.M.

A TRUE COPY.

ATTEST \_\_\_\_\_

Susan Clements-Dallaire, Acting City

Clerk

**IN COUNCIL REGULAR MEETING JANUARY 17, 2012 VOL 33 PAGE 4**

**Mayor LaBonte called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall. Sergeant Steve Gosselin led the assembly in the salute to the flag. All City Councilors were present.**

I. *Consent Items* – None

II. Minutes – None

**III. Reports**

**Mayor's Report - Reported**

**Committee Reports**

- **Robert Hayes: Planning Bd, Water, Library, and Railroad - Reported**
- **David Young: School Committee, Cable TV Adv Board - Reported**
- **Belinda Gerry: LA Transit, Neighborhood Stabilization Program, Auburn Housing - Reported**
- **Joshua Shea: LAEGC - Reported**

**Councilor Reports**

- **Tizz Crowley - Reported**
- **Mary LaFontaine – No Report**
- **Leroy Walker - Reported**

**Interim City Manager (Phil Crowell)**

- Upcoming Workshop dates – January 23 Workshop at 7:45 P.M., January 26 Public Comment on the hiring of a City Manager 7:00 P.M., January 30, Joint School Committee/City Council Workshop 5:30 P.M.
- Open Session feedback can be found on the City's website under 2012 Agendas, then under Open Session Questions and Responses in order to ensure the information goes back to the public. Not all questions are answered at the meetings because the information is not always readily available. If it is a question regarding an ordinance, the ordinance section has been added to the response as well as any staff clarification. This may not be the way we continue the follow up. We are still working on the method.
- Meeting Minutes-are on action items only

**Acting City Clerk (Sue Clements-Dallaire)** – Dog licensing renewal reminder.

**Finance Director, Jill Eastman** – A Motion was made by Councilor Gerry, seconded by Councilor Walker to accept the December 2011 Finance Report. Passage 6-0 (Councilor Crowley abstained).

**IV. Communications, Presentations and Recognitions**

Swear-In and Badge Pinning Ceremony of the Auburn Police Department new hires and recent officer promotions. The Oath of Office was administered by Mayor Jonathan LaBonte and badges were presented by Chief of Police Phil Crowell.

**V. Open Session**

The following people addressed the Council:

Larry Pelletier, 129 Second Street  
Daniel Herrick (address not provided)  
Tim Doughty, 75 Cherry Vale Circle  
Joe Gray, Sopers Mill Road  
Tim Doughty, 75 Cherry Vale Circle

**IN COUNCIL REGULAR MEETING JANUARY 17, 2012 VOL 33 PAGE 5**

VI. Unfinished Business

1. Ordinance 01-01172012 Amending the Code of Ordinances, Chapter 2-Administration, Article III-Officers and Employees, Division 4-City Clerk, Section 2-180-Duties, Item #6 and in Article V-Boards, Commissions and Committees, Division 2-Registration Voter Appeals Board, Section 2-406-Membership: chair. First reading. This item was postponed on 01/09/2012.

Motion was made by Councilor Gerry and seconded by Councilor Hayes for passage of the first reading.

Passage 7-0.

VII. New Business

2. Order 01-01172012 Confirming Chief Crowell's appointment of Constables without firearms for the Auburn Police Department.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker for passage.

Passage

7-0.

3. **Resolve 01-01172012 Supporting the proposed Lewiston-Auburn Public Health Committee (LAPHC) By-Law Amendments and Member Nominations for Service.**

Motion was made by Councilor Shea and seconded by Councilor Crowley for passage.

Motion was made by Councilor Shea and seconded by Councilor Gerry to amend the resolve adding "and approves" after the word "supports." Passage 7-0.

Passage, as amended, 7-0.

VIII. Open Session

Dan Herrick, address not provided

**IX. Future Agenda/Workshop Items**

Discussion on the use of the podium during open session  
Contract with Time Warner  
Scheduling meetings during working hours  
Inventory of contracts within the City  
Give consideration to appointing Parks men as Park Rangers  
Update from IT department

**IN COUNCIL REGULAR MEETING JANUARY 17, 2012 VOL 33 PAGE 6**

**X. ADJOURNMENT-**Motion was made by Councilor Young and seconded by Councilor Shea to adjourn the meeting. Passage 7-0, 8:43 P.M.

A TRUE COPY.

ATTEST \_\_\_\_\_

Susan Clements-Dallaire, Acting City

Clerk

**IN COUNCIL REGULAR MEETING FEBRUARY 6, 2012 VOL 33 PAGE 7**

**Mayor LaBonte called the meeting to order at 7:10 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All City Councilors were present.**

**I. Consent Items – None**

**II. Minutes of January 9, 2012 and January 17, 2012 Council Meeting**

Motion was made by Councilor Gerry and seconded by Councilor LaFontaine to approve the January 9, 2012 Council Meeting Minutes. Passage 7-0.

Motion was made by Councilor Young and seconded by Councilor Walker to approve the January 17, 2012 Council Meeting Minutes. Passage 7-0.

**III. Reports**

**Mayor's Report – Joint Agency Approval and Mayor Appointments**

**Committee Reports**

- Transportation
  - Androscoggin Transportation Resource Center – Mayor LaBonte - none
  - Lewiston Auburn Transit – Councilor Gerry reported
  - Airport, Railroad – Councilor Hayes reported
- Housing
  - Community Development Block Grant, Neighborhood Stabilization Program, Auburn Housing Authority – Councilor Gerry reported
- Economic Development
  - L-A Economic Growth Council, Auburn Business Development Corp. – Councilor Shea reported
- Arts/Culture/Recreation
  - LA Arts – Councilor LaFontaine - item removed
- Education
  - Auburn School Committee – Councilor Young reported
  - Auburn Public Library – Councilor LaFontaine - none
- Environmental Services
  - Auburn Water District, Auburn Sewerage District – Councilor Crowley reported
  - Mid-Maine Waste Action Corp. – Councilor Walker reported

## **Councilor Reports**

- Belinda Gerry reported
- Tizz Crowley reported
- Robert Hayes reported
- Mary LaFontaine reported
- David Young reported
- Leroy Walker reported
- Joshua Shea reported

**IN COUNCIL REGULAR MEETING FEBRUARY 6, 2012 VOL 33 PAGE 8**

### **Interim City Manager, Don Gerrish**

- Mayor and Council Budget funding
- Items to be discussed at the February 8th workshop

## **IV. Communications, Presentations and Recognitions**

### **V. Open Session**

The following people addressed the Council:

Tim Doughty, 75 Cherry Vale Circle  
Joe Gray, Sopers Mill Road  
Charles Morrison, 46 Lake Street

### **VI. Unfinished Business**

3. Ordinance 01-01172012 Amending the Code of Ordinances, Chapter 2-Administration, Article III-Officers and Employees, Division 4-City Clerk, Section 2-180-Duties, Item #6 and in Article V-Boards, Commissions and Committees, Division 2-Registration Voter Appeals Board, Section 2-406-Membership: chair. Second reading. This item was postponed on 01/09/2012, and the first reading was on 1/17/2012.

Motion was made by Councilor Hayes and seconded by Councilor Young for passage of the second reading. Passage 7-0.

### **VII. New Business**

4. Order 02-02062012 Authorizing Interim City Manager, Don Gerrish to reallocate unused bond money to purchase a new pumper and spare truck for the Fire Department.

The following people addressed this item:

Joe Gray  
Tim Doughty

Motion was made by Councilor Gerry and seconded by Councilor LaFontaine for passage. Passage 7-0.

3. **Order 02-02062012 Confirming Mayor LaBonte's committee appointment nominations.**

Motions was made by Councilor Shea and seconded by Councilor Gerry for passage. Passage 7-0.

VIII. Open Session

Tim Doughty, 75 Cherry Vale Circle

**IN COUNCIL REGULAR MEETING FEBRUARY 6, 2012 VOL 33 PAGE 9**

**IX. Executive Session**

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry to enter into Executive Session, pursuant to 1 M.R.S.A. §405(6)(C), to discuss a real estate matter. Passage 7-0, 8:45 P.M.

The Mayor declared the Executive Session over at 9:40 P.M.

**X. Future Agenda/Workshop Items**

Councilor Gerry would like to hold a Public Hearing regarding the park in New Auburn, next to Rolly's.

**XI. Adjournment**

Motions was made by Councilor LaFontaine and seconded by Councilor Hayes to adjourn the meeting. Passage 7-0, 9:43 P.M.

A TRUE COPY.

ATTEST \_\_\_\_\_

Susan Clements-Dallaire, Acting City

Clerk

**IN COUNCIL REGULAR MEETING FEB. 21, 2012 VOL 33 PAGE 10**

**Mayor LaBonte called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All City Councilors were present.**

I. Consent Items – None

**II. Minutes of February 6, 2012 Council Meeting**

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to approve the February 6, 2012 Council Meeting Minutes. Passage 7-0.

**III. Reports**

**Mayor's Report – Reported**

**Committee Reports**

- Transportation
  - Androscoggin Transportation Resource Center – Mayor LaBonte reported

- Lewiston Auburn Transit – Councilor Gerry reported
- Airport, Railroad – Councilor Hayes reported
- Housing
  - Community Development Block Grant, Neighborhood Stabilization Program, Auburn Housing Authority – Councilor Gerry reported
- Economic Development
  - L-A Economic Growth Council, Auburn Business Development Corp. – Councilor Shea reported
- Education
  - Auburn School Committee – Councilor Young reported
  - Auburn Public Library – Councilor LaFontaine reported
- Environmental Services
  - Auburn Water District, Auburn Sewerage District – Councilor Crowley reported
  - Mid-Maine Waste Action Corp. – Councilor Walker reported

### **Councilor Reports**

- Mary LaFontaine reported
- Tizz Crowley reported
- Leroy Walker reported
- Belinda Gerry reported

## **IN COUNCIL REGULAR MEETING FEB. 21, 2012 VOL 33 PAGE 11**

### **Interim City Manager, Don Gerrish – Reported**

**Finance Director, Jill Eastman** - Motion was made by Councilor Gerry and seconded by Councilor Young to accept the January 2012 Finance Report. Passage 7-0.

### **IV. Communications, Presentations and Recognitions**

Charles Morrison, President of the Androscoggin Chamber of Commerce, presented Chief Phil Crowell, Jr. with the 2012 Public Service Leadership Award.

### **V. Open Session**

The following people addressed the Council:

Larry Morrissette, PO Box 3036, Auburn  
 Steve Martelli, Auburn  
 Joe Gray, Sopers Mill Road

VI. Unfinished Business - None

VII. New Business

5. Order 04-02212012 Approving a new Liquor License application for GPG, LLC, DBA: Mac's Grill, 1052 Minot Avenue, Food Service Establishment – Class A Restaurant with Liquor.

Motion was made by Councilor Shea and seconded by Councilor Gerry for passage. Passage 7-0.

2. **Order 05-02212012 Approving a property abatement for tax years 2009 and 2010 for Map 57 Lot 52-1 in the amount of \$2700 of assessed value for each year.**

Motion was made by Councilor LaFontaine and seconded by Councilor Walker for passage. Passage 7-0.

3. Order 06-02212012 Appointing the Registration Appeals Board Members.

Motion was made by Councilor Shea and seconded by Councilor Crowley for passage. Passage 7-0.

4. Order 07-02212012 Authorizing the Mayor to correspond with Maine State Housing Authority concerning the time frame placed on projects to receive Low Income Housing Tax Credits.

#### **IN COUNCIL REGULAR MEETING FEB. 21, 2012 VOL 33 PAGE 12**

Motion was made by Councilor Shea and seconded by Councilor LaFontaine for passage. Passage 7-0.

5. Order 08-02212012 Approving a Joint Agency Budget Committee.

Motion was made by Councilor Crowley and seconded by Councilor LaFontaine for passage of the order with changes. Passage 5-2 (Councilors Young and Walker).

6. Order 09-02212012 Appointing the second City Councilor to the Joint Agency Budget Committee.

Motion was made by Councilor Shea and seconded by Councilor Gerry for passage. Passage 5-2 (Councilors Young and Walker).

7. Executive Session Discussion about a real estate matter, pursuant to 1 M.R.S.A. §405(6)(C) with possible Council action.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to enter into Executive Session. Passage 7-0, 8:40 P.M.

The Mayor declared the Executive Session over at 9:05 P.M.

8. Order 10-02212012 Authorizing the Acting City Manager to execute an Option Agreement for the acquisition of land and buildings at 1 Minot Avenue, known as the former Auburn Police Department building (PID: 240-272).

Motion was made by Councilor Shea and seconded by Councilor Walker for passage. Passage 6-0 (Councilor Hayes abstaining).

#### **VIII. Open Session**

Larry Morrissette, PO Box 3036, Auburn

#### **IX. Future Agenda/Workshop Items**

- Councilor Shea would like to discuss the City's Massage Therapist Ordinance. He also commented that the Chamber's Regional Image Committee was taking off with their Imaging Campaign and he expressed that he feels the City Council should be involved

and updated on this and would like to invite the Committee to a Council Workshop.

- Councilor Gerry would like to discuss the naming of the Park by Rolly's Diner in New Auburn.

## **X. Adjournment**

### **IN COUNCIL REGULAR MEETING FEB. 21, 2012 VOL 33 PAGE 13**

Motion was made by Councilor LaFontaine and seconded by Councilor Young to adjourn the meeting. Passage 7-0, 9:20 P.M.

A TRUE COPY.

ATTEST \_\_\_\_\_

Susan Clements-Dallaire, Acting City Clerk

### **IN COUNCIL REGULAR MEETING MAR. 5, 2012 VOL 33 PAGE 14**

**Mayor LaBonte called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall. The Girl Scout Troup #1143 of Auburn led the assembly in the Pledge of Allegiance. All City Councilors were present.**

I. Consent Items – **None**

## **II. Minutes of February 21, 2012 Council Meeting**

Motion was made by Councilor Gerry and seconded by Councilor Hayes to approve the February 21, 2012 Council Meeting Minutes. Passage 7-0.

## **III. Reports**

### **Mayor's Report – Reported**

#### **Committee Reports**

- Transportation
  - Androscoggin Transportation Resource Center – Mayor LaBonte reported
  - Lewiston Auburn Transit – Councilor Gerry reported
  - Airport, Railroad – Councilor Hayes reported
- Housing
  - Community Development Block Grant, Neighborhood Stabilization Program, Auburn Housing Authority – Councilor Gerry reported
- Economic Development
  - L-A Economic Growth Council, Auburn Business Development Corp. – Councilor Shea reported
- Education
  - Auburn School Committee – Councilor Young reported
  - Auburn Public Library – Councilor LaFontaine, no report.
- Environmental Services
  - Auburn Water District, Auburn Sewerage District – Councilor Crowley reported
  - Mid-Maine Waste Action Corp. – Councilor Walker, no report.

- Recreation
  - Recreation Advisory Board – Councilor Walker reported

### **Councilor Reports**

- Tizz Crowley reported
- Leroy Walker reported

## **IN COUNCIL REGULAR MEETING MAR. 5, 2012 VOL 33 PAGE 15**

### **Interim City Manager, Don Gerrish – Reported**

### **IV. Communications, Presentations and Recognitions**

#### **V. Open Session**

The following people addressed the Council:

Linda Twitchell, Lewiston  
 Steve Martelli, 371 Main Street, Auburn  
 Hillary Dow, 126 Whitney Street, Auburn  
 Calvin Rinck, Turner  
 Dan Herrick, 470 Hatch Road, Auburn  
 Joe Gray, Sopers Mill Road, Auburn

#### **VI. Unfinished Business - None**

#### **VII. New Business**

1. Ordinance 02-03052012 Amending the Code of Ordinances Chapter 24 Section 24-8 “Definitions” regarding Food Service License Classifications. First Reading.

Motion was made by Councilor Shea and seconded by Councilor LaFontaine for passage of the first reading. Passage 6-1 (Councilor Hayes).

2. **Order 11-03052012 Authorizing the L & A Transit Committee District to apply for Federal Funds for a bus wash.**

No action was taken on this item.

3. Executive Session - Discussion about a real estate matter, pursuant to 1 M.R.S.A. §405(6)(C). No action to be taken at this meeting.

Motion was made by Councilor Gerry and seconded by Councilor LaFontaine to enter into Executive Session. Passage 7-0, 8:25 P.M.

The Mayor declared the Executive Session over at 9:40 P.M.

VIII. Open Session – No public comment

**IX. Future Agenda/Workshop Items – None**

**IN COUNCIL REGULAR MEETING MAR. 5, 2012 VOL 33 PAGE 16**

**X. Adjournment**

Motion was made by Councilor Hayes and seconded by Councilor Crowley to adjourn the meeting. Passage 7-0, 9:45 P.M.

A TRUE COPY.

ATTEST \_\_\_\_\_

Susan Clements-Dallaire, Acting City Clerk

**IN COUNCIL REGULAR MEETING MARCH 19, 2012 VOL 33 PAGE 17**

**Mayor LaBonte called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall. The Girl Scouts Troop #2013 of Auburn led the assembly in the salute to the flag. Councilor Hayes was absent.**

I. Consent Items – None

**II. Minutes of March 5, 2012 Council Meeting**

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry to approve the March 5, 2012 Council Meeting Minutes. Passage 6-0.

**III. Reports**

**Mayor's Report**

- Proclamation Presentation to the Girl Scouts of America, celebrating their 100<sup>th</sup> Anniversary

**Committee Reports**

- Transportation
  - Androscoggin Transportation Resource Center – Mayor LaBonte
  - Lewiston Auburn Transit – Councilor Gerry reported
  - Airport, Railroad – Councilor Hayes (absent)
- Housing
  - Community Development Block Grant, Neighborhood Stabilization Program, Auburn Housing Authority – Councilor Gerry, no report

- Economic Development
  - L-A Economic Growth Council, Auburn Business Development Corp. – Councilor Shea reported
- Education
  - Auburn School Committee – Councilor Young reported
  - Auburn Public Library – Councilor LaFontaine no report
  - Great Falls TV – Councilor Young and Councilor Shea. Councilor Young reported
- Environmental Services
  - Auburn Water District, Auburn Sewerage District – Councilor Crowley reported
  - Mid-Maine Waste Action Corp. – Councilor Walker reported
- Recreation
  - Recreation Advisory Board – Councilor Walker reported

**IN COUNCIL REGULAR MEETING MARCH 19, 2012 VOL 33 PAGE 18**

**Councilor Reports**

- Tizz Crowley reported
- Leroy Walker reported
- Joshua Shea reported

**Interim City Manager, Don Gerrish**

- Manager Search update
- FY 2012/2013 City Budget Presentation
- Update on County Dispatch Consolidation – Chief Crowell

**Finance Director, Jill Eastman**

Motion was made by Councilor Gerry and seconded by Councilor Young to accept the February 2012 Finance Report. Passage 6-0.

**IV. Communications, Presentations and Recognitions**

V. **Open Session** – No public comment.

VI. Unfinished Business – **None**

VII. New Business

2. Ordinance 02-03052012 - Approving the Code of Ordinances Chapter 24 Section 24-8 “Definitions” regarding Food Service License Classifications. Second Reading.

Motion was made by Councilor Shea and seconded by Councilor Crowley for passage. Passage 4-2 (Councilors Walker and Gerry).

2. **Order 12-03192012 - Approving a Special Amusement Permit Application for MVL, Inc., DBA, Tio Juan’s Margarita’s Mexican Restaurant located at 180 Center Street.**

Motion was made by Councilor Shea and seconded by Councilor Gerry for passage. Passage 6-0.

3. Order 13-03192012 - Approving funds for Spring Clean up.

Motion was made by Councilor LaFontaine and seconded by Councilor Young for passage.  
Passage 4-2 (Councilors Walker and Gerry).

**IN COUNCIL REGULAR MEETING MARCH 19, 2012 VOL 33 PAGE 19**

4. Resolve 02-03192012 - Supporting the concept of The Lewiston-Auburn Bike-Ped committee.

Motion was made by Councilor Shea and seconded by Councilor Young for passage.

Passage 6-0.

5. Order 14-03192012 - Confirming Chief Crowell's appointment of Thomas J. Ellis as a Constable with Firearms for the Auburn Police Department.

Motion was made by Councilor Shea and seconded by Councilor Gerry for passage. Passage 6-0.

6. Order 15-03192012 - Confirming Chief Crowell's appointment of Erik Rider, Gary Alan Hutchinson, and Janice Lare as a Constable without Firearms for the Auburn Police Department.

Motion was made by Councilor Shea and seconded by Councilor LaFontaine for passage.  
Passage 6-0.

7. Order 16-03192012 - Appointing Board & Committee Members.

Motion was made by Councilor Shea and seconded by Councilor Crowley for passage. Passage 6-0.

**VIII. Open Session**

Larry Pelletier, Auburn

**IX. Future Agenda/Workshop Items**

- Councilor Gerry would like to discuss lighting at Sherwood Heights School during Elections.

**X. Adjournment**

Motion was made by Councilor Shea and seconded by Councilor LaFontaine to adjourn the meeting. Passage 6-0, 9:05 P.M.

A TRUE COPY.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, Acting City Clerk

**Mayor LaBonte called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Councilor Hayes was absent.**

**I. Consent Items**

**None**

**II. Minutes of March 19, 2012 Council Meeting**

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry to approve the March 19, 2012 Council Meeting Minutes. Passage 6-0.

**III. Reports**

**Mayor's Report** - reported

**Committee Reports**

- Transportation
  - Androscoggin Transportation Resource Center – Mayor LaBonte reported
  - Lewiston Auburn Transit – Councilor Gerry reported
  - Airport, Railroad – Councilor Hayes (absent), Mayor LaBonte reported on the Railroad
- Housing
  - Community Development Block Grant, Neighborhood Stabilization Program, Auburn Housing Authority – Councilor Gerry, no report
- Economic Development
  - L-A Economic Growth Council, Auburn Business Development Corp. – Councilor Shea reported
- Education
  - Auburn School Committee – Councilor Young reported
  - Auburn Public Library – Councilor LaFontaine reported
  - Great Falls TV – Councilor Young and Councilor Shea. Councilor Young reported
- Environmental Services
  - Auburn Water District, Auburn Sewerage District – Councilor Crowley reported
  - Mid-Maine Waste Action Corp. – Councilor Walker reported
- Recreation
  - Recreation Advisory Board – Councilor Walker reported
- Public Safety
  - LA 911 – Councilor Walker reported

**IN COUNCIL REGULAR MEETING APRIL 2, 2012 VOL 33 PAGE 21**

**Councilor Reports**

- Mary LaFontaine reported
- Tizz Crowley reported
- Joshua Shea reported

**Interim City Manager, Don Gerrish**

- Manager Search update

- TANF/General Assistance issues
- Shrine Circus temporary signs

#### IV. Communications, Presentations and Recognitions

#### V. Open Session

Joe Gray, Sopers Mill Road

#### VI. Unfinished Business

**None**

#### VII. New Business

3. Order 17-04022012 – Appointing Wardens and Ward Clerks for the School Budget Validation Referendum Election and the June Primary Election.

Motion was made by Councilor Shea and seconded by Councilor Walker for passage. Passage 6-0.

2. **Order 18-04022012 – Appointing Election Clerks for the period of May 1, 2012 through April 30, 2014.**

Motion was made by Councilor Shea and seconded by Councilor Walker for passage. Passage 6-0.

3. Order 19-04022012 – County Dispatch Consolidation.

A corrected document, Resolve 04-04022012, was distributed to Council prior to the meeting.

#### IN COUNCIL REGULAR MEETING APRIL 2, 2012 VOL 33 PAGE 22

Motion was made by Councilor Shea seconded by Councilor Gerry for passage of the resolve. Passage 6-0.

4. Resolve 03-04022012 – Supporting the submission of the application for the 2012 Business Friendly Community Certification Program.

Motion was made by Councilor Gerry and seconded by Councilor LaFontaine for passage. Passage 6-0.

#### VIII. Open Session – **The Mayor invited the public to speak during Open Session prior to entering into Executive Session. No public comment.**

**Executive Session** - Discussion about Labor Contracts, pursuant to 1 M.R.S.A. §405(6)(D). No action to be taken at this meeting.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to enter into executive session. Passage 6-0, 8:05 P.M.

The Mayor declared the Executive Session over at 9:00 P.M.

**IX. Future Agenda/Workshop Items**

- Councilor Gerry would like to discuss forming the New Auburn Master Plan Committee.

**X. Adjournment**

Motion was made by Councilor LaFontaine and seconded by Councilor Young to adjourn the meeting. Passage 6-0, 9:05 P.M.

A TRUE COPY.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, Acting City Clerk

**IN COUNCIL REGULAR MEETING APRIL 5, 2012 VOL 33 PAGE 23**

**Mayor LaBonte called the meeting to order at 5:32 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.**

I. New Business

1. **Order 20-04052012** - Adopting the 2011 Androscoggin County Mitigation Plan.

Motion was made by Councilor Lafontaine and seconded by Councilor Gerry for passage. Passage 6-1 (Crowley)

2. **Order 21-04052012** - Authorizing the Kora Shrine Circus Committee to place temporary signs for its 2012 circus.

Motion was made by Councilor Lafontaine and seconded by Councilor Gerry for passage. Passage 7-0.

II. Open Session

No public comment.

**III. Adjournment**

Motion was made by Councilor Lafontaine and seconded by Councilor Shea to adjourn the meeting. Passage 7-0, 5:45 P.M.

A TRUE COPY.

ATTEST \_\_\_\_\_  
Rita Beaudry, APD Executive Assistant

**IN COUNCIL SPECIAL MEETING APRIL 17, 2012 VOL. 33 PAGE 24**

Mayor LaBonte called the meeting to order at 7:05 P.M. Councilors Hayes and Young had excused absences.

I. Consent Items

**None**

II. Minutes

**Motion was made by Councilor Gerry and seconded by Councilor Shea to approve the minutes of the April 2, 2012 Regular City Council Meeting and the April 5, 2012 Special City Council Meeting. Passage 5-0.**

III. Reports

**Mayor's Report, reported**

- May 26 Memorial Day Parade

**Committee Reports**

- Androscoggin Transportation Resource Center – Mayor LaBonte, no report
- Lewiston Auburn Transit – Councilor Gerry, no report
- Airport, Railroad – Councilor Hayes, absent
- Housing
  - Community Development Block Grant, Neighborhood Stabilization Program, Auburn Housing Authority – Councilor Gerry, no report
- Economic Development
  - L-A Economic Growth Council, Auburn Business Development Corp. – Councilor Shea, no report
- Education
  - Auburn School Committee – Councilor Young, absent
  - Auburn Public Library – Councilor LaFontaine, no report
  - Great Falls TV – Councilor Young and Councilor Shea, no report
- Environmental Services
  - Auburn Water District, Auburn Sewerage District – Councilor Crowley reported
  - Mid-Maine Waste Action Corp. – Councilor Walker, no report
- Recreation
  - Recreation Advisory Board – Councilor Walker reported

**City Councilors' Reports**

- Councilor Shea
- Councilor LaFontaine
- Councilor Crowley

**Interim City Manager's Report, reported**

- Update on the search for a City Manager
- City Council schedule

Motion was made by Councilor Lafontaine and seconded by Councilor Gerry to accept the report. Passage 5-0.

**IV. Communications, Presentations and Recognitions**

**V. Open Session**

Larry Pelletier, New Auburn  
Jason Levesque, 264 Beech Hill Road

**VI. Unfinished Business**

**VII. New Business**

- 1. Order 22-04172012** – Setting the date of May 8, 2012 for the School Budget Validation Referendum to be held at Auburn Hall and the time for opening the polls.

Motion was made by Councilor Shea and seconded by Councilor Gerry to postpone this item to the special meeting on April 23, 2012. Passage 5-0.

- 2. Order 23-04172012** – Adopting the Community Development 2012 Action Plan.

Motion was made by Councilor Shea and seconded by Councilor Crowley to postpone this item. (Note: Item will appear on next regular meeting agenda for action or postponement to date certain.) Passage 5-0.

- 3. Order 24-04172012** – Authorizing Safe Voices to place temporary signs for its 2012 Walk to End Domestic Violence.

Motion was made by Councilor Shea and seconded by Councilor Lafontaine for passage. Passage 5-0.

**VIII. Open Session**

No public comment

**IX. Executive Session**

Motion was made by Councilor Lafontaine and seconded by Councilor Shea to go into Executive Session, pursuant to 1 M.R.S.A. §405(6)(A), for discussion of personnel issues and, pursuant to 1 M.R.S.A. §405(6)(C), for the discussion of the acquisition of real or personal property. Passage 4-1 (Gerry), 7:52 P.M.

**IN COUNCIL SPECIAL MEETING APRIL 17, 2012 VOL. 33 PAGE 26**

The Mayor declared Executive Session over at 10:35 P.M.

**X. Future Agenda/Workshop Items**

Councilor Gerry would like to discuss the LA Arts 1995 designation as the Official Local Arts Agency for Auburn and would like to revisit the Police Department agreement with PAL and the Parks & Rec department.

**XI. Adjournment**

Motion was made by Councilor Shea and seconded by Councilor Lafontaine to adjourn. Passage 5-0, 10:40 P.M.

A TRUE COPY.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, Acting City Clerk

**IN COUNCIL SPECIAL MEETING APRIL 23, 2012 VOL. 33 PAGE 27**

Mayor LaBonte called the meeting to order at 7:00 P.M. All Councilors were present.

**I. New Business**

Motion by Councilor LaFontaine and seconded by Councilor Walker to amend the agenda by adding an Executive Session for discussion about a personnel issue, pursuant to 1 M.R.S.A. §405(6)(A) to discuss the Manager search. Passage 6-1 (Councilor Gerry).

**4. Order 25-04172012 – Approving the School Budget for Fiscal Year 2012/2013.**

Motion was made by Councilor Shea and seconded by Councilor Walker for passage. Passage 5-2 (Councilors Crowley and Gerry).

**Public Comment:**

Brenda Parker, 93 Gamage Ave.  
Linda Sherwood, 13 Highland Ave.  
Female resident, Park Ave.

**5. Order 26-04172012 – Authorizing the City Manager to execute an Option Agreement Addendum on 1 Minot Avenue.**

Motion was made by Councilor LaFontaine and seconded by Councilor Walker for passage. Passage 6-0 (Councilor Hayes abstained).

**II. Unfinished Business**

**1. Order 22-04172012 – Setting the date of May 8, 2012 for the School Budget Validation Referendum to be held at Auburn Hall and the time for opening the polls.**

Motion was made by Councilor Shea and seconded by Councilor LaFontaine for passage. Passage 5-2 (Councilors Crowley and Gerry).

**III. Executive Session**

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to go into Executive Session, pursuant to 1 M.R.S.A. §405(6)(A), for discussion of personnel issues. Passage 6-1 (Gerry), 7:30 P.M.

The Mayor declared Executive Session over at 7:50 P.M.

**IV. Adjournment**

Motion was made by Councilor Gerry and seconded by Councilor Shea to adjourn. Passage 6-0 (Councilor Walker was absent during the vote), 7:52 P.M.

**IN COUNCIL SPECIAL MEETING APRIL 23, 2012 VOL. 33 PAGE 28**

A TRUE COPY.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, Acting City Clerk

**IN COUNCIL REGULAR MEETING MAY 7, 2012 VOL. 33 PAGE 29**

**Mayor LaBonte called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.**

**I. Consent Items**

**None**

**II. Minutes of April 17, 2012 City Council Meeting and April 23, 2012 Special City Council Meeting.**

Motion was made by Councilor Crowley and seconded by Councilor LaFontaine to approve the April 17, 2012 Council Meeting Minutes, and approving the April 23, 2012 Council Meeting Minutes after adding Councilor Walker as being absent during the vote to adjourn. Passage 7-0.

**III. Reports**

**Mayor's Report** - reported

**Committee Reports**

- Transportation
  - Androscoggin Transportation Resource Center – Mayor LaBonte reported
  - Lewiston Auburn Transit – Councilor Gerry, no report
  - Airport, Railroad – Councilor Hayes (absent), reported
- Housing
  - Community Development Block Grant, Neighborhood Stabilization Program, Auburn Housing Authority – Councilor Gerry, reported
- Economic Development
  - L-A Economic Growth Council, Auburn Business Development Corp. – Councilor Shea reported
- Education
  - Auburn School Committee – Councilor Young reported
  - Auburn Public Library – Councilor LaFontaine, no report
  - Great Falls TV – Councilor Young and Councilor Shea, no report.
- Environmental Services

- Auburn Water District, Auburn Sewerage District – Councilor Crowley reported
- Mid-Maine Waste Action Corp. – Councilor Walker reported
- Recreation
  - Recreation Advisory Board – Councilor Walker, no report.
- Public Safety
  - LA 911 – Councilor Walker, no report.

**IN COUNCIL REGULAR MEETING MAY 7, 2012 VOL. 33 PAGE 30**

**Councilor Reports**

- Mary LaFontaine reported
- Belinda Gerry reported
- Tizz Crowley reported
- Joshua Shea reported

**Chief of Police, Phil Crowell** - reported

**IV. Communications, Presentations and Recognitions**

- At the 2012 Auburn Citizen of the Year banquet, Mayor LaBonte presented 2012's recipient, Gary Hemenway, with a Key to the City.

**V. Open Session**

Marsha Auster, Boulder Drive  
 Gary Haley, 190 Pownal Road  
 Dan Herrick, 470 Hatch Road  
 Joe Gray, Sopers Mill Road  
 Jasmine, Auburn, ME

**VI. Public Comment on Municipal Budget**

Larry Pelletier, 129 Second Street  
 Trevor Laliberte, address unknown  
 Mary Mitchell, 88 Elm Street, Lewiston  
 Jeannine Valiere, 15 Rose Terrace  
 Dan Herrick, 470 Hatch Road  
 Albert Harvey, 181 Webster Street, Lewiston  
 Joe Gray, Sopers Mill Road

**VII. Unfinished Business**

4. Order 23-04172012 – Adopting the Community Development 2012 Action Plan. This item was postponed at the 4/17/2012 Council Meeting.

Motion was made by Councilor Shea and seconded by Councilor LaFontaine for passage. Passage 7-0.

VIII. New Business

5. Order 25-05072012 – Authorizing the Interim City Manager or his designee to continue to pursue grants from the Federal Transit Administration’s (FTA) New Freedom Access Grant Program.

Motion was made by Councilor Shea and seconded by Councilor Crowley for passage. Passage 7-0.

**IN COUNCIL REGULAR MEETING MAY 7, 2012 VOL. 33 PAGE 31**

- 3. Order 26-05072012 – Authorizing Park Elementary School to place temporary signs for its May Fair and Auction to be held on May 19, 2012.**

Motion was made by Councilor Shea and seconded by Councilor LaFontaine for passage. Passage 7-0.

4. Order 27-05072012 – Authorizing the Interim City Manager to see the Marshall’s Popcorn Truck.

A motion was made by Councilor LaFontaine and seconded by Councilor Shea to remove this item from the agenda. Passage 7-0.

5. Order 28-05072012 – Appointing a Ward Clerk for Ward 2 for the June Primary Election.

Motion was made by Councilor Shea and seconded by Councilor Young for passage. Passage 7-0.

- IX. Open Session – **The Mayor invited the public to speak during Open Session prior to entering into Executive Session. No public comment.**

**X. Future Agenda/Workshop Items**

Councilor Crowley would like an update on the progress of the new website and an update on the purchase of the new fire truck.

Councilor Gerry would like an update on the 1100 residents that were late with their tax payments.

**XI. Adjournment**

Motion was made by Councilor Young and seconded by Councilor Walker to adjourn. Passage 7-0, 8:20 P.M.

A TRUE COPY.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, Acting City Clerk

**Mayor LaBonte called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.**

**I. Consent Items**

**None**

**II. Minutes of May 7, 2012 City Council Meeting.**

Motion was made by Councilor Crowley and seconded by Councilor Hayes to approve the May 7, 2012 Council Meeting Minutes. Passage 7-0.

**III. Reports**

**Mayor's Report** - reported

**Committee Reports**

- Transportation
  - Androscoggin Transportation Resource Center – Mayor LaBonte, no report
  - Lewiston Auburn Transit – Councilor Gerry reported
  - Airport, Railroad – Councilor Hayes, no report
- Housing
  - Community Development Block Grant, Neighborhood Stabilization Program, Auburn Housing Authority – Councilor Gerry reported
- Economic Development
  - L-A Economic Growth Council, Auburn Business Development Corp. – Councilor Shea reported
- Education
  - Auburn School Committee – Councilor Young reported
  - Auburn Public Library – Councilor LaFontaine reported
  - Great Falls TV – Councilor Young and Councilor Shea, no report.
- Environmental Services
  - Auburn Water District, Auburn Sewerage District – Councilor Crowley reported
  - Mid-Maine Waste Action Corp. – Councilor Walker, no report
- Recreation
  - Recreation Advisory Board – Councilor Walker, no report.
- Public Safety
  - LA 911 – Councilor Walker, no report. Chief Crowell gave an update on the 911 dispatch

**Councilor Reports**

- Belinda Gerry reported
- Tizz Crowley reported
- Mary LaFontaine reported

**Interim City Manager, Don Gerrish** - reported

**Finance Director, Jill Eastman**

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley to accept the April 2012 Finance Report. Passage 7-0.

#### **IV. Communications, Presentations and Recognitions**

Proclamation - The National Highway Traffic Safety Administration (NHTSA)'s 2012 "Buckle Up – No Excuses" Seatbelt Enforcement Campaign.

#### **V. Open Session**

Larry Pelletier, 129 Second Street  
Tim Doughty, 75 Cherry Vale Circle

#### **VI. Unfinished Business**

#### **VII. New Business**

6. Order 29-05212012 – Appointing Clinton Deschene as City Manager, effective June 18, 2012.

Motion was made by Councilor Shea and seconded by Councilor Crowley for passage. Passage 6-1 (Councilor Gerry).

7. Ordinance 03-05212012 – Amending the Code of Ordinances of the City of Auburn, Chapter 60 – Zoning, Division 10. Planned Unit Developments, Subdivision II-Types to add a new type of Planned Unit Development: Recreation/Residential Planned Unit Development (RRPUD). First Reading.

#### **Public Comment**

Jim Day, President of Martindale Country Club  
Jim McPhee, Auburn, Maine  
Robert Baskett, 564 Beech Hill Road  
Calvin Coney, 24 Fairway Drive  
Russ Radcliff, 307 Beech Hill Road  
Marj Patrick, 65 Beech Hill Road  
Tracy Newman, 15 Brandywine Circle  
Whitney, Perkins Hill Road  
Don Colban, 730 Beech Hill Road  
Nilda, 455 Beech Hill Road  
Michelle Vazquez, Beech Hill Road

Motion was made by Councilor Crowley and seconded by Councilor LaFontaine to postpone this item indefinitely. Passage 5-2 (Councilors Hayes and Walker).

8. Order 30-05212012 – Setting the time for opening the polls for the June 12, 2012 Primary Election.

Motion was made by Councilor LaFontaine and seconded by Councilor Young for passage. Passage 7-0.

9. Order 31-05212012 – Accepting the transfer of \$5,000 forfeiture assets in U.S. Currency (Dixon).

Motion was made by Councilor LaFontaine and seconded by Councilor Shea for passage. Passage 7-0.

10. Order 32-05212012 – Accepting the transfer of \$1,250 forfeiture assets in U.S. Currency (Weekes).

Motion was made by Councilor Shea and seconded by Councilor Crowley for passage. Passage 7-0.

11. Order 33-05212012 – Accepting the transfer of .45mm Springfield automatic pistol forfeiture assets (Tardif).

Motion was made by Councilor Shea and seconded by Councilor Walker for passage. Passage 7-0.

12. Order 34-05212012 – Accepting the transfer of \$1,425 forfeiture assets in U.S. Currency (Tidswell).

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley for passage. Passage 7-0.

13. Order 35-05212012 – Accepting the transfer of \$86,764 forfeiture assets in U.S. Currency (Morrissette).

Motion was made by Councilor Shea and seconded by Councilor Walker for passage. Passage 7-0.

14. Order 36-05212012 – Accepting the offer of \$17,101 from Westfield, Inc., for the sale of a tax acquired parcel on Minot Avenue. This item was added to the agenda.

Motion was made by Councilor Shea and seconded by Councilor Crowley for passage. Passage 7-0.

15. Order 38-05212012 – Accepting the settlement agreement and consent order between Michael Farrell (145 Eastman Lane) and the City of Auburn. This item was added to the agenda.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker for passage. Passage 7-0.

16. Order 37-05212012 – Authorizing the City Manager to execute a Second Addendum to the City of Auburn's Option Agreement with Building Solutions, dated February 21, 2012 (Order 10-02212012). This item was added to the agenda.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker for passage. Passage 6-0, (Councilor Hayes abstained).

VIII. **Open Session – The Mayor invited the public to speak during Open Session prior to entering into Executive Session.**

Joe Gray, Sopers Mill Road

IX. **Executive Session**

Motion was made by Councilor Lafontaine and seconded by Councilor Crowley to go into Executive Session, pursuant to 1 M.R.S.A. §405(6)(C), for discussion of a real estate matter. Passage 7-0, 9:44 P.M.

The Mayor declared Executive Session over at 9:50 P.M.

Motion was made by Councilor Gerry and seconded by Councilor LaFontaine to go into Executive Session, pursuant to 1 M.R.S.A. §405(6)(C), for discussion of a real estate matter. Passage 7-0, 9:54 P.M.

The Mayor declared Executive Session over at 10:40 P.M.

X **Adjournment**

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to adjourn. Passage 6-0 (Councilor Young was absent for the vote), 10:40 P.M.

A TRUE COPY.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, Acting City Clerk

**IN COUNCIL REGULAR MEETING MAY 21, 2012 VOL. 33 PAGE 32**

**Mayor LaBonte called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.**

I. **Consent Items**

**None**

II. **Minutes of May 7, 2012 City Council Meeting.**

Motion was made by Councilor Crowley and seconded by Councilor Hayes to approve the May 7, 2012 Council Meeting Minutes. Passage 7-0.

III. **Reports**

**Mayor's Report** - reported

## **Committee Reports**

- Transportation
  - Androscoggin Transportation Resource Center – Mayor LaBonte, no report
  - Lewiston Auburn Transit – Councilor Gerry reported
  - Airport, Railroad – Councilor Hayes, no report
- Housing
  - Community Development Block Grant, Neighborhood Stabilization Program, Auburn Housing Authority – Councilor Gerry reported
- Economic Development
  - L-A Economic Growth Council, Auburn Business Development Corp. – Councilor Shea reported
- Education
  - Auburn School Committee – Councilor Young reported
  - Auburn Public Library – Councilor LaFontaine reported
  - Great Falls TV – Councilor Young and Councilor Shea, no report.
- Environmental Services
  - Auburn Water District, Auburn Sewerage District – Councilor Crowley reported
  - Mid-Maine Waste Action Corp. – Councilor Walker, no report
- Recreation
  - Recreation Advisory Board – Councilor Walker, no report.
- Public Safety
  - LA 911 – Councilor Walker, no report. Chief Crowell gave an update on the 911 dispatch

## **Councilor Reports**

- Belinda Gerry reported
- Tizz Crowley reported
- Mary LaFontaine reported

## **IN COUNCIL REGULAR MEETING MAY 21, 2012 VOL. 33 PAGE 33**

**Interim City Manager, Don Gerrish** - reported

**Finance Director, Jill Eastman**

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley to accept the April 2012 Finance Report. Passage 7-0.

## **IV. Communications, Presentations and Recognitions**

Proclamation - The National Highway Traffic Safety Administration (NHTSA)'s 2012 "Buckle Up – No Excuses" Seatbelt Enforcement Campaign.

## **V. Open Session**

Larry Pelletier, 129 Second Street  
Tim Doughty, 75 Cherry Vale Circle

VI. Unfinished Business

VII. New Business

17. Order 29-05212012 – Appointing Clinton Deschene as City Manager, effective June 18, 2012.

Motion was made by Councilor Shea and seconded by Councilor Crowley for passage. Passage 6-1 (Councilor Gerry).

18. Ordinance 03-05212012 – Amending the Code of Ordinances of the City of Auburn, Chapter 60 – Zoning, Division 10. Planned Unit Developments, Subdivision II-Types to add a new type of Planned Unit Development: Recreation/Residential Planned Unit Development (RRPUD). First Reading.

Public Comment

Jim Day, President of Martindale Country Club

Jim McPhee, Auburn, Maine

Robert Baskett, 564 Beech Hill Road

Calvin Coney, 24 Fairway Drive

Russ Radcliff, 307 Beech Hill Road

Marj Patrick, 65 Beech Hill Road

Tracy Newman, 15 Brandywine Circle

Whitney, Perkins Hill Road

Don Colban, 730 Beech Hill Road

Nilda, 455 Beech Hill Road

Michelle Vazquez, Beech Hill Road

Motion was made by Councilor Crowley and seconded by Councilor LaFontaine to postpone this item indefinitely. Passage 5-2 (Councilors Hayes and Walker).

#### **IN COUNCIL REGULAR MEETING MAY 21, 2012 VOL. 33 PAGE 34**

19. Order 30-05212012 – Setting the time for opening the polls for the June 12, 2012 Primary Election.

Motion was made by Councilor LaFontaine and seconded by Councilor Young for passage. Passage 7-0.

20. Order 31-05212012 – Accepting the transfer of \$5,000 forfeiture assets in U.S. Currency (Dixon).

Motion was made by Councilor LaFontaine and seconded by Councilor Shea for passage. Passage 7-0.

21. Order 32-05212012 – Accepting the transfer of \$1,250 forfeiture assets in U.S. Currency (Weekes).

Motion was made by Councilor Shea and seconded by Councilor Crowley for passage. Passage 7-0.

22. Order 33-05212012 – Accepting the transfer of .45mm Springfield automatic pistol forfeiture assets (Tardif).

Motion was made by Councilor Shea and seconded by Councilor Walker for passage. Passage 7-0.

23. Order 34-05212012 – Accepting the transfer of \$1,425 forfeiture assets in U.S. Currency (Tidswell).

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley for passage. Passage 7-0.

24. Order 35-05212012 – Accepting the transfer of \$86,764 forfeiture assets in U.S. Currency (Morrissette).

Motion was made by Councilor Shea and seconded by Councilor Walker for passage. Passage 7-0.

25. Order 36-05212012 – Accepting the offer of \$17,101 from Westfield, Inc., for the sale of a tax acquired parcel on Minot Avenue. This item was added to the agenda.

Motion was made by Councilor Shea and seconded by Councilor Crowley for passage. Passage 7-0.

26. Order 38-05212012 – Accepting the settlement agreement and consent order between Michael Farrell (145 Eastman Lane) and the City of Auburn. This item was added to the agenda.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker for passage. Passage 7-0.

27. Order 37-05212012 – Authorizing the City Manager to execute a Second Addendum to the City of Auburn's Option Agreement with Building Solutions, dated February 21, 2012 (Order 10-02212012). This item was added to the agenda.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker for passage. Passage 6-0, (Councilor Hayes abstained).

## **IN COUNCIL REGULAR MEETING MAY 21, 2012 VOL. 33 PAGE 35**

- VIII. Open Session – **The Mayor invited the public to speak during Open Session prior to entering into Executive Session.**

Joe Gray, Sopers Mill Road

## **IX. Executive Session**

Motion was made by Councilor Lafontaine and seconded by Councilor Crowley to go into Executive Session, pursuant to 1 M.R.S.A. §405(6)(C), for discussion of a real estate matter. Passage 7-0, 9:44 P.M.

The Mayor declared Executive Session over at 9:50 P.M.

Motion was made by Councilor Gerry and seconded by Councilor LaFontaine to go into Executive Session, pursuant to 1 M.R.S.A. §405(6)(C), for discussion of a real estate matter. Passage 7-0, 9:54 P.M.

The Mayor declared Executive Session over at 10:40 P.M.

## **X Adjournment**

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to adjourn. Passage 6-0 (Councilor Young was absent for the vote), 10:40 P.M.

A TRUE COPY.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, Acting City Clerk

## **IN COUNCIL REGULAR MEETING JUNE 4, 2012 VOL. 33 PAGE 36**

**Interim City Manager, Don Gerrish called the meeting to order in the Council Chambers of Auburn Hall. He asked for a motion to select a Mayor Pro Tempore in the excused absence of Mayor Jonathan LaBonté.**

Motion was made by Councilor Hayes and seconded by Councilor Walker to nominate Councilor Shea as Mayor Pro Tempore. Passage 6-0.

**Councilor Shea led the assembly in the salute to the flag. Councilor LaFontaine had an excused absence.**

### **I. Consent Items**

**None**

### **II. Minutes of May 21, 2012 City Council Meeting.**

Motion was made by Councilor Crowley and seconded by Councilor Gerry to approve the revised May 21, 2012 Council Meeting Minutes. Passage 5-0 (Councilor Shea abstaining).

### **III. Reports**

**Mayor's Report – absent**

Councilor Shea announced that tonight was the Interim City Manager's last Council Meeting and he thanked him for being a great mentor.

Interim City Manager, Don Gerrish reported on behalf of the Mayor

- June 8 ELHS Adult Education graduation
- Maine Turnpike Authority would be meeting at Auburn Hall on June 19<sup>th</sup> at 6:30 P.M. to discuss increase in tolls.

### **Committee Reports**

- Transportation
  - Androscoggin Transportation Resource Center – Mayor LaBonte, absent
  - Lewiston Auburn Transit – Councilor Gerry, no report
  - Airport, Railroad – Councilor Hayes reported
- Housing

- Community Development Block Grant, Neighborhood Stabilization Program, Auburn Housing Authority – Councilor Gerry reported
- Economic Development
  - L-A Economic Growth Council, Auburn Business Development Corp. – Councilor Shea reported
- Education
  - Auburn School Committee – Councilor Young reported
  - Auburn Public Library – Councilor LaFontaine, absent

**IN COUNCIL REGULAR MEETING JUNE 4, 2012 VOL. 33 PAGE 37**

- Great Falls TV – Councilor Young and Councilor Shea, Councilor Young reported.
- Environmental Services
  - Auburn Water District, Auburn Sewerage District – Councilor Crowley reported
  - Mid-Maine Waste Action Corp. – Councilor Walker, no report
- Recreation
  - Recreation Advisory Board – Councilor Walker, no report.
- Public Safety
  - LA 911 – Councilor Walker, no report.

**Councilor Reports**

- Tizz Crowley reported
- Belinda Gerry reported
- Leroy Walker reported

**Interim City Manager, Don Gerrish** - reported

**IV. Communications, Presentations and Recognitions**

**V. Open Session**

Larry Pelletier, 129 Second Street  
 Ron Potvin, 82 Northern Avenue  
 Tim Doughty, 75 Cherry Vale Circle

VI. Unfinished Business

**VII. Public Hearing on City and School CIP** - No public comments.

VIII. New Business

28. Resolve 05-06042012 – Adopting the Municipal Budget (Annual Appropriation Resolve). Public hearing and first reading.

Tim Doughty, 75 Cherry Vale Circle  
 Dan Herrick, 470 Hatch Road  
 Ron Potvin, 82 Northern Avenue  
 Joe Gray, Sopers Mill Road

Motion was made by Councilor Young and seconded by Councilor Hayes for passage of the first reading. Passage 4-2 (Councilors Gerry and Crowley).

29. Order 36-06042012 – Reducing the match requirement, under the Residential Rehabilitation Program, from 25% to 12.5% to provide a \$21,875 loan, as approved by the Community Development Loan committee, for the property located at 90 Whitney Street.

**IN COUNCIL REGULAR MEETING JUNE 4, 2012 VOL. 33 PAGE 38**

Motion was made by Councilor Crowley and seconded by Councilor Gerry for passage. Passage 4-1 (Councilor Walker opposed; Councilor Shea abstaining).

30. Order 37-06042012 – Authorizing the City Manager to sign the proposed Land Swap Agreement and other documents necessary to complete the land exchange with R & K Properties, LLC., for property at 8 South Main Street (parcel 221-074) and property at 87 Mill Street (parcel 221-076).

Motion was made by Councilor Gerry and seconded by Councilor Walker for passage. Passage 5-0 (Councilor Shea abstaining).

31. Order 38-06042012 – Opening a period for nominations of names for a City owned parcel of land located besides 87 Mill Street, (also known as 8 South Main Street).

Motion was made by Councilor Gerry and seconded by Councilor Walker for passage. Passage 5-0 (Councilor Shea abstaining).

**VIII. Open Session – The Mayor invited the public to speak during Open Session prior to entering into Executive Session.**

Denis D’Auteuil, Deputy Director of Public Works, City of Auburn  
Dan Herrick, Hatch Road  
Joe Gray, Sopers Mill Road  
Tim Doughty, 75 Cherry Vale Circle

**IX. Future Agenda Items - None**

**X Adjournment**

Motion was made by Councilor Crowley and seconded by Councilor Walker to adjourn. Passage 5-0, (Councilor Shea abstaining), 9:22 P.M.

A TRUE COPY.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

**Mayor LaBonte called the meeting to order at 7:05 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.**

**I. Consent Items**

**None**

**II. Minutes of June 4, 2012 City Council Meeting.**

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry to approve the June 4, 2012 Council Meeting Minutes. Passage 7-0.

**III. Reports**

**Mayor's Report** – reported

**Committee Reports**

- Transportation
  - Androscoggin Transportation Resource Center – Mayor LaBonte, no report
  - Lewiston Auburn Transit – Councilor Gerry reported
  - Airport, Railroad – Councilor Hayes, no report
- Housing
  - Community Development Block Grant, Neighborhood Stabilization Program, Auburn Housing Authority – Councilor Gerry, no report
- Economic Development
  - L-A Economic Growth Council, Auburn Business Development Corp. – Councilor Shea reported
- Education
  - Auburn School Committee – Councilor Young reported
  - Auburn Public Library – Councilor LaFontaine, no report
  - Great Falls TV – Councilor Young and Councilor Shea, Councilor Young reported.
- Environmental Services
  - Auburn Water District, Auburn Sewerage District – Councilor Crowley reported
  - Mid-Maine Waste Action Corp. – Councilor Walker reported
- Recreation
  - Recreation Advisory Board – Councilor Walker, no report
- Public Safety
  - LA 911 – Councilor Walker reported

**Councilor Reports**

- Tizz Crowley reported
- Mary LaFontaine reported
- David Young reported
- Leroy Walker reported

**IN COUNCIL REGULAR MEETING JUNE 18, 2012 VOL. 33 PAGE 40**

- Joshua Shea reported

**City Manager** - reported

#### **IV. Communications, Presentations and Recognitions**

Mayor LaBonté presented Mayoral Portraits to previous Mayors John Cleveland, Richard Trafton, and Richard Gleason.

Mayor LaBonté recognized Public Works Director, Bob Belz, who will be retiring at the end of the month, for 43 years of dedicated service to the City of Auburn.

#### **V. Open Session**

Ron Dubois, Executive Director of the YMCA  
Gary Simard, 157 Cook Street  
Savannah, Cassidy, and Parker  
Joanne Shaw, Lake Street  
Dennis Berube  
Scott Bussiere, 205 Lake Street  
Jake  
Laura Garcia, Lewiston  
Eric Chadborne  
Tom Labrie

#### **VI. Unfinished Business**

32. Resolve 05-06042012 – Adopting the Municipal Budget (Annual Appropriation Resolve).  
Second and final reading.

Motion was made by Councilor LaFontaine and seconded by Councilor Shea for passage. Passage 5-2 (Councilors Crowley and Gerry).

#### **VII. New Business**

1. Order 39-06182012 – Adopting the 2012-2013 Capital Improvement Program (CIP) Bond Projects.

Motion was made by Councilor Shea and seconded by Councilor Crowley for passage. Passage 6-1 (Councilor Gerry).

33. Order 40-06182012 – Adopting the 2012-2013 Capital Improvement Program (CIP2) Other Funding Projects.

Motion was made by Councilor Shea and seconded by Councilor Crowley for passage. Passage 7-0.

#### **IN COUNCIL REGULAR MEETING JUNE 18, 2012 VOL. 33 PAGE 41**

34. Order 41-06182012 – Authorizing the issuance and sale of the City's general obligation bonds in the amount of \$5,600,000. Public Hearing and first reading.

Motion was made by Councilor Shea and seconded by Councilor Walker for passage. Passage 6-1 (Councilor Gerry).

35. Order 42-06182012 – Establishing the property tax payment due dates and the property tax delinquency and overpayment interest rates for Fiscal Year 2012-2013.

Motion was made by Councilor Shea and seconded by Councilor Walker for passage.

Motion by Councilor Gerry and seconded by Councilor Walker to amend the order by changing the interest rate from 7% to 5%. Motion failed 2-5 (Councilors Crowley, Hayes, LaFontaine, Young, and Shea).

Passage of order 5-2 (Councilor Gerry and Walker).

36. Order 43-06182012 – Designating the city-owned parcel at 8 S. Main Street (PID; 221-074) as a public easement (as defined by 23 M.R.S.A. §3021); and authorizing the City Manager to execute any documents necessary to complete this designation.

Motion was made by Councilor Shea and seconded by Councilor LaFontaine for passage. Passage 7-0.

VIII. Open Session

Gary Simard, Cook Street  
Steve Martelli, Main Street  
Bob Belz, Director of Public Works, City of Auburn

IX. **Future Agenda Items** – Councilor Gerry – disposal of needles, recycling, litter issues.

X **Adjournment**

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley to adjourn. Passage 6-1 (Councilor Shea), 9:40 P.M.

A TRUE COPY.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

**IN COUNCIL SPECIAL MEETING JUNE 25, 2012 VOL. 33 PAGE 42**

**Mayor LaBonte called the meeting to order at 7:05 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.**

The City Council took a few minutes at the beginning of the public meeting to let the members of the public continue to comment on the Ice Arena which was discussed in workshop.

The following individuals addressed this item in workshop and in the regular meeting:

Tom Labrie, Greene  
Paul Bonenfant, 36 Mayfield Road  
Kevin Pratt, Hersey Hill Road, Minot  
Mike Keene, Nottingham Hill Road  
Mark Sampson, 34 Musket Drive, Auburn

Darren Chadborne  
Dennis Berry, 26 Crest Avenue  
Jackie Moreau  
Brian Dubois, Executive Director of the YMCA  
Al Hannel, New Gloucester  
Larry Pelletier, 129 Second Street, Auburn  
Paul Landry, Minot Avenue  
Dan D'Auteuil, Pinewoods Road

Motion was made by Councilor Shea and seconded by Councilor Walker to enter into Executive Session, pursuant to 1 M.R.S.A. §405(6)(C).

Motion was made by Councilor Gerry to table the Executive Session to the end of the meeting. Motion failed, 3-4 (Councilors LaFontaine, Shea, Walker, Hayes).

Council went into executive session at 7:15 P.M. by a vote of 6-1 (Councilor Gerry).

The Mayor declared executive session over at 8:35 P.M.

The following items were added to the agenda.

Order 46-06252012 - Authorizing staff to conduct due diligence and pursue site control for the land at 985 Turner Street owned by George Schott/Auburn Plaza, Inc., for the purpose of building a double-sheet ice arena at that location.

Motion was made by Councilor LaFontaine and seconded by Councilor Shea for passage.  
Passage  
6-1 (Councilor Gerry).

Order 47-06252012 - Authorizing the City Manager to negotiate and execute an agreement under which the City of Auburn will be responsible for a portion of certain planning, permitting and site preparation costs associated with the construction of a double-sheet ice arena incurred by the developer in the event that the City decides ultimately not to pursue the ice arena project.

Motion was made by Councilor LaFontaine and seconded by Councilor Young for passage.

#### **IN COUNCIL SPECIAL MEETING JUNE 25, 2012 VOL. 33 PAGE 43**

Motion was made by Councilor Gerry and seconded by Councilor Crowley to amend the order to hold a referendum vote within 3 weeks from this meeting. Motion failed 2-5 (Councilors LaFontaine, Hayes, Young, Shea, and Walker).

Passage 5-2 (Councilors Gerry and Crowley).

#### **I. New Business**

1. Order 44-06252012 – Granting a mass gathering permit and in kind services to the Liberty Festival 2012.

There was no public comment.

Motion was made by Councilor Shea and seconded by Councilor LaFontaine for passage. Passage 7-0.

2. Order 45-06252012 – Authorizing the issuance and sale of general obligation Qualified Zone Academy Bonds for the city school capital equipment and improvements in the amount of \$1,057,323. Public hearing and first reading.

There was no public comment.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker for passage. Passage 7-0.

VII. Open Session – **There was no public comment**

X **Adjournment**

Motion was made by Councilor Crowley and seconded by Councilor LaFontaine to adjourn. Passage 6-1 (Councilor Shea), 9:15 P.M.

A TRUE COPY.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

**IN COUNCIL REGULAR MEETING JULY 2, 2012 VOL. 33 PAGE 44**

**Mayor LaBonte called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.**

I. Consent Items

1. **Order 48-07022012\*** - Waiving the business licensing fee for the High Street Congregational Church.

Councilor Gerry requested this item be removed from the consent agenda and placed under new business.

2. **Order 49-07022012 \*** - Waiving the business licensing fee for Saint Dominic Academy.

Councilor Hayes requested this item be removed from the consent agenda and placed under new business.

II. **Minutes of June 18, 2012 and June 25, 2012.**

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to approve the June 18 and June 25, 2012 Council Meeting Minutes. Passage 7-0.

III. **Reports**

**Mayor's Report** – reported

**Committee Reports**

- Transportation
  - Androscoggin Transportation Resource Center – Mayor LaBonté reported. Clint Deschene will serve on this seat going forward.
  - Lewiston Auburn Transit – Councilor Gerry, no report.
  - Airport, Railroad – Councilor Hayes reported.
  - Bike-Ped Committee – Councilor Shea reported.
- Housing
  - Community Development Block Grant, Neighborhood Stabilization Program, Auburn Housing Authority – Councilor Gerry reported.
- Economic Development
  - L-A Economic Growth Council, Auburn Business Development Corp. – Councilor Shea reported
- Education
  - Auburn School Committee – Councilor Young, no report.
  - Auburn Public Library – Councilor LaFontaine reported.
  - Great Falls TV – Councilor Young and Councilor Shea, Councilor Young reported.
- Environmental Services
  - Auburn Water District, Auburn Sewerage District – Councilor Crowley reported.

**IN COUNCIL REGULAR MEETING JULY 2, 2012 VOL. 33 PAGE 45**

- Mid-Maine Waste Action Corp. – Councilor Walker reported.
- Recreation
  - Recreation Advisory Board – Councilor Walker, no report.
- Public Safety
  - LA 911 – Councilor Walker, no report.

**Councilor Reports**

- Leroy Walker reported
- Tizz Crowley reported
- Mary LaFontaine reported

**City Manager** - reported

**IV. Communications, Presentations and Recognitions**

**V. Open Session**

Larry Pelletier, 129 Second Street  
 Roland Miller, Economic Development Director, City of Auburn  
 Andy Titus, Lamplighter Circle  
 Joe Gray, Sopers Mill Road

**VI. Unfinished Business**

3. Order 41-06182012 – Authorizing the issuance and sale of the City’s general obligation bonds in the amount of \$5,600,000, second and final reading.

Motion was made by Councilor Shea and seconded by Councilor LaFontaine for passage. Passage 6-1 (Councilor Gerry).

4. Order 45-06252012 – Authorizing the issuance and sale of general obligation Qualified Zone Academy Bonds for the city school capital equipment and improvements in the amount of \$1,057,323, second and final reading.

Motion was made by Councilor Shea and seconded by Councilor Gerry to postpone this item until 7/16/2012.

Public comment -

Francois Bussiere, School Committee Member.

Motion failed 3-4 (Councilors Crowley, Hayes, LaFontaine, Young).

Motion was made by Councilor Crowley and seconded by Councilor LaFontaine for passage of the Order.

#### **IN COUNCIL REGULAR MEETING JULY 2, 2012 VOL. 33 PAGE 46**

Public comment

Andy Titus, 17 Lamplighter Circle

Passage of Order 7-0.

#### **VII. New Business**

1. Order 48-07022012\* - Waiving the business licensing fee for the High Street Congregational Church. Councilor Gerry requested this item be removed from the consent agenda and placed under new business.

Motion was made by Councilor Gerry and seconded by Councilor Walker to waive the on premise business licensing fee.

Motion was made by Councilor Hayes and seconded by Councilor Crowley to postpone this item. Motion failed 3-4 (Councilors Walker, Shea, Gerry, Young).

Passage of Order, 5-2 (Councilors Crowley and Hayes).

2. Order 49-07022012 \* -Waiving the business licensing fee for Saint Dominic Academy. Councilor Hayes requested this item be removed from the consent agenda and placed under new business.

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry for passage.

Motion was made by Councilor Hayes and seconded by Crowley to postpone this item. Passage 4-3 (Councilors Gerry, Shea, Walker).

5. Order 50-07022012 – Authorizing the City Manager to execute a Memorandum of Understanding.

Motion was made by Councilor LaFontaine and seconded by Councilor Shea for passage.

Public comment –

Andy Titus, Lamplighter Circle  
Joe Gray, Sopers Mill Road

Passage 6-1 (Councilor Gerry).

VIII. Open Session

Joe Gray, Sopers Mill Road

IX. **Executive Session** - Discussing a Poverty Abatement, pursuant to 36 M.R.S.A. Sec. 841 (2).

Motion was made by Councilor LaFontaine and seconded by Councilor Shea. Passage 7-0, 9:07 P.M.

The Mayor declared Council out of Executive Session at 9:32 P.M.

**IN COUNCIL REGULAR MEETING JULY 2, 2012 VOL. 33 PAGE 47**

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley to deny the Poverty Abatement case # 129. Passage, 6-0-1 (Councilor Walker abstained).

X. **Future Agenda Items** – Councilor Crowley, the Turner Street Project.

XI. **Adjournment**

Motion was made by Councilor LaFontaine and seconded by Councilor Young to adjourn. Passage 6-1 (Councilor Gerry), 9:36 P.M.

A TRUE COPY.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

**IN COUNCIL REGULAR MEETING JULY 16, 2012 VOL. 33 PAGE 48**

**Mayor LaBonte called the meeting to order at 7:01 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Councilor Young was absent.**

I. Consent Items

1. **Order 51-07162012** Electing Rosemary Kulow and appointing City Manager Clint Deschene as the MMA LPC (Maine Municipal Association's Legislative Policy Committee members for the 2012-2014 term.

Motion was made by Councilor Shea and seconded by Councilor LaFontaine for passage. Passage 6-0.

II. Minutes

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to approve the minutes of the 7/2/2012 meeting. Passage 6-0.

III. Reports

**Mayor's Report** – Mayor LaBonté reported.

**City Councilors' Reports** – Councilor Crowley and Councilor Walker reported.

**City Manager's Report**

Letter from The Mayor and City Council to School Committee Members – to be signed by Council.

**Finance Director, Jill Eastman** – Final June 2012 preliminary Financial Report

Motion to accept the June 2012 Preliminary Financial Report was made by Councilor LaFontaine and seconded by Councilor Gerry for passage. Passage 6-0.

IV. Communications, Presentations and Recognitions

V. Open Session

Hillary Dow – 126 Whitney Street, Auburn  
John Cote – 584 Minot Avenue, Auburn  
Gary Plouffe – 178 Main Street, Auburn

VI. Unfinished Business

6. **Order 49-07022012** Waiving the business licensing fee for Saint Dominic Academy. Postponed on 7/2/12.

**IN COUNCIL REGULAR MEETING JULY 16, 2012 VOL. 33 PAGE 49**

Motion was made by Councilor Shea and seconded by Councilor Gerry for passage. Passage 5-1 (Councilor Hayes).

VII. New Business

1. **Ordinance 03-07162012** Amending the Code of Ordinances adopting the FY 12-13 General Assistance maximums to be effective on and after July 1, 2012 to reflect the state law (first reading).

Motion was made by Councilor Shea and seconded by Councilor Crowley for passage of the first reading. Passage 6-0.

2. **Ordinance 04-07162012** Amending the City Of Auburn Zoning Map in the area of 75 Constellation Drive, from Suburban Residential, to Industrial pursuant to Chapter 60, Section 1445 – 1449 of the Code of Ordinances. Public hearing and first reading.

Motion was made by Councilor Shea and seconded by Councilor LaFontaine for passage of the

first reading. Passage 6-0.

3. **Ordinance 05-07162012** Amending the Official Business Directory Sign (OBDS) Ordinance Chapter 42, Division 2, Section 42-44. Location. Public hearing, first and final reading.

Motion was made by Councilor Shea and seconded by Councilor Walker for passage of the first reading (final reading will be at next meeting). Passage 6-0.

4. **Resolve 06-07162012** Opposing immediate action on the proposed toll increases by the Maine Turnpike Authority.

Motion was made by Councilor Shea and seconded by Councilor Crowley for passage. Passage 6-0.

5. **Order 52-07162012** Appointing Planning Board members.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to appoint to the Planning Board: Robert Gagnon from Associate Member to a full member with a term ending July 2014; Daniel Philbrick to a full member with a term ending January 2015; Marc Tardif to a full member with a term ending January 2014 and Mia Poliquin Pross as an Associate Member with a term ending July 2014. Passage 6-0.

## IN COUNCIL REGULAR MEETING JULY 16, 2012 VOL. 33 PAGE 50

### VIII. Executive Session

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley to go into Executive Session, pursuant to 1 M.R.S.A. §405(6)(A), to discuss a personnel matter. Passage 6-0, 8:18 P.M.

The Mayor announced Executive Session was over at 9:14P.M.

### IX. Open Session

- X. **Future Agenda/Workshop Items** Future Agenda/Workshop Items were not discussed.

Potential workshops items for August 6:

- Waiving fees for non-profits
- Website policy
- Committee and Board appointments

### XI. Adjournment

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to adjourn. Passage 6-0, 9:15 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Karen Veilleux, Executive Assistant

**IN COUNCIL REGULAR MEETING AUGUST 6, 2012 VOL. 33 PAGE 51**

**Mayor LaBonte called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.**

**I. Consent Items**

1. **Order 53-08062012\*** Confirming the appointments of Mitchel B. Morse as Constable with firearm and Kristal A. Parshall as Constable without firearm for the Auburn Police Department.
2. **Order 54-08062012\*** Accepting the transfer of \$975.60 forfeiture assets in U.S. Currency (Martinez).
3. **Order 55-08062012\*** Appointment of Renee Lachapelle as Tax Assessor for a period of one year from March 15, 2011 to March 14, 2012.
4. **Order 56-08062012\*** Appointment of Renee Lachapelle as Tax Assessor for a period of two years from March 15, 2012 to March 14, 2014.

Motion was made by Councilor Hayes and seconded by Councilor Crowley for passage of the consent items. Passage 7-0.

**II. Minutes**

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to approve the July 16 Council Meeting Minutes. Passage 6-0-1 (Councilor Young abstained).

**III. Reports**

**Mayor's Report** – reported

**Committee Reports**

- Transportation
  - Androscoggin Transportation Resource Center – Mayor LaBonté reported. Clint Deschene will serve on this seat going forward.
  - Lewiston Auburn Transit – Councilor Gerry reported.
  - Airport, Railroad – Councilor Hayes reported.
  - Bike-Ped Committee – Councilor Shea reported.
- Housing
  - Community Development Block Grant, Neighborhood Stabilization Program, Auburn Housing Authority – Councilor Gerry, no report.
- Economic Development
  - L-A Economic Growth Council, Auburn Business Development Corp. – Councilor Shea, no report.
- Education
  - Auburn School Committee – Councilor Young reported.
  - Auburn Public Library – Councilor LaFontaine, no report.
  - Great Falls TV – Councilor Young and Councilor Shea, no report.
- Environmental Services

**IN COUNCIL REGULAR MEETING AUGUST 6, 2012 VOL. 33 PAGE 52**

- Auburn Water District, Auburn Sewerage District – Councilor Crowley reported.
- Mid-Maine Waste Action Corp. – Councilor Walker, no report.
- Recreation
  - Recreation Advisory Board – Councilor Walker, no report.
- Public Safety
  - LA 911 – Councilor Walker, no report.

**Councilor Reports**

- Tizz Crowley reported
- David Young reported
- Leroy Walker reported
- Belinda Gerry reported

**City Manager** – reported

- Liberty Festival – Police Departments After Action Report – Phil Crowell
- Fireworks – Phil Crowell

**IV. Communications, Presentations and Recognitions**

- Mayoral Proclamation – National Night Out
- New Park Watch Program – Ravi Sharma and Phil Crowell

**V. Open Session**

A gentleman spoke but he did not provide his name or address  
Barry Plouffe, 121 Main Street

**VI. Unfinished Business**

1. **Ordinance 03-07162012** Amending the Code of Ordinances adopting the FY 12-13 General Assistance maximums to be effective on and after July 1, 2012 to reflect the State law. Second and final reading.

Motion was made by Councilor Shea and seconded by Councilor Crowley for passage.

No public comment.

Passage 7-0.

2. **Ordinance 04-07162012** Amending the City of Auburn Zoning Map in the area of 75 Constellation Drive, from Suburban Residential, to Industrial pursuant to Chapter 60, Section 1445-1449 of the Code of Ordinances. Second and final reading.

Motion was made by Councilor Shea and seconded by Councilor LaFontaine for passage.

No public comment.

**IN COUNCIL REGULAR MEETING AUGUST 6, 2012 VOL. 33 PAGE 53**

Passage 7-0.

3. **Ordinance 05-07162012** Amending the Official Business Directory Sign (OBDS) ordinance Chapter 42, Division 2, Section 42-44. Location. Second and final reading.

Motion was made by Councilor Shea and seconded by Councilor Crowley for passage.

No public comment.

Passage 7-0.

## VII. New Business

1. **Order 57-08062012** Approving a new Liquor License application for Zhen Long Inc, D/B/A Panda Garden Restaurant located at 245 Center Street. Food Service Establishment – Class I Restaurant with Liquor.

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry for passage.

No public comment.

Passage 7-0.

2. **Order 58-08062012** Approving services and permissions for the Great Falls Balloon Festival 2012.

Motion was made by Councilor Shea and seconded by Councilor Lafontaine for passage.

Motion was made by Councilor Shea and seconded by Councilor Hayes to amend the order by the following;

- Under the licenses paragraph, strike waiving fees for vendors,
- If a vendor is currently licensed, they would be exempt from the restrictions in this letter and would be allowed to continue operating,
- Under the Sanitary Facilities paragraph, add that more units will be added if deemed necessary by the City Manager or his designee,
- All city costs will be documented by city staff with a follow up report,
- Make changes to the section under **Friday, August 17, 5:00pm – Sunday, August 19, 8:00pm** as follows; Permission for the Great Falls Balloon Festival, Inc. to control all food and product vendors, but for those licensed as of 8/6/2012, as well as other non approved activities in the Great Falls Plaza area and in city owned property and parking lots referenced above (public areas, green spaces and parking lots in the downtown Main Street area including Festival Plaza, Miller parking lot, Mechanics Row Parking lot between Main and Mechanic's Row, and the Riverwalk) and striking everything else.

Public comment

- Mell Hamlyn, Balloon Festival Coordinator
- Harold Brooks, Hebron, ME and Balloon Festival Head of Logistics

## IN COUNCIL REGULAR MEETING AUGUST 6, 2012 VOL. 33 PAGE 54

Motion was made by Councilor Hayes and seconded by Councilor Gerry to amend the amendment by reducing the licensing fee to \$10.00. Vote 3-3-1 (Councilors Crowley, Walker, and Shea, with Councilor LaFontaine abstaining), Mayor LaBonté voted breaking the tie and the motion failed, 3-4-1 (Councilors Crowley, Walker, Shea, and Mayor LaBonté, with Councilor LaFontaine abstaining).

Motion was made by Councilor Walker and seconded by Councilor LaFontaine to amend the amendment by changing the language in part 1 to waive the fees for the two approved vendors (Jr. ROTC and the Children's Miracle Network). Passage, 5-2 (Councilors Crowley and Shea).

Passage of the amendment, as amended, 5-2 (Councilors LaFontaine and Walker).

Passage of the order, as amended, 6-1 (Councilor Gerry).

**3. Order 59-08062012** Approving the refinancing of Bonds.

Motion was made by Councilor Shea and seconded by Councilor Crowley for passage.

No public comment.

Passage 7-0.

**4. Resolve 07-08062012** Supporting the City Manager's letter/email to MMA (Maine Municipal Association) expressing City Council concerns on MMA's Executive Committee Selection process.

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

Passage 7-0.

**VIII. Open Session**

No public comment

**IX. Executive Session**

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

Motion was made by Councilor LaFontaine and seconded by Councilor Shea, 9:46 P.M.

The Mayor declared Council out of Executive Session at 9:56 P.M.

**X. Future Agenda Items** – The Mayor called for a Special Council Meeting on Monday, 9/24/2012 to set the date for a Public Hearing on naming the 8 South Main Street property.

**IN COUNCIL REGULAR MEETING AUGUST 6, 2012 VOL. 33 PAGE 55**

**XI. Adjournment**

Motion was made by Councilor LaFontaine and seconded by Councilor Shea to adjourn. Passage 7-0, 9:58 P.M.

A TRUE COPY.

ATTEST \_\_\_\_\_

**IN COUNCIL REGULAR MEETING AUGUST 20, 2012 VOL. 33 PAGE 56**

**Mayor LaBonte called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Councilor LaFontaine had an excused absence.**

**II. Consent Items - none**

**II. Minutes**

Motion was made by Councilor Gerry and seconded by Councilor Shea to approve the minutes of the 8/6/2012 meeting. Councilor Crowley requested that a correction be made on consent agenda item #4, order 56-08062012. Changing the word one to two (years). Passage 6-0.

**III. Reports**

**Mayor's Report** – Mayor LaBonté reported.

- City of Auburn work plan

**City Councilors' Reports** – Councilor Gerry, Councilor Crowley, and Councilor Walker reported.

**City Manager's Report**

- Website policy

**Finance Director, Jill Eastman** – July 2012 Monthly Report

Motion to accept the July 2012 Monthly Report was made by Councilor Young and seconded by Councilor Crowley for passage. Passage 6-0.

**IV. Communications, Presentations and Recognitions - none**

**V. Open Session**

John Cote – 344 Minot Avenue, Auburn  
John Cleveland – 183 Davis Avenue, Auburn  
Barry Plouff – 178 Main Street, Auburn

**VI. Unfinished Business**

**7. Order 59-08062012** Approving the refinancing of Bonds, public hearing, second and final reading.

Public Hearing – no public comment.

Passage 6-0.

VII. New Business

5. **Order 60-08202012** Considering the petition to accept Clubhouse Lane as a public street.

Motion was made by Councilor Shea and seconded by Councilor Gerry.

Public Hearing – Dave Hamilton, 45 Clubhouse Lane

Motion failed 1-5 (Councilors Crowley, Hayes, Walker, Gerry, and Shea).

6. **Order 61-08202012** Approving Veterinary Support Services request to construct a 9,441 square foot building and operate an animal cremation service at 171 Kittyhawk Avenue (PID # 131-002).

Motion was made by Councilor Shea and seconded by Councilor Crowley for passage.

Public Hearing – Mike Gotto, 456 Buckfield Road, Turner, ME

Passage 6-0.

7. **Order 62-08202012** Appointing members to the Water and Sewer Districts, and the CDBG (Community Development Block Grant) Loan Committee.

Motion was made by Councilor Crowley and seconded by Councilor Walker to enter into executive session, pursuant to 1 M.R.S.A. §405(6)(A). Vote 6-0, 8:19 P.M.

The Mayor declared executive session over at 8:33 P.M.

Motion was made by Councilor Shea and seconded by Councilor Hayes to make the following appointments and reappointments;

- Heidi McCarthy – Sewer District Board of Trustees, a new appointment with a term expiration of 3/1/2016
- Bruce Rioux – Water District Board of Trustees, a reappointment with a term expiration of 3/1/2013
- James Wilkins – Water District Board of Trustees, a new appointment with a term expiration of 3/1/2014
- Lee Upton – Water District Board of Trustees, a new appointment with a term expiration of 3/1/2016
- Matt Carter – CDBG Loan Committee, a reappointment with a term expiration of 9/1/2014
- Susan Krongold - CDBG Loan Committee, a reappointment with a term expiration of 2/1/2015
- 

**IN COUNCIL REGULAR MEETING AUGUST 20, 2012 VOL. 33 PAGE 58**

- Traverse Fournier - CDBG Loan Committee, a reappointment with a term expiration of 2/1/2014
- John Cleveland - CDBG Loan Committee, a reappointment with a term expiration of 9/1/2013

Passage 6-0.

8. **Order 63-08202012** Authorizing the City Manager to sign easements to the Sewer District and to Rivershore Place Housing, LP.

Motion was made by Councilor Shea and seconded by Councilor Crowley for passage. Passage 6-0.

**VIII. Executive Session**

IX. Open Session – **no one from the public spoke**

X. **Future Agenda/Workshop Items** – Update on the improvement plans for the Auburn Beach.

**XI. Adjournment**

Motion was made by Councilor Young and seconded by Councilor Gerry to adjourn. Passage 6-0, 8:45 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

**IN COUNCIL REGULAR MEETING SEPTEMBER 4, 2012 VOL.33 PAGE 59**

**Mayor LaBonte called the meeting to order at 7:09 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag.**

**III. Consent Items - none**

II. Minutes

Motion was made by Councilor Crowley and seconded by Councilor Walker to accept the minutes of 8/20/2012 with two changes, 1) under the Boards and Committee appointments, note if it was a reappointment, 2) add Mike Gotto's address.

Passage 7-0

**III. Reports**

**Mayor's Report** – Mayor LaBonté reported.

**Committee Reports**

- Transportation
  - Androscoggin Transportation Resource Center – Mayor LaBonté reported.
  - Lewiston Auburn Transit – Councilor Gerry reported.
  - Airport, Railroad – Councilor Hayes reported.
  - Bike-Ped Committee – Councilor Shea reported.
- Housing
  - Community Development Block Grant, Neighborhood Stabilization Program, Auburn Housing Authority – Councilor Gerry reported.
- Economic Development
  - L-A Economic Growth Council, Auburn Business Development Corp. – Councilor Shea reported.
- Education

- Auburn School Committee – Councilor Young reported.
- Auburn Public Library – Councilor LaFontaine reported.
- Great Falls TV – Councilor Young and Councilor Shea. Councilor Young reported.
- Environmental Services
  - Auburn Water District, Auburn Sewerage District – Councilor Crowley reported.
  - Mid-Maine Waste Action Corp. – Councilor Walker reported.
- Recreation
  - Recreation Advisory Board – Councilor Walker reported.
- Public Safety
  - LA 911 – Councilor Walker reported.

**IN COUNCIL REGULAR MEETING SEPTEMBER 4, 2012 VOL.33 PAGE 60**

**City Councilors’ Reports** – Councilors Young, LaFontaine, Walker, Gerry, and Crowley reported.

**City Manager’s Report**

- Auburn Municipal Beach improvements
- CDBG (Community Development Block Grant)

**IV. Communications, Presentations and Recognitions - none**

**V. Open Session**

Dan Herrick – 470 Hatch Road, Auburn  
 Andy Titus – 17 Lamplighter Circle, Auburn  
 Joe Gray – Sopers Mill Road, Auburn

**VI. Unfinished Business - none**

**VII. New Business**

**9. Order 64-09042012** Approving the agreement to share health officer services with Lisbon.

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

Public Comment – Dan Herrick, 470 Hatch Road, Auburn

Passage 5-2 (Councilors Walker and Gerry).

Open Session – **The Mayor invited the public to speak during Open Session prior to entering into Executive Session to discuss the next agenda item. No one from the public spoke.**

**10. Order 65-09042012** Approving the pro forma and draft lease on the double surface ice arena.

Motion was made by Councilor Walker and seconded by Councilor LaFontaine to enter into Executive Session, pursuant to 1 M.R.S.A. §405(6)(C).

Passage 7-0, 8:45 P.M.

The Mayor declared executive session over at 10:18.

**IN COUNCIL REGULAR MEETING SEPTEMBER 4, 2012 VOL.33 PAGE 61**

No action was taken. This item will be postponed and discussed at the 9/17/2012 City Council Meeting.

**VIII. Executive Session**

IX. Future Agenda/Workshop Items

**X. Adjournment**

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry to adjourn. Passage 6-0 (Councilor Young was not present for this vote – excused absence), 8:45 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

**IN COUNCIL REGULAR MEETING SEPTEMBER 17, 2012 VOL. 33 PAGE 62**

Mayor LaBonte called the meeting to order at 7:04 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

Consent Items\*

11. **Order 66-09172012\*** Appointing John D. Chamberlain as a Constable with firearm for the Auburn Police Department.
12. **Order 67-09172012\*** Accepting the transfer of \$656.00 forfeiture assets in U.S. Currency (Abreau).
13. **Order 68-09172012\*** Accepting the transfer of \$525.00 in U.S. Currency; one .45 high point pistol serial # X4173571; and one 12 gauge NEF shot gun serial #NA241124 forfeiture assets (Stoodley).

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes for passage of the consent items. Passage 7-0.

**II. Minutes**

Motion was made by Councilor Crowley and seconded by Councilor Hayes to approve the minutes of the 9/4/2012. Passage 7-0.

**III. Reports**

**Mayor's Report** – Mayor LaBonté reported.

**City Councilors' Reports** – Councilor Crowley reported.

**City Manager's Report** – City Manager Deschene Reported.

**Finance Director, Jill Eastman** – August 2012 Monthly Report

Motion was made by Councilor Crowley and seconded by Councilor Gerry to accept the August 2012 Monthly Report. Passage 7-0.

**IV. Communications, Presentations and Recognitions** – The following items were postponed and will be presented at a future meeting.

- Council Orientation-City Council Roles and Responsibilities - Dan Stockford, Attorney
- Uniform Crime Report (UCR) Presentation-Phil Crowell

**V. Open Session**

Kevin Simpson, 84 Summer Street, Auburn

Sandra Doctoroff, 39 Royal Oaks Drive, Auburn

Renee Cote, 54 Dawes Avenue, Auburn

**IN COUNCIL REGULAR MEETING SEPTEMBER 17, 2012 VOL. 33 PAGE 63**

Motion was made by Councilor Hayes and seconded by Councilor LaFontaine to suspend the rules to take New Business out of order. Passage 7-0.

**VI. New Business**

**14. Ordinance 06-09172012** Approving the zoning change on South Witham Road. Public Hearing and first reading.

Motion was made by Councilor Crowley and seconded by Councilor Gerry to approve option 2 of 2.

Public Hearing – No one from the public spoke.

Motion failed 2-5 (Councilors Hayes, LaFontaine, Young, Walker, and Shea).

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to approve option 1 of 2.

Public Hearing – No one from the public spoke.

Passage of the first reading, 5-2 (Councilors Crowley and Gerry).

**15. Order 69-09172012** Authorizing the sale of Lot 9 to Paul Cutter (Cutter, LLC) and authorizing the Chairman of the Auburn-Lewiston Municipal Airport Board of Directors to sign all necessary documents for the completion of this transaction on behalf of the City of Auburn.

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

Public comment – none

Passage 6-1 (Councilor Crowley).

**16. Order 70-09172012** Appointing members to the 911 Committee, Zoning Board of Appeals, and Assessment Review Committee. City Council may go into Executive Session, pursuant to 1 M.R.S.A. §405(6)(A).

Postponed to a future meeting.

VII. Unfinished Business

**IN COUNCIL REGULAR MEETING SEPTEMBER 17, 2012 VOL. 33 PAGE 64**

8. **Order 65-09042012** Authorizing the City Manager to execute the lease agreement on the double surface ice arena (wording changed to agree with the order language). Council may go into Executive Session, pursuant to 1 M.R.S.A. §405(6)(C).

Motion was made by Councilor LaFontaine and seconded by Councilor Shea to request staff fully access the bond option with an updated pro-forma and report back to Council.

Public Hearing -

Jay Potter

Kevin Fletcher, Fairway Drive, Auburn

Peter Grenier, Lewiston

Linda Berube, Sopers Mill Road, Auburn

Brad Berube, 60 Vickery Road, Auburn

Brenda Parker, 93 Gamage Avenue, Auburn

Michael Hefty, 29 Infiniti Way, Auburn

Julie Ann Shaw, 222 Lake Street, Auburn

Paul Morin, Vickery Road, Auburn

Evan Cyr, 245 Broad Street, Auburn

A sophomore from St. Dom's

A Lewiston resident

Walter Sturgis, Lewiston

Patrick Madden, Sabattus

Andy Titus, Lamplighter Circle, Auburn

Dan Chasse, Auburn business owner

Dan D'Auteuil, Lewiston

Dennis Berube, Crest Avenue, Auburn

Andy, with the Maine Gladiators

Melissa Collins, 206 Fairview Avenue, Auburn

Dale Lebrun, 185 Summer Street, Auburn

Bill David, Greene

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to enter into Executive Session, pursuant to 1 M.R.S.A. §405(6)(C). Passage 7-0. 9:11 P.M.

The Mayor declared Council out of Executive Session at 9:55 P.M.

Councilor LaFontaine rescinded her previous motion and Councilor Shea rescinded his second to request that staff fully access the bond option with an updated pro-forma and report back to Council.

Motion was made by Councilor Walker and seconded by Councilor LaFontaine to authorize the City Manager to execute the lease agreement on the double sheet arena.

Passage 6-1, (Councilor Gerry).

**IN COUNCIL REGULAR MEETING SEPTEMBER 17, 2012 VOL. 33 PAGE 65**

**VIII. Open Session**

Joe Gray, Sopers Mill Road, Auburn

Andy Titus, 17 Lamplighter Circle, Auburn  
Gene Keene, Jr, 365 Park Avenue, Auburn

**IX. Executive Session**

Motion was made by Councilor LaFontaine and seconded by Councilor Shea to enter into Executive Session to discuss a personnel issue, pursuant to 1 M.R.S.A. §405(6)(A). Passage 6-0 (Councilor Young had an excused absence). 10:23 P.M.

The Mayor declared Council out of Executive Session at 10:31 P.M.

Motion was made by Councilor LaFontaine and seconded by Councilor Shea to enter into Executive Session to discuss Labor Contracts, pursuant to 1 M.R.S.A. §405(6)(D). Passage 6-0 (Councilor Young had an excused absence). 10:32 P.M.

The Mayor declared Council out of Executive Session at 10:42 P.M.

Motion was made by Councilor Shea and seconded by Councilor Crowley to enter into Executive Session to discuss Real Estate matter, pursuant to 1 M.R.S.A. §405(6)(C). Passage 6-0 (Councilor Young had an excused absence). 10:44 P.M.

The Mayor declared Council out of Executive Session at 10:48 P.M.

**X. Future Agenda/Workshop Items – Panhandling in Auburn, enforcement of parking and ticket fees.**

**XI. Adjournment**

Motion was made by Councilor Crowley and seconded by Councilor Walker to adjourn. Passage 5-1 (Councilor LaFontaine. Councilor Young had an excused absence). 10:50 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

**IN COUNCIL SPECIAL MEETING SEPTEMBER 24, 2012 VOL. 33 PAGE 66**

Mayor LaBonte called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present (Councilor Young arrived at 7:07 P.M.).

**I. Consent Items\***

17. **Order 71-09242012\*** Authorizing the City Manager to prepare and execute documents necessary to complete a transfer of city-owned property at 127 Howe Street (PID: 227-105) to abutting property owners in accordance with the terms of the agreement reached between the abutting property owners and the City.

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry. Passage 6-0 (Councilor Young was not present for this vote).

**II. Minutes - none**

**III. Reports - none**

**IV. Communications, Presentations and Recognitions**

- New Auburn Planning Presentation-Eric Cousens, Roland Miller, Reine Mynahan

**V. New Business**

**18. Order 72-09242012** Naming a parcel of City owned property at 8 South Main Street.

Public hearing –  
Susan Savard Smith, Mechanic Falls  
Joel Goodman, Auburn  
John Henderson, 84 Summer Street, Auburn

Motion was made by Councilor Walker and seconded by Councilor Young to name the park Sullivan Square.

Public comments –  
Susan Savard Smith, Mechanic Falls  
Joel Goodman, Auburn

Motion was made by Councilor Gerry and seconded by Councilor Hayes to amend the motion by naming the park Sullivan-Zalen Square.

Public comments –  
John Henderson, Auburn

Motion failed, 1-6 (Councilors Crowley, Hayes, LaFontaine, Young, Walker, and Shea all opposed).

**IN COUNCIL SPECIAL MEETING SEPTEMBER 24, 2012 VOL. 33 PAGE 67**

Motion was made by Councilor Hayes and seconded by Councilor LaFontaine to amend the original motion by naming the park Celtic Park.

Public comment - none

Motion failed 3-4 (Councilors Gerry, Crowley, Young, and Walker all opposed).

Passage of the main motion, 4-3 (Councilors Hayes, LaFontaine, and Shea opposed).

**VI. Open Session** – Nobody from the public spoke.

**VII. Future Agenda/Workshop Items** – None

**VIII. Adjournment**

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to adjourn.  
Passage 7-0.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

City Manager, Clint Deschene called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall. He asked for a motion to select a Mayor Pro Tempore in the excused absence of Mayor Jonathan LaBonté.

Motion was made by Councilor Hayes and seconded by Councilor Walker nominating Councilor Shea as Mayor Pro Tempore. Passage 7-0.

Councilor Shea led the assembly in the salute to the flag. All Councilors were present.

#### I. Consent Items\*

19. **Order 73-10012012\*** Setting the time for opening the polls for the November 6, 2012 General Election.
20. **Order 74-10012012\*** Appointment of Warden's and Ward Clerk's for the November 2012 General Election and for all 2013 Elections.
21. **Order 75-10012012\*** Accepting the land donation Parcel ID 183-029 located off Vickery Road.

Motion was made by Councilor Gerry and seconded by Councilor Crowley for passage of the consent items. Passage 7-0.

#### II. Minutes

Motion was made by Councilor Crowley and seconded by Councilor Hayes to approve the minutes of the September 17, 2012. Passage 7-0.

#### III. Reports

**Mayor's Report** – Councilor Shea reported on behalf of Mayor LaBonté.

##### **Committee Reports**

- Transportation
  - Androscoggin Transportation Resource Center – City Manager Deschene reported on behalf of Mayor LaBonté.
  - Lewiston Auburn Transit – Councilor Gerry, no report.
  - Airport, Railroad – Councilor Hayes, no report.
  - Bike-Ped Committee – Councilor Shea, no report.
- Housing
  - Community Development Block Grant, Neighborhood Stabilization Program, Auburn Housing Authority – Councilor Gerry reported.
- Economic Development
  - L-A Economic Growth Council, Auburn Business Development Corp. – Councilor Shea reported.

##### **IN COUNCIL REGULAR MEETING OCTOBER 1, 2012 VOL.33 PAGE 69**

- Education
  - Auburn School Committee – Councilor Young reported.
  - Auburn Public Library – Councilor LaFontaine reported.
  - Great Falls TV – Councilor Young and Councilor Shea. Councilor Young reported.
- Environmental Services
  - Auburn Water District, Auburn Sewerage District – Councilor Crowley reported.

- Mid-Maine Waste Action Corp. – Councilor Walker reported.
- Recreation
  - Recreation Advisory Board – Councilor Walker, no report.
- Public Safety
  - LA 911 – Councilor Walker, no report.

**City Councilors’ Reports** – Councilors Crowley, LaFontaine, and Walker reported.

**City Manager’s Report** – City Manager Deschene reported.

**IV. Communications, Presentations and Recognitions - none**

**V. Open Session**

Tim Doughty, Cherry Vale Circle, Auburn

**VI. Unfinished Business**

1. Ordinance 06-09172012 Approving the zoning change on South Witham Road. Second and final reading.

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

A motion was made to suspend the rules to add an item to the agenda under unfinished business as item #2 (Ice Arena). Passage 6-1 (Councilor Walker).

Public comment –  
 Tim Doughty, 75 Cherry Vale Circle, Auburn  
 Mary Sylvester, Maple Hill Road, Auburn  
 Holly Bricker, 23 Beckett Street, Auburn  
 Gary Bricker, Auburn  
 A resident of Nottingham Avenue, Auburn  
 Dennis Berube, Crest Avenue, Auburn  
 Eric Chadborne, New Gloucester  
 Andy Titus, 17 Lamplighter Circle, Auburn  
 Dan D’Auteil, Dan Chasse – Maine Gladiators

**IN COUNCIL REGULAR MEETING OCTOBER 1, 2012 VOL.33 PAGE 70**

A motion was made by Councilor Crowley and seconded by Councilor Hayes to rescind order 65-09042012 authorizing the City Manager to execute the lease agreement on the double surface ice arena that was passed on 9/17/2012. Passage 5-2 (Councilors LaFontaine and Walker).

**VII. New Business - None**

**VIII. Executive Session**

A motion was made by Councilor LaFontaine and seconded by Councilor Crowley to enter into Executive Session to discuss a personnel matter pursuant to 1 M.R.S.A. §405(6)(A). Passage 7-0, 9:12 P.M.

Councilor Shea declared Council out of executive session at 9:37 P.M.

A motion was made by Councilor LaFontaine and seconded by Councilor Crowley to enter into Executive Session to discuss a personnel matter pursuant to 1 M.R.S.A. §405(6)(A). Passage 7-0,

9:12 P.M.

Councilor Shea declared Council out of executive session at 9:37 P.M.

- IX. Open Session  
Joe Gray, Sopers Mill Road
- X. Future Agenda/Workshop Items  
Councilor Crowley - issues regarding committee appointments.  
Councilor Walker – Sherwood Heights Tennis Courts and the East Auburn Tennis Court.  
Councilor LaFontaine – Recreation and Land use.  
Councilor Gerry – Snowmobile Club  
Councilor Shea – Community Little Theater and a designated Arts Agency.

**XI. Adjournment**

Motion was made by Councilor Young and seconded by Councilor Crowley to adjourn. Passage 7-0, 9:42 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

**IN COUNCIL REGULAR MEETING OCTOBER 15, 2012 VOL. 33 PAGE 71**

Mayor LaBonte called the meeting to order at 7:10 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Councilor Shea had an excused absence and all other Councilors were present.

I. Consent Items\*- None

II. Minutes

Motion was made by Councilor Crowley and seconded by Councilor Gerry to approve the minutes of the September 24, 2012 Special Council Meeting and the October 1, 2012 City Council Meeting. Passage 6-0.

**III. Reports**

**Mayor's Report** – Mayor LaBonté reported.

**City Councilors' Reports** – Councilors Gerry, Crowley, Young, Walker, and LaFontaine reported.

**City Manager's Report** – City Manager Deschene Reported.

**Finance Director, Jill Eastman** – September 2012 Monthly Report

Motion was made by Councilor Crowley and seconded by Councilor Young to accept the September 2012 Monthly Report. Passage 6-0.

**IV. Communications, Presentations and Recognitions**

- Uniform Crime Report (UCR) Presentation-Phil Crowell

**V. Open Session**

Kevin Simpson, 84 Summer Street, Auburn  
Sandra Doctoroff, 39 Royal Oaks Drive, Auburn  
Joe Gray, Sopers Mill Road

**VI. Unfinished Business**

**22. Ordinance 70-09172012** Appointing members to the 911 Committee, Zoning Board of Appeals, and Assessment Review Board.

Motion was made by Councilor Crowley and seconded by Councilor Walker to appoint Assessment Review Board, alternate member Andrea Westbye, to a full appointment. Passage 6-0.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to appoint Ken Sonagere as Zoning Appeals Board member with a term expiration of 1/1/2012, Lane Feldman as a Zoning Appeals Board member with a term expiration of 4/1/2012,

**IN COUNCIL REGULAR MEETING OCTOBER 15, 2012 VOL. 33 PAGE 72**

Elizabeth Shardlow from an associate member to a full member of the Zoning Appeals Board with a term expiration of 4/1/2012. Passage 5-1, (Councilor Gerry).

The remainder of the appointments were postponed.

**VII. New Business**

**9. Order 76-10152012** Approving the transfer of a tax acquired property on Foster Road.

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

Public comment –  
Joe Gray, Sopers Mill Road

Passage 5-1 (Councilor Crowley)

**10. Order 77-10152012** Approving the renewal of an Auto Graveyard/Junkyard permit for M & P Auto Mart, 227 Merrow Road.

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

Public comment – no one from the public spoke.

Passage, 5-1 (Councilor Walker).

**11. Order 78-0152012** Approving the renewal of an Auto Graveyard/Junkyard permit for Isadore T. Miller, 79 & 80 Old Hotel Road.

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

Public comment – no one from the public spoke.

Passage, 5-1 (Councilor Walker).

12. **Order 79-0152012** Approving the renewal of an Auto Graveyard/Junkyard permit for Maine Metal Recycling, 522 Washington St. North.

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

Public comment – George Schott, address was not given.

Passage, 5-1 (Councilor Walker).

**IN COUNCIL REGULAR MEETING OCTOBER 15, 2012 VOL. 33 PAGE 73**

13. **Order 80-10152012** Approving the renewal of an Auto Graveyard/Junkyard permit for Randy's Auto Parts, 899 Broad Street.

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

Public comment – no one from the public spoke.

Passage, 4-2 (Councilors Crowley and Walker).

14. **Order 81-10152012** Approving the renewal of an Auto Graveyard/Junkyard permit for Morris Auto Mart, 940 Washington St. North.

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

Public comment – no one from the public spoke.

Passage, 3-2-1 (Councilors Crowley and Walker opposed, with Councilor Hayes abstaining).

15. **Order 82-10152012** Approving the renewal of an Auto Graveyard/Junkyard permit for Buck's Auto, 249 Merrow Road.

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

Public comment – no one from the public spoke.

Passage, 6-0.

16. **Order 83-10152012** Approving any potential discussion and action as a result of the Executive Session workshop regarding the Ice Arena.

Motion was made by Councilor Hayes and seconded by Councilor Walker to enter into Executive Session, pursuant to 1 M.R.S.A. §405 (6)(C). Passage 6-0, 9:29 P.M.

Executive Session was declared over at 10:12 P.M.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to approve the lease agreement.

Public comment –  
Henry St. Pierre, Rubelite Lane, Auburn  
Jay Webster, 400 Montello Street, Lewiston  
Dan D'Auteuil, Lewiston  
Joe Gray, Sopers Mill Road

**IN COUNCIL REGULAR MEETING OCTOBER 15, 2012 VOL. 33 PAGE 74**

Passage, 4-2 (Councilors Crowley and Gerry).

**VIII. Open Session**

Joe Gray, Sopers Mill Road, Auburn

**IX. Executive Session**

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to enter into Executive Session to discuss Labor Contracts, pursuant to 1 M.R.S.A. §405(6)(D). Passage 6-0, 10:41 P.M.

The Mayor declared Council out of Executive Session at 11:02 P.M.

**X. Future Agenda/Workshop Items** – Committee appointment process, junkyard regulations, draft policy on posting Auburn events on the city website, and cemetery maintenance.

**XI. Adjournment**

Motion was made by Councilor Walker and seconded by Councilor Young to adjourn. Passage 6-0. 11:04 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

**IN COUNCIL REGULAR MEETING NOVEMBER 5, 2012 VOL. 33 PAGE 75**

Mayor LaBonte called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

**I. Consent Items\***

- 23. **Order 84-11052012\*** Appointing Donna Albert as Warden in Ward 3 for the November 6, 2012 General Election.
- 24. **Order 85-11052012\*** Appointing Tracey Steuber as Ward Clerk in Ward 5 for the November 6, 2012 General Election.
- 25. **Order 86-11052012\*** Approving a temporary sign request for the Auburn Ski Association's Annual Ski Swap.
- 26. **Order 87-11052012\*** Approving a temporary sign request for the St. Dominic Academy for their annual holiday fair.

Motion was made by Councilor Hayes and seconded by Councilor Crowley for passage of the consent items. Passage 7-0.

**II. Minutes**

Motion was made by Councilor Crowley and seconded by Councilor Gerry to approve the

minutes of the October 15, 2012. Passage 7-0.

### **III. Reports**

**Mayor's Report** – Mayor LaBonté reported.

#### **Committee Reports**

- Transportation
  - Androscoggin Transportation Resource Center –Mayor LaBonté reported.
  - Lewiston Auburn Transit – Councilor Gerry reported.
  - Airport, Railroad – Councilor Hayes reported.
  - Bike-Ped Committee – Councilor Shea no reported.
- Housing
  - Community Development Block Grant, Neighborhood Stabilization Program, Auburn Housing Authority – Councilor Gerry reported.
- Economic Development
  - L-A Economic Growth Council, Auburn Business Development Corp. – The City Manager, Clint Deschene reported on LA Economic Growth Council and Mayor LaBonté reported on the Auburn Business Development Corp.
  -

#### **IN COUNCIL REGULAR MEETING NOVEMBER 5, 2012 VOL. 33 PAGE 76**

- Education
  - Auburn School Committee – Councilor Young reported, and Councilor LaFontaine provided an update on the High School Committee.
  - Auburn Public Library – Councilor LaFontaine, no report.
  - Great Falls TV – Councilor Young and Councilor Shea, no report.
- Environmental Services
  - Auburn Water District, Auburn Sewerage District – Councilor Crowley reported.
  - Mid-Maine Waste Action Corp. – Councilor Walker reported.
- Recreation
  - Recreation Advisory Board – Councilor Walker, no report.
- Public Safety
  - LA 911 – Councilor Walker reported.

**City Councilors' Reports** – Councilors Crowley, Gerry, LaFontaine, and Walker reported.

**City Manager's Report** – City Manager Deschene submitted a written report and reported on additional items.

### **IV. Communications, Presentations and Recognitions - none**

### **V. Open Session**

Andy Titus, 17 Lamplighter Circle, Auburn

### **VI. Unfinished Business - none**

### **VII. New Business**

#### **1. Order 88-11052012 Supporting a federal grant opportunity for the New Auburn Greenway.**

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

Passage 7-0.

2. **Order 89-11052012** Approving the General Assistance maximums (appendices C) for FY 12-13.

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

Public comment – none

**IN COUNCIL REGULAR MEETING NOVEMBER 5, 2012 VOL. 33 PAGE 77**

Passage 7-0.

3. **Order 90-11052012** Authorizing the City Manager to execute the Collective Bargaining Agreement with I.A.F.F. (International Association of Firefighters) Local 797 for January 1, 2012 through December 31, 2012.

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

Public comment - none

Passage 7-0

VIII. Open Session

**IX. Executive Session**

Discussion of personnel issues, pursuant to 1 M.R.S.A. §405(6)(A).

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to enter into Executive Session. Passage 7-0, 8:15 P.M.

The Mayor declared Council out of executive session at 9:20 P.M.

X. Future Agenda/Workshop Items

**XI. Adjournment**

Motion was made by Councilor Lafontaine and seconded by Councilor Crowley to adjourn. Passage 6-0 (Councilor Gerry was absent during the vote), 9:21 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

**IN COUNCIL REGULAR MEETING NOVEMBER 19, 2012 VOL. 33 PAGE 78**

Mayor LaBonte called the meeting to order at 7:10 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Councilor Shea had an excused absence and all other Councilors were present.

I. Consent Items\*

27. **Order 91-11192012\***

Designating Tribou Field, Sullivan Square, and Little Andy Park as “Safe Zones”.

28. **Order 92-11192012\***

Approving the property tax abatement located on Portland Way (Tax Map 79 Lot 70).

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley to accept the Consent Items as amended by changing the wording from Sullivan Park to Sullivan Square. Passage 7-0.

II. Minutes

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry to approve the minutes of the November 5, 2012. Passage 7-0.

III. Reports

**Mayor’s Report** – Mayor LaBonté reported.

**City Councilors’ Reports** – Councilors Hayes, Young, Gerry, and Walker reported.

**City Manager’s Report** – City Manager Deschene Reported.

**Finance Director, Jill Eastman** – October 2012 Monthly Report and a review of the parking enforcement analysis.

Motion was made by Councilor Crowley and seconded by Councilor Gerry to accept the October 2012 Monthly Report. Passage 7-0.

IV. Communications, Presentations and Recognitions

V. **Open Session**

Kevin Simpson, 84 Summer Street, Auburn

Sandra Doctoroff, 39 Royal Oaks Drive, Auburn

VI. Unfinished Business - None

**IN COUNCIL REGULAR MEETING NOVEMBER 19, 2012 VOL. 33 PAGE 79**

VII. New Business

17. **Order 93-11192012** Approving the property exchange on Lehoullier Drive.

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley.  
Public comment – No one from the public spoke.  
Passage 7-0

18. **Order 94-11192012** Approving the option agreement for 1 Minot Avenue.

Motion was made by Councilor Crowley and seconded by Councilor LaFontaine.  
Public comment – no one from the public spoke.  
Passage, 6-0-1 (Councilor Hayes abstained).

- 19. Order 95-11192012** Authorizing the City Manager to allocate up to \$250,000 of additional funding to complete the Downtown Transit Station project.

Motion was made by Councilor Gerry and seconded by Councilor Crowley.  
Public comment –  
Peter Flanders, Lake Street, Auburn  
Gabrielle Russell, Lisbon Street, Lewiston  
Passage, 7-0.

**VIII. Open Session** – No one from the public spoke

**IX. Executive Session** - None

**X. Future Agenda/Workshop Items** –

- Councilor Gerry - update on winter relief parking, current needs and other sites.
- Councilor Lafontaine - would like to revisit Council Agendas and Meetings and how can we gain efficiencies.
- Councilor Young - Androscoggin Historical Society update
- Councilor Walker – discussion on the crosswalk in front of the YMCA and the parking spot at the base of it.

**XI. Adjournment**

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to adjourn.  
Passage 7-0, 8:12 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

**IN COUNCIL REGULAR MEETING DECEMBER 3, 2012 VOL. 33 PAGE 80**

Mayor LaBonte called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

**I. Consent Items\* - None**

**II. Minutes**

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry to approve the minutes of the November 19, 2012. Passage 7-0.

**III. Reports**

**Mayor's Report** – No report.

**Committee Reports**

- Transportation
  - Androscoggin Transportation Resource Center – Mayor LaBonté, no report.
  - Lewiston Auburn Transit – Councilor Gerry reported.
  - Airport, Railroad – Councilor Hayes reported.
  - Bike-Ped Committee – Councilor Shea reported.
- Housing
  - Community Development Block Grant, Neighborhood Stabilization Program, Auburn Housing Authority – Councilor Gerry reported.
- Economic Development
  - L-A Economic Growth Council, Auburn Business Development Corp. – Councilor Shea, no report.
- Education
  - Auburn School Committee – Councilor Young reported, and Councilor LaFontaine provided an update on the High School Committee.
  - Auburn Public Library – Councilor LaFontaine reported.
  - Great Falls TV – Councilor Young and Councilor Shea, Councilor Young reported.
- Environmental Services
  - Auburn Water District, Auburn Sewerage District – Councilor Crowley reported.
  - Mid-Maine Waste Action Corp. – Councilor Walker reported.
- Recreation
  - Recreation Advisory Board – Councilor Walker, no report.
- Public Safety
  - LA 911 – Councilor Walker reported.

**IN COUNCIL REGULAR MEETING DECEMBER 3, 2012 VOL. 33 PAGE 81**

**City Councilors' Reports** – Councilors Shea, Gerry, Crowley, Young, and Walker reported.

**City Manager's Report** – City Manager Deschene submitted a written report and reported on additional items.

**IV. Communications, Presentations and Recognitions - none**

**V. Open Session**

Jeremiah Bartlett, 107 Shepley Street, Auburn

Kevin Simpson, 84 Summer Street, Auburn

**VI. Unfinished Business - none**

**VII. New Business**

**4. Order 96-12032012** Approving a Special Amusement Permit, Class A Lounge and Liquor License for Danielle Moschetto, DBA: The Nocturno Club located at 73 Main Street.

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

Public Hearing – Danielle, 18 ½ Blake Street, Lewiston (owner) and Gloria, Bar Manager for The Nocturno Club.

Passage 7-0.

5. **Order 97-12032012** Approving the Committee Appointment process presented by the City Manager.

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

Motion was made by Councilor Crowley and seconded by Councilor LaFontaine to amend by adding a sunset clause of December 1, 2013.

Motion failed, 3-4 (Councilors Hayes, Young, Walker, and Shea opposed).

Passage of original motion, 7-0.

- VIII. **Executive Session** - Discussion of personnel issues, pursuant to 1 M.R.S.A. §405(6)(A) took place at the end of the workshop.

- IX. **Open Session** – no one from the public spoke.

**IN COUNCIL REGULAR MEETING DECEMBER 3, 2012 VOL. 33 PAGE 82**

- X. Future Agenda/Workshop Items

- Councilor Young – free trial with Sun Media
- Councilor Crowley – clarify issue of Great Falls TV employee status

- XI. **Adjournment**

Motion was made by Councilor Lafontaine and seconded by Councilor Crowley to adjourn.  
Passage 7-0, 8:07 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

**IN COUNCIL REGULAR MEETING DECEMBER 17, 2012 VOL. 33 PAGE 83**

Mayor LaBonte called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall. All Councilors were present.

Den 7 from Cub Scout Troop 111 led the assembly in the salute to the flag.

- I. Consent Items\*- **None**

- II. Minutes

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to approve the minutes of the December 3, 2012. Passage 7-0.

**III. Reports**

**Mayor's Report** – Mayor LaBonté reported.

**City Councilors' Reports** – Councilors Shea, LaFontaine, Young, Crowley, and Gerry reported.

**City Manager's Report** – City Manager Deschene Reported.

**Finance Director, Jill Eastman** – November 2012 Monthly Report

Motion was made by Councilor Crowley and seconded by Councilor Gerry to accept the November 2012 Monthly Report. Passage 7-0.

**IV. Communications, Presentations and Recognitions - None**

**V. Open Session**

Cameron, resident of Auburn

**VI. Unfinished Business – None**

**VII. New Business**

**29. Ordinance 07-12172012** Approving the amendment to the Business Licensing Ordinance regarding the adoption of applicable State of Maine Rules. First Reading.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes.  
Public comment – No one from the public spoke. Passage 6-1, (Councilor Crowley).

**30. Order 98-12172012** Authorizing the City Manager to sign the option agreement on One Minot Avenue.

**IN COUNCIL REGULAR MEETING DECEMBER 17, 2012 VOL. 33 PAGE 84**

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

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to amend the order to include the second parcel number (230-063).

Public comment – No one from the public spoke.

Passage 6-0-1, (Councilor Hayes abstained).

Passage of order as amended 5-1-1, (Councilor Gerry opposed, Councilor Hayes abstained).

**3. Order 99-12172012** Approving a zero percent interest rate loan to the 9-1-1 Committee in the amount of \$27,500, payable in eight quarterly payments of \$3,437.50 each in order to upgrade the center's phone lines.

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

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to amend the order noting the funds will be taken from the unallocated bonds proceeds instead of from the emergency reserve fund.

Public comment – No one from the public spoke.

Passage 7-0.

Passage as amended 7-0.

- 4. Order 100-12172012** Authorizing the City Manager to use funds from the Unallocated Bond Proceeds up to the amount of \$35,000 for the Athletic Fields Analysis Phase I \$17,500 and Phase II \$17,500.

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

Public comment – no one from the public spoke.

Passage 7-0.

- VIII. Executive Session** - Discussion of a personnel issue (the City Manager's evaluation), pursuant to 1 M.R.S.A. §405(6)(A).

Discussion of this item was held during the workshop.

**IN COUNCIL REGULAR MEETING DECEMBER 17, 2012 VOL. 33 PAGE 85**

**Executive Session** - Discussion regarding labor contracts, pursuant to 1 M.R.S.A. §405(6)(D).

Motion was made by Councilor Crowley and seconded by Councilor LaFontaine. Passage 7-0, 7:55 P.M.

The Mayor declared Council out of Executive Session at 8:31 P.M.

**Executive Session** - Discussion regarding contemplated litigation, pursuant to 1 M.R.S.A. §405(6)(E).

Motion was made by Councilor LaFontaine and seconded by Councilor Walker. Passage 7-0, 8:32 P.M.

The Mayor declared Council out of Executive Session at 8:46 P.M.

- IX. Open Session** – No one from the public spoke

- X. Future Agenda/Workshop Items** – None

- XI. Adjournment**

Motion was made by Councilor Crowley and seconded by Councilor LaFontaine to adjourn. Passage 7-0, 8:50 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

**IN COUNCIL JOINT MEETING JANUARY 2, 2013 VOL. 33 PAGE 86**

Mayor LaBonte called the joint meeting with the City Council and School Committee to order at 6:05 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Councilor Shea was absent.

I. New Business

**6. Order 01-01022013** Approving a joint purchasing policy between the City and School Departments.

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

Public comments – No one from the public spoke.

Passage 6-0.

**II. Open Session** – no one from the public spoke.

**III. Executive Session** - Discussion of a personnel matter (the City Manager's evaluation), pursuant to 1 M.R.S.A. §405(6)(A) took place at the end of the workshop.

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

Passage 6-0, 6:35. Adjournment was immediately following the Executive Session.

A True Copy.

ATTEST

\_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

**IN COUNCIL REGULAR MEETING JANUARY 7, 2013 VOL. 33 PAGE 87**

Mayor LaBonte called the meeting to order at 7:15 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Councilors LaFontaine and Shea had excused absences. All other Councilors were present.

I. Consent Items\*

**31. Order 02-01072013\***

Confirming Chief Crowell's appointment of Constables without firearms for the Auburn Police Department.

Motion was made by Councilor Hayes and seconded by Councilor Gerry. Passage 5-0.

II. Minutes

Motion was made by Councilor Gerry and seconded by Councilor Hayes to approve the minutes of the December 17, 2012. Passage 5-0.

**III. Reports**

**Mayor's Report** – reported.

**Committee Reports**

- Transportation
  - Androscoggin Transportation Resource Center – Mayor LaBonté, no report.
  - Lewiston Auburn Transit – Councilor Gerry reported.
  - Airport, Railroad – Councilor Hayes reported.
  - Bike-Ped Committee – Councilor Shea, absent.
- Housing
  - Community Development Block Grant, Neighborhood Stabilization Program, Auburn Housing Authority – Councilor Gerry reported.
- Economic Development
  - L-A Economic Growth Council, Auburn Business Development Corp. – Councilor Shea, absent.
- Education
  - Auburn School Committee – Councilor Young reported.
  - Auburn Public Library – Councilor LaFontaine, absent.
  - Great Falls TV – Councilor Young reported.
- Environmental Services
  - Auburn Water District, Auburn Sewerage District – Councilor Crowley reported.
  - Mid-Maine Waste Action Corp. – Councilor Walker reported.
- Recreation

**IN COUNCIL REGULAR MEETING JANUARY 7, 2013 VOL. 33 PAGE 88**

- Recreation Advisory Board – Councilor Walker reported.
- Public Safety
  - LA 911 – Councilor Walker reported.

**City Councilors' Reports** – Councilor Crowley reported.

**City Manager's Report** – City Manager Deschene submitted a written report and reported on additional items.

**IV. Communications, Presentations and Recognitions - none**

**V. Open Session**

Joe Gray, Sopers Mill Road, Auburn – Commented on numerous items; the focus of a more independent Auburn, Olympia Snow Day speakers, the length of agendas and the need for more items, the expense of using a facilitator at Saturdays Goal Setting Retreat at over \$1,000, designating \$35,000 for Athletic Fields Study that he felt could be done by staff, a documentary called Hot Coffee, Joint TIF policy, and LAEGC.

Resident of Lewiston - commented on Law Enforcement Personnel and Code of Ethics.

Andrew Wordell, owner of Wordell's Trading, 61 Mill Street – commented on numerous items; on being an Auburn business owner, on law enforcement, a stolen car found recycled at a junkyard, looking at Mom and Pop shops for economic growth, whether anyone has read the Charter of Auburn and does anyone understand it, he has enjoyed running his business for 5 years but was closing his business.

Ken Blais, Turner resident and Auburn business man – presented the City of Auburn with funds raised for the Marshall Popcorn Truck, \$875.00.

VI. Unfinished Business

7. **Ordinance 07-12172012** Approving the amendment to the Business Licensing Ordinance regarding the adoption of applicable State of Maine Rules. Public hearing, second and final reading.

Motion was made by Councilor Hayes and seconded by Councilor Gerry.

Public Hearing – no one from the public spoke.

Passage 5-0.

VII. New Business

**IN COUNCIL REGULAR MEETING JANUARY 7, 2013 VOL. 33 PAGE 89**

1. **Order 03-01072013** Authorizing the City Manager to execute a lease agreement between the City of Auburn and the Androscoggin Historical Society for the Knight House and the Downing Shoe Shop.

Motion was made by Councilor Hayes and seconded by Councilor Walker.

Public comment – No one from the public spoke.

Passage 5-0.

VIII. **Executive Session**

Discussion of a personnel issue (the City Manager's evaluation) with possible action to follow, pursuant to 1 M.R.S.A. §405(6)(A).

This item was discussed during the Council workshop and no action was taken.

Discussion regarding labor contracts with possible action to follow, pursuant to 1 M.R.S.A. §405(6)(D).

This item was discussed during the Council workshop and no action was taken.

IX. **Open Session** – No one from the public spoke.

X. Future Agenda/Workshop Items - None

XI. **Adjournment**

Motion was made by Councilor Hayes and seconded by Councilor Walker to adjourn. Passage 5-0, 8:10 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

**IN COUNCIL REGULAR MEETING JANUARY 22, 2013 VOL. 33 PAGE 90**

Mayor LaBonte called the meeting to order at 7:03 P.M. in the Council Chambers of Auburn Hall. All Councilors were present.

The Boy Scout Troop 121 led the assembly in the salute to the flag.

I. Consent Items\*- None

II. Minutes

Motion was made by Councilor Hayes and seconded by Councilor LaFontaine to approve the minutes of the January 2, 2013 Special Council Meeting. Passage 7-0.

Motion was made by Councilor Young and seconded by Councilor Gerry to approve the minutes of the January 7, 2013 Council Meeting. Passage 7-0.

**III. Reports**

**Mayor's Report** – No report.

**City Councilors' Reports** – Councilor Young reported. Councilor Crowley submitted a written report.

**City Manager's Report** – City Manager Deschene submitted a written report and reported on a few additional items.

**Finance Director, Jill Eastman** – December 2012 Monthly Report

Motion was made by Councilor Crowley and seconded by Councilor Young to accept the December 2012 Monthly Report. Passage 7-0.

**IV. Communications, Presentations and Recognitions** - None

**V. Open Session**

Don Malpass, Scout Master of Boy Scout Troop 121 and Auburn resident, Perkins Ridge Road. He commented on the success of their Christmas tree pickup fundraiser, he thanked the community for their support and also thanked Nick Labbe from the Public Works Department for his assistance. He said they would like to do this again next year.

Andy Wordell, 61 Mill Street commented on the Rural Development Program through Community Concepts which helps local families build homes. He also reached out to the Auburn Community to volunteer to help build these homes.

VI. Unfinished Business – None

**IN COUNCIL REGULAR MEETING JANUARY 22, 2013 VOL. 33 PAGE 91**

VII. New Business

- 32. Resolve 01-01222013** Supporting a Passenger Transit Service linking the Municipalities of Portland, Lewiston, and Auburn.

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

Public comment – Jeremiah Bartlett, 107 Shepley Street and City of Portland Transportation Engineer spoke in favor of the Passenger Transit Service.

Passage 7-0.

- 33. Order 04-01222013** Approving the Community Development’s Curb Appeal and Small Business Programs funded with Community Development Block Grant funds as recommended by the Community Development Staff.

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

Public comment – No one from the public spoke.

Passage 7-0.

- 3. Order 05-01222013** Approving the amendments to the Community Development’s Spot, Residential, Good Neighbor Start-up Grant, Heating Assistance and Commercial Programs funded with Community Development Block Grant funds as recommended by the Community Development Staff.

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

Public comment – No one from the public spoke.

Passage 7-0.

- 5. Order 06-01222013** Approving to eliminate the Community Development’s Energy, Historic Preservation, Lead, Neighborhood Enhancement, Down payment Assistance, and Tree Planting Programs funded with Community Development Block Grant funds as recommended by the Community Development Staff.

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

Public comment – no one from the public spoke.

Passage 7-0

**IN COUNCIL REGULAR MEETING JANUARY 22, 2013 VOL. 33 PAGE 92**

- 6. Order 07-01222013** Approving the amendments to the Guidelines of the Homebuyer, Homeowner Rehabilitation, and Security Deposit Loan Programs funded with HOME Investment Partnerships Program funds as recommended by the Community Development Staff.

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

Public comment – no one from the public spoke.

Passage 7-0.

- 34. Order 08-01222013** Setting the date for the School Budget Validation Referendum Election for June 11, 2013.

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

Public comment – No one from the public spoke.

Passage 6-1 (Councilor Shea).

- VIII. Executive Session** - Discussion of a personnel issue (the City Manager's evaluation) with possible action to follow, pursuant to 1 M.R.S.A. §405(6)(A).

Motion was made by Councilor LaFontaine and seconded by Councilor Young.  
Passage 7-0, 7:51 P.M.

The Mayor declared Council out of Executive Session at 8:12 P.M.

Motion was made by Councilor LaFontaine and Seconded by Councilor Young to authorize the six month salary adjustment for the City Manager, for satisfactory performance, retroactive to December 18, 2012. Order 09-01222013.

Passage 7-0.

**Executive Session** – Discussion regarding the Ice Arena contract, pursuant to 1 M.R.S.A. §405(6)(C).

Motion was made by Councilor LaFontaine and seconded by Councilor Shea.  
Passage 7-0, 8:14 P.M.

The Mayor declared Council out of Executive Session at 9:19 P.M.

**Executive Session** - Discussion regarding labor contracts with possible action to follow, pursuant to 1 M.R.S.A. §405(6)(D).

**IN COUNCIL REGULAR MEETING JANUARY 22, 2013 VOL. 33 PAGE 93**

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes. Passage 5-2 (Councilors Walker and Gerry were out of the room), 9:19 P.M.

The Mayor declared Council out of Executive Session at 9:28 P.M.

Motion was made by Councilor Crowley and Seconded by Councilor Walker to authorize the City Manager to execute the Collective Bargaining Agreement between the City and MAP (Maine Association of Police) Command Unit for January 1, 2013 through June 30, 2013. Order 10-01222013.

Passage 7-0.

Motion was made by Councilor Crowley and Seconded by Councilor Walker to authorize the City Manager to execute the Collective Bargaining Agreement between the City and MAP (Maine Association of Police) Police and Detective Unit for July 1, 2012 through June 30, 2013. Order 11-01222013.

Passage 7-0.

- IX. Open Session** – No one from the public spoke

**X. Future Agenda/Workshop Items – None**

**XI. Adjournment**

Motion was made by Councilor Young and seconded by Councilor LaFontaine to adjourn.  
Passage 7-0, 9:35 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

**IN COUNCIL SPECIAL MEETING JANUARY 31, 2013 VOL. 33 PAGE 94**

Mayor LaBonte called the meeting to order at 6:00 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Councilor Crowley had an excused absence, Councilor LaFontaine arrived during the Executive Session, and all other Councilors were present.

**I. Executive Session – Discussion on the Ice Arena contract, pursuant to 1 M.R.S.A §405(6)(C).**

Motion was made by Councilor Hayes and seconded by Councilor Walker.  
Passage 5-0, 6:04 P.M.

The Mayor declared Council out of Executive Session at 7:14 P.M.

**II. New Business**

**35. Order 12-01312013 Approving the design and updated budget for the double sheet Ice Arena.**

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

Public comment –

Dan D’Autueil, Maine Gladiators, questioned the Ice Arena budget that was provided.

Joe Gray, Sopers Mill Road, Auburn, commented on the delay in getting the Ice Arena budget information, and he had questions and comments about the budget.

Claire Barclay, 62 Winter Street, Auburn, hockey parent since 1980 and was on the Board for Auburn Youth Hockey. She commented on Ingersoll Arena and how it has supported itself and feels dual sheet Ice Arena will also support itself.

Andy Titus, Lamplighter Circle, Auburn had questions on the Ice Arena Budget.

Joe Gray, Sopers Mill Road, Auburn questioned the estimated ice time difference from the original presentation.

City Manager Deschene addressed all of the questions.

Motion was made by Councilor Shea and seconded by Councilor Walker to postpone this item to the 2/4/2013 Council meeting as Unfinished Business. Passage 6-0.

**IX. Adjournment**

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to adjourn.  
Passage 6-0, 7:45 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

**IN COUNCIL REGULAR MEETING FEBRUARY 4, 2013 VOL. 33 PAGE 95**

Mayor LaBonte called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

I. Consent Items\* - None

II. Minutes

Motion was made by Councilor LaFontaine and seconded by Councilor Young to approve the minutes of the January 22, 2013. Passage 7-0.

III. Reports

**Mayor's Report** – reported.

**Committee Reports**

Councilor Crowley submitted a written report and reported on additional items that were not included in her written report, Councilor Walker submitted a written report, and Councilor Hayes reported on the Airport Board.

**City Councilors' Reports** – Councilor Crowley submitted a written report.

**City Manager's Report** – City Manager Deschene submitted a written report and reported on an additional item.

IV. Communications, Presentations and Recognitions

- Portrait presentation – Former Mayor John Jenkins
- Swear in and Badge pinning ceremony – Auburn Police Department
  - Patrol Officer Thomas J. Ellis
  - Patrol Officer Mitchel Morse
  - Patrol Officer John Chamberlain

Mayor LaBonté also recognized Officer Scott Laliberte who is being deployed to Afghanistan and presented Mrs. Laliberte with a bouquet of flowers on behalf of the Auburn Police Department.

- Proclamation – George E. Roy. Mr. Roy was unable to attend tonight's meeting. The presentation will be postponed until the February 19, 2013 Council meeting.

V. Open Session

- Renee Cote, Dawes Avenue, Auburn spoke regarding the U.S. Constitutional Amendment on Campaign Finance. Ms. Cote submitted her written remarks to be included in the record of this meeting.
- Bob Stone, 12 Harrison Circle, Auburn spoke on the U.S. Constitutional Amendment on Campaign Finance.

- John Turner, 46 Rubellite Lane, Auburn and the recipient of a key to both Lewiston and Auburn spoke regarding the U.S. Constitutional Amendment on Campaign Finance and the importance of corporate businesses in Auburn.

VI. Unfinished Business

8. **Order 12-01312013** Approving the design and updated budget for the double sheet Ice Arena.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to enter into Executive Session, pursuant to 1 M.R.S.A. §405(6)(C). Passage 7-0, 7:36 P.M.

The Mayor declared Council out of Executive Session at 8:14 P.M.

Motion was made by Councilor LaFontaine and Seconded by Councilor Walker to approve Order 12-01312013.

Public Hearing – Joe Gray, Sopers Mill Road, Auburn commented that he did not understand comments made by Councilor Hayes regarding the management budget and wanted an explanation. He commented on the roads being horrible, taxes are horrible and everyone sees the Ice Arena as a money loser. We are in need of a new school and will also need a new fire station. He commented that everything but the budget on this has changed. He asked why we have not heard from LAEGC if this is an Economic Development tool. He asked for answers.

Motion was made by Councilor Shea and Seconded by Councilor Walker to amend the order by deleting “and updated budget” and changing the word “approves” to “accepts”.

Passage of the amendment 6-1 (Councilor Gerry opposed).

Passage of the order as amended 6-1 (Councilor Gerry opposed).

VII. New Business - None

**VIII. Executive Session**

**IX. Open Session** – Joe Gray, Sopers Mill Road, Auburn apologized about earlier comments made because he didn’t understand what the vote was about. He also commented that he was still waiting for answers on the athletic fields, the cost of the facilitator at the meeting held a few weeks ago, he would like to know the answers to the questions the Finance Director provided to Councilor Crowley. He also asked where he could get budget information on LAEGC, ABDC, Railroad Commission, and the Airport. He would also like to know how the Chamber of Commerce is integrated.

**IN COUNCIL REGULAR MEETING FEBRUARY 4, 2013 VOL. 33 PAGE 97**

X. Future Agenda/Workshop Items – Councilor Crowley would like to talk about Councilors being able to speak on various items during meetings now that reports are being submitted in writing.

**XI. Adjournment**

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to adjourn. Passage 7-0, 8:30 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

**IN COUNCIL REGULAR MEETING FEBRUARY 19, 2013 VOL. 33 PAGE 98**

Mayor LaBonte called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Councilor LaFontaine had an excused absence and all other Councilors were present.

I. Consent Items\*

**36. Order 13-02192013\*** Accepting the transfer of Forfeiture Asset (Leon Payne).

**37. Order 14-02192013\*** Approving the Goal Setting Review notes.

Motion was made by Councilor Crowley to remove item 2 (Order 14-02192013) from the consent calendar and adding it to New Business.

Motion was made by Councilor Young and seconded by Councilor Gerry to approve consent item 1 (Order 13-02192013\*). Passage 6-0.

II. Minutes

Motion was made by Councilor Walker and seconded by Councilor Gerry to approve the corrected minutes of the January 31, 2013 Special Council Meeting. Passage 6-0.

Motion was made by Councilor Walker and seconded by Councilor Hayes to approve the minutes of the February 4, 2013 Council Meeting. Passage 6-0.

III. Reports

**Mayor's Report** – No report.

**City Councilors' Reports** – Councilors Crowley and Walker submitted written reports.

**City Manager's Report** – City Manager Deschene submitted a written report and reported on a few additional items.

**Finance Director, Jill Eastman** – January 2013 Monthly Finance Report

Motion was made by Councilor Crowley and seconded by Councilor Hayes to accept the January 2013 Monthly Report. Passage 6-0.

IV. Communications, Presentations and Recognitions

- Proclamation – George E. Roy
- Recognition – Captain Chip Keene of the Auburn Fire Department and recipient of the 2013 American Red Cross Blood Services Real Heroes Award.
- Recognition – Auburn Fire Department-1<sup>st</sup> Place winners of the American Lung Association's 2013 Fight for Air Stair Climb in Boston.

**V. Open Session**

Joe Gray, Sopers Mill Road, Auburn commented on the request for a Police Department vehicle and asked why we were requesting a lighter, ashtray, and cruise control and why were we asking for a two wheel drive instead of a four wheel drive vehicle. He commented on the way the RFP's are written, and on the Police vehicle we have in Virginia that will be for approximately 3 months.

VI. Unfinished Business – None

VII. New Business

**38. Order 14-02192013** Approving the Goal Setting Review notes (removed from consent calendar).

Motion was made by Councilor Crowley and seconded by Councilor Young to accept the notes and place them on file for future reference. Passage 6-0.

**VIII. Executive Session - None**

**IX. Open Session**

No one from the public spoke.

Councilor Crowley announced that the Auburn Fire Department would be offering free blood pressure checks February 21<sup>st</sup> from 5:00 P.M. to 7:00 P.M. at any of the three Fire Stations and on February 28<sup>th</sup> from 5:00 P.M. to 7:00 P.M. at the Auburn Library. In addition to these dates and times, citizens are always welcome to stop by one of the Fire Stations to have their blood pressure checked if needed.

**X. Future Agenda/Workshop Items – None**

**XI. Adjournment**

Motion was made by Councilor Crowley and seconded by Councilor Walker to adjourn. Passage 6-0, 7:31 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

**IN COUNCIL REGULAR MEETING MARCH 4, 2013 VOL. 33 PAGE 100**

Mayor LaBonte called the meeting to order at 7:05 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

I. Consent Items\* - None

II. Minutes

Motion was made by Councilor Gerry and seconded by Councilor Young to approve the minutes of the February 19, 2013 Council Meeting. Passage 7-0.

**III. Reports**

**Mayor's Report** – No report.

**Committee Reports**-Councilors Crowley and Young submitted written reports.

**City Councilors' Reports** – Councilors Crowley and Walker submitted a written report.

**City Manager's Report** – City Manager Deschene submitted a written report and reported on a few additional items.

**IV. Communications, Presentations and Recognitions - None**

**V. Open Session** – No one from the public spoke

**VI. Unfinished Business -None**

**VII. New Business**

1. **Order 15-03042013** Approving the consolidation to one voting place (Auburn Hall) for the June 11, 2013 School Budget Election. Public hearing.

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

Public hearing – No one from the public spoke.

Passage 6-1, (Councilor Walker).

**VIII. Executive Session**

**IX. Open Session** – John Chandler, Whitney Street, Auburn and member of the American Lung Association spoke in favor of the proposed Tobacco Ordinance.

**IN COUNCIL REGULAR MEETING MARCH 4, 2013 VOL. 33 PAGE 101**

**X. Future Agenda/Workshop Items** – Councilor Shea would like some discussion at a future workshop on Council having staggered terms.

**XI. Adjournment**

Motion was made by Councilor LaFontaine and seconded by Councilor Shea to adjourn.  
Passage 7-0, 7:35 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

Mayor LaBonte called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Councilor Young had an excused absence and all other Councilors were present.

I. Consent Items\*

Motion was made by Councilor LaFontaine to remove Order 18-03182013 from the consent agenda and added under New Business.

**39. Order 16-03182013\*** Appointing of Susan Clements-Dallaire as Registrar of Voters with a term expiration of December 31, 2014.

**40. Order 17-03182013\*** Accepting the transfer of Forfeiture Asset (Travis St. Pierre).

**41. Order 18-02192013\*** Appointing Board and Committee Members as nominated by the Appointment Committee.

Motion was made by Councilor Crowley and seconded by Councilor LaFontaine. Passage 6-0.

II. Minutes

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to approve minutes of the March 4, 2013 Council Meeting. Passage 6-0.

III. Reports

**Mayor's Report** – No report.

**City Councilors' Reports** – Councilors Crowley submitted a written report.

**City Manager's Report** – City Manager Deschene submitted a written report and reported on a few additional items.

**Finance Director, Jill Eastman** – February 2013 Monthly Finance Report

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley. Passage 6-0.

IV. Communications, Presentations and Recognitions

- Recognition – The Central Maine Community College Women's Basketball Team

V. Open Session

**IN COUNCIL REGULAR MEETING MARCH 18, 2013 VOL. 33 PAGE 103**

Bruce Rioux, 85 Mary Carroll Street, Auburn spoke regarding the Water District Appointment.

VI. Unfinished Business - None

VII. New Business

42. **Order 18-02192013** Appointing Board and Committee Members as nominated by the Appointment Committee.

Motion was made by Councilor Lafontaine and seconded by Councilor Walker to postpone this item to the April 1, 2013 meeting. Passage 5-0-1 (Councilor Hayes abstained).

43. **Ordinance 01-03182013** Approving the proposed zoning map amendment in the Blanchard Road area (first reading).

Motion was made by Councilor Crowley and seconded by Councilor Walker to amend the zoning map for the seven lots in the area of Blanchard Road from Low Density Country Residential (LDCR) to Low Density Rural Residential (LDRR) and specifically excluding the farm pursuant to Chapter 60, Article XVII, Division 2 of the Ordinances of the City of Auburn.

Public Comment:

Robert Gagnon, 160 Stone Road, Auburn.

Ray Ouellette, 511 Mellow Road, Auburn (stated that he is also a landowner in the Blanchard Road area).

William Saucier, 145 Blanchard Road, Auburn (stated that he was the initiator of the petition).

Luis Feliciano, Blanchard Road, Auburn.

Passage 6-0.

#### **VIII. Open Session**

Joe Gray, Sopers Mill Road, Auburn spoke on the emergency vehicle, the police car that has been in Virginia, bringing things forward/proposals, why we are spending \$35,000 on recreation inventory, minutes to meetings should all be on line, and how the City needs to work on the 3<sup>rd</sup> objective of Citizen Engagement.

City Manager Deschene addressed most of his questions and comments and will follow up on what has not been addressed.

- IX. Executive Session** – Discussion regarding a legal matter for negotiations on an economic development issue, pursuant to 1 M.R.S.A. §405 (6)(C).

**IN COUNCIL REGULAR MEETING MARCH 18, 2013 VOL. 33 PAGE 104**

Motion by Councilor LaFontaine seconded by Councilor Gerry to enter into executive session. Passage 6-0, 7:55 P.M.

The Mayor declare Council out of executive session at 8:25 P.M.

- X. Future Agenda/Workshop Items** – None

#### **XI. Adjournment**

Motion was made by Councilor LaFontaine and seconded by Councilor Shea to adjourn.

Passage 6-0, 8:30 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

## IN COUNCIL REGULAR MEETING APRIL 1, 2013 VOL. 33 PAGE 105

Mayor LaBonte called the meeting to order at 7:08 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Councilor LaFontaine had an excused absence, all other Councilors were present.

### I. Consent Items\*

- 44. Order 19-04012013\*** Accepting the 2013 City Work Plan.
- 45. Order 20-04012013\*** Appointing Steve Lunt to the Railroad Committee with a term expiration of 4/1/2013.

Motion was made by Councilor Shea and seconded by Councilor Hayes. Passage 6-0.

### II. Minutes

Motion was made by Councilor Crowley and seconded by Councilor Shea to postpone the approval of the minutes until the City Clerk is able to research a question (regarding Ordinance 01-03182013, the proposed zoning map amendment in the Blanchard Road area). Passage 6-0.

### III. Reports

**Mayor's Report** – The Mayor presented the City Council with a gift from Fire Chief Roma (a challenge coin). Mayor LaBonté also provided the Council with a few memo's. one being a letter from the Museum L/A with a request for \$42,500 for the next 3 fiscal years, and one regarding a letter received from Councilor Crowley from the LAEGC (Lewiston-Auburn Economic Growth Council).

**Committee Reports**-Councilors Crowley and Young Hayes reported.

**City Councilors' Reports** – Councilor Crowley submitted a written report.

**City Manager's Report** – City Manager Deschene submitted a written report and also mentioned a slight change to the condemnation noted on his report.

### IV. Communications, Presentations and Recognitions

- Proclamation – Donate Life Month
- State Budget Presentation by Senator John Cleveland
- Maine French Heritage Language Program in Auburn - Doris Bonneau of the Franco American Heritage Center

- V. Open Session** – Eric Brackey, New Gloucester and is participating in the Y-Not Scavenger Hunt for the Young Professionals of Lewiston and Auburn (YPLA).

### VI. Unfinished Business

## IN COUNCIL REGULAR MEETING APRIL 1, 2013 VOL. 33 PAGE 106

### 1. Ordinance 01-03182013

Approving the proposed zoning map amendment in the Blanchard Road area (public hearing, second and final reading).

Motion by Councilor Shea and seconded by Councilor Walker to approve what was read into the record and adopted at the 3/18/2013 meeting.

Motion was made by Councilor Shea and seconded by Councilor Walker to amend that motion to include the areas listed in the ordinance;

96 Blanchard Road, Parcel ID 345-016  
120 Blanchard Road, Parcel ID 345-017  
Blanchard Road lot, Parcel ID 345-002  
170 Blanchard Road, Parcel ID 345-018  
48 Hathaway Road, Parcel ID 345-032-001  
145 Blanchard Road, Parcel ID 345-023  
117 Blanchard Road, Parcel ID 345-024  
2527 Turner Road, Parcel ID 345-025

Councilor Shea commented that earlier in the process of this zoning change the Council talked about Options A & B and some thought they were voting on Option A, which is not what was read in the motion, hence the amendment tonight.

Public hearing – no one from the public spoke  
Passage of the amendment 6-0.  
Passage of the motion as amended 6-0.

**2. Order 18-03182013**

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

This item was taken out of order at the end of New Business.

**VII. New Business**

**3. Public Hearing – Community Development Program, FY2014.**

- Sofia Carson, also a student at Walton Elementary School commented on the Walton School playground being broken and old.
- Diana Carson, Sofia's mom spoke about the playground at Walton and would like the City to use some of the funds designated to the curb appeal project to be used to fund the Walton School playground.

**IN COUNCIL REGULAR MEETING APRIL 1, 2013 VOL. 33 PAGE 107**

- Jane Morrison, 46 Lake Street, Auburn and also the Executive Director of Safe Voices commented on the reduction of funds given to Safe Voices. Initially when the program started the city gave \$11,000, then it went down to \$8,000 and now it is at \$3,000. They provide \$94,000 in services to Auburn and some of the smaller towns are more generous. She said she would like to see the amount increased.
- Dr. Erica Lovett Fournier, whose son is a student at Walton Elementary School. She also commented about the Walton playground and would like to see a safe place for kids to play. She also spoke about pediatric obesity and the need to help kids to be active. She said she also agrees with taking some of the funding from the Curb Appeal budget to help fund the Walton playground.
- Betsy Sawyer Manter, the Executive Director of Seniors Plus requested resources for the meals on wheels program. There are 39 people in Auburn getting meals, 16 are on a waiting list. She appreciates the funding.
- Melissa Metivier, South Witham Road, Auburn and President of the PTO at Walton. She submitted pictures of the Walton playground to the Clerk. She would like to see the city

help to fund the Walton playground as well commenting that there were 320 kids at the school that this impacts.

- Joe Fournier, 68 Gill Street, Auburn also supports the Walton playground commenting that every year there is less and less here in Auburn to offer people. He would like us to move money around to help fund the Walton playground and thought we might be able to take from the Curb Appeal program funds.
- Craig Philips, Tedford Housing commented that the city funding has helped provide affordable housing for 6 adults that were homeless.
- Sharon Philbrick Bergeron, Finance Director of Head Start asked that the Public Service Budget be restored to last years.

**4. Order 21-04012013**

Approving the Charitable Organization Event Support Policy.

Motion was made by Councilor Gerry for discussion purposes only and seconded by Councilor Shea.

Motion was made by Councilor Crowley and seconded by Councilor Young to postpone this item to a future meeting. Passage 5-1 (Councilor Shea opposed).

**5. Ordinance 02-04012013**

Approving the ordinance to reincorporate four ordinances that were omitted during the re-codification of the City's Code of Ordinances adopted on February 22, 2011.

Motion was made by Councilor Shea and seconded by Councilor Gerry.

Public comment – no one from the public spoke.

Passage 6-0.

**IN COUNCIL REGULAR MEETING APRIL 1, 2013 VOL. 33 PAGE 108**

**6. Ordinance 03-04012013**

Approving the ordinance correcting section numbers in ordinances adopted during the pendency of the re-codification of the City's Code of Ordinances adopted on February 22, 2011.

Motion was made by Councilor Shea and seconded by Councilor Young.

Motion was made by Councilor Gerry and seconded by Councilor Hayes to postpone to a later date. Passage 5-1 (Councilor Shea opposed).

**7. Order 18-03182013**

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

Motion by Councilor Shea and seconded by Councilor Young.

Motion by Councilor Hayes and seconded by Councilor Crowley to remove the Water District Board nominations for further reconsideration.

Passage of the amendment 4-3 (there was a tie vote with Councilors Gerry, Young, and Shea opposed, and in accordance the City Charter, Article III, Section 3.3 the Mayor voted to break the tie vote).

Public comment – no one from the public spoke, passage of the order as amended 6-0.

**VIII. Executive Session**

Motion was made by Councilor Hayes and seconded by Councilor Walker to suspend the rules and add an executive session on a personnel matter. Passage 5-1, (Councilor Shea opposed).

Motion was made by Councilor Young and seconded by Councilor Walker to enter into executive session regarding a personnel matter, pursuant to 1 M.R.S.A. §405(6)(A). Passage 5-1(Councilor Shea opposed), 9:29 P.M.

The Mayor declared Council out of executive session at 9:42 P.M.

Discussion regarding an economic development real estate matter, pursuant to 1 M.R.S.A. §405(6)(C). This executive session was moved to a future meeting.

**IX. Open Session** – No one from the public spoke.

**IN COUNCIL REGULAR MEETING APRIL 1, 2013 VOL. 33 PAGE 109**

X. Future Agenda/Workshop Items - None

**XI. Adjournment**

Motion was made by Councilor Crowley and seconded by Councilor Walker to adjourn. Passage 5-0 (Councilor Shea was not present for this vote), 9:46 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

**IN COUNCIL REGULAR MEETING APRIL 16, 2013 VOL. 33 PAGE 110**

Mayor LaBonte called the meeting to order at 7:04 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag and followed by a moment of silence in honor of the former Chief of Police, Richard Small who recently passed and the Boston Marathon victims. Councilor Hayes had an excused absence. All other Councilors were present.

I. Consent Items\*

**2. Order 22-04162013\***

Approving a temporary sign for Park Avenue School May Fair Event.

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry. Passage 6-0.

II. Minutes

Motion was made by Councilor Crowley and seconded by Councilor Walker to approve minutes of the March 18, 2013 Council Meeting. Passage 6-0.

Motion was made by Councilor Crowley and seconded by Councilor Walker to approve minutes of the April 1, 2013 Council Meeting. Passage 6-0.

### III. Reports

**Mayor's Report** – No report.

**City Councilors' Reports** – Councilor Crowley submitted a written report.

**City Manager's Report** – City Manager Deschene submitted a written report and reported on a few additional items.

**Finance Director, Jill Eastman** – March 2013 Monthly Finance Report

Motion was made by Councilor Crowley and seconded by Councilor Gerry. Passage 6-0.

### IV. Communications, Presentations and Recognitions

#### V. Open Session

- Larry Pelletier, New Auburn, commented that the City departments (Public Works and the Parks & Recreation Department) were working hard cleaning up the city by street cleaning, replacing benches and all sorts of things. He commented that the reverse side of that was after those efforts are done, someone may come along behind them and litters or damages city property, or marks city property with graffiti, and he asked if we can put some teeth in the ordinances we currently have or what can be done to curb those types of actions. He also asked if we will have the river clean up we had last year, and also a

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community clean up day

which took place a few years ago, and is this something we could do on an annual basis to raise awareness in the community that we want the city to be clean?

- Andy Titus, 17 Lamplighter Circle, Auburn spoke about the budget and the fund balance contributions going into FY13-14 of 1.3 million to help lower taxes and said he also heard that emergency funds or the fund balance would be used to help with the shortfall. He said he also understood that the new ice arena would include an infusion of a million or so dollars from the fund balance and he does not see how this is adding up with these large numbers. He said he was not sure when the new school will be proposed to council, and he is in favor of new school but doesn't know what will have to be paid in taxes to achieve it. He asked what is necessary to get our accreditation - what do we need to do? Is it a \$10 million dollar wing that would accomplish that which could be added on at a later date as opposed to \$60 million for new school needed all at once.

#### VI. Unfinished Business

##### 8. Ordinance 02-04012013

Approving the ordinance to reincorporate four ordinances that were omitted during the re-codification of the City's Code of Ordinances adopted on February 22, 2011 (second and final reading).

Motion was made by Councilor Shea and seconded by Councilor Walker.

Public Comment – No one from the public spoke. Passage 5-1 (Councilor Gerry opposed).

##### 9. Ordinance 03-04012013

Approving the ordinance correcting section numbers in ordinances adopted during the pendency of the re-codification of the City's Code of Ordinances adopted on February 22, 2011 (first reading).

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

Public Comment – No one from the public spoke. Passage 6-0.

**10. Order 21-04012013**

Approving the Charitable Organization Event Support Policy.

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

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Motion was made by Councilor Shea and seconded by Councilor Crowley to postpone this item to a future date to discuss during a workshop. Passage to postpone, 4-2 (Councilors Gerry and Walker opposed).

**VII. New Business**

**1. Order 23-04162013**

Authorizing the Finance Director to enter into a loan agreement through the State School Revolving Renovation Fund Loan (first reading).

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

Public comment – no one from the public spoke. Motion failed 4-2, (Councilors Gerry and Crowley opposed).

Motion was made by Councilor Gerry and seconded by Councilor Shea to reconsider. Passage 5-1, (Councilor LaFontaine opposed).

Motion was made by Councilor Gerry and seconded by Councilor Crowley to postpone this item until the next meeting. Passage 5-1, (Councilor Walker opposed).

**2. Ordinance 04-04162013**

Approving the City Council and School Committee Compensation Ordinance (first reading).

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

Motion was made by Councilor Gerry and seconded by Councilor LaFontaine to amend by striking line number 3 in section 2.25 under Salaries of the Mayor and Council and to re-number. Passage 6-0.

Public comment – Francois Bussiere, 9 Winter Street, Auburn and a School Committee member – does this ordinance changing also change the charter? He said he thought it would be “double dipping” and it should also be applicable to other Mayor appointments if applicable to this seat.

Passage as amended, 6-0.

**3. Order 24-04162013**

Approving a temporary sign for Auburn Business Association "Citizen of the Year".

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

Public comment – Peter Murphy from the Auburn Business Association. He said they moved the location of this year's banquet because they needed a larger venue. He said they would be back at Lost Valley next year.

Passage 5-1, (Councilor Walker opposed).

**4. Order 25-04162013**

Approving the Complete Streets Policy.

Motion was made by Councilor Shea and seconded by Councilor Gerry to adopt the Complete Streets Policy and direct the City Manager to initiate development of the appropriate supporting ordinances and designed guidelines for review and adoption no later than October 31, 2013.

Public Comment-Larry Pelletier regarding asked if there were still plans to narrow cedar Street to the Bernard Lown Peace Bridge.

Passage 6-0.

**5. Order 26-04162013**

Appointing members to the Water District Board.

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

Public comment – no one from the public spoke.

Passage 4-2 (Councilors Crowley and Walker were opposed).

**VIII. Open Session**

- Larry Pelletier, Second Street, Auburn – in follow up on what he spoke about earlier, there will be some great improvements on the park at the old Edward Little High School and all the more reason to enforce any ordinances.
- Roland Miller, Economic Development Director introduced Allen Menoian, the new addition to the economic development staff.

**IX. Executive Session** – Discussion regarding a legal matter for negotiations on an economic development issue, pursuant to 1 M.R.S.A. §405 (6)(C).

Motion by Councilor LaFontaine seconded by Councilor Gerry to enter into executive session. Passage 6-0, 8:20 P.M.

The Mayor declared Council out of executive session at 8:40 P.M.

**X. Future Agenda/Workshop Items**

- Councilor Shea – staggered terms for Councilors
- Councilor Crowley- during the joint meeting with Lewiston, would like to get some tasks done in particular economic development and merging the two city's

**XI. Adjournment**

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Motion was made by Councilor Walker and seconded by Councilor LaFontaine to adjourn.  
Passage 6-0, 8:45 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

**IN COUNCIL REGULAR MEETING MAY 6, 2013 VOL. 33 PAGE 115**

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

**I. Consent Items\***

**3. Order 27-05062013\***

Authorizing Safe Voices to place temporary signs for its 2013 Walk to End Domestic Violence.

**4. Order 28-05062013\***

Setting the time to open the polls for the June 11, 2013 School Budget Validation Referendum Election for 7:00 A.M.

**5. Order 29-05062013\***

Appointing Howard Kroll to the Lewiston-Auburn Transit Committee with a term expiration of 1/1/2015.

**6. Order 30-05062013\***

Confirming Police Chief, Phil Crowell's appointments of Nicholas J. Kyllonen and Krista M. Lee as Constables with a firearm for the Auburn Police Department.

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry, passage 7-0.

**II. Minutes**

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley to accept the minutes of the April 16, 2013 City Council meeting. Passage 6-0-1 (Councilor Hayes abstained because he was not present at that meeting).

**III. Reports**

**Mayor's Report** – The Mayor announced that there will be a press release going out soon for an event to be held on Wednesday, May 15<sup>th</sup> at 3:30 P.M. hosted in the parking lot of Happy Days Diner. There will be a small event commemorating the 88<sup>th</sup> anniversary of the great New Auburn fire in an effort to raise awareness on fire prevention efforts. This is something that they've been working on over the past few weeks and in light of the events that have happened in Lewiston it is still an opportunity to raise awareness and to show support for Lewiston.

**Committee Reports**-Councilor Crowley submitted a written report.

**City Councilors' Reports** – Councilor Crowley submitted a written report.

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**City Manager's Report** – City Manager Deschene submitted a written report which also included staff reports which will be included on a monthly basis. He also reported on the Oak Hill Cemetery entrances that are going to be repaired.

**IV. Communications, Presentations and Recognitions - None**

**V. Open Session**

- Hillary Dow, 126 Whitney Street, Auburn spoke in support of L/A Arts.
- Jodd Bowles, 239 Lake Street, Auburn spoke in support of keeping the Resource Officers in the school system.
- William Cox, 22 Vine Street, Auburn spoke in support of L/A Arts.
- Bill Horton, 401 Turner Street, Auburn and also the Ward 1 School Committee member who thanked Councilors Gerry and Crowley for attending the PTO meeting at Washburn School which included staff, parents, and school administration. It was a good sharing of information.
- Andy Titus, 17 Lamplighter Circle, Auburn spoke regarding inflation rate compared to property taxes and people cannot afford to live in the city with a 9-10% tax increase and he urged Council to look at ways to cut while looking at the budget and what we can do to be more efficient.
- Al Lepine, Riverside Drive, Auburn. He lives by Oak Hill Cemetery and commented on the crypt next to his property that is falling down and is a safety hazard but there appears to be no money to tear it down. He would like something done about this building.

**VI. Unfinished Business**

**11. Ordinance 03-04012013**

Approving the ordinance correcting section numbers in ordinances adopted during the pendency of the re-codification of the City's Code of Ordinances adopted on February 22, 2011 (second and final reading).

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

Public comment – no one from the public spoke.

Passage 7-0.

**12. Order 23-04162013**

Authorizing the Finance Director to enter into a loan agreement through the State School Revolving Renovation Fund Loan (public hearing and first reading).

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

Public comment – no one from the public spoke.

Passage 7-0.

**13. Ordinance 04-04162013**

Approving the City Council and School Committee Compensation Ordinance (Second and final reading).

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

Public comment – no one from the public spoke.

Motion was made by Councilor Crowley and seconded by Councilor Walker to amend the motion by striking the language under sec. 2-382 (2) and replacing with “The Mayor and or his/her designee is a full member of the School committee and therefore is entitled to compensation as any other member”.

Public comment on the amendment – no one from the public spoke.

Passage of the amendment 6-1 (Councilor LaFontaine).

Passage of the order as amended, 7-0.

**VII. New Business**

**1. Order 31-05062013**

Approving the Mid Maine Waste Action Corporation (MMWAC) waste handling agreement change.

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

Public comment – no one from the public spoke.

Passage 7-0.

**2. Order 32-05062013**

Authorizing the City Manager to sign the Auburn-Lewiston Consortium Mutual Co-operation Agreement to extend the consortium between the City of Auburn and City of Lewiston under the HOME Investment Partnerships Program for a three-year period.

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

Public comment – no one from the public spoke.

Passage 7-0.

**3. Order 33-05062013**

Authorize the use of overlay in the amount of \$228,055 and Emergency Reserve, that otherwise would pass to undesignated general fund balance, in the amount of \$300,000 to reduce the tax commitment shortfall.

Motion was made by Councilor Shea and seconded by Councilor Gerry to postpone to a later date to be determined. Passage 7-0.

**4. Order 34-05062013**

Amend Order 95-11192012 to add language to authorize the City Manager to sign

all documents and agreements on behalf of the City of Auburn in regards to the construction of a transit station in downtown Auburn.

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

Public comment:

- Kevin Morrisette, 223 Lisbon Street, Lewiston and the treasurer of Grow L/A spoke in support of the transit station.
- Hillary Dow, 126 Whitney Street, Auburn spoke in support of the transit station.

Passage 7-0.

#### **5. Resolve 02-05062013**

Expressing Support for the Initiative to Evaluate and Improve the Joint Economic Development Efforts of the Cities of Lewiston and Auburn.

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

Public comment:

- Al Lepine, Riverside Drive, Auburn – wondered how Council could approve a plan without knowing what it is going to do and without knowing what they are committing to.
- Hillary Dow, 126 Whitney Street, Auburn, stated that it is her understanding that what they are agreeing to is having a set structure of accountability. Said she thinks it is important that to have extremely

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knowledgeable and influential business leaders from the community be part of the conversation on the direction of economic development in Lewiston and Auburn.

- Andy Titus, 17 Lamplighter Circle, Auburn spoke about economic development and what was brought up earlier in the workshop regarding an increased cost for police protection in the retail zone which is considered economic development and would end up costing more than what was expected. He said it would be nice to have public hearing on what public thinks economic development is and what the goals are and what the public thinks should happen to get there. He said he does not think it means increased taxes.

Motion was made by Councilor Walker and seconded by Councilor Shea to amend the resolve by striking from the FY14 draft budget the Growth Council funding discussion.

Motion on the amendment failed, 2-4-1 (Councilors Shea, Hayes, LaFontaine, and Young opposed and Councilor Crowley abstaining).

Passage of the resolve, 6-1 (Councilor Walker opposed).

### **VIII. Open Session**

- Jane Thibodeau, 256 Beech Hill Road, Auburn spoke in support of the School Budget and would like to see what cuts can be made on the City side and moved over to the education side.
- Michele Bretton, 1841 Hotel Road spoke in support of the School Budget.

- Mike Ouellette, West Auburn Road spoke in opposition of the School Budget feels we should be using our minds, consolidate cities and spending money wisely.
- Arlene Bowles, 239 Lake Street spoke in support of the school budget and about the importance of a good education system.
- Andy Titus, 17 Lamplighter Circle said he feels the Auburn School system is fantastic and it is the people that make it so, not the brick and mortar. He said it scares him to hear people say we need to sink more money into the school system. He said he is aware there are challenges but it doesn't mean throwing out big increases every year.
- Laurie Tannenbaum, 36 Lake Street, Auburn and School Committee member. Agrees Auburn has a great educational system, great teachers who do great things with the kids but they are functioning on a minimal budget. She also talked about EPS (Essential Programs and Services) that went into place in 2005.

**IX. Executive Session**

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry

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to enter into executive session regarding labor negotiations, pursuant to 1 M.R.S.A. §405(6)(D).  
Passage 7-0, 8:29 P.M.

The Mayor declared Council out of executive session at 8:43 P.M.

X. Future Agenda/Workshop Items - None

**XI. Adjournment**

Motion was made by Councilor LaFontaine and seconded by Councilor Young to adjourn.  
Passage 7-0. 8:44 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

**IN COUNCIL SPECIAL JOINT MEETING MAY 13, 2013 VOL. 33 PAGE 121**

Mayor LaBonte called the joint meeting with the City Council and School Committee to order at 7:02 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present, Bonnie Hayes from the School Committee was absent, all other School Committee members were present.

**IV.** 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.

**7. Resolve 03-05132013\***

Opposing provisions included in the State budget.

Motion was made by Councilor Hayes and seconded by Councilor Gerry. Passage

6-0-1 (Councilor Crowley was out of the room during this vote).

## II. New Business

### 6. Public Hearing - School and City Capital Improvement Project's (CIP's).

Mike Ouellette, Auburn resident – spoke regarding the upcoming budget for school, and the new high school that is being discussed, and the potential mill rate increase and he said if taxes go up it may force him to have to move. He said he loves his home, he works hard and wants to keep it but this would force him to leave. He believes we can do better than this stating the big emphasis should be in pre-k. He said he feels that consolidating the high school will save money.

Pat, librarian at one of the schools talked about accreditation and feels the High School may lose their accreditation in 2015 and stated that the probation will not last forever. She talked about a funding committee which is a subset of the building committee and there are plans to address the current debt service, partnerships, grants, fundraising and going to the legislature to talk about freezing the list so they stay at #16. When the school came in at #44 the round before this, legislature funded 20 schools, now they are funding only 5. She said there is concern statewide about the process of funding schools. There is legislation that needs to be done however it may not be on time.

Jodd Bowles, 239 Lake Street, he spoke that there has never been enough money to go to the schools ever since he's been around. He said it has gotten to a point that the high school is in horrendous condition. Schools have been neglected for so long, if we lose the accreditation, no one will want to come here. He commented that we have to figure out a way to balance this.

Andy Titus, 17 Lamplighter Circle said he would like to see a system in place to monitor and maintain buildings, he sees years of things not being taken care of and he does not like to see items bonded if they do not need to be. He commented that if there are any capital improvements, to look through them to make sure we are not bonding a paint job.

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Bill, Park Avnue, Auburn commented that the City needs to plan for its future. He asked what does Auburn have? A tax increase is about equal to 2 dinners at Longhorn. Their parking lot is full and people seem to afford that. He also commented that the condition of the building you work in effects performance and the same can be said about students. He also encouraged Council to think about the impact this will have now and in the future of the city.

Arlene Bowles 239 Lake Street, said she was concerned about lack of communication on collaboration, there seems to be a divide between council and school committee, and she keeps hearing that those things are not being done when they are. She said in her opinion we need to do something with these schools. The school system seems to be struggling to provide play areas and curriculum that one would expect. She also commented that something needs to be in place so maintenance is part of the budget.

### 7. Order 35-05132013

Adopting the 2013-2014 Capital Improvement Program (CIP) Bond Projects.

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley to move the two CIP orders to next week's meeting (May 20, 2013).

Public comment – no one from the public spoke.

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

### 8. Order 36-05132013

Adopting the 2013-2014 Capital Improvement Program (CIP2) Other Funding Projects.

III. Adjournment

Motion was made by Councilor LaFontaine and seconded by Councilor Young to adjourn. Passage 7-0, 7:30 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

**IN COUNCIL REGULAR MEETING MAY 20, 2013 VOL. 33 PAGE 123**

Mayor LaBonte called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

I. Consent Items\*

**8. Order 37-05202013\***

Approving temporary signs for Great Falls Model Rail Road Club (GFMRRRC).

**9. Order 38-05202013\***

Approving the Assistance to Firefighters Grant (AFG).

**10. Order 39-05202013\***

Authorize the City Manager to execute any and all documents necessary for the property conveyance to and from R&K Properties, LLC (Rolly's Diner).

Motion was made by Councilor Shea and seconded by Councilor Hayes. Passage 7-0.

II. Minutes

Motion was made by Councilor Shea and seconded by Councilor Crowley to approve minutes of the May 6, 2013 Council Meeting. Passage 7-0.

Motion was made by Councilor Shea and seconded by Councilor Walker to approve minutes of the May 13, 2013 Special Council Meeting (Joint City Council and School Committee). Passage 7-0.

III. Reports

**Mayor's Report** – No report.

**City Councilors' Reports** – Councilor Crowley submitted a written report and also noted that there is going to be a Memorial Day service at Oak Hill Cemetery on Monday, May 27<sup>th</sup> at noon.

**City Manager's Report** – City Manager Deschene submitted a written report.

**Finance Director, Jill Eastman** – April 2013 Monthly Finance Report

Motion was made by Councilor Gerry and seconded by Councilor Young. Passage 7-0.

#### **IV. Communications, Presentations and Recognitions**

- Proclamation - Click It or Ticket
- Proclamation – Maine Arbor Week

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- Proclamation - National Public Works week
- Proclamation – Mike Cohen, Auburn Public Works Department Employee
- Auburn Middle School Odyssey of the Mind Team

#### **V. Open Session**

- Joe Mailey, Webster Street, Auburn, spoke about abandoned buildings in his neighborhood. He also commented that if a new high school is built, he hopes it is not built with education in mind and not aesthetics. He would like to see one that is built to last.

#### **VI. Unfinished Business**

##### **14. Order 23-04162013**

Authorizing the Finance Director to enter into a loan agreement through the State School Revolving Renovation Fund Loan (second and final reading).

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

Public Comment – No one from the public spoke.

Passage 7-0

##### **15. Order 35-05132013**

Adopting the 2013-2014 Capital Improvement Program (CIP) Bond Projects.

##### **16. Order 36-05132013**

Adopting the 2013-2014 Capital Improvement Program (CIP2) Other Funding Projects.

Motion was made by Councilor Shea and Seconded by Councilor Crowley to table the two CIP items (Orders 35-05132013 and 36-05132013) later in the meeting, after the public hearing but before the budget discussion. Passage 7-0.

#### **VII. New Business**

##### **17. Public Hearing - School and City Budgets for Fiscal Year 2014.**

- Diana Carson and Eric Carson of 110 Jacques Road, Auburn spoke in support of the school budget and the I-Pad Program.
- Jason Rudlan, Lewiston resident and Edward Little High School graduate talked about education, private schools and charter schools vs. public schools and stated
- that he would like to leave the school budget up to the School Committee and the

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voters.

- Levi Gervais, 46 Fourth Street, Auburn spoke in support of the school budget, and would like the underfunding to stop and get education back on track.

- Jaime Thibodeau, Beech Hill Road, Auburn spoke in favor of the school budget, and stated that she does not feel that education should be shorted, she thanked those who attended the listening sessions and she said she would like to see a way to cut from the city side of the budget by looking at little things like cell phones, leaving vehicles parked rather than taking them home, and by discontinuing dry cleaning.
- Chuck Levine, 86 Orchard Street, said he was not asking to support the school budget but would like the school committee members to be recognized for their work on this and would like to see this budget on the ballot.
- Brian Dimitri, 8 Fern Street, Auburn supports the school budget and agreed with the previous speaker; leave it up to the voters.
- Denise Burke of Poland, Maine and part of Washburn Pride along with her sister, niece, grand niece and friend who grew up in New Auburn commented that she grew up in a community that allowed them to be friends since 1963, her sister was the first class to graduate from the New Edward Little High School. She said she graduated from ELHS 37 years ago. She is asking Auburn residents to meet the June 11 deadline and vote in support of the school so her grandniece can be a proud ELHS graduate of 2026.
- Ms. Hussein, 34 Harvest Hill Lane commented that she supports the school budget. She is a parent and also provides services to refugee kids and said there are limited resources and there is a need for dedicated staff so refugee children can get the best education they can.
- Melissa Metivier, 860 South Witham Road, Auburn supports the budget as it stands and hopes to leave it up to the voters.
- Guri Ali, 11 Granite Street said he came to this country in 2005, lived in Lewiston for 6 months and was hired as an Ed Tech. He commented that Lewiston is connected to providing cultural services in schools. He said in Auburn, 1% of refugee children make it to college because no one is connecting parents to the schools. He wanted to request support for the school budget especially cultural issues.
- Mauri Dufour, 114 Sunderland Drive, Auburn is in support of the school budget and is willing to pay more in taxes to know kids will be getting a better education and continue to receive the same programs they now have.
- Mike Dunn, 453 Riverside Drive and an Auburn educator for over 28 years supports the school budget, would like to see Auburn be the best they can be, and he and his colleagues would like to see the school budget pass.
- Cynthia Jalbert, 11 Shepley Street, said she grew up in Auburn then moved away for a while but decided to come back because of the school system. She said now she is a little disappointed about that. She said although the school budget is not perfect she would like to see it go before the voters.
- Stacy Fournier, Cherry Vale Circle spoke in support of the school budget stating

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- she was an ELHS graduate and she moved back to Maine from Massachusetts to raise her kids here and she would like the budget to go to the voters.
- Jeff Whitman, 15 Parkwood Drive, Auburn spoke in support of the school budget and the I-Pad program. He would like the people to decide and said he would be willing to pay more to keep education at a higher level.
  - Sharon Wood, 237 West Auburn Road, said she chose to move to Auburn several years ago because of the school system and because she knew the education system would play a key role in the sale of her home. She also commented that education was not one of the goals/priorities named by Council. She asked that they support the school committee and move the budget along.
  - Chris Carson, 110 Jacques Road, Auburn supports the budget and would like it to go to the voters.
  - Stephanie Merritt, Fern Street, and also a teacher in Auburn said she has lived in Auburn for 3 ½ years and was advised by several people not to move here because of high taxes. She said she would like to leave the school budget up to the voters.

- Tony Harrington, 52 Western Prom, supports the City Managers Municipal Budget as proposed.
- Ron Potvin, 82 Northern Avenue, former Councilor and School Committee Member said City Manager Deschene did a nice job on the budget presentations and held the city side accountable to the 1.7%. He questioned how can we allow a section of the city to grow disproportionately compared to the other side. He said the State has increased the subsidy to the school but it still isn't enough and they are going to the tax payers to ask for more. He said the property owners in Auburn will stand united to keep the school department at the 1.7% which Council was able to do on the City side.
- Andy Titus, 17 Lamplighter Circle, said we need to prioritize education but cannot do it on the back of the taxpayers and he finds the problem is where the money is being spent. It is not how much we are spending but how we are spending it. He commented on how we need to maintain our buildings and include maintenance in the budget.
- Vicki Ward, Jackson Hill Road, Auburn said she is concerned about the budget and a substantial tax increase it will cause. This will be a hardship and people will not be able to afford to live here. She would like Council to look at the budget and be critical on where money is being spent. She also commented that whether you are for or against the school budget, know that your vote matters.
- Resident, South Maine Street, Auburn commented that it was nice hearing both sides of the issue. She went on to say this is a difficult time because of the economy, people are unemployed or afraid they will lose their jobs. She likes to have well educated children but if we continue to increase everything, when will it stop. She thought maybe more trips to the Library would help with education.
- Tanya Vanasse, 148 Summer Street commented that in keeping with the mandate of the 1.7% of the budget, 38% of the tax money goes toward education and the remaining 62% goes toward the city side so 1.7% of the School budget is not equal to that of the City budget and the school will continue to fall behind. She

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said that something has to change the pattern we are going in. She said she was going to email her city representative with the remainder of her comments.

- Walt Reed, 173 Third Street said he was not sure if he was for or against the school budget and said that people should do more research. He commented on the ornate street lights in Auburn and the continued maintenance on them. He said when doing beautification, we need to maintain beautification and think beyond the initial investment but also the ongoing costs.
- Joe Mailey, Webster Street said he was neither for nor against at this time and needs to find out more information. He said it was the responsibility of every councilor and the mayor and manager to fight the State of Maine for those state funds that belong here. He said he thinks the school system should start having neighborhood educational programs with the citizens of Auburn so when the budget comes up, the citizens understand.
- Robin Fleck, English language Coordinator wanted to clarify something that was said earlier. She said of students in the English language learning program who has completed 3 or more years, 90% of them have gone on to post secondary education. Some have been offered scholarships out of state and some refugee families are timid about sending their children that far away without knowing anyone.
- Alfreda Fournier, Davis Avenue, Auburn said she comes from a small mill town (Jay-Livermore area) and they are having a hard time and are struggling. One of her friends who builds homes said that in all the homes he built in the last 10 years, he has not sold one in Auburn. She commented that we have to be realistic and if we do not take care of issues it will be difficult to recoup what we've lost in a previous budget. She went on to say we need to attract people here. Some folks think that because the public is not visible in attendance at meetings that they do not care, but they do. She sometimes cannot make it to the meetings but watches on TV. She wanted to commend the Council and school Committee for the attending the listening sessions. She said it speaks volumes regarding communication and helps to dispel rumors that are not accurate.

Items that were tabled under unfinished business (Orders 35-05132013 and 36-05132013).

**18. Order 35-05132013**

Adopting the 2013-2014 Capital Improvement Program (CIP) Bond Projects.

Motion by Councilor LaFontaine and seconded by Councilor Shea.

Motion by Councilor Crowley and seconded by Councilor Walker to amend (amendment A) by;

Removing all items with a useful life of less than 10 years, removing all routine maintenance items from the CIP and move under Operations, remove all vehicle purchases in both the CIP and Operational budget for a 1 year period, to reinstate a policy where all vehicles that are not in use be

**IN COUNCIL REGULAR MEETING MAY 20, 2013 VOL. 33 PAGE 128**

garaged in Auburn, and not to approve the CIP until the enterprise accounts for Ingersoll Arena and the new Dual Sheet Arena are included in the overall budget for the public to view.

Motion was made by Councilor Shea and seconded by Councilor Gerry to postpone the entire motion, including amendment A until the June 3<sup>rd</sup> meeting. Passage 6-1 (Councilor Young opposed).

**19. Order 36-05132013**

Adopting the 2013-2014 Capital Improvement Program (CIP2) Other Funding Projects.

Motion by Councilor LaFontaine and seconded by Councilor Hayes.

Motion by Councilor LaFontaine and seconded by Councilor Shea to amend (amendment A) to remove the Pettengill Playground items and Festival Plaza Canopy replacement for at least 1 year.

Motion by Councilor Hayes and seconded by Councilor Crowley to postpone this along with amendment A until the June 3<sup>rd</sup> meeting. Passage 5-2 (Councilors Young and Gerry opposed).

**20. Order 40-05202013**

Adopting the School Budget for Fiscal Year 2014.

Motion by Councilor Shea and seconded by Councilor LaFontaine,

Motion by Councilor Crowley to change the words “adopts and approves” to “accepts” – the Mayor called this motion out of order as the language is appropriate as to State law.

Passage of the original motion, 5-2 (Councilors Crowley and Gerry opposed).

**21. Resolve 03-05202013**

Adopting the City Budget for Fiscal Year 2014.

Motion by Councilor Shea and Seconded by Councilor LaFontaine.

Motion was made by Councilor Walker and seconded by Councilor Gerry to amend (amendment A) that the City Manager shall propose and have established by the Auburn City Council a contract with LAEGC for services to be provided to the City

of Auburn for economic development to occur within 5 months of the fiscal year with the consequence being the elimination of funding. Passage 5-1-1 (Councilor Young opposed and Councilor Hayes abstained).

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Motion was made by Councilor Crowley and seconded by Councilor LaFontaine to amend (amendment B) to reduce the municipal side of the budget by 1.7 million dollars, to apply a 1.7% expenditure increase to all municipal departments and to allocate \$18,000 for LA Arts to be used in support of programming in Auburn. Motion failed 3-4 (Councilors Shea, Young, LaFontaine, and Hayes opposed).

Motion was made by Councilor Shea and seconded by Councilor Crowley to amend (amendment C) to direct staff to align all work planning and policies of the city and partnering agencies (including LATC, AVCOG, and ATRC) to ensure that any plans for passenger rail involves locating in Auburn's downtown as a priority over any previous or alternative locations. Passage 6-1 (Councilor Hayes opposed).

Motion was made by Councilor Walker and seconded by Councilor Gerry to amend (amendment D) with respects the PAL Center (pursuant to section 8.4 of the City Charter article 8 subsection A) that the detailed goals and expenditures with respect to the PAL center as a program of the City of Auburn. Passage 7-0.

Motion was made by Councilor Shea and seconded by Councilor Lafontaine to amend (amendment E) that the municipal beach not be opened to public swimming until there is one full month of clean water tests. Passage 7-0.

Motion by Councilor Crowley and seconded by Councilor Hayes to amend (amendment F) that in lieu of providing cell phones and smart phones under a city contract that employees be offered \$25 per month stipend.

Motion by Councilor Crowley and seconded by Councilor Walker to postpone the debate on this amendment and the full budget Resolve to the June 3, 2013 meeting. Passage 7-0

**22. Order 41-05202013**

Acceptance of Weaver Street.

Motion by Councilor LaFontaine and seconded by Councilor Young.

Public Comment – No one from the public spoke.

Passage 6-1 (Councilor Crowley opposed).

**VIII. Open Session**

- Andy Titus, 17 Lamplighter Circle spoke regarding the Emergency Management Service and transporting of patients and suggested that before having a study done, look at the research that has been done in the past. A lot of the work has already been done. He said he did not think it was a good idea.

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- Ron Potvin, 82 Northern Avenue, said because of the school referendum last year he feels the city owes the other side fair publication and notification as to what the date, where it is and what it is.
- Joe Gray, Sopers Mill Road, said he agreed with the comments from Mr. Potvin and commented that the Cumberland/Falmouth area posts signs and also asks people to bring food for a food pantry. He also thanked Deputy Chief Moen who stopped someone who was weaving in and out

of traffic. He also thanked the Council for doing their job in getting into the “nitty gritty” of the budget.

**IX. Executive Session**

**X. Future Agenda/Workshop Items**

- Councilor LaFontaine – create a 1 paragraph message on voting, a neutral statement for people to post on Facebook and be consistent with the message.
- Councilor Gerry- suggested making up signs to post for the election.
- Councilor Crowley – suggested asking businesses in engaging in getting out the vote.
- Councilor Gerry – workshop on the budget.

**XI. Adjournment**

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry to adjourn.  
Passage 7-0, 9:55 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

**IN COUNCIL REGULAR MEETING MAY 23, 2013 VOL. 33 PAGE 131**

Councilor Deschene called the meeting to order at 5:00 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Mayor LaBonté and Councilor Crowley had excused absences. All other Councilors were present.

A motion was made by Councilor Hayes and seconded by Councilor LaFontaine to nominate Councilor Shea as Mayor Pro Tempore. There were no other nominations.

**I. New Business**

**11. Order 42-05232013**

Granting an access easement across public land (15 Broad Street).

Motion was made by Councilor LaFontaine and seconded by Councilor Young.  
Passage 6-0 (Councilor Crowley absent).

**III. Adjournment**

Motion by Councilor LaFontaine and seconded by Councilor Young. Passage 6-0 (Councilor Crowley absent), 5:20 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

**IN COUNCIL REGULAR MEETING JUNE 3, 2013 VOL. 33 PAGE 132**

Mayor LaBonte called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall and led

the assembly in the salute to the flag. All Councilors were present, however Councilor Young had to leave the meeting (excused) just before the City Budget Resolve discussion (Resolve 03-05202013).

**II. Consent Items\***

**12. Order 43-06032013\***

Approving the Special Event and Charitable funding requests for the 2013 Liberty Festival.

Motion was made by Councilor Lafontaine and seconded by Councilor Young. Passage 6-1 (Councilor Crowley opposed).

**II. Minutes**

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry to accept the minutes of the May 20, 2013 City Council meeting. Passage 7-0.

**III. Reports**

**Mayor's Report** – The Mayor read a written statement he prepared in order to weigh in on what he called fragmented public policy making, numerous committees funded by tax payers but not accountable to them. He went on to say that after watching the movement of some individuals after Councils action a few weeks ago, he thought it was appropriate as Mayor to outline some concerns and partial information that was being discussed publicly and wanted to set the record straight regarding Councils decision regarding the downtown passenger rail service. A copy of the statement is on file in the Clerk's office.

**City Committee Reports** – Councilor Crowley and Councilor Walker submitted a written report.

**Councilor Reports**-Councilor Walker reported on a Flag Day celebration to take place at the Veteran's Memorial in Mt. Auburn Cemetery on Friday, June 14<sup>th</sup>. It is being presented by the City and Veteran groups including American Legion Post 153. All organizations Scouts, Fraternal Clubs, Color Guard, Honor Guard and Flag Bearers are invited to show their colors. Councilor Crowley submitted a written report.

**City Manager's Report** – City Manager Deschene submitted a written report and stated that a correction was made and would be corrected on the web. He also reported on the status of the search for an Ice Arena Manager. An announcement would be coming soon. Also as requested by Councilor Hayes, he offered an explanation on the establishment of the transportation committee.

**IV. Communications, Presentations and Recognitions – None**

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Item number 4 on the agenda under New Business was taken out of order (Hearing on a dangerous building at 9 Gamage Avenue).

**23. Hearing regarding a Dangerous Building at 9 Gamage Avenue, Auburn Maine, pursuant to Title 17 M.R.S.A § 2851, et seq.**

**24. Order 44-06032013**

Adopting the findings of fact, conclusions of law, and order of demolition for 9 Gamage Avenue.

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley. Passage 7-0.

## V. Open Session

- Gerry Berube, president of the Lewiston-Auburn Railroad Co. stated that the letter the Mayor mentioned in his earlier statement did not come from Lucien Gosselin but from the LA Railroad Board. He briefly went over the history of the LA Railroad Co.
- Richard Trafton, one of the newest members of the LA Railroad Company said he said that he shares Mayor LaBonté's concerns on speaking with one voice however he was also concerned about the method adopted at the last Council Meeting and feels it will be used as ammunition. He said he supports the passenger rail in downtown Auburn and Lewiston and he also talked about the comprehensive plan. He said he thinks we can get there but doesn't think we are using the right planning process.
- Jeremiah Bartlett, 107 Shepley Street, said he is a resident of Auburn and has a transportation background and has a different view of how the comprehensive plan turned out. He said there is no sense putting the passenger rail at the airport first. He does not think it is effective, it would be expensive and costly. He also doesn't think it would satisfy title 6 of the Civil Rights Act. He said that a downtown rail would be a statement to invest in our downtown. He urged the Council to make this their top priority.
- Cynthia Jalbert, 11 Shepley Street gave kudos to the Kiwanis Club for hosting their pancake breakfast. She said she would also like to see the railway come to the downtown area and there is a need to bring more things in the downtown area. Next year she would like to see the solid waste recycling committee come back around. She also commented on Lewiston and CMMC for tearing down St. Josephs to build a parking lot.
- Larry Pelletier, Second Street, Auburn, attended the installation of the new pumper truck at the New Auburn Fire Station. He said the truck was dedicated to Captain Millett, a fallen firefighter.
- Michael Koch, 46 Gould Road, talked about the Downeaster versus the commuter train and said he was looking for clarity. He said he would like train service downtown if it is the Downeaster.
- Ed Plourde, Chair of the Airport had a question about process and what happened at the last meeting and were there stake holders involved in that process.

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- Adam Lee, Main Street said he lives and works in downtown area for the past five years. He walks to work every day. He appreciates and respects the people who spoke in favor of the locating the rail at the airport but said he thinks it is shortsighted and it avoids the possibility we have of advancing the work that has been done in the past 5 years in the downtown area. He moved to Maine because he fell in love with the downtown Auburn area.
- Christine Holden, Lewiston resident said she really likes mass transport and believes that economic development in our community is important. She said we need to think about the fact that a great variety of people need transport. She suggested that we go for what we want but have a back-up plan, be flexible, be inventive and do not draw a line in the sand.
- Dan Herrick, 470 Hatch Road, thanked Councilor Gerry for asking the questions about 9 Gamage Avenue on where the cost goes. He also talked about improvements in the New Auburn area and the new apartment building stating it looks good but who would want to live there with the headlights that come down Academy Street. He talked about an article he read in the Sun Journal on tax liens and foreclosures and wondered if anyone knew what was happening and why we are sending out less tax liens. He commented on a few concerns with the Mayor on his interaction with a Councilor at a previous meeting as well as the portrait presentations with former Mayor's (John Jenkins, John Cleveland and Dick Gleason) and whether or not they were given an opportunity to speak during the presentations. He also said he commented on a concern he had regarding setting up a meeting with the City Manager.
- Tammy Greishaber, 40 Lisbon Street Lewiston, former resident of Auburn. She said she thought the two cities should become one a long time ago and any decisions on one side of the river have

an impact on the other side of the river. It has been a long time since there has been any vision implemented on either side of the river. The last was Lee Young and the plan that brought us the River Walk and Festival Plaza. There hasn't been any since then. The Comprehensive Plan on both sides of the river has been pretty much the same way. Plans change and they should be flexible. The next two visionary plans that have come up in the last 6 months was LA Grows idea on Mill 5 but the group has not gotten any support and guidance on this project. The second most recent visionary plan for Auburn is to put the transit service in the downtown area. She thinks it is a wonderful idea.

- Joe Mailey, Webster Street, Auburn said he is neither for nor against the rail but did not think there was enough culture here to attract people from Portland. He said they have to have something here for people to come.
- Priscilla Miller, 211 Summer Street, commented on the train and wondered if anyone thought of the congestion of having that in town. She also commented on the train whistle and said Brunswick residents are complaining about the train whistles. She said Council should think of essentials and the Ice Rink is not essential. She said to look at County Government versus City Government and do we need to be giving them money.
- Chip Morrison, 46 Lake Street, Auburn commented that there are many cultural activities in our community. He also gave formal testimony (a written copy of the testimony is on

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file in the Clerk's Office) as president of the Chamber with over 1375 members. He talked about the budget amendment about the rail two weeks ago. Wordings of resolutions are important. People look at them. His plea was please be flexible if you can, don't shut something off to make a point when you can keep all of your options open.

VI. Unfinished Business

25. **Order 35-05132013**

Adopting the 2013-2014 Capital Improvement Program (CIP) Bond Projects.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to approve the order as postponed from the 5/20/2013 meeting which included the amendments proposed by Councilor Crowley;

To remove all items with a useful life of less than 10 years, removing all routine maintenance items from the CIP and placing them under Operations, remove all vehicle purchases in both the CIP and Operational budgets for a 1 year period, to reinstate a policy where all vehicles that are not in use be garaged in Auburn, and not to approve the CIP until the enterprise accounts for Ingersoll Arena and the new Dual Sheet Arena are included in the overall budget for the public to view. Motion failed 3-4 (Councilors Hayes, LaFontaine, Shea, and Young opposed).

Motion was made by Councilor Walker and seconded by Councilor Crowley to amend to remove the Engineering Major Drainage Project from the CIP Budget. Motion failed 3-4 (Councilors Gerry, Hayes, LaFontaine, and Shea opposed).

Motion was made by Councilor Walker and seconded by Councilor Crowley to remove the Engineering Retaining Wall project from the CIP Budget. Passage 5-2 (Councilors Gerry and LaFontaine opposed).

Motion was made by Councilor Walker and seconded by Councilor Crowley to remove the Engineering Bridge repairs from the CIP Budget. Motion failed 2-5 (Councilors Shea, Young, LaFontaine, Hayes, and Gerry opposed).

Motion was made by Councilor Walker and seconded by Councilor Crowley to remove ICT call recording from the CIP Budget. Passage 6-1 (Councilor LaFontaine opposed).

Motion was made by Councilor Walker and seconded by Councilor Crowley to remove the ICT Network Security from the CIP Budget. Motion failed 3-4 (Councilors Gerry, Hayes, Young, and Shea opposed).

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Motion was made by Councilor Walker and seconded by Councilor Crowley to remove from Parking Facilities the Mechanics Row Garage maintenance from the CIP Budget. Passage 5-2 (Councilors Gerry and LaFontaine opposed).

Motion was made by Councilor Walker and seconded by Councilor Crowley to remove the Parks & Recreation tractor from the CIP Budget. Passage 5-2 (Councilors Hayes and LaFontaine opposed).

Motion was made by Councilor Walker and seconded by Councilor Crowley to remove the Parks & Recreation Holder Tractor from the CIP Budget. Motion failed 2-4 (Councilors Gerry, Hayes, Shea, and LaFontaine opposed).

Motion was made by Councilor Walker and seconded by Councilor Crowley to remove the Parks & Recreation underground tank removal from the CIP Budget. Passage 7-0.

Motion was made by Councilor Walker and seconded by Councilor Crowley to remove from Planning the Municipal Street Light Purchase from the CIP Budget. Motion failed 3-4 (Councilors Crowley, Hayes, LaFontaine, and Shea opposed).

Motion was made by Councilor Walker and seconded by Councilor Crowley to remove from Planning the Traffic Signal Pole Replacement from the CIP Budget. Motion failed 3-4 (Councilors LaFontaine, Shea, Gerry, and Hayes opposed).

Motion was made by Councilor Walker and seconded by Councilor Crowley to remove from Public Works the Heavy Equipment dump trucks from the CIP Budget. Motion failed 3-4 (Councilors Gerry, LaFontaine, Young, and Shea opposed).

Motion was made by Councilor Walker and seconded by Councilor Crowley to remove from Planning the Traffic Signal Controller Upgrades from the CIP Budget. Passage 4-3 (Councilors Gerry, Hayes, and Shea opposed).

Motion was made by Councilor Walker and seconded by Councilor Crowley to remove from Public Works the street sweeper from the CIP Budget. Passage 7-0.

Motion was made by Councilor Walker and seconded by Councilor Crowley to remove from Public Works vehicles from the CIP Budget.

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Motion failed 3-4 (Councilors Gerry, Hayes, LaFontaine, and Shea opposed).

Motion was made by Councilor Walker and seconded by Councilor Crowley to remove from Public Works floor sweeper/scrubber from the CIP Budget.

Passage 7-0.

Motion was made by Councilor Crowley and seconded by Councilor Walker that the total CIP Budget for FY14 not exceed 12% of expenditures. Passage 5-2 (Councilors Hayes and LaFontaine opposed).

Motion was made by Councilor Crowley and seconded by Councilor Walker that no CIP dollars for FY14 be spent on an item that has a useful life of less than 10 years. The Mayor declared the motion to be out of order because it would be a vote to reconsider two of Councilor Walkers amendments, in which Councilor Crowley voted in the affirmative.

Motion was made by Councilor Crowley and seconded by Councilor Walker to amend by removing the library building improvements and using downtown TIF dollars instead. Point of information by the City Manager, that is not an allowed use of downtown TIF dollars.

Motion by Councilor Crowley and seconded by Councilor Walker for the City to reaffirm Council policy that no Auburn owned vehicles will be garaged outside of Auburn when not in city service. The policy is in place to manage vehicle cost and to preserve the resource for city business. Passage 4-3 (Councilors Hayes, LaFontaine, and Shea opposed).

Motion was made by Councilor Walker and seconded by Councilor LaFontaine to reconsider the amendment to remove from ICT the Call Recording. Passage 7-0.

Passage on order as amended, 5-2 (Councilors Gerry and Crowley opposed).

**26. Order 36-05132013**

Adopting the 2013-2014 Capital Improvement Program (CIP2) Other Funding Projects.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to approve the order as postponed from the 5/20/2013 meeting which included the amendment proposed by Councilor LaFontaine to remove the Pettengill Playground items and Festival Plaza Canopy replacement for at least 1 year. Passage 6-1 (Councilor Shea opposed).

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Motion was made by Councilor Crowley and seconded by Councilor Walker to amend that the ICT website site second phase from the CIP2 budget be approved, but the project be outsourced and not done by staff unless it can be completed for less money than the \$20,000 and implemented by January 1, 2014. Motion failed 2-5 (Councilors Gerry, Hayes, LaFontaine, Young, and Shea opposed).

Motion by Councilor Crowley and seconded by Councilor Gerry to amend that the Parks & Recreation Department be allocated \$38,000 to repair and replace playground equipment city wide. Passage 7-0.

Motion was made by Councilor Crowley and seconded by Councilor Walker to amend by allocating up to \$20,000 to place flags at Festival Plaza. Passage 4-3 (Councilors Hayes, LaFontaine, and Shea opposed).

Motion was made by Councilor Crowley and seconded by Councilor Walker to amend that the Public Works request for Oak Hill Cemetery building improvements from the CIP2 budget be changed to make necessary repairs to cemeteries and not limited to Oak Hill. Passage 4-2-1 (Councilors LaFontaine and Hayes opposed, Councilor Shea abstained).

Motion was made by Councilor Crowley and seconded by Councilor Walker to amend by removing the Parks & Recreation Department turf machine from the CIP2 budget. Passage 4-3 (Councilors Gerry, Hayes, Lafontaine opposed).

Motion was made by Councilor Crowley and seconded by Councilor Walker to amend by removing the amount the Planning Department wants for the Comprehensive Plan Property Acquisition Program from the CIP2 budget. Passage 6-1 (Councilor LaFontaine opposed).

Motion was made by Councilor Crowley and seconded by Councilor Walker to amend by removing the Police Mobile Radio replacement from the CIP2 budget (and move to operations). Passage 4-3 (Councilors Gerry, Hayes, and LaFontaine opposed).

Motion was made by Councilor Crowley and seconded by Councilor Walker to amend by removing the Public Works trench box from the CIP2 budget. Motion failed 2-5 (Councilors Gerry, Hayes, LaFontaine, Young, and Shea opposed).

Motion was made by Councilor Crowley and seconded by Councilor Walker to amend by using \$85,000 unallocated bond funds to address

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Hasty Community Center's safety issue (removal of asbestos). Passage 6-0-1 (Councilor Hayes abstained).

Motion was made by Councilor Crowley and seconded by Councilor Gerry to amend by using downtown TIF monies to buy walk behind mowers if they are to be used in the downtown parks and be available for cemetery work. After some discussion as to whether TIF monies could be used for this, Councilors Crowley and Gerry withdrew the motion and second until there is further clarification.

Motion was made by Councilor Crowley and seconded by Councilor Gerry to amend that the portion of unallocated bond proceeds to pay off the Ingersoll Arena debt be held in reserve. Passage 5-2 (Councilors Gerry and Hayes opposed).

Motion was made by Councilor Walker and seconded by Councilor Gerry to amend by adding the Hasty Community Center kitchen upgrade to the CIP2 budget (\$3,500 out of unallocated bond proceeds). Passage 7-0.

Motion was made by Councilor Walker and seconded by Councilor Gerry to amend by adding the Hasty Community Center window replacement to the CIP2 budget (\$46,000 from unallocated bond proceeds). Passage 5-1-1 (Councilor Hayes opposed and Councilor Shea abstained).

Motion by Councilor LaFontaine and seconded by Councilor Hayes to reconsider the Hasty Community Center upgrades (\$134,500). Passage to reconsider 4-3 (Councilors Gerry, Crowley, and Walker opposed).

Passage on the reconsideration in support of the \$134,500 investment in upgrades to the Hasty Community Center, 4-3 (Councilors Hayes, LaFontaine, and Young opposed).

Public comment – no one from the public spoke.

Passage of the order as amended, 7-0.

**27. Resolve 03-05202013**

Adopting the City Budget for Fiscal Year 2014 (first reading).

The Mayor clarified that the amended language that was adopted from the May 20, 2013 meeting was to be added to the Resolve (that the City Manager shall propose and have established by the Auburn City Council a contract with LAEGC for services to be provided to the City of Auburn

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for economic development to occur within 5 months of the fiscal year with the consequence being the elimination of funding).

Motion was made by Councilor Lafontaine and seconded by Councilor Shea to remove the Budget Resolve off the table as it was postponed from the 5/20/2013 meeting. Passage 5-0-1 (Councilor Crowley abstained).

The motion that was left on the table from the 5/20/2013 meeting was a motion by Councilor Crowley and seconded by Councilor Hayes to amend by offering in lieu of providing cell phones and smart phones under a city contract that employees be offered a \$25 per month stipend. Motion failed 3-4 (Councilors Gerry, LaFontaine, and Shea opposed, and the Mayor voted in opposition breaking the tie vote).

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to reconsider what was labeled as amendment (C) from the 5/20/2013 meeting on the downtown rail. Motion failed 2-4 (Councilors Gerry, Crowley, Walker, and Shea opposed).

Motion was made by Councilor LaFontaine and seconded by Crowley to add a \$20,000 line in the budget for L-A Arts, \$10,000 of which would support the arts and culture in L-A and another \$10,000 in match by the City of Auburn only if they were awarded the Creative Community Economic Development Grant.

Motion was made by Councilor Shea and seconded by Councilor Gerry to amend the amendment to fund the Creative Community Economic Development Grant and strike the \$10,000 to support the arts and culture in L-A. Passage 6-0.

Passage of the amendment as amended, 6-0.

Motion was made by Councilor Crowley and seconded by Councilor LaFontaine to postpone the budget resolve discussion to a Special Meeting on June 10, 2013, motioned failed 3-4 (Councilors Gerry, Walker and Shea opposed and the Mayor voted in opposition breaking the tie vote).

Motion by Councilor Crowley and seconded by Councilor Walker to amend the resolve to hold all the departmental budgets that are above the 1.7% expenditure increase reduce their budget to a 1.7% expenditure increase. Motion failed 3-4 (Councilors Hayes, LaFontaine and Shea opposed and the Mayor voted in opposition breaking the tie vote).

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Motion by Councilor Crowley to limit the FY14 budget so the mill rate would not exceed 20.41 per thousand which is a 4.91 % over last year's mill rate. Motion failed for lack of a second.

Motion by Councilor Walker and seconded by Councilor Crowley to set the mill rate be set at 19.59. Motion failed 3-4 (Councilors Hayes, LaFontaine, and Shea opposed and the Mayor voted in opposition breaking the tie vote).

Motion by Councilor Crowley and seconded by Councilor Gerry to cut \$5,000 from the debt service account since there was no explanation of services. Passage 5-1 (Councilor LaFontaine opposed).

Motion was made by Councilor Crowley and seconded by Councilor Hayes to postpone the budget resolve as it stands to a special meeting on June 10. Motion failed 3-4 (Councilors LaFontaine, Walker, and Shea opposed and the Mayor voted in opposition breaking the tie vote).

Motion was made by Councilor Walker and seconded by Councilor Crowley to consolidate the Parks and Recreation Department under Public Works Department. Motion failed 1-5 (Councilors Gerry, Crowley, Hayes, LaFontaine, and Shea opposed).

Public comment – no one from the public spoke.

Passage to approve the first reading, 4-3 (Councilor Gerry, Crowley and Hayes were opposed and the Mayor voted in support breaking the tie vote).

VII. New Business

Motion by Councilor LaFontaine and seconded by Councilor Crowley to postpone the remainder of items on the agenda until the June 17, 2013 meeting. Passage 4-2 (Councilors Hayes and Shea opposed).

**28. Ordinance 05-06032013**

Approving the newly proposed Flea Market license fee schedule (first reading).

**29. Ordinance 06-06032013**

Approving the newly proposed Peddlers license fee schedule (first reading).

**30. Resolve 04-06032013**

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Supporting the Emergency Medical Services.

**31. Ordinance 07-06032013**

Approving the proposed ordinance amendment on alcoholic beverages at Mass

Gatherings (first, second, and final readings).

**32. Ordinance 08-06032013**

Approving the proposed Forestry Board Ordinance (first reading).

**VIII. Executive Session**

- Discussion on Labor Negotiations (proposed MSEA contract) , pursuant to 1 M.R.S.A. §405(6)(D)

**VIII. Open Session**

- Joe Gray, Sopers Mill Road commented on Mr. Morrison who spoke earlier about the rail service, and how it has been in progress for two or more decades, it is time that something gets done. He said even if you disagree about the location, the fact that there is an objective and we are moving forward, that is a good sign.

**IX. Future Agenda/Workshop Items – None**

**X. Adjournment**

Motion was made by Councilor Crowley and seconded by Councilor LaFontaine to adjourn.  
Passage 6-0. 11:01 P.M.

A True Copy.

ATTEST \_\_\_\_\_

Susan Clements-Dallaire, City Clerk

**IN COUNCIL REGULAR MEETING JUNE 17, 2013 VOL. 33 PAGE 143**

Mayor LaBonte called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

I. Consent Items\* - None

II. Minutes

Motion was made by Councilor Lafontaine and seconded by Councilor Gerry to approve minutes of the May 23, 2013 Special City Council Meeting. Passage 6-0-1 (Councilor Crowley abstained because she had an excused absence from the May 23, 2013 meeting).

**III. Reports**

**Mayor's Report** – No report.

**City Councilors' Reports** – Councilor Crowley submitted a written report, Councilor LaFontaine reported that the Library Director, Lynn Lockwood was retiring and the new Library Directory, Mamie Ney will be starting the last week of June. Councilor Young reported by thanking City staff (the Public Works Department) for fixing the railroad crossing in Danville.

**City Manager's Report** – City Manager Deschene submitted a written report and made a correction to a comment he made about the number of full time fire stations in South Portland.

There are 3 full time stations.

**Finance Director, Jill Eastman – May 2013 Monthly Finance Report**

Motion was made by Councilor Gerry and seconded by Councilor LaFontaine. Passage 6-1, (Councilor Walker opposed).

**IV. Communications, Presentations and Recognitions**

- First Citizens Fire Academy – Recognition postponed until July.
- Letter from Dara Reimers, Owner of The Bread Shack, LLC
- Petition to Consolidate the City of Auburn with the City of Lewiston

**V. Open Session**

- Ron Potvin, 82 Northern Avenue, talked about a recent recall effort and the vagueness of our City Charter. He recommended that we look into amending it.
- Dan Herrick, 470 Hatch Road, apologized to the Mayor for his comment at the last Council meeting on not allowing the former Mayors to speak at their portrait presentations and said the information he was given was incorrect.

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**VI. Unfinished Business**

Motion was made by Councilor Crowley and seconded by Councilor Hayes to postpone items 1, 2, and 4 until the July 15<sup>th</sup> meeting. Passage 6-1, (Councilor Gerry opposed).

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley to postpone items 3 and 5 until the July 15<sup>th</sup> meeting. Passage 4-3, (Councilors Walker, Shea, and Gerry opposed).

- 33. Ordinance 05-06032013** - Postponed to 7/15/2013  
Approving the newly proposed Flea Market license fee schedule (first reading).
- 34. Ordinance 06-06032013** - Postponed to 7/15/2013  
Approving the newly proposed Peddlers license fee schedule (first reading).
- 35. Resolve 04-06032013** - Postponed to 7/15/2013  
Supporting the Emergency Medical Services.
- 36. Ordinance 07-06032013** - Postponed to 7/15/2013  
Approving the proposed ordinance amendment on alcoholic beverages at Mass Gatherings (first, second, and final readings).
- 37. Ordinance 08-06032013** - Postponed to 7/15/2013  
Approving the proposed Forestry Board Ordinance (first reading).
- 38. Resolve 03-05202013**  
Adopting the City Budget for Fiscal Year 2014 (second and final reading).  
Motion by Councilor LaFontaine and seconded by Councilor Young.  
Motion by Councilor LaFontaine and seconded by Councilor Young to amend by

adding language that the City Manager is authorized to enter into contract negotiations with Pine Tree Waste for automated solid waste and recycling collection to begin July 1, 2014. Passage 7-0.

Motion by Councilor LaFontaine and seconded by Councilor Young to amend by setting a budget mil rate of 20.40. Motion failed 3-4 (Councilors Shea, Gerry, Crowley, and Hayes opposed).

Motion by Councilor Shea and seconded by Councilor Hayes to amend by setting a budget mil rate of 20.66. Passage 5-2 (Councilors Gerry and Crowley opposed).

Public comment –

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- Ron Potvin, 82 Northern Avenue, raised a concern regards to Councilor Crowley setting a percentage for education and to do that before the people vote and pass in the referendum that may end up less than that 42% percent. If the referendum does not support it, what happens there? If the referendum process continues and the school budget is cut significantly, does it reduce the need to have to further reduce the amount cut from city services?
- Joe Mailey, 82 Webster Street, thanked Councilor Crowley for her earlier statement because he also believes that every single penny the city will not receive from the state, we should cut in services. He said he cannot afford to pay more taxes. He commented that some folks do not mind paying that tax shift just to prove a point and the only way to see an impact is to cut services. He is also concerned about privatizing school bus drivers.
- Arlene Bowles, 239 Lake Street commented that she is appalled that a city that is one of the largest population centers in the State of Maine has a high school that is teetering on the point of losing its accreditation. She suggested Council look on the web at the New England Association for schools and colleges which has a lot of good information on accreditation. For Auburn to lose accreditation for the high school would be unjust to the citizens of this community. She also commented that words should be carefully chosen and used positively. She said words used during the workshop were upsetting to her because of some of the words and comments she thought expressed an attitude toward the school department which could be translated to mean an attitude toward education.
- Priscilla Miller, 211 Summer Street, urged Council to focus on essentials. She asked where the money was going if it wasn't going to the school department, fire department, or police department. She asked why Auburn was so far out of line from what everyone else is doing? She said you cannot expect tax payers who have to go without to pay for everyone else stating some people have no insurance and she has heard that the employees of the school department have 100% coverage and their families have 85% coverage. She said you cannot expect people with no insurance or poor insurance to pay deluxe for the people who work for them. The citizens want to know where the money is going.
- Dave Burke, 38 Harmons Corner Road thanked the Council for their service and for listening to everyone. He urged them to pass scenario 5 although he would prefer scenario 8 or 9 with a higher mil rate because making cuts he will probably run into more auto repairs because the roads are not being worked on and making cuts are deferring maintenance and you pay more in the long run. He used the parking garage as an example. He asked Council to be careful shifting costs to next year or the year after that. He said making cuts could

have a negative impact. Cuts to the Fire Department could cause insurance rates to go up. Cutting Parks and Recreation programs could impact kids, possibly with them getting into trouble, breaking into cars for example. He said housing prices may drop. He said it is a tough thing to balance but please keep both sides in mind.

- Andy Titus, 17 Lamplighter Circle said he was confused about the shortfall this year being added to next year because of the misguided mil rate. He suggested spending more time through the year to get things more in line. He would like to see Council be more proactive in looking at the different departments and how things are being spent without micro managing. He would like to see the budget process begin in July for the next year in terms of what is in each budget and how we can spend more efficiently.

Motion by Councilor Gerry and seconded by Councilor Crowley to postpone the budget as it stands until the June 24, 2013 special meeting. Passage 7-0.

## VII. New Business

### 39. Order 45-06172013

Approving the Post Issuance Compliance and Monitoring Policy for Tax Exempt Obligations.

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

Public comment – no one from the public spoke.

Passage 7-0.

### 40. Ordinance 09-06172013

Approving the Flood Ordinance and Map Updates for 2013 National Flood Insurance Program (NFIP) Requirements (public hearing and first reading).

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

Public comment – Jodd Bowles, 239 Lake Street commented that his sister lost her home to a flood a few years ago in New York State which was not in a flood zone. She did not have flood insurance. They rebuilt and the value of the home has decreased.

Passage 6-1 (Councilor Walker opposed).

### 41. Order 46-06172013

#### IN COUNCIL REGULAR MEETING JUNE 17, 2013 VOL. 33 PAGE 147

Authorizing the City Manager to initiate a new 2 year agreement and to sign all necessary documents with Lewiston-Auburn Canoe and Kayaks and to reevaluate for a possible proposal process.

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

Public comment –

- Larry Pelletier, 129 Second Street said he did not see a problem with passing this. He said they've come to the city with something to offer,

we are trying to promote the river, they've done a terrific job, let them do it.

- Jodd Bowles, 239 Lake Street said he feels the same way as the previous speaker. They purchased new boats, they hire Maine Guides with a skill set usually working the stands, and have invested a lot into this. He said he feels this is a recreational opportunity and a positive thing.
- Darren Deschene, 6 Fairmount Avenue and the operations manager of Lewiston Auburn Canoe and Kayak. He said there really are no other vendors with interest at this point (that he is aware of) and they are acting as the guinea pig and feels fortunate that they are. When they are able to demonstrate success on the river, others will want to follow but they need to be given the opportunity to do that.

Passage 5-1-1 (Councilor Crowley opposed, Councilor Walker abstained).

**42. Order 47-06172013**

Approving the Special Amusement Permit for Eddy's Drive-in Diner, dba The Village Inn.

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

Public comment – no one from the public spoke.

Passage 7-0.

**VIII. Open Session** – No one from the public spoke

**IX. Executive Session** – Discussion on Labor Negotiations (the proposed MSEA contract). Pursuant to 1 M.R.S.A. §405(6)(D), with possible action to follow.

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry. Passage 6-0-1 (Councilor Walker abstained) 8:34 P.M.

**IN COUNCIL REGULAR MEETING JUNE 17, 2013 VOL. 33 PAGE 148**

The Mayor declared Council out of executive session at 9:04 P.M.

Motion was made by Councilor Gerry and seconded by Councilor Crowley “to authorize the City Manager to provide as budgeted in the current Fiscal Year 2% wage adjustments for the members of the new MSEA union subsequent to their anniversary date and that staff are further directed to continue labor negotiations.” This is Order 48-06172013. Passage 6-0-1 (Councilor Walker abstained).

**X. Future Agenda/Workshop Items - None**

**XI. Adjournment**

Motion was made by Councilor LaFontaine and seconded by Councilor Young to adjourn.  
Passage 7-0, 9:10 P.M.

A True Copy.

ATTEST

\_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

**IN COUNCIL REGULAR MEETING JUNE 24, 2013 VOL. 33 PAGE 149**

Mayor LaBonte called the meeting to order at 7:11 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Councilor Young had an excused absence. All other Councilors were present.

I. Minutes

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to accept the amended minutes of the June 3, 2013 Regular Council Meeting. Passage 6-0.

II. Unfinished Business

**13. Resolve 03-05202013**

Adopting the City Budget for Fiscal Year 2014 (second and final reading).

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to remove from the table this agenda item which was postponed on June 17, 2013 until today's meeting. Passage 6-0.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to amend the budget to reflect the memo provided by Finance Director, Jill Eastman.

Motion was made by Councilor Gerry and seconded by Councilor Crowley to amend by reinstating the \$4,410 cut from the City Clerk's budget for polling places and off setting that amount by reducing the legal budget by \$4,410.

Motion was made by Councilor Hayes and seconded by Councilor Crowley to amend by funding five polling places for the November 2013 election and one for the June 2013 election and to change the reduction in the City Clerk budget in the amount of \$2,205 funding that by increasing the banner fee. Motion failed, 5-4 (Councilors Gerry, LaFontaine, Walker, and Shea opposed).

Motion on the original amendment made by Councilor Gerry failed 2-4 (Councilors Crowley, Hayes, LaFontaine, and Shea opposed).

Motion was made by Councilor Crowley and seconded by Councilor LaFontaine to amend by funding five polling places in November and one in June replacing \$2,205 of the cut in the City Clerk polling budget with the difference to be made up in the mil rate. Passage 4-2 (Councilors Gerry and Walker opposed).

**IN COUNCIL REGULAR MEETING JUNE 24, 2013 VOL. 33 PAGE 150**

Motion was made by Councilor Crowley and seconded by Councilor Walker to amend by cutting the budget by \$105,000 by removing vehicle purchases from the Police Department budget. Motion failed 3-4 (Councilors Hayes, LaFontaine, and Shea opposed, and the Mayor voted in opposition breaking the tie vote).

Public comment – no one from the public spoke.

Motion by Councilor LaFontaine and seconded by Councilor Hayes to add to the budget resolve that the City Council under the authority under the City Charter of the City of Auburn will set the School Department maximum tax commitment based upon the school budget to be adopted July 1, 2013 by the City Council. Passage 4-0-2 (Councilors Shea and Gerry abstaining).

Motion by Councilor Crowley and seconded by Councilor Walker to add that the \$3,293 for expenditures for the PAL Center be the maximum contribution of the City of Auburn whether it be a cash or in kind until a full detailed accounting is made. Motion failed 2-4 (Councilors Gerry, Hayes, LaFontaine, and Shea opposed).

Motion by Councilor Walker and seconded by Councilor Crowley by amending by putting in place a directive that an operations budget for Police Department vehicles be put together and be provided to the Council no later than July 31<sup>st</sup>. Passage 4-2 (Councilor Hayes and LaFontaine opposed).

Passage of the budget for FY2014, 4-2 (Councilors Gerry and Crowley opposed).

### III. Adjournment

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley. Passage 6-0, 8:07 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

## **IN COUNCIL REGULAR MEETING JULY 1, 2013 VOL. 33 PAGE 151**

Mayor LaBonte called the meeting to order at 7:08 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present. Councilor Young was excused after New Business was finished.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to suspend the rules to add a resolve under new business with respect to supplemental appropriations and expenditure transfers for the FY14 budget. Passage 5-2 (Councilors Crowley and Walker opposed), this item will be added as item #5 under New Business.

### III. Consent Items\*

#### 14. **Order 48-07012013\***

Accepting the transfer of Forfeiture Asset (Dylan Boisvert).

Motion was made by Councilor Hayes and seconded by Councilor Crowley. Passage 7-0.

#### 15. **Order 49-07012013\***

Approving the Special Event request for the 2013 Great Falls Balloon Festival.

This item was pulled from the agenda.

## II. Minutes

Motion was made by Councilor Crowley and seconded by Councilor LaFontaine to accept the minutes of the June 17, 2013 City Council meeting. Passage 7-0.

## III. Reports

**Mayor's Report** – After the City Council in its budget discussion last week set a directive advocating for a downtown passenger rail, the Mayor expressed his disappointment when he attended an AVCOG meeting to see on their list of priorities for investments for the ATRC region the design of an intermodal facility at the Auburn Municipal Airport as well as endorsing a move to Montreal through Auburn and Bethel with the Spring Street downtown passenger rail listed as a third bullet item. After speaking up, they tabled that action until their next meeting at which time they were going to craft language to replace it.

**City Committee Reports** – Councilor Crowley and Councilor Walker submitted written reports.

**Councilor Reports-** Councilor Gerry announced that with her move to her new home, she has had some phone issues and has not had access to her emails, Councilor Hayes

## IN COUNCIL REGULAR MEETING JULY 1, 2013 VOL. 33 PAGE 152

commented on the Mayor's comment in respect to the passenger rail and would like to review in the future, and Councilor Crowley invited Auburn residents to attend a patriotic music concert by the Auburn Community Band. She is inviting everyone to show up and have a picnic with her, she will be providing treats. The concert is on July 3, 2013. If it rains it will be moved to the Hilton Garden Inn.

**City Manager's Report** – City Manager Deschene submitted a written report and also welcomed Josh MacDonald, the new Manager of the dual sheet ice arena. Today was his first day of employment with the City.

## IV. Communications, Presentations and Recognitions

- Swearing in Ceremony - Officer Tyler Ham and K-9 Rocky - Badge Pinning
- Proclamation - Ken Blais, owner of Rolly's Diner and the City of Auburn's 2013 Spirit of America Tribute recipient. Mr. Blais was unavailable so this recognition will be postponed until July 15, 2013.

## V. Open Session

Steve Martelli, 41 Broad Street – On June 20<sup>th</sup> the Androscoggin Land Trust had over 400 volunteers from Tambrands helped picking up trash, cleaning up and making repairs around Bonney Park and the River Walk. He wanted to thank the volunteers. He also announced a new pizza place that has opened in New Auburn called Kelvi's Pizza.

## VI. Unfinished Business

### 1. Ordinance 09-06172013

Approving the Flood Ordinance and Map Updates for 2013 National Flood Insurance Program (NFIP) Requirements (second and final reading).

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

Public comment – no one from the public spoke.

Passage 6-1 (Councilor Walker opposed).

VII. New Business

**2. Order 50-07012013**

Approving the 2013 Action Plan of the Community Development Block Grant Program and HOME Investment Partnerships Program.

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

**IN COUNCIL REGULAR MEETING JULY 1, 2013 VOL. 33 PAGE 153**

Public comment – Renee Simonitis, 9 Oak Street, Auburn and also serves on the Citizen Advisory Committee, commented that she has benefited from those funds and is now volunteering her time and as a committee member and a citizen, she supports the CDBG staff and their recommendations.

Passage 6-1 (Councilor Crowley opposed).

**3. Order 51-07012013**

Adopting the School Budget for Fiscal Year 2014.

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

Public comment –

Tom Kendall, 221 Stevens Mill Road and the Chair of the School Committee talked about the budget that has been brought forth.

Rob Kilgore, 36 Newbury Street – school issues are closer to the front of his mind now that he and his wife are expecting their first child and if the city would like to keep young professionals to stay here in Auburn they will need good schools to send their children to. If Council sets the tone by leading the citizens, the public will respond to it.

Dan Herrick, Hatch Hill Road said it boggles his mind that when the School Committee first came forward, Council did not say do something different when it was obvious the city couldn't afford that budget. He does not think this budget will get approved if it goes to the voters. He believes the School Committee and the School Department can do better than what they've done. He said it is time to start cutting from above and they need to cut back on administration.

Jaime Thibodeau, Beech Hill Road, hearing from people that the budgets presented are not acceptable, at what point is it considered acceptable to put funding toward education. Education is underfunded year after year, where is the money going. At what point do we fix it. Regarding cutting teacher's salaries and administration, are we going to get more community volunteers to step up? How will the kids get what they need if we continue to cut?

Councilor Hayes made a motion to move the question. Motion failed 3-4 (Councilors Gerry, Crowley, Walker, and Shea opposed).

Motion was made by Councilor Walker and seconded by Councilor Gerry to set a 2.99% tax increase. Motion failed 1-6 (Councilors Gerry, Crowley, Hayes, LaFontaine, Young, and Shea opposed).

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Motion was made by Councilor Gerry to take a minimum of \$150,000 out of the School Departments Fund Balance. Mayor LaBonté called the motion out of order.

Motion was made by Councilor Young to move the question. Passage 5-2 (Councilors Gerry and Walker opposed).

Passage of the original motion 5-2 (Councilors Gerry and Walker opposed).

**4. Order 52-07012013**

Setting the date (July 23, 2013) and location (Auburn Hall) for the School Budget Validation Referendum.

Motion was made by Councilor LaFontaine and seconded by Councilor Young. Passage 6-1 (Councilor Gerry opposed).

**5. Resolve 05-07012013 – item added to the agenda**

Motion was made by Councilor LaFontaine and seconded by Councilor Young to make a supplemental appropriation in the amount of \$110,000, to account for an increase in the State Revenue Sharing, per revised estimates received from the State. An appropriation of \$20,000 from the Police Outside Jobs special revenue account and a transfer in expenditure, per Charter Section 8.7 D of \$35,000 from Police cruisers. The expenditures authorized will be; \$120,000 for Fire Department overtime, \$25,000 for Public Works Curbside Recycling, \$20,000 for Special Events.

Public comment –

Larry Pelletier, 129 Second Street said he lives in New Auburn and the 9-1-1 response has been heartfelt and he feels that Auburn's Fire Department is the best in the State and possibly in the North East. He said he does not want to see cuts to the Fire Department.

Mary Sylvester, 208 Maple Hill Road, talked about the importance of maintaining the current curbside recycling program. She said replacing the current program with a new program could put recycling in jeopardy. She encouraged Council to retain the \$25,000 for recycling.

Andy Titus, Lamplighter Circle said we will be looking at this same problem next year, some micro management or information going forward is necessary. Don't throw out "scare tactics". It is not fair and doesn't solve anything. Fund essential services and legal requirements of the City and then look at what the residents really want from the City. Listen to the public.

Gary Simard, Cook Street, Auburn and has 35 years of Fire Service experience. He talked about fire service and what could happen if Engine 2 was taken out of

**IN COUNCIL REGULAR MEETING JULY 1, 2013 VOL. 33 PAGE 155**

service. He talked about multi unit fires and said New Auburn has the oldest buildings in the City, many of which have no sprinkler systems. Taking Engine 2 out of service would be unfair to the residents of New Auburn and Danville.

John Sullivan, 71 Mary Carroll Street, finds it ironic to hear we are sitting here talking about closing a fire station in New Auburn just after the 80<sup>th</sup> anniversary of the New Auburn fire. He said he feels we need good basic services – Police, Fire, and School Departments and he urged Council not to cut Fire Department services.

Camille Parish, 42 Lake Street spoke about curbside recycling. We should be focused on reduction of garbage and not a reduction of recycling. The amount of garbage we take to MMWAC causes an increased cost and we are creating some hazardous waste in the process. The market for recycling has increased. She suggests that we should be reinstating recycling. If not, she encouraged Council to put a drop off location at every school which would also encourage the schools to incorporate recycling education.

Joe Gray, Sopers Mill Road wanted to point out a few things. Councilor Shea said he did not want to have one day without brownouts but today was day one and the world didn't end. He said a tower truck is not essential to Auburn but the three pump trucks are a little bit essential. He talked about staffing and response time. We need to fund the fire department but the fire department has to be responsible to the public as well.

Michael Farrell, Beaver Road said what he sees is a bunch of election face. All Council has done is to acknowledge problems and put them off. Everything they do has consequence. School resource officer program can be billed out of CDBG money rather than build retaining walls and things like that. He said the City needs a union negotiator and went on to say that negotiating has been done too long in house. He said our overtime bill is killing the City and the 24 hour shifts includes rack time which is paying people to sleep and be on standby. That is not a service for anyone. We should have round the clock coverage if it means two 12 hour shifts or three 8 hour shifts, there is savings there. He asked Council to explore a partnership with United Ambulance and Engine 2.

Dan Herrick, Hatch Road said he wanted to commend Council for going through what they have gone through. He believes numbers in the newspaper on recycling was off. We cannot stop recycling because people may not pick it back up. He would like Council to put it back in. He said he is getting more calls now that when he was a Councilor about scare tactics and it has to stop. He asked how many police officers really work the Liberty Festival. He thinks we should keep the special events going. It is what the public wants. Someone needs to start looking at what is happening in this City. Start looking into each department, deeply and look for cuts and efficiencies.

#### **IN COUNCIL REGULAR MEETING JULY 1, 2013 VOL. 33 PAGE 156**

Mell Hamlyn, 14 Beech Street and the coordinator of the Great Falls Balloon Festival wanted to address the issue that came up earlier about fundraising and they do sponsorship drives and fundraising events in the community and raise approximately \$35,000 to \$40,000 a year from businesses to sponsor the festival. That along with other fees they have to charge as well as selling balloon rides which they receive a portion of the proceeds.

Phil Crowell, Chief of Police wanted to clarify a few things. The City has 20 less faces of employees through reductions that have taken place and the remaining employees are carrying the workload as a result of those reductions. There are 9 officers needed for the Liberty Festival to keep things safe. He responded to a comment made about municipal spending and School reduction and municipal regarding tax payers and the tax rate that is going to the school is flat however spending hasn't changed. New revenue coming from the State has funded the school department to be able to increase their budget but the Municipal side has been holding their own and making cuts and maybe this is not being

communicated well. He talked about police cruisers and are doing their best to keep reduce costs. Managers are trying to do their best.

Jaime Thibodeau, Beech Hill Road said we need to look at the budget as soon as tomorrow for next year. She said she hears so much division with management of the City. She talked about “scare tactics” and asked how do we get to a place where we are working together as a city and looking at the same budget and going back to basics to what the city needs.

Mike Scott, 549 South Witham Road. He said his friends wondered why he wanted to move to Auburn from Sabattus years ago knowing that Auburn taxes were higher. He said he did so because he feels that he gets something for his money – services. He said he would move back to Sabattus if he did not want the services Auburn provides.

Motion was made by Councilor Shea and seconded by Councilor Crowley to amend by striking the \$20,000 for Special Events. Motion failed 3-4 (Councilors Shea, Hayes, LaFontaine, and Young opposed).

Motion was made by Councilor Shea and seconded by Councilor Hayes to amend by striking the \$25,000 for Recycling. Motion failed 1-6 (Councilors Gerry, Crowley, LaFontaine, Young, Walker, and Shea opposed).

Motion was made by Councilor Crowley and seconded by Councilor Walker to amend by moving the \$120,000 for Fire Fighters overtime to Fire Fighters Safety. Motion failed 3-4 (Councilors Shea, Hayes, LaFontaine, and Young opposed).

Motion was made by Councilor Gerry to amend by taking \$12,000 from the \$20,000 for Special Events and go towards waiving fees for non-profit food service licensing. Motion failed because no one seconded the motion.

#### **IN COUNCIL REGULAR MEETING JULY 1, 2013 VOL. 33 PAGE 157**

Passage of original motion 5-2 (Councilors Crowley and Walker opposed).

#### **VIII. Open Session**

Joe Gray, Sopers Mill Road – asked about the Forestry Board cutting trees behind Edward Little High School and they are keeping the trees as payment to cut the trees. He asked who authorized this.

#### **IX. Executive Session**

- Discussion on a personnel issue (City Manager review), pursuant to 1 M.R.S.A. §405(6)(A).  
Motion by Councilor LaFontaine and seconded by Councilor Hayes, passage 6-0 (Councilor Young not present), 9:47 P.M. The Mayor declared Council out of Executive Session at 9:58 P.M.
- Discussion on a legal matter, pursuant to 1 M.R.S.A. §405(6)(E).  
Motion by Councilor LaFontaine and seconded by Councilor Crowley, passage 4-0 (Councilors Young, Gerry, and Shea were not present), 9:59 P.M.  
The Mayor declared Council out of Executive Session at 10:12 P.M.
- Discussion on a real estate matter, pursuant to 1 M.R.S.A. §405(6)(C)  
Motion by Councilor LaFontaine and seconded by Councilor Walker, passage 4-0 (Councilors Young, Gerry, and Shea not present), 10:13 P.M.  
The Mayor declared Council out of Executive Session at 10:22 P.M.

#### **X. Future Agenda/Workshop Items – None**

## **XI. Adjournment**

Motion was made by Councilor Crowley and seconded by Councilor Walker to adjourn. Passage 6-0. 10:23 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

## **IN COUNCIL REGULAR MEETING JULY 15, 2013 VOL. 33 PAGE 158**

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

### **I. Consent Items\***

#### **1. Order 53-07152013\***

Approving the Special Event and in kind services request for the 2013 Dempsey Challenge.

#### **2. Order 54-07152013\***

Approving the Special Event and in kind services request for the 2013 Great Falls Balloon Festival.

#### **3. Order 55-07152013\***

Setting the time to open the polls for the July 23, 2013 School Budget Validation Referendum Election for 7:00 A.M.

#### **4. Order 56-07152013\***

Authorizing the City Manager and Mayor Jonathan P. LaBonté to be representatives for negotiations regarding the contract between Auburn and the City Lewiston for water rights from the Androscoggin River into the canal system and extending the authorization to any necessary ancillary agreements, permits, or contracts relating to the Lewiston Falls Hydro Project.

There was a request from Councilors Walker and Crowley to remove items 1 and 2 from the Consent Agenda and placed under New Business as the first two items.

Motion was made by Councilor Crowley and seconded by Councilor LaFontaine to accept the remaining consent items. Passage 7-0.

### **II. Minutes**

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to approve minutes of the June 24, 2013 Special Council Meeting. Passage 7-0.

The Mayor requested that item number 6 under New Business be taken out of order. There were no objections from Council.

Hearing on the appeal of the denial of a business license for B.A.M.B.I.N.O.S (owner Crystal Palmer) pursuant to section 24-37 (b) of our Code of Ordinances.

**Order 57-07152013 (item number 6 under New Business on the agenda taken out of order)**

**IN COUNCIL REGULAR MEETING JULY 15, 2013 VOL. 33 PAGE 159**

Upholding/overturning the City Clerk's denial of B.A.M.B.I.N.O.S's (owner Crystal Palmer) application for a Second Hand Dealer permit.  
*Council may enter into Executive Session, to discuss the content of examinations administered by the City for licensing purposes, pursuant to 1 M.R.S.A. §405(G).*

Motion by Councilor LaFontaine and seconded by Councilor Walker to enter into executive session. Passage 7-0, 7:12 P.M.

The Mayor declared Council out of Executive Session at 9:12 P.M.

Motion was made by Councilor Crowley and seconded by Councilor Gerry to uphold the City Clerk's denial of B.A.M.B.I.N.O.S's (owner Crystal Palmer) application for a Second Hand Dealer permit. Passage 4-3, (Councilors LaFontaine, Walker, and Shea opposed).

**III. Reports**

**Mayor's Report** – No report.

**City Councilors' Reports** – Councilor Crowley submitted a written report.

**City Manager's Report** – City Manager Deschene submitted a written report.

**Finance Director, Jill Eastman** – June 2013 Monthly Finance Report

Motion was made by Councilor Crowley and seconded by Councilor Young. Passage 7-0.

**IV. Communications, Presentations and Recognitions**

- First Citizens Fire Academy
- Proclamation – Ken Blais – to be presented at the August 5, 2013 Meeting.
- Proclamation – Parks and Recreation Month

**V. Open Session** – No one from the public spoke

**VI. Unfinished Business**

**43. Ordinance 05-06032013**

Approving the newly proposed Flea Market license fee schedule (first reading).

Motion was made by Councilor Crowley and seconded by Councilor Hayes to postpone until the second meeting in August. Passage 5-1-1 (Councilor Gerry opposed, Councilor Shea abstained).

**IN COUNCIL REGULAR MEETING JULY 15, 2013 VOL. 33 PAGE 160**

**44. Ordinance 06-06032013**

Approving the newly proposed Peddlers license fee schedule (first reading).

Motion was made by Councilor Crowley and seconded by Councilor Hayes to postpone until the second meeting in August. Passage 5-1-1 (Councilor Gerry opposed, Councilor Shea abstained).

**45. Resolve 04-06032013**

Supporting the Emergency Medical Services.

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

Public comment – no one from the public spoke

Passage 6-1 (Councilor Hayes opposed).

**46. Ordinance 07-06032013**

Approving the proposed ordinance amendment on alcoholic beverages at Mass Gatherings (first reading).

Public comment – no one from the public spoke

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes. Passage 6-1 (Councilor Crowley opposed).

**47. Ordinance 08-06032013**

Approving the proposed Forestry Board Ordinance (first reading).

*The City Manager recommends postponing this item to allow time for staff to review further.*

Motion by Councilor LaFontaine and seconded by Councilor Young to postpone this item indefinitely. Passage 4-2-1 (Councilors Crowley and Hayes opposed, Councilor Shea was out of the room).

**VII. New Business**

Hearing on the appeal of the denial of a business license for B.A.M.B.I.N.O.S (owner Crystal Palmer) pursuant to section 24-37 (b) of our Code of Ordinances.

**Order 57-07152013 - This item was taken out of order after the approval of the minutes.**

Upholding/overturning the City Clerk's denial of B.A.M.B.I.N.O.S's (owner Crystal Palmer) application for a Second Hand Dealer permit.

**IN COUNCIL REGULAR MEETING JULY 15, 2013 VOL. 33 PAGE 161**

*Council may enter into Executive Session, to discuss the content of examinations administered by the City for licensing purposes, pursuant to 1 M.R.S.A. §405(G).*

**Order 53-07152013 – This item was removed from the Consent Agenda**

Approving the Special Event and in kind services request for the 2013 Dempsey Challenge.

Motion was made by Councilor LaFontaine and seconded by Councilor Young. Passage 5-1-1 (Councilor Crowley opposed and Councilor Shea was out of the room).

**Order 54-07152013 - This item was removed from the Consent Agenda**

Approving the Special Event and in kind services request for the 2013 Great Falls Balloon Festival.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes. Passage 5-1-1 (Councilor Crowley opposed and Councilor Shea was out of the room).

**Order 58-07152013**

Approving the proposed changes to Building Permit fee schedule.

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

Public comment – no one from the public spoke.

Passage 6-0-1 (Councilor Shea was out of the room).

**Resolve 06-07152013**

Authorizing the application for and acceptance of a grant from the Northern Border Regional Commission.

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

Public comment – No one from the public spoke.

Passage 6-0-1 (Councilor Shea was out of the room).

**VIII. Open Session** – No one from the public spoke

**IN COUNCIL REGULAR MEETING JULY 15, 2013 VOL. 33 PAGE 162**

**IX. Executive Session** – Discussion on a personnel issue (City Manager review) pursuant to 1 M.R.S.A. §405(6)(A). This item was postponed to a Special Meeting to be held Monday, July 22, 2013 at 5:30 A.M.

**X. Future Agenda/Workshop Items** – Future agenda items will be submitted with a new request form give to Council.

**XI. Adjournment**

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to adjourn. Passage 6-0-1 (Councilor Shea was out of the room), 10:05 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Alison Pepin, Deputy City Clerk

**IN COUNCIL REGULAR MEETING AUGUST 5, 2013 VOL. 33 PAGE 163**

Mayor LaBonte called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Councilor Hayes and Councilor Young both had excused absences. All other Councilors were present.

**IV. Consent Items\***

**16. Order 59-08052013\***

Casting votes for the Maine Municipal Association's Vice President and Executive Committee Members.

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry.  
Passage 5-0.

**II. Minutes**

- July 1, 2013 Regular Council Meeting

Motion was made by Councilor LaFontaine and seconded by Councilor Walker.  
Passage 5-0.

- July 15, 2013 Regular Council Meeting

Motion was made by Councilor Walker and seconded by Councilor LaFontaine.  
Passage 5-0.

**III. Reports**

**Mayor's Report** – reported

**City Committee Reports** – Councilor Crowley submitted written reports. She also wanted to make a clarification on her Water District report.

**Councilor Reports**- Councilor Crowley submitted a written report and also reported on a few additional items. Councilor Walker reported.

**City Manager's Report** – City Manager Deschene submitted a written report and also reported on a few additional items.

**IV. Communications, Presentations and Recognitions**

- Proclamation - Ken Blais, owner of Rolly's Diner and the City of Auburn's 2013 Spirit of America Tribute recipient.

**V. Open Session**

No one from the public spoke.

**IN COUNCIL REGULAR MEETING AUGUST 5, 2013 VOL. 33 PAGE 164**

**VI. Unfinished Business**

**6. Ordinance 07-06032013**

Approving the proposed ordinance amendment on alcoholic beverages at Mass Gatherings (second and final reading).

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

Public comment – no one from the public spoke.

Motion failed 3-2 (Councilor Crowley and Gerry opposed). This item requires at least 4 affirmative votes.

## VII. New Business

### 1. Order 60-08052013

Adopting the School Budget for Fiscal Year 2014.

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

Public comment – Joe Gray, Sopers Mill Road.

Passage 4-1 (Councilor Gerry opposed).

### 2. Order 61-08052013

Setting the date (August 20, 2013) and location (Auburn Hall) and the time the polls will open (7:00 A.M.) for the School Budget Validation Referendum Election.

Motion was made by Councilor Crowley and seconded by Councilor Gerry.  
Passage 5-0.

### 3. Order 62-08052013

Establishing the property tax payment due dates and to establish the property tax delinquency and overpayment interest rates for Fiscal Year 2012-2013.

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

Public comment – Jamie Thibodeau, Beech Hill Road and Joe Gray, Sopers Mill Road.

Passage 4-1 (Councilor Gerry opposed).

## IN COUNCIL REGULAR MEETING AUGUST 5, 2013 VOL. 33 PAGE 165

### 7. Order 63-08052013

Establishing a Public Services Department including Public Works, Parks and Recreation, and Engineering within current approved budgets.

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

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley to amend by adding language that the Manager will report back to the Council within 90 days a recommendation which shows the reporting structure of the Recreation supervisor.

Passage of the amendment, 5-0.

Public comment – no one from the public spoke.

Motion was made by Councilor Gerry to table this item, no second and the motion failed.

Passage of the order as amended, 4-1 (Councilor Gerry opposed).

**8. Order 64-08052013**

Approving changes to the Community Development Program amendment.

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry to postpone this item. Motion failed 3-2 (Councilors Walker and Shea opposed). After discussion on the item a motion was made by Councilor LaFontaine and seconded by Councilor Gerry to postpone until 8/19/2013. Passage 5-0.

**VIII. Open Session** – no one from the public spoke

**IX. Executive Session**

- Discussion on a Poverty Abatement, pursuant to 36 M.R.S.A. Sec. 841 (2) with possible action to follow.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to enter into executive session. Passage 4-1 (Councilor Crowley abstained), 8:28 P.M.

The Mayor declared Council out of Executive Session at 8:37 P.M.

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley to deny the abatement. Passage 5-0.

**IN COUNCIL REGULAR MEETING AUGUST 5, 2013 VOL. 33 PAGE 166**

**XI. Adjournment**

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley to adjourn. Passage 5-0. 8:38 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

**IN COUNCIL REGULAR MEETING AUGUST 19, 2013 VOL. 33 PAGE 167**

Mayor LaBonte called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

**I. Consent Items\***

**5. Order 66-08192013\***

Confirming Police Chief, Phil Crowell's appointments of Katherine D. Avery, Joseph M. Correia and Joseph T. Miville as Constables with a firearm for the Auburn Police Department.

Motion by Councilor LaFontaine and seconded by Councilor Crowley. Passage 7-0.

**6. Order 67-08192013\***

Approving the list of equipment to be auctioned off.

Councilor Gerry asked that item #2 be removed from the Consent Agenda and placed under New Business. The Mayor stated that it would appear as the first item under New Business.

**II. Minutes**

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry to approve minutes of the August 5, 2013 Regular Council Meeting. Passage 6-0-1 (Councilor Hayes abstained because he was absent from that meeting).

Motion was made by Councilor Crowley and seconded by Councilor LaFontaine to approve the amendment to the previously adopted minutes of the 4/16/2013 City Council Meeting as presented. Passage 7-0.

**III. Reports**

**Mayor's Report** – the Mayor reported and submitted his written report to be placed on file.

**City Councilors' Reports** – Councilors Crowley and Young submitted written reports and Councilor Crowley reported on a few additional items.

**City Manager's Report** – City Manager Deschene reported on a few items. He will be submitting a written report to Council on a weekly basis.

**Finance Director, Jill Eastman** – the July Finance report will be on the September 3, 2013 agenda. The Finance Department received an award for achieving Excellence in Financial Reporting for the 20<sup>th</sup> consecutive year.

**IN COUNCIL REGULAR MEETING AUGUST 19, 2013 VOL. 33 PAGE 168**

**IV. Communications, Presentations and Recognitions - None**

**V. Open Session** – Tim Doughty-75 Cherry Vale Circle, Joe Gray-Sopers Mill Road

**VI. Unfinished Business**

**48. Ordinance 05-06032013**

Approving the newly proposed Flea Market license fee schedule (first reading).

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

Public comment – no one from the public spoke

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to postpone to a date to be determined. Passage 7-0.

**49. Ordinance 06-06032013**

Approving the newly proposed Peddlers license fee schedule (first reading).

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley to postpone to a date to be determined. Passage 7-0.

**50. Order 64-08052013**

Approving the Community Development Program amendment.

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

Public comment – no one from the public spoke.

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

**VII. New Business**

**Order 67-08192013 – This item was removed from the Consent Agenda**

Approving the list of equipment to be auctioned off.

Motion was made by Councilor Young and seconded by Councilor Hayes.

**IN COUNCIL REGULAR MEETING AUGUST 19, 2013 VOL. 33 PAGE 169**

Public Comment – Joe Gray - Sopers Mill Road, Andy Titus - 17 Lamplighter Circle.

Motion failed 2-5 (Councilors LaFontaine, Walker, Shea, Gerry, and Crowley opposed. This item will be on the Workshop Agenda of 9/3/2013.

**51. Order 68-08192013**

Approving the Liquor License and Special Amusement Permit for Maine Billiards League d/b/a Legends Sports Bar and Grill located at 128 Center Street.

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry to approve pending approval from all departments (waiting for the certificate of occupancy).

Public comment – Dan Small, owner of Legends Sports Bar and Grill.

Passage 7-0

**52. Order 69-08192013**

Authorizing the issuance and sale of the City's general obligation bonds in the amount of \$5,900,000. Public hearing and first reading.

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

Motion was made by Councilor Crowley and seconded by Councilor Walker to amend by removing any items that did not receive 5 affirmative votes during the CIP process; Engineering Major Drainage, ICT Network Security, Parks &

Recreation Holder Tractor, Planning and Code Municipal Street Light Purchase, Planning and Code Traffic Signal Pole Replacement, Public Works Heavy Equipment-Dump Trucks, and Public Works Vehicles reducing the bonds by \$1,383,736.00. Motion failed 3-4 (Councilors Gerry, Hayes, LaFontaine, and Young opposed).

Public comment – Andy Titus, 17 Lamplighter Circle.

Passage of order 5-2 (Councilors Walker and Crowley opposed).

**53. Ordinance 10-08192013**

Approving the proposed ordinance on the regulation of Synthetic drugs (first reading).

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

**IN COUNCIL REGULAR MEETING AUGUST 19, 2013 VOL. 33 PAGE 170**

Public comment – no one from the public spoke.

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

**VIII. Open Session – Joe Gray, Sopers Mill Road**

**IX. Executive Session –**

Discussion regarding a personnel matter, pursuant to 1 M.R.S.A. §405(6)(A). Motion was made by Councilor LaFontaine and seconded by Councilor Gerry. Passage 7-0, 8:41 P.M.

The Mayor declared Council out of executive session at 8:58 P.M.

Discussion regarding labor negotiations, pursuant to 1 M.R.S.A. §405(6)(D). Motion was made by Councilor LaFontaine and seconded by Councilor Shea. Passage 5-0 (Councilors Crowley and Hayes were not in the room), 9:00 P.M.

The Mayor declared Council out of executive session at 10:09 P.M.

**X. Adjournment**

Motion was made by Councilor Walker seconded by Councilor LaFontaine to adjourn. Passage 5-0-2 (Councilors Young Shea were out of the room), 10:10 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

**IN COUNCIL REGULAR MEETING SEPTEMBER 3, 2013 VOL. 33 PAGE 171**

Mayor LaBonte called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

A motion was made by Councilor LaFontaine and seconded by Councilor Gerry to add to the agenda a request from the Holy Trinity Greek Orthodox Church to place temporary signs for the Greek festival as item #6 under New Business, and to add as #7 under New Business authorization to auction off City

surplus property. Passage 6-1 (Councilor Crowley opposed).

V. Consent Items\* - None

II. Minutes

- August 19, 2013 Regular Council Meeting

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry to approve the minutes of the August 19, 2013 Council Meeting. Passage 7-0.

III. Reports

**Mayor's Report** – the Mayor reported

**Committee Reports**

- **Transportation**
  - **Androscoggin Transportation Resource Center** – Mayor LaBonte reported
  - **Lewiston Auburn Transit** – no report
  - **Airport, Railroad** – no report
  - **Bike-Ped Committee** – no report
- **Housing**
  - **Community Development Block Grant, Neighborhood Stabilization Program, Auburn Housing Authority** – Councilor Gerry reported on the Neighborhood Stabilization Program
- **Economic Development**
  - **L-A Economic Growth Council, Auburn Business Development Corporation** – Mayor LaBonté reported
- **Education**
  - **Auburn School Committee** – Councilor Young reported
  - **Auburn Public Library** – Councilor LaFontaine reported
  - **Great Falls TV** – no report
- **Environmental Services**
  - **Auburn Water District, Auburn Sewerage District** – Councilor Crowley reported
  - **Mid-Maine Waste Action Corp.** – no report
- **Recreation**
  - **Recreation Advisory Board** – Mayor LaBonté reported
- **Public Safety**
  - **LA 911** – Councilor Walker reported

**IN COUNCIL REGULAR MEETING SEPTEMBER 3, 2013 VOL. 33 PAGE 172**

**City Councilors' Reports** – Councilor Hayes reported and Councilor Crowley submitted a written report

**Finance Director, Jill Eastman** – July Finance Report

Motion was made by Councilor Young and seconded by Councilor LaFontaine to accept and place on file the July finance report. Passage 7-0.

IV. **Communications, Presentations and Recognitions** - None

**V. Open Session**

Andy Titus, 17 Lamplighter Circle  
Dan Herrick, 470 Hatch Road  
Joe Gray, Sopers Mill Road

**VI. Unfinished Business**

**1. Order 69-08192013**

Authorizing the issuance and sale of the City's general obligation bonds in the amount of \$5,900,000 (second reading).

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

Motion was made by Councilor Walker and seconded by Councilor Crowley to amend by striking Engineering's Major Drainage for \$60,000. Motion failed 3-4 (Councilors Gerry, Hayes, LaFontaine, and Shea opposed).

Motion was made by Councilor Walker and seconded by Councilor Crowley to amend by striking ICT's Network Security for \$40,000. Passage 4-3, (Councilors Hayes, LaFontaine, and Young opposed).

Motion was made by Councilor Walker and seconded by Councilor Crowley to amend by striking the Parks and Recreation's Holder Tractor for \$165,000. Motion failed 3-4 (Councilors Gerry, Hayes, LaFontaine, and Shea opposed).

Motion was made by Councilor Walker and seconded by Councilor Crowley to amend by striking Planning & Code's Municipal Street Light Purchase for \$750,000. Motion failed 2-4-1 (Councilors Gerry, Hayes, LaFontaine, and Young opposed and Councilor Shea abstained).

**IN COUNCIL REGULAR MEETING SEPTEMBER 3, 2013 VOL. 33 PAGE 173**

Motion was made by Councilor Walker and seconded by Councilor Crowley to amend by striking Planning & Code's Traffic Signal Pole Replacement for \$10,736. Passage 4-3 (Councilors Shea, LaFontaine, and Hayes opposed).

Motion was made by Councilor Walker and seconded by Councilor Crowley to amend by striking Public Works Heavy Equipment-Dump Trucks for \$320,000. Motion failed 3-4 (Councilors Gerry, Hayes, LaFontaine, and Young opposed).

Motion was made by Councilor Walker and seconded by Councilor Crowley to amend by striking Public Works Vehicles for \$38,000. Passage 4-3, (Councilors Gerry, LaFontaine, and Young opposed).

Passage of the order as amended, 7-0.

**2. Ordinance 10-08192013**

Approving the proposed ordinance on the regulation of Synthetic drugs (second reading).

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

Public comment – no one from the public spoke.

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

VII. New Business

**3. Order 70-09032013**

Authorizing the Community Development Director to submit a request for an exemption to the Department of Housing and Urban Development regulations of the Community Development Block grant program on behalf of Councilor Leroy Walker.

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

Public comment – no one from the public spoke.

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

**4. Order 71-09032013**

Adopting the Analysis of the Impediments to Fair Housing Choice as recommended by the Community Development Staff.

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

**IN COUNCIL REGULAR MEETING SEPTEMBER 3, 2013 VOL. 33 PAGE 174**

Public comment – no one from the public spoke.

Passage 6-1 (Councilor Crowley opposed).

**5. Order 72-09032013**

Casting votes for members of the Androscoggin County Budget Committee. Council may enter into Executive Session, pursuant to 1 M.R.S.A. Section 405(6)(A).

Motion was made by Councilor Crowley and seconded by Councilor Walker to vote as follows;

District 5, Tizz Crowley and Andrew Titus;

District 6, Stanwood Gray and Robert Hayes.

Passage 7-0.

**6. Order 74-09032013**

Approving the request from the Holy Trinity Greek Orthodox Church to place temporary signs advertising the Greek Festival.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker approving the temporary sign placement for 2013, 2014, 2015, 2016, and 2017.

Passage 7-0.

**7. Order 75-09032013**

Authorizing the Finance Director to move forward with the auction of City surplus property.

Motion was made by Councilor Lafontaine and seconded by Councilor Hayes.

Public comment – Andy Titus, 17 Lamplighter Circle, and Joe Gray, Sopers Mill Road.

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

VIII. 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*.

**IX. Executive Session**

Discussion on a Poverty Abatement, pursuant to 36 M.R.S.A. Sec. 841 (2) with possible action to follow.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to enter into Executive Session. Passage 7-0, 8:48 P.M.

The Mayor declared Council out of Executive Session at 8:58 P.M.

**IN COUNCIL REGULAR MEETING SEPTEMBER 3, 2013 VOL. 33 PAGE 175**

Motion was made by Councilor Shea and seconded by Councilor Crowley to deny the Poverty Abatement. Passage 6-0-1 (Councilor LaFontaine abstained).

**X. Adjournment**

Motion was made by Councilor Walker and seconded by Councilor LaFontaine to adjourn. Passage 7-0, 8:59 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

**IN COUNCIL REGULAR MEETING SEPTEMBER 16, 2013 VOL. 33 PAGE 176**

City Manager, Clint Deschene called the meeting to order at 7:05 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Mayor LaBonté and Councilors LaFontaine and Hayes had excused absences. All other Councilors were present.

**Mayor Pro Tempore** – Motion was made by Councilor Walker and seconded by Councilor Crowley to elect Councilor Gerry to serve as Mayor Pro Tempore.

Another motion was made by Councilor Young and seconded by Councilor Gerry to elect Councilor Shea to serve as Mayor Pro Tempore. Motion failed, 2-2-1 (Councilors Walker and Crowley opposed, Councilor Gerry abstained).

Original motion failed, 2-2-1 (Councilors Shea and Young opposed, Councilor Gerry abstained).

Councilor Shea withdrew his name, passage to elect Councilor Gerry as Mayor Pro Tempore 5-0.

II. Consent Items\*

**3. Order 76-09162013**

Setting the time to open the polls for the November 5, 2013 election for 7:00 A.M.

Motion by Councilor Walker and seconded by Councilor Crowley. Passage 5-0.

**II. Minutes**

Motion was made by Councilor Crowley and seconded by Councilor Walker to postpone the minutes of the September 3, 2013 regular Council Meeting until 10/7/2013 when the corrected minutes can be presented. Passage 5-0.

**III. Reports**

**Mayor's Report** – None

**City Councilors' Reports** – Councilors Crowley submitted a written report.

**Finance Director, Jill Eastman** – August 2013 Monthly Finance Report

Motion was made by Councilor Gerry and seconded by Councilor Crowley to accept and place on file the August finance report. Passage 5-0.

**IV. Communications, Presentations and Recognitions**

- Proclamation – Fire Officer Cadet Pawel Gatarczyk

**V. Open Session**

**IN COUNCIL REGULAR MEETING SEPTEMBER 16, 2013 VOL. 33 PAGE 177**

- Larry Pelletier, New Auburn talked about trash and littering issues. There is a lot of trash at Bonney Park. He also commented on the Park Watch program that was supposed to address some of these concerns and has yet to be started.
- Connie Mercier, 21 Fourth Street expressed her concerns over the loud noise at the Fire House Grill last week.

**VI. Unfinished Business - None**

**VII. New Business**

**1. Ordinance 11-09162013**

Amending the Code of Ordinances Chapter 52, Article 5, Stopping, Standing and Parking, Division I Generally Sec. 52-181 Parking in City owned-lots. First reading.

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

Public comment – no one from the public spoke.

Passage 5-0.

**2. Order 77-09162013**

Adopting the addendum to the City of Auburn's Joint Purchasing and Procurement Policy that was adopted by City Council on January 2, 2013.

Motion was made by Councilor Crowley and seconded by Councilor Walker to add to the order that the School Department must also offer their items to other City departments first.

Public comment – no one from the public spoke.

Motion was made by Councilor Shea and seconded by Councilor Crowley to postpone to the earliest possible time. Passage 4-1 (Councilor Walker opposed).

3. **Order 78-09162013**

Appointing Charles Morrison to the L/A Cable TV Advisory Board with a term expiration of January 1, 2015 as nominated by the Appointment Committee. Council may enter into executive session, pursuant to 1 M.R.S.A. §405(6)(A).

**IN COUNCIL REGULAR MEETING SEPTEMBER 16, 2013 VOL. 33 PAGE 178**

Motion was made by Councilor Shea and seconded by Councilor Crowley to postpone all appointments (items 3 through 7) until the October 7, 2013 meeting. Passage 4-1 (Councilor Young opposed).

4. **Order 79-09162013**

Appointing Michael Dixon to the Zoning Board of Appeals as a full member with a term expiration of October 1, 2016 as nominated by the Appointment Committee. Council may enter into executive session, pursuant to 1 M.R.S.A. §405(6)(A).

Motion was made by Councilor Shea and seconded by Councilor Crowley to postpone all appointments (items 3 through 7) until the October 7, 2013 meeting. Passage 4-1 (Councilor Young opposed).

5. **Order 80-09162013**

Appointing Judith Webber to the Auburn Housing Authority with a term expiration of October 1, 2018 as nominated by the Appointment Committee. Council may enter into executive session, pursuant to 1 M.R.S.A. §405(6)(A).

Motion was made by Councilor Shea and seconded by Councilor Crowley to postpone all appointments (items 3 through 7) until the October 7, 2013 meeting. Passage 4-1 (Councilor Young opposed).

6. **Order 81-09162013**

Appointing Robert Bowyer to the Planning Board with a term expiration of January 1, 2016 as nominated by the Appointment Committee. Council may enter into executive session, pursuant to 1 M.R.S.A. §405(6)(A).

Motion was made by Councilor Shea and seconded by Councilor Crowley to postpone all appointments (items 3 through 7) until the October 7, 2013 meeting. Passage 4-1 (Councilor Young opposed).

7. **Order 82-09162013**

Appointing Ann Parker to the Community Development Block Grant (CDBG) Loan Committee with a term expiration of October 1, 2016 as nominated by the Appointment Committee. Council may enter into executive session, pursuant to 1 M.R.S.A. §405(6)(A).

Motion was made by Councilor Shea and seconded by Councilor Crowley to postpone all appointments (items 3 through 7) until the October 7, 2013 meeting. Passage 4-1 (Councilor Young opposed).

### **VIII. Open Session**

#### **IN COUNCIL REGULAR MEETING SEPTEMBER 16, 2013 VOL. 33 PAGE 179**

Motion was made by Councilor Crowley and seconded by Councilor Walker to take out of order the Open Session and place before the Executive Session. Passage 5-0.

No one from the public spoke.

### **IX. Executive Session**

Discussion or consideration of an economic development matter, pursuant to 1 M.R.S.A. §405(6)(C).

Motion was made by Councilor Crowley and seconded by Councilor Walker. Passage 5-0, 7:46 P.M.

Motion was made by Councilor Gerry and seconded by Councilor Walker to move out of executive session. Passage 4-0 (Councilor Shea was not present for this vote), 8:01 P.M.

### **X. Adjournment**

Motion was made by Councilor Young seconded by Councilor Crowley to adjourn. Passage 4-0 (Councilors Shea was not present for this vote), 08:03 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

#### **IN COUNCIL SPECIAL MEETING SEPTEMBER 30, 2013 VOL. 33 PAGE 180**

Mayor LaBonte called the meeting to order at 5:30 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Councilor Shea had an excused absence. Councilor Hayes arrived at 5:33 P.M. and Councilor Young had to leave at 6:15 P.M.

### **I. Executive Session**

- Discussion regarding contemplated litigation, pursuant to 1 M.R.S.A. §405(6)(E).

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to enter into executive session. Passage 5-0 (Councilors Shea and Hayes absent), 5:32 P.M.

Council was declared out of executive session at 6:18 P.M.

- Discussion regarding labor negotiations, pursuant to 1 M.R.S.A. §405(6)(D).

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to enter into executive session. Passage 4-0 (Councilor Shea and Young absent and Councilor Crowley was out of the room during this vote), 6:18 P.M.

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

- Discussion of a personnel issue (the City Manager Review), pursuant to 1 M.R.S.A. §405(6)(A).

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to enter into executive session. Passage 4-0-1 (Councilor Shea and Young absent and Councilor Walker abstained), 7:00 P.M.

Council was declared out of executive session at 7:49 P.M.

## II. Adjournment

Motion was made by Councilor Walker and seconded by Councilor LaFontaine to adjourn. Passage 5-0, 7:49 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Howard Kroll, Assistant City Manager

## **IN COUNCIL SPECIAL MEETING OCTOBER 7, 2013 VOL. 33 PAGE 181**

Mayor LaBonte called the meeting to order at 7:10 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Councilor Crowley had an excused absence. All other Councilors were present.

## **VI. Consent Items\* - None**

## II. Minutes

- September 3, 2013 Regular Council Meeting
- September 16, 2013 Regular Council Meeting
- September 30, 2013 Special Council Meeting

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to approve the minutes of September 3<sup>rd</sup>, September 16<sup>th</sup>, and September 30<sup>th</sup>, 2013. Passage 6-0.

## **III. Reports**

**Mayor's Report** – reported

**City Committee Reports** – Councilor Young reported on Great falls TV.

**Councilor Reports**- Councilor Crowley submitted a written report.

#### **IV. Communications, Presentations and Recognitions**

- Recognition of *The Auburn Running Club*, for winning the State meet for the 2013 Auburn Parks and Recreation Summer Track and Field Program
- Breast Cancer Awareness Month
- Domestic Violence Month

#### **V. Open Session**

No one from the public spoke.

#### **VI. Unfinished Business**

##### **1. Ordinance 11-09162013**

Amending the Code of Ordinances Chapter 52, Article 5, Stopping, Standing and Parking, Division I Generally Sec. 52-181 Parking in City owned-lots. Second reading.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes.  
Public comment – no one from the public spoke.

#### **IN COUNCIL SPECIAL MEETING OCTOBER 7, 2013 VOL. 33 PAGE 182**

\*Passage 5-1 (Councilor Walker abstained).

##### **2. Order 78-09162013**

Appointing Charles Morrison to the L/A Cable TV Advisory Board with a term expiration of January 1, 2015 as nominated by the Appointment Committee.

Motion was made by Councilor LaFontaine and seconded by Councilor Young.  
Passage 6-0.

##### **3. Order 79-09162013**

Appointing Michael Dixon to the Zoning Board of Appeals as a full member with a term expiration of October 1, 2016 as nominated by the Appointment Committee.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker.  
Passage 6-0.

##### **4. Order 80-09162013**

Appointing Judith Webber to the Auburn Housing Authority with a term expiration of October 1, 2018 as nominated by the Appointment Committee.

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry.  
Passage 6-0.

##### **5. Order 81-09162013**

Appointing Robert Bowyer to the Planning Board with a term expiration of January 1, 2016 as nominated by the Appointment Committee.

Motion was made by Councilor LaFontaine and seconded by Councilor Young.  
Passage 6-0.

**6. Order 82-09162013**

Appointing Ann Parker to the Community Development Block Grant (CDBG) Loan Committee with a term expiration of October 1, 2016 as nominated by the Appointment Committee.

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry.  
Passage 6-0.

VII. New Business

**7. Order 83-10072013**

Authorizing the City Manager to use funds in the amount up to \$50,000 from an inactive special revenue account to fund ICT's Network Security and Planning and Permitting's Traffic Pole projects with any unused funds being transferred to the general fund account.

**IN COUNCIL SPECIAL MEETING OCTOBER 7, 2013 VOL. 33 PAGE 183**

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

Motion was made by Councilor Walker and seconded by Councilor Gerry to amend the order to now read; "ORDERED that the City Council hereby authorizes the City Manager to use funds in the amount of \$61,000 from an inactive special revenue account to fund ICT's Network Security project and Planning and Permitting's Traffic Pole projects with any unused funds being transferred to the facilities CIP for FY 13/14.

Passage of the amendment, 6-0.

Public comment – Joe Gray, Sopers Mill Road.

Passage of the order as amended, 6-0.

**8. Order 84-10072013A and Order 84-10072013B**

Approving the reallocation and prioritization of FY14 CIP funds related to City Buildings.

Motion by Councilor LaFontaine and seconded by Councilor Walker (Order 84-10072013B).

Public comment – no one from the public spoke.

Passage 6-0.

Motion by Councilor LaFontaine and seconded by Councilor Young (Order 84-10072013A).

Public comment – no one from the public spoke.

Passage 6-0.

**9. Ordinance 12-10072013**

Adopting the General Assistance overall maximums. First reading.

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

Public comment – no one from the public spoke.

\*Passage 6-0.

**10. Ordinance 13-10072013**

Adopting the General Assistance Ordinance. First reading.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker.  
Public comment – no one from the public spoke.

\*Passage 6-0.

**11. Order 85-10072013**

Approving the renewal of an Auto Graveyard/Junkyard permit for Bucks Auto -  
Public hearing.

**IN COUNCIL SPECIAL MEETING OCTOBER 7, 2013 VOL. 33 PAGE 184**

Motion was made by Councilor LaFontaine and seconded by Councilor Walker.  
Public Hearing – no one from the public spoke.

Passage 6-0.

**12. Order 86-10072013**

Approving the renewal of an Auto Graveyard/Junkyard permit for Morris Auto  
Parts – Public hearing.

Motion was made by Councilor Young and seconded by Councilor LaFontaine to  
postpone this item and public hearing until November 4, 2013. Passage 6-0.

**13. Order 87-10072013**

Approving the renewal of an Auto Graveyard/Junkyard permit for M & P Auto  
Parts – Public hearing.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker.  
Public Hearing – no one from the public spoke.

Passage 6-0.

**14. Order 88-10072013**

Approving the renewal of an Auto Graveyard/Junkyard permit for Randy's Auto  
Parts-Public hearing.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker.  
Public Hearing – no one from the public spoke.

Passage 6-0.

**15. Order 89-10072013**

Approving the renewal of an Auto Graveyard/Junkyard permit for Isadore T.  
Miller, Division of Schnitzer NE – Public hearing.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker.  
Public Hearing – no one from the public spoke.

Passage 6-0.

**16. Order 90-10072013**

Approving the renewal of an Auto Graveyard/Junkyard permit for Prolerized New  
England Company, LLC (formerly known as Maine Metal Recycling) – Public  
hearing.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker.  
Public Hearing – no one from the public spoke.

Passage 6-0.

**VIII. Executive Session**

**IN COUNCIL SPECIAL MEETING OCTOBER 7, 2013 VOL. 33 PAGE 185**

- Discussion regarding contemplated litigation, pursuant to 1 M.R.S.A. §405(6)(E) with possible action to follow.

Motion was made by Councilor LaFontaine and seconded by Councilor Shea to enter into executive session. Passage 5-1 (Councilor Gerry opposed), 7:52 P.M.

The Mayor declared Council out of executive session at 8:06 P.M.

Motion was made by Councilor LaFontaine and seconded by Councilor Shea for passage of Resolve 07-10072013 calling upon the Lewiston-Auburn Transportation Committee to call upon the Maine Department of Transportation to assist actively in monitoring the performance of the contract between the Lewiston-Auburn Transportation Committee and Western Maine Transportation Systems, Inc., for the Citylink bus service to assure that existing violations of maintenance and safety standards are promptly cured and that there is effective oversight of the Citylink system in the future. Passage 5-1 (Councilor Gerry opposed).

- Discussion of a personnel issue (the City Manager's Review), pursuant to 1 M.R.S.A. §405(6)(A) with possible action to follow.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to enter into executive session. Passage 4-2 (Councilor Gerry and Walker abstained), 8:15 P.M.

The Mayor declared Council out of executive session at 8:41 P.M.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to authorize a \$2,000 wage adjustment for the City Manager pursuant to the employment contract of the City Manager. Passage 4-2 (Councilors Walker and Gerry opposed). This becomes Order 91-10072013.

- Discussion regarding an Economic Development matter, pursuant to 1 M.R.S.A. §405(6)(C) with possible action to follow.

This matter was discussed and resolved in executive session during the workshop.

**IX. Open Session** – no one from the public spoke

\* Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to suspend the rules and confirm the votes originally taken by a show of hands of items #1. Ordinance 11-09162013, #9. Ordinance 12-10072013, and #10. Ordinance 13-10072013 with a roll call vote in accordance to the City Charter.

**X. Adjournment**

**IN COUNCIL SPECIAL MEETING OCTOBER 7, 2013 VOL. 33 PAGE 186**

Motion was made by Councilor LaFontaine and seconded by Councilor Shea to adjourn. Passage 6-0. 8:50 P.M.

**IN COUNCIL SPECIAL MEETING OCTOBER 21, 2013 VOL. 33 PAGE 187**

Mayor LaBonte called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Councilors Young and Shea had excused absences. All other Councilors were present.

**I. Consent Items\***

**4. Order 92-10212013\***

Appointment of Wardens and Ward Clerks for the November 5, 2013 Election.

**5. Order 93-10212013\***

Authorizing the City Manager to transfer funds from Auburn's salary account (sick leave donations) to 9-1-1's salary account.

**6. Order 94-10212013\***

Approving the request for temporary sign placement for the Auburn Ski Association.

**7. Order 95-10212013\***

Approving the request for temporary sign placement for the St. Dom's Academy.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to approve the consent items. Passage 5-0.

**II. Minutes**

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to approve the minutes of October 7, 2013. Passage 4-0-1 (Councilor Crowley abstained from voting because she was not present at the October 7, 2013 meeting).

**III. Reports**

**Mayor's Report**

**City Councilors' Reports** – Councilors Gerry and Walker reported. Councilor Crowley submitted a written report and reported on an additional item.

**Finance Director, Jill Eastman** – September 2013 Monthly Finance Report

Motion was made by Councilor Gerry and seconded by Councilor LaFontaine to accept and place on file the September 2013 finance report. Passage 5-0.

**IV. Communications, Presentations and Recognitions**

- Portrait presentation – Former Mayor Normand Guay

**IN COUNCIL SPECIAL MEETING OCTOBER 21, 2013 VOL. 33 PAGE 188**

- Proclamation – Recognizing Chief of Police, Phil Crowell for being elected President of the Maine Chiefs of Police Association.

*This item is to be postponed until the meeting of November 4, 2013.*

Mayor LaBonté proclaimed Thursday, October 24, 2013 as “Food Day in Auburn”

V. **Open Session** - Joe Gray, Sopers Mill Road – Ingersoll Arena and Matrix report

VI. Unfinished Business

1. **Order 77-09162013**

Adopting the addendum to the City of Auburn’s Joint Purchasing and Procurement Policy that was adopted by City Council on January 2, 2013.

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley to adopt the addendum to the City of Auburn’s Joint Purchasing and Procurement Policy that was adopted by City Council on January 2, 2013.

Public comment – No one from the public spoke.

Passage 5-0.

2. **Ordinance 12-10072013**

Adopting the General Assistance overall maximums. Second reading.

Motion by Councilor LaFontaine and seconded by Councilor Crowley to adopt the General Assistance overall maximums.

Motion by Councilor LaFontaine and seconded by Councilor Crowley to amend by including State changes to the Appendices B-Food Maximum.

Passage of amendment, 5-0.

Public comment – No one from the public spoke.

Passage of the ordinance as amended, 5-0 (roll call vote Councilors Shea and Young absent).

3. **Ordinance 13-10072013**

Adopting the General Assistance Ordinance. Second reading.

Motion by Councilor LaFontaine and seconded by Councilor Walker to adopt the General Assistance Ordinance.

**IN COUNCIL SPECIAL MEETING OCTOBER 21, 2013 VOL. 33 PAGE 189**

Public comment – No one from the public spoke.

Passage, 5-0 (roll call vote Councilors Shea and Young absent).

VII. New Business – No new business

**VIII. Executive Session**

Motion was made by Councilor Walker and seconded by Councilor LaFontaine to suspend the rules to add an executive session and add an item to the agenda. Passage 4-1 (Councilor Crowley opposed).

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to enter into executive

session. Passage 4-1 (Councilor Crowley opposed), 7:51 P.M.

The Mayor declared Council out of executive session at 7:59 P.M.

A motion was made by Councilor LaFontaine and seconded by Councilor Walker that the City Council authorizes the City Manager to enter into negotiations to purchase property at 88 Newbury Street, Auburn, Maine to improve public river access and long term connectivity of recreational assets along the Little and Big Androscoggin Rivers. This is Order 96-10212013. Passage 4-1 (Councilor Crowley opposed).

**IX. Open Session – No one from the public spoke**

**X. Adjournment**

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to adjourn. Passage 5-0, 8:01 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

**IN COUNCIL SPECIAL MEETING NOVEMBER 4, 2013 VOL. 33 PAGE 190**

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

**VII. Consent Items\***

**8. Order 97-11042013\***

Appointment of Warden and Ward Clerk for the November 5, 2013 Election.

**9. Order 98-11042013\***

Confirming Chief Crowell's appointment of Katherine D. Avery, Joseph M. Correia and Joseph T. Miville as Constables with a firearm for the Auburn Police Department.

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

**II. Minutes**

- October 21, 2013 Regular Council Meeting

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry. After some Council discussion, both Councilors withdrew their motion and postponed this item to the 11/18/2013 meeting.

**III. Reports**

**Mayor's Report** – reported

**City Manager's Report** – reported

**City Committee Reports** – Councilor Crowley submitted written reports.

**Councilor Reports-** Councilor Crowley reported.

**IV. Communications, Presentations and Recognitions**

- Proclamation – Recognizing Chief of Police, Phil Crowell for being elected President of the Maine Chiefs of Police Association.
- 2013 Auburn Book Project Winner – Oliver Hall

**V. Open Session** - No one from the public spoke.

**VI. Unfinished Business**

**4. Order 86-10072013**

**IN COUNCIL SPECIAL MEETING NOVEMBER 4, 2013 VOL. 33 PAGE 191**

Approving the renewal of an Auto Graveyard/Junkyard permit for Morris Auto Parts – Public hearing.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to postpone this item until December 16, 2013 per staff recommendation. Passage 7-0.

**VII. New Business**

**1. Ordinance 14-11042013**

Adopting an amendment to the Business licensing Code of Ordinances to include the definition of Garage Sales. First reading.

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley to adopt the amendment to the business licensing Code of Ordinances to include the definition of Garage Sales.

Public comment – Andy Titus, Lamplighter Circle.

Passage of first reading 7-0 (roll call vote).

**VIII. Open Session** – No one from the public spoke

**IX. Executive Session**

- MSEA labor negotiations discussion, pursuant to 1 M.R.S.A. §405(6)(D).  
Motion was made by Councilor LaFontaine and seconded by Councilor Walker to enter into executive session. Passage 7-0, 7:59 P.M.

The Mayor declared Council out of executive session at 8:36 P.M.

- Labor negotiations update (Fire, MAP Patrol, MAP Command), pursuant to 1 M.R.S.A. §405(6)(D).  
Motion was made by Councilor Shea and seconded by Councilor Walker to enter into executive session (Councilors Gerry and LaFontaine were not in the room). Passage 5-0, 8:37 P.M.

The Mayor declared Council out of executive session at 9:30 P.M.

*Council continued workshop discussions (on Lewiston/Auburn Transit Committee and the Re-purposing of Ingersoll Arena).*

**X. Adjournment**

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to adjourn. Passage 7-0. 9:39 P.M.

**IN COUNCIL SPECIAL MEETING NOVEMBER 4, 2013 VOL. 33 PAGE 192**

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

**JOINT MEETING WITH LEWISTON NOVEMBER 12, 2013 VOL. 33 PAGE 193**

Mayor MacDonald called the meeting to order at 6:00 P.M. in Council Chambers of Lewiston City Hall and led the assembly in the salute to the flag and a moment of silence. Councilor Desjardins of Lewiston and Councilor Shea of Auburn both had excused absences. All other Lewiston and Auburn Councilors were present.

Discussion on the following;

1. Review of LATC Bus Purchasing and Maintenance History – Operational Impacts
2. Review of Halsey King Associates Report
3. Update on Status of Western Maine Transportation Improvements/Compliance Efforts
4. Proposed Resolve to Re-Purpose LATC Capital Reserve Funding
5. Joint Council discussion to expand the scope of services for the LATC route study to include an organizational study
6. Updates on Portland-Lewiston-Auburn Joint Resolve

Resolve 08-11122013

Authorizing the re-purposing of the Lewiston-Auburn Transit Committee (LATC) Capital Reserve Funding.

Motion was made by Lewiston Councilor Butler and seconded by Auburn Councilor LaFontaine.

Passage 6-0 Lewiston (Councilor Desjardins absent) and passage 6-0 Auburn (Councilor Shea absent). Roll call votes were taken.

Adjournment at 7:08 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

**IN COUNCIL REGULAR MEETING NOVEMBER 18, 2013 VOL. 33 PAGE 194**

Mayor LaBonte called the meeting to order at 7:10 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

II. Consent Items\* - None

II. Minutes

- October 21, 2013 Regular Council Meeting
- November 4, 2013 Regular Council Meeting

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to approve the minutes of October 21, 2013 and November 4, 2013 as presented. Passage 7-0.

**III. Reports**

**Mayor's Report - reported**

**City Councilors** – Councilors LaFontaine and Young reported. Councilor Crowley submitted a written report and reported on additional items.

**City Manager's Report** – Public Services update – reported on additional items.

**Finance Director, Jill Eastman** – October 2013 Monthly Finance Report

Motion was made by Councilor Young and seconded by Councilor LaFontaine to accept and place on file the October 2013 finance report. Passage 7-0.

**IV. Communications, Presentations and Recognitions - None**

**V. Open Session** – Larry Pelletier of New Auburn on the status of the Park Watch Program.

VI. Unfinished Business

5. **Ordinance 14-11042013**

Adopting an amendment to the Business licensing Code of Ordinances to include the definition of Garage Sales. Second reading.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to adopt the amendment to the Business licensing Code of Ordinances to include the definition of Garage Sales.

Public comment – No one from the public spoke.

Passage 7-0 (roll call vote).

VII. New Business

1. **Order 99-11182013**

**IN COUNCIL REGULAR MEETING NOVEMBER 18, 2013 VOL. 33 PAGE 195**

Authorizing the City Manager to purchase property at 88 Newbury Street for a purchase price of \$38,900 plus reasonable closing costs funded from Downtown TIF District #10.

Motion was made by Councilor Lafontaine and seconded by Councilor Walker to authorize the City Manager to purchase property at 88 Newbury Street for a purchase price of \$38,900 plus reasonable closing costs funded from Downtown TIF District #10.

Public comment - no one from the public spoke.

Passage 7-0.

**2. Order 100-11182013**

Authorizing the City Manager to execute the collective bargaining agreement with MSEA Local 1989.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to authorize the City Manager to execute the collective bargaining agreement with MSEA Local 1989.

Public comment - no one from the public spoke.

Passage 6-1 (Councilor Crowley opposed).

**VIII. Executive Session**

- Lewiston/Auburn Economic Growth Council (LAEGC) – Executive Session for consultation with City Attorney, pursuant to 1 M.R.S.A. §405(6)(E).

Motion was made by Councilor Lafontaine and seconded by Councilor Walker to enter into executive session. Passage 6-1 (Councilor Crowley opposed), 7:38 P.M.  
The Mayor declared Council out of executive session at 8:56 P.M.

- Poverty Abatement discussion, pursuant to 36 M.R.S.A. Sec. 841(2) with possible action to follow.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to enter into executive session. Passage 7-0, 8:59 P.M.  
The Mayor declared Council out of executive session at 9:08 P.M.

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley to deny the poverty abatement for case # 1478 (Order #101-11-182013). Passage 5-2 (Councilors Gerry and Walker opposed).

**IN COUNCIL REGULAR MEETING NOVEMBER 18, 2013 VOL. 33 PAGE 196**

- Labor negotiations update (Fire, MAP Patrol, MAP Command) pursuant to 1 M.R.S.A. §405(6)(D).

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to enter into executive session. Passage 7-0, 9:10 P.M.  
The Mayor declared Council out of executive session at 9:40 P.M.

**IX. Open Session – No one from the public spoke**

**X. Adjournment**

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to adjourn.  
Passage 7-0, 9:41 P.M.

ATTEST \_\_\_\_\_

Susan Clements-Dallaire, City Clerk

**IN COUNCIL SPECIAL MEETING DECEMBER 2, 2013 VOL. 33 PAGE 197**

Mayor LaBonte called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

**VIII. Consent Items\***

- 10. Order 102-12022013\***  
Appointment of Wardens and Ward Clerks for December 2013 through December 2015.
- 11. Order 103-12022013\***  
Accepting the transfer of Forfeiture Asset (Kourtney Francoeur).
- 12. Order 104-12022013\***  
Accepting the transfer of Forfeiture Asset (Ashley Gleason).
- 13. Order 105-12022013\***  
Accepting the transfer of Forfeiture Asset (Erick Estrada).

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

**II. Minutes**

- November 12, 2013 Joint Council Meeting
- November 18, 2013 Regular Council Meeting

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to approve the minutes of November 12 and November 18, 2013. Passage 7-0.

**III. Reports**

**Mayor's Report** – reported

**City Manager's Report** – reported

**City Committee Reports** – Councilor Crowley submitted written reports.

**Councilor Reports-** Councilor Crowley submitted a written report and reported on additional items. Councilor Gerry also reported.

**IV. Communications, Presentations and Recognitions**

- Presentation – John Storer on Water Rate Increase
- Recognition – Councilor Shea was recognized for his two years of service as City Councilor.

**IN COUNCIL SPECIAL MEETING DECEMBER 2, 2013 VOL. 33 PAGE 198**

**V. Open Session** - No one from the public spoke.

VI. Unfinished Business - None

VII. New Business

**1. Order 106-12022013**

Approving the order to extend funding to the Lewiston Auburn Economic Growth Council through June 30, 2014 and also accepting the revised scope of services as noted in the proposed order.

Motion was made by Councilor LaFontaine and seconded by Councilor Young to approve Order 106-12022013.

Public comment: Dan Herrick-470 Hatch Road, Joe Gray-Sopers Mill Road.

Passage 4-3 (Councilors Walker, Shea, and Crowley opposed). A roll call vote was taken.

**2. Order 107-12022013**

Amending the downtown TIF district 10 (Public hearing).

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

Public hearing: Roland Miller, Economic Development Director.

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

**3. Order 108-12022013**

Amending the Auburn Mall TIF district 14 (Public hearing).

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

Public hearing: Dan Herrick, 470 Hatch Road

Motion was made by Councilor LaFontaine and seconded by Councilor Young to postpone this item to a date to be determined.

Passage 6-1 (Councilor Walker opposed).

**4. Order 109-12022013**

Adopting the new Ice Arena TIF district 18 (Public hearing).

**IN COUNCIL SPECIAL MEETING DECEMBER 2, 2013 VOL. 33 PAGE 199**

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley to postpone this item to a date to be determined.

Passage 6-1 (Councilor Walker opposed).

**5. Order 110-12022013**

Authorizing the City Manager to amend the lease with Slapshot, LLC.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to approve Order 110-12022013 as presented.

Public hearing: Roland Miller - Economic Development Director, Joe Gray - Sopers Mill Road

Passage 6-1 (Councilor Gerry opposed).

**VIII. Executive Session**

A. Executive Session, MAP Police Patrol pursuant to 1 M.R.S.A. §405(6)(D) – No action required. *This item did not have to be addressed.*

**IX. Open Session**

Joe Gray, Sopers Mill Road  
Dan Herrick, Hatch Road

**X. Adjournment**

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to adjourn. Passage 7-0. 9:10 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

**IN COUNCIL REGULAR MEETING DECEMBER 16, 2013 VOL. 33 PAGE 200**

Mayor LaBonte called the meeting to order at 7:13 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

**III. Consent Items\***

**14. Order 112-12162013\***

Accepting the transfer of Forfeiture Asset (Philip Moser).

**15. Order 113-12162013\***

Confirming Police Chief, Phil Crowell's appointment of David K. Brown, II as Constable with a firearm for the Auburn Police Department.

**16. Order 114-12162013\***

Approving the 180 day moratorium on tree harvesting.

Motion was made by Councilor Hayes and seconded by Councilor Walker to approve the consent items. Passage 7-0.

**II. Minutes**

- December 2, 2013 Regular Council Meeting

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to approve the minutes of December 2, 2013. Passage 7-0.

**III. Reports**

**Mayor's Report** – The Mayor welcomed Councilor Lee.

**City Councilors** – Councilors Hayes and Crowley submitted written reports. Councilors Young and Gerry reported, and Councilor Crowley reported on a few additional items.

**City Manager's Report** – Railroad Board Meeting update.

**Finance Director, Jill Eastman** – November 2013 Monthly Finance Report

Motion was made by Councilor Crowley and seconded by Councilor Gerry to accept and place on file the November 2013 finance report. Passage 7-0.

**IV. Communications, Presentations and Recognitions**

- Mary Sylvester – Community Conversations Review
- Audit Presentation – Casey Leonard of Runyon Kersteen Ouellette
- Matrix updates – Frank Roma

**IN COUNCIL REGULAR MEETING DECEMBER 16, 2013 VOL. 33 PAGE 201**

**V. Open Session** – Andy Titus-17 Lamplighter Circle, Joe Gray-Sopers Mill Road, and Don St. Germaine all spoke.

**VI. Unfinished Business**

**6. Order 86-10072013**

Approving the renewal of an Auto Graveyard/Junkyard permit for Morris Auto Parts (Public hearing).

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

Public hearing – Don St. Germaine, owner of Morris Auto Parts.

Motion was made by Councilor Crowley and seconded by Councilor LaFontaine to amend by replacing the order with an order to deny the annual renewal request based on the findings of fact and conclusions (included in the amended order).

Public comment – Joe Gray-Sopers Mill Road

Passage on amendment, 7-0 (a roll call vote was taken). Passage on Order 86-10072013 as amended and with the attached findings of fact and conclusions, 7-0.

**7. Order 108-12022013**

Amending the Auburn Mall TIF district 14 (Public hearing).

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to amend the Auburn Mall TIF district 14.

The Mayor re-opened the public hearing (was continued from the 12/2/2013 Council meeting). Andy Titus-17 Lamplighter Circle and Joe Gray-Sopers Mill Road spoke.

Passage 5-2 (Councilors Crowley and Gerry opposed). A roll call vote was taken.

**8. Order 109-12022013**

Adopting the new Ice Arena TIF district 18 (Public hearing).

Motion was made by Councilor LaFontaine and seconded by Councilor Lee to adopt the new Ice Arena TIF district 18.

**IN COUNCIL REGULAR MEETING DECEMBER 16, 2013 VOL. 33 PAGE 202**

The Mayor opened the Public hearing (was continued from the 12/2/2013 Council meeting). Andy Titus-17 Lamplighter Circle spoke.

Motion was made by Councilor Hayes and seconded by Councilor Gerry to amend the attached document referenced in the order by editing table 1 on page 4 (Captured Assessed Value) from;  
1-5 years 100% 6-10 years 75% 11-15 years 50% 16-20 years 25%  
to; 1-5 years 80% 6-10 years 70% 11-15 years 60% 16-20 years 40%

Motion on the amendment failed, 3-4 (Councilors Young, LaFontaine, Lee, and Walker opposed). A roll call vote was taken.

Passage of Order 109-12022013, 5-2 (Councilors Crowley and Gerry opposed). A roll call vote was taken.

**VII. New Business**

**9. Order 115-12162013**

Accepting the FY 2013 Comprehensive Annual Financial Report.

Motion by Councilor LaFontaine and seconded by Councilor Young.  
Passage 5-1-1 (Councilor Gerry opposed and Councilor Crowley abstained).

**10. Order 116-12162013**

Authorizing the City Manager to execute the collective bargaining agreement with the MAP Command Unit.

Motion by Councilor LaFontaine and seconded by Councilor Lee.

Public comment – Joe Gray, Sopers Mill Road

Passage 4-3 (Councilors Gerry, Crowley, and Walker opposed). A roll call vote was taken.

**11. Order 117-12162013**

Authorizing the City Manager to execute the collective bargaining agreement with I.A.F.F. (International Association of Firefighters) Local 797.

*No action was needed on this item.*

**VIII. Open Session – No one from the public spoke**

**IX. Executive Session**

- Discussion regarding labor negotiations (MAP Patrol) pursuant to 1 M.R.S.A. §405(6)(D).

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry to enter into executive session. Passage 6-1 (Councilor Young opposed). Time 10:03 P.M.

The Mayor declared Council out of Executive Session at 10:25 P.M.

□  
**X. Adjournment**

Motion was made by Councilor LaFontaine and seconded by Councilor Lee to adjourn. Passage 4-0 (Councilors Young, Gerry, and Hayes were not in the room during the vote), 10:27 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

**IN COUNCIL REGULAR MEETING JANUARY 13, 2014 VOL. 34 PAGE 1**

This meeting was scheduled for 1/6/2014 but due to inclement weather, was postponed until 1/13/2014.

Mayor LaBonte called the meeting to order at 7:05 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

**IX. Consent Items\***

- 17. Order 01-01062014\***  
Confirming Police Chief, Phil Crowell’s appointment of Greg S. Pealatero as Constable with a firearm for the Auburn Police Department.

- 18. Order 02-01062013\***  
Confirming Chief Crowell’s appointment of Constables without firearms for the Auburn Police Department.

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

**II. Minutes - December 16, 2013 Regular Council Meeting**

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to approve the minutes of December 16, 2013 as presented. Passage 7-0.

**III. Reports**

**Mayor’s Report** – reported

**City Manager’s Report** – reported

- Update on the Downtown Auburn Transportation Center

- Council Code of Conduct
- Memo on Mission Statements
- Council Library on Network

**City Committee Reports** – Councilor Hayes submitted a written report. Councilor LaFontaine reported on the Auburn School Committee and the Auburn Public Library. Councilor Crowley reported on the Auburn Water District and the Auburn Sewer District. Councilor Walker reported on Mid Maine Waste Action Corp.

**Councilor Reports** - Councilor Crowley reported.

**IV. Communications, Presentations and Recognitions**

**IN COUNCIL REGULAR MEETING JANUARY 13, 2014 VOL. 34 PAGE 2**

- Presentation – Alan Manoian on the Downtown Walking Tour

**V. Open Session** - No one from the public spoke.

**VI. Unfinished Business** - None

**VII. New Business**

**12. Order 03-01062014**

Authorizing the City Manager, or his designee, to solicit bids and to authorize the expenditure of up to \$45,000 from the Municipal Fund Balance for the demolition and removal of the Dangerous Building at 9 Gamage Avenue.

This item will carry forward to a future meeting.

**VIII. Open Session** – Joe Gray, Sopers Mill Road

**IX. Executive Session**

- Discussion regarding County Dispatch, pursuant to 1 M.R.S.A. §405(6)(E).

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to enter into executive session. Passage 6-0-1 (Councilor Lee abstained), 8:36 P.M.

Mayor LaBonté declared Council out of Executive Session at 8:55 P.M.

- Discussion regarding Monty Hydro Canal negotiations, pursuant to 1 M.R.S.A. §405(6)(C).

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to enter into executive session. Passage 6-0-1 (Councilor Gerry was not in the room), 8:55 P.M.

Mayor LaBonté declared Council out of Executive Session at 9:29 P.M.

- Discussion regarding labor negotiations I.A.F.F. (International Association of Firefighters) Local 797 pursuant to 1 M.R.S.A. §405(6)(D).

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to enter into executive session. Passage 5-1-1 (Councilor Crowley opposed, Councilor Lee abstained), 9:30

P.M.

Mayor LaBonté declared Council out of Executive Session at 9:53 P.M.

**IN COUNCIL REGULAR MEETING JANUARY 13, 2014 VOL. 34 PAGE 3**

**X. Adjournment**

Motion was made by Councilor Crowley and seconded by Councilor Young to adjourn.  
No one in opposition, 9:54 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

**IN COUNCIL REGULAR MEETING JANUARY 21, 2014 VOL. 34 PAGE 4**

Mayor LaBonte called the meeting to order at 7:05 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

IV. Consent Items\* - None

II. Minutes - January 13, 2014 Regular Council Meeting (meeting was postponed from January 6, 2014).

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to accept the minutes of January 13, 2014 as presented. Passage 7-0.

**III. Reports**

**Mayor's Report** - Reported

**City Councilors** – Councilors Crowley, Gerry, Lee, and Walker reported.

**City Manager's Report** - Reported

- Revenue Sharing Impacts Memo
- 2014 State Revenue Sharing (2013 Resolve attached as a reference)

**Finance Director, Jill Eastman** – December 2013 Monthly Finance Report

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley to accept and place on file the December 2013 finance report as presented. Passage 7-0.

**IV. Communications, Presentations and Recognitions**

- Stormwater – Dan Goyette and Barry Sheff with Woodard & Curran.

**V. Open Session** – No one from the public spoke

VI. Unfinished Business - None

VII. New Business

**13. Order 04-01212014**

Approving a new Liquor License (Food Service Class I - Spirituous, Vinous, Malt) application for Xinglong Corporation, DBA: Lotus Restaurant located at 279 Center Street (public hearing).

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry to approve the liquor license for Xinglong Corporation, DBA: Lotus Restaurant located at 279 Center Street.

**IN COUNCIL REGULAR MEETING JANUARY 21, 2014 VOL. 34 PAGE 5**

Public Hearing – no one from the public spoke

Passage 7-0.

**14. Order 05-01212014**

Authorizing the Finance Director to extend the contract for Audit Services for 3 years, (FY14, FY15 and FY16) with Runyon Kersteen Ouellette, the City's current auditor.

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

Motion was made by Councilor Walker and seconded by Councilor Lee to postpone until a recommendation is made by the Audit Committee. Passage 6-1 (Councilor Young opposed).

**15. Order 06-01212014**

Setting the date for a Special Municipal Election to elect three members of a Joint Charter Commission for the proposed consolidation of the Cities of Auburn and Lewiston to be held on Tuesday, June 10, 2014.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to set the date for a Special Municipal Election to elect three members of a Joint Charter Commission for the proposed consolidation of the Cities of Auburn and Lewiston to be held on Tuesday, June 10, 2014.

Motion was made by Councilor Crowley and seconded by Councilor Walker to amend by postponing the election until the November General Election. The motion to amend failed, 3-4 (Councilors Hayes, LaFontaine, Lee, and Young opposed).

Passage of the original motion 4-3 (Councilors Crowley, Walker, Gerry opposed).

**16. Order 07-01212014**

Approving the establishment of a Charter Commission for the purpose of revising the City of Auburn Charter.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes. Motion failed 0-7 (all Councilors opposed).

**17. Order 08-01212014**

Submitting the question, for the establishment of a Charter Commission to revise the City of Auburn Charter, to the voters at a Special Election to be held on June 10, 2014.

**IN COUNCIL REGULAR MEETING JANUARY 21, 2014 VOL. 34 PAGE 6**

This item was no longer on the table due to Order 07-01212014 failing.

**18. Order 09-01212014**

Setting the date for a Special Municipal Election to elect the members of the City of Auburn Charter Commission for June 10, 2014.

This item was no longer on the table due to Order 07-01212014 failing.

**19. Order 10-01212014**

Authorizing the City Manager to execute the collective bargaining agreement with I.A.F.F. (International Association of Firefighters) Local 797.

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry. Passage 4-3 (there was a tie vote 3-3-1 with Councilors Crowley, Walker, and Gerry opposed, and Councilor Lee abstaining, and in accordance the City Charter, Article III, Section 3.3 the Mayor voted to break the tie vote). A roll call vote was taken.

**VIII. Executive Session - None**

**IX. Open Session – No one from the public spoke**

**X. Adjournment**

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to adjourn. No one in opposition, 9:02 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

**IN COUNCIL REGULAR MEETING FEBRUARY 3, 2014 VOL. 34 PAGE 7**

Mayor LaBonte called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Councilor Hayes had an excused absence. All other Councilors were present.

**I. Consent Items\* - None**

**II. Minutes**

- January 21, 2014 Regular Council Meeting

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to approve the minutes of January 21, 2014 as presented. Passage 6-0.

**III. Reports**

**Mayor's Report** – reported

**City Manager's Report** – reported on the items below and provided an update on the transportation center.

- Sale of the Chilling System at Ingersoll Arena being put out with bid process
- Joint School and City Budget calendar

**City Committee Reports** – Councilors Walker and Crowley reported. Councilor Crowley also had a Sewer District slide presentation.

**Councilor Reports-** Councilors Gerry and Crowley reported.

**IV. Communications, Presentations and Recognitions - None**

**V. Open Session**

Dom Casavant, 158 Valview Drive

Dan Herrick, 470 Hatch Road

Ginger Lee Smith, River Road

**VI. Unfinished Business - None**

**VII. New Business**

**20. Public Hearing**

Public hearing on Solid Waste and Recycling contracts.

Dom Casavant, 158 Valview Drive

Robert Hansen, 376 Lake Street

Larry Pelletier, 129 Second Street

Deb Desjardins, Turner Road

Betty Ann Sheets, 32 Waterboro Drive

**IN COUNCIL REGULAR MEETING FEBRUARY 3, 2014 VOL. 34 PAGE 8**

**21. Order 11-02032014**

Naming the ball field at Pettengill Park. Public hearing.

Colby Dill, post 153 vice commander who would like to name the field The Ted Ricker Memorial Field.

Motion was made by Councilor LaFontaine and seconded by Councilor Young not to name the ball field at Pettengill Park. Passage 6-0.

**22. Ordinance 01-02032014**

Amending an Ordinance – Chapter 2, Article VI, Division 2, Section 2-514). First reading.

Motion was made by Councilor LaFontaine and seconded by Councilor Lee to amend the Ordinance (Chapter 2, Article VI, Division 2, Section 2-514) by striking the second line as presented. Passage 6-0. A roll call vote was taken.

**23. Resolve 01-02032014**

Supporting the Rail to Trail Project.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker supporting the Rail to Trail Project. Passage 6-0.

**24. Resolve 02-02032014**

Opposing the State Revenue Sharing Reduction.

The City Manager will rewrite this Resolve and will bring it back to the

February 18, 2014.

25. **Order 12-02032014**

Authorizing the City Manager to reinstate funding (\$2,205 to be taken from the Fund Balance) to support five polling places instead of one for the June 10, 2014 election.

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley authorizing the City Manager to reinstate funding (\$2,205 to be taken from the Fund Balance) to support five polling places instead of one for the June 10, 2014 election.

Passage 6-0.

**VIII Open Session**

Betty Ann Sheets on behalf of Colby Dill.

**IX. Executive Session**

**IN COUNCIL REGULAR MEETING FEBRUARY 3, 2014 VOL. 34 PAGE 9**

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

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley to enter into Executive Session. Passage 4-0-1 (Councilor Lee abstained and Councilor Walker was out of the room during the vote). Time 9:25 P.M.

The Mayor declared Council out of Executive Session at 10:25 P.M.

**X. Adjournment**

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley to adjourn. Passage 5-0 (Councilor Young was not present for this vote), 10:25 P.M.

A True Copy.

ATTEST \_\_\_\_\_

Susan Clements-Dallaire, City Clerk

**IN COUNCIL SPECIAL MEETING FEBRUARY 10, 2014 VOL. 34 PAGE 10**

Mayor LaBonté called the meeting to order at 7:25 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Councilor LaFontaine had an excused absence. All other Councilors were present.

I. New Business

17. **Order 13-02102014**

Authorizing the City Manager to sign an easement with Slap Shot, LLC.

Motion was made by Councilor Lee and seconded by Councilor Walker to authorize the City Manager to sign an easement with Slap Shot, LLC. Passage 6-0.

II. Adjournment

Motion was made by Councilor Walker and seconded by Councilor Crowley to adjourn. Passage 6-0, 7:30 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

**IN COUNCIL REGULAR MEETING FEBRUARY 24, 2014 VOL. 34 PAGE 11**

This meeting was scheduled for 2/18/2014 but due to inclement weather, was postponed until 2/24/2014.

Mayor LaBonte called the meeting to order at 7:20 P.M. (due to the Council Workshop running late) in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

V. Consent Items\*

**18. Order 14-02182014\***

Accepting the transfer of \$4,491.00 forfeiture assets in U.S. currency (Gary Wallace).

**19. Order 15-02182014\***

Accepting the transfer of \$6,250.00 forfeiture assets in U.S. currency (Herbert Simmons).

**20. Order 16-02182014\***

Accepting the transfer of \$2,634.00 forfeiture assets in U.S. currency (Taurus Allen).

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

II. Minutes

- February 3, 2014 Regular Council Meeting  
Motion was made by Councilor LaFontaine and seconded by Councilor Walker to approve the minutes of February 3, 2014. Passage 6-1 (Councilor Hayes abstained because he not present for the meeting of February 3, 2014 due to an excused absence).
- February 10, 2014 Special Council Meeting  
Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to approve the minutes of February 10, 2014. Passage 7-0.

III. Reports

**Reports**

**Mayor's Report** – reported

**City Councilors' Reports** – Councilor's Crowley, Young, Lee, and Walker reported.

**City Manager Report**

- Street Lights Ownership Update

**Finance Director, Jill Eastman**

- January 2014 Monthly Finance Report

**IN COUNCIL REGULAR MEETING FEBRUARY 24, 2014 VOL. 34 PAGE 12**

Motion was made by Councilor Crowley and seconded by Councilor LaFontaine to accept and place on file the January 2014 monthly finance report as presented.

Passage 7-0.

**IV. Communications, Presentations and Recognitions**

- Recognition – Stephen Martelli
- Coffee with a Cop – presented by Sgt. Barry Schmieks and Chief Phil Crowell, Jr.

V. Open Session – Larry Pelletier, New Auburn resident spoke

VI. Unfinished Business

**26. Ordinance 01-02032014**

Amending an Ordinance – (Chapter 2, Article VI, Division 2, Section 2-514).  
Second reading.

Motion was made by Councilor LaFontaine and Second by Councilor Crowley to amend the Ordinance – Chapter 2, Article VI, Division 2, Section 2-514).

Public comment – no one spoke

Passage 7-0 (a roll call vote was taken).

VII. New Business

**27. Order 17-02182014**

Reappointing Renee LaChapelle as the City Assessor for a two year term beginning March 15, 2014 through March 15, 2016.

Motion was made by Councilor LaFontaine and seconded by Councilor Young to reappoint Renee LaChapelle as the City Assessor for a two year term beginning March 15, 2014 through March 15, 2016.

Motion failed 3-4. There was a tie vote 3-3-1 (Councilors Walker, Gerry, and Crowley opposed, Councilor Lee abstained) and in accordance to the City Charter, Article III, Section 3.3 the Mayor voted to break the tie vote. He voted in opposition and the motion failed. A roll call vote was taken.

**VIII. Executive Session - None**

**IX. Open Session** – No one from the public spoke

**X. Adjournment** - After the meeting, the Council workshop continued (city budget presentations and discussions), adjourning at 9:40 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

**IN COUNCIL REGULAR MEETING MARCH 3, 2014 VOL. 34 PAGE 13**

The City Manager, Clint Deschene called the meeting to order at 7:10 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Mayor LaBonté was not in attendance due to an excused absence.

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry to nominate Councilor Crowley as the Mayor Pro Tempore in the absence of Mayor LaBonté. There were no other nominations

so a vote was not needed.

**II. Consent Items\***

**28. Order 18-03032014\***

Confirming Chief Crowell's appointment of Constables without firearms for the Auburn Police Department.

Motion was made by Councilor LaFontaine and seconded by Councilor Lee to approve the consent agenda item confirming Chief Crowell's appointment of Constables without firearms for the Auburn Police Department. Passage 7-0.

**II. Minutes**

February 24, 2014 Regular Council Meeting (postponed from February 18, 2014).

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to approve the minutes of February 24, 2014 as presented. Passage 7-0.

**III. Reports**

**Mayor's Report** – none

**City Manager's Report** – reported

**City Committee Reports** – Councilor LaFontaine reported on the Auburn School Committee and the Auburn Public Library, and Councilor Crowley reported on the Auburn Water and Sewer Districts.

**Councilor Reports-** Councilors Young, Gerry, and Crowley reported.

**IV. Communications, Presentations and Recognitions**

- Target Zero – Teen Driving Grant Presentation – SRO Shawn Carl
- Recognition – Mike Lecompte-**postponed to 3/17 due to the Mayors absence**
- Proclamation – Women's History Month-**postponed to 3/17 due to the Mayors absence**

**V. Open Session**

Larry Pelletier, 129 second Street

**IN COUNCIL REGULAR MEETING MARCH 3, 2014 VOL. 34 PAGE 14**

Joe Gray, Sopers Mill Road

Andy Titus, 17 Lamplighter Circle

**VI. Unfinished Business - None**

**VII. New Business**

**1. Order 19-03032014**

Authorizing the City Manager to transfer funds \$35,000 from the "Parking Permit Fees" revenue account to purchase a Parking Enforcement vehicle with detailing equipment.

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

After much debate Councilor Hayes made a motion to move the question. Motion failed 2-4 (Gerry, LaFontaine, Lee, and Walker opposed).

Passage of the original order as presented, 4-3 (Councilors Walker, Gerry, and Crowley opposed). A roll call vote was taken.

**2. Ordinance 02-03032014**

Adopting the newly proposed ward maps and descriptions. First reading.

Motion was made by Councilor Walker and seconded by Councilor Hayes to adopt the newly proposed ward maps (that were originally presented at the 2/20/2014 workshop) and descriptions as presented.

Motion was made by Councilor Lee and seconded by Councilor Crowley to postpone to a date uncertain. Motion to postpone this item failed 3-4 (Councilors Gerry, Young, Walker and Hayes opposed).

Public comment Tegan Lake, South Main Street  
Eric Brakey, Pleasant Street

Passage of the first reading to adopt the newly proposed ward maps and descriptions as presented, 6-1 (Councilor Lee opposed).

**3. Resolve 03-03032014**

Authorizing the Auburn Water District to issue its bonds in the aggregate principal amount not to exceed \$1,000,000 to finance treatment to Lake Auburn.

Motion was made by Councilor LaFontaine and second by Councilor Walker to authorize the Auburn Water District to issue its bonds in the aggregate principal amount not to exceed \$1,000,000 to finance treatment to Lake Auburn.

**IN COUNCIL REGULAR MEETING MARCH 3, 2014 VOL. 34 PAGE 15**

Public comment no one from the public spoke, passage 6-0-1 (Councilor Lee abstained).

**VIII Open Session - Andy Titus, 17 Lamplighter Circle.**

**IX. Executive Session**

Discussion regarding labor negotiations (Public Services), pursuant to 1 M.R.S.A. §405(6)(D).

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry to enter into Executive Session. Passage 7-0, time 9:12 P.M.

The Mayor Pro Tem declared Council out of Executive Session at 9:39 P.M.

**X. Adjournment**

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to adjourn. Passage 6-0, Councilor Gerry was out of the room. Time 9:39 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

## IN COUNCIL REGULAR MEETING MARCH 17, 2014 VOL. 34 PAGE 16

Mayor LaBonté called the meeting to order at 7:10 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

Great Falls TV and Library Budget presentations carried over from the workshop followed by public comment. No one from the public spoke.

### VI. Consent Items\*

#### 21. Order 20-03172014\*

Approving the temporary sign request for Safe Voices for the Walk/Run to End Domestic Violence to be held on June 1, 2014.

#### 22. Order 21-03172014\*

Approving the temporary sign request for the Kora Shrine for the 2014 circus to be held in April.

#### 23. Order 22-03172014\*

Approving the temporary sign request for the Auburn Business Association for the Auburn Citizen of the Year signs.

#### 24. Order 23-03172014\*

Approving the new retirement plan for the Firefighters that was approved as part of the collective bargaining agreement.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to approve the consent items as presented. Passage 6-1 (Councilor Crowley opposed).

### II. Minutes

- March 3, 2014 Regular Council Meeting

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley to approve the minutes of March 3, 2014.

### III. Reports

#### Reports

**Mayor's Report** – no report

**City Councilors' Reports** – Councilor Crowley reported.

#### City Manager Report

- EMS (Emergency Management Service) update
- Review of the costs for privatization of Assessment Services
- Transportation Center

#### Finance Director, Jill Eastman

- February 2014 Monthly Finance Report

## IN COUNCIL REGULAR MEETING MARCH 17, 2014 VOL. 34 PAGE 17

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley to accept and place on file the February 2014 monthly finance report as presented. Passage 7-0.

**IV. Communications, Presentations and Recognitions**

- Recognition – Mike Lecompte
- Proclamation – Women’s History Month
- Proclamation – Boy’s and Girl’s Club Week in Auburn (March 23-29, 2014)

V. Open Session – Larry Pelletier-129 Second Street, Joe Gray-Sopers Mill Road

VI. Unfinished Business

**1. Ordinance 02-03172014**

Adopting the newly proposed ward maps and descriptions. Public hearing and second reading.

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

Public hearing – no one from the public spoke.

Motion was made by Councilor Lee to postpone this item until June of 2015. No one seconded the motion so the motion failed.

Motion was made by Councilor Crowley and seconded by Councilor LaFontaine to amend by adding an effective date of July 1, 2015. Passage 6-1 (Councilor Gerry opposed).

Passage of the order as amended, adopting the newly proposed ward maps and descriptions with an effective date of July 1, 2015, 7-0. A roll call vote was taken.

VII. New Business

**1. Order 24-03172014**

Authorizing the City Manager to sign the lease agreement for the PAL Center building located at 24 Chestnut Street.

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry to postpone to date uncertain. Passage 6-1 (Councilor Lee opposed).

**2. Resolve 04-03172014**

Supporting the hotel train service between Montreal and Boston which would pass through Auburn.

**IN COUNCIL REGULAR MEETING MARCH 17, 2014 VOL. 34 PAGE 18**

Motion was made by Councilor Hayes and seconded by Councilor LaFontaine authorizing Mayor LaBonté to draft and send a letter of support for the establishment of a Hotel Train service that would pass through Auburn. Passage 7-0.

**3. Order 25-03172014**

Appointing Renee LaChapelle as Interim Tax Assessor from 3/16/2014 to 6/30/2014.

Motion was made by Councilor Crowley and seconded by Councilor Walker. Passage 5-1-1 (Councilor Gerry opposed, Councilor Lee abstained).

**VIII. Executive Session**

- Discussion regarding a personnel matter (City Manager’s review), pursuant to 1 M.R.S.A. §405(6)(A).

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes. Passage 6-1 (Councilor Walker opposed), time 8:39 P.M.

The Mayor declared Council out of executive session at 8:59 P.M.

- Discussion regarding a personnel matter (Norway Savings Bank Arena Management), pursuant to 1 M.R.S.A. §405(6)(A). This item will be discussed at the March 31, 2014 workshop.

**IX. Open Session – Joe Gray-Sopers Mill Road, Andy Titus-Lamplighter Circle**

- **X. Adjournment** – Motion was made by Councilor Crowley and seconded by Councilor LaFontaine to adjourn, with Council unanimously in favor, time 9:09 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

**IN COUNCIL SPECIAL MEETING MARCH 20, 2014 VOL. 34 PAGE 19**

A workshop was held to go over budget presentations (Planning and Permitting, community Development Block Grant (CDBG) which also included an update on the Citizen Participation Plan and Curb Appeal update, Economic Development, followed by public comment.

Mayor LaBonté called the meeting to order at 7:07 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Councilors LaFontaine, Crowley, and Gerry had excused absences. All other Councilors were present.

**I. New Business**

**1. Capital Improvement Plan (CIP) Presentation and Public Hearing**

No one from the Public Spoke.

Workshop discussions followed and the School Committee presented their budget to Council which was followed by public comment.

**II. Adjournment – 9:27 P.M.**

A True Copy.

ATTEST \_\_\_\_\_  
Alison Pepin, Deputy City Clerk

**IN COUNCIL REGULAR MEETING APRIL 7, 2014 VOL. 34 PAGE 20**

Mayor LaBonté called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

**III. Consent Items\***

**29. Order 26-04072014\***

Appointing Election Clerks from May 1, 2014 through April 30, 2016.

**30. Order 27-04072014\***

Setting the date for the School Budget Validation Referendum Election for June 10, 2014.

**31. Order 28-04072014\***

Setting the date for the Special Municipal Election to fill the vacant Ward 1 School Committee seat for August 12, 2014.

**32. Order 29-04072014\***

Appointing Richard Trafton to the Lewiston Auburn Railroad Company for a term of 3 years from April 2014 through April 2017.

Per Council request, item #4, Order 29-04072014\* was moved under New Business as the first item.

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry for passage of consent item numbers 1 through 3 as presented. Passage 7-0.

**II. Minutes**

March 17, 2014 Regular Council Meeting

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to accept the minutes of March 17, 2014 as presented. Passage 7-0.

March 20, 2014 Special Joint Meeting (City Council and School Committee).

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to accept the minutes of March 17, 2014 as presented. Passage 5-0-2 (Councilors Crowley and Gerry abstained as they were not present for this meeting).

**III. Reports**

**Mayor's Report** – The Mayor reported and gave a slide show presentation on Economic Development and the transportation system in Lewiston/Auburn.

**City Manager's Report**

- Public Services FY 14 Budget Status
- Recreation and Special Events Advisory Board Memo

**IN COUNCIL REGULAR MEETING APRIL 7, 2014 VOL. 34 PAGE 21**

**City Committee Reports** – Councilors Lee, Gerry, Hayes, LaFontaine, Young, and Crowley reported.

**Councilor Reports-** Councilor Crowley reported.

**IV. Communications, Presentations and Recognitions**

- Proclamation - National Distracted Driving Enforcement Campaign
- Proclamation – Housing

**V. Open Session**

Larry Pelletier, 129 Second Street; Ron Potvin, 82 Northern Avenue; Bonnie Rousseau, 45 Reginald Street; Norman Rousseau, Lewiston resident; Joe Gray Sopers Mill Road.

VI. Unfinished Business - None

VII. New Business

**Order 29-04072014 (was removed from the Consent Agenda to New Business)**

Appointing Richard Trafton to the Lewiston Auburn Railroad Company for a term of 3 years from April 2014 through April 2017.

Motion was made by Councilor Lee and seconded by Councilor LaFontaine to appoint Richard Trafton to the Lewiston Auburn Railroad Company for a term of 3 years from April 2014 through April 2017.

Public comment – Joe Gray, Sopers Mill Road

Passage 7-0.

**2. Order 30-04072014**

Approving the liquor license for Twin Cities Group, Inc., DBA The Munroe Inn located at 123 Pleasant Street, Auburn, Maine. Public hearing.

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry to approve the liquor license for Twin Cities Group, Inc., DBA The Munroe Inn located at 123 Pleasant Street.

Public hearing - Olga Dolgicer (owner) spoke.

Passage 7-0

**3. Public Hearing**

Community Development Block Grant Budget.

**IN COUNCIL REGULAR MEETING APRIL 7, 2014 VOL. 34 PAGE 22**

Joe Gray, Sopers Mill Road; Bettyann Sheats, Waterview Drive.

**4. Order 31-04072014**

Adopting the Citizen Participation plan as recommended by the Community Development Director.

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

Motion was made by Councilor Lee and seconded by Councilor Crowley to amend the language on page 4 to read “at least one person of minority race or ethnic background” instead of “a person of minority race or ethnic background” to avoid the conception that we are recruiting only one person of minority race or ethnic background.

Passage of the amendment 7-0.

Passage of Order 31-04072014 as amended 7-0.

**5. Resolve 05-04072014**

Expressing Councils support for the Maine Emergency Management Agency (MEMA) in its advocacy for an amendment to the FEMA storm policy.

Motion was made by Councilor Lafontaine and seconded by Councilor Walker. Passage 7-0.

**VIII. Executive Session – None**

**IX. Open Session - Dave Sawicki, 707 Lake Shore Drive; Joe Gray, Sopers Mill Road.**

**X. Adjournment**

Motion was made by Councilor LaFontaine and seconded by Councilor Walker with a unanimous vote to adjourn. Time 8:51 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

**IN COUNCIL REGULAR MEETING APRIL 22, 2014 VOL. 34 PAGE 23**

Mayor LaBonté called the meeting to order at 7:09 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

**VII. Consent Items\***

**6. Order 32-04222014\***

Approving the temporary sign request for Park Avenue Elementary School's May Fair.

**7. Order 33-04222014\***

Approving the temporary sign request for United Way.

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

**II. Minutes**

- April 7, 2014 Regular Council Meeting

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to approve the minutes of April 7, 2014 as presented. Passage 7-0.

**III. Reports**

**Reports**

**Mayor's Report** – no report

**City Councilors' Reports** – Councilors Crowley, Walker, and LaFontaine reported.

**City Manager Report**

- Update on Budget Conversations schedules

**Finance Director, Jill Eastman**

- March 2014 Monthly Finance Report

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry to accept and place on file the March 2014 monthly finance report as presented.  
Passage 7-0.

**IV. Communications, Presentations and Recognitions**

- Proclamation – Sexual Assault Awareness Month

- Recognition - St. Dominic Academy Middle School Hockey Team – Winners of the Southern Maine Middle School Soule Division Championship
- Recognition – Tammie Willoughby, the 2014 Auburn Spirit of America Foundation Award recipient.

**IN COUNCIL REGULAR MEETING APRIL 22, 2014 VOL. 34 PAGE 24**

V. Open Session – Larry Pelletier-129 Second Street on revenue sharing, Donna Rowell-95 Monroe Street in support of the Fire based EMS transport, Adam Hill-Danville line in Auburn on meditation.

VI. Unfinished Business - None

VII. New Business

**1. Order 34-04222014**

Authorizing the City Manager to expend an additional amount up \$150,000 (from TIF revenue) for the Transportation Center to be built on Spring Street.

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

Motion was made by Councilor Lee and seconded by Councilor Crowley to postpone this item for two weeks (the meeting of May 5, 2014).

Passage 6-1 (Councilor Walker opposed).

**2. Order 35-04222014**

Approving the Special Amusement permit for Parbaritan, LLC, DBA Naral’s located at 34 Court Street. Public hearing.

Motion was made by Councilor Lafontaine and seconded by Councilor Walker to approve the Special Amusement permit for Parbaritan, LLC, DBA Naral’s located at 34 Court Street as presented.

Public hearing – Chief Phil Crowell

Passage 7-0.

**3. Order 36-04222014**

Appointing board and committee members as nominated by either the Mayor or Appointment Committee. Council may enter into executive session, pursuant to 1 M.R.S.A. §405(6)(A).

Motion was made by Councilor Gerry and seconded by Councilor LaFontaine for passage of Option 1 of the two orders presented appointing board and committee members as nominated by either the Mayor or Appointment Committee.

Public comment – none, passage 5-2 (Councilors Crowley and Walker opposed).

**VIII. Executive Session**

- Discussion regarding economic development, pursuant to 1 M.R.S.A. §405(6)(C).

**IN COUNCIL REGULAR MEETING APRIL 22, 2014 VOL. 34 PAGE 25**

Postponed until the City Council Workshop of Monday 4/28/2014.

**IX. Open Session** – Bonnie Rousseau, 45 Reginald Street – Neighborhood crime watch

**X. Adjournment** – Motion was made by Councilor LaFontaine and seconded by Councilor Walker to adjourn, with Council unanimously in favor, time 8:03 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

**IN COUNCIL REGULAR MEETING MAY 5, 2014 VOL. 34 PAGE 26**

Mayor LaBonté called the meeting to order at 7:07 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

**IV. Consent Items\* - NONE**

**II. Minutes**

April 22, 2014 Regular Council Meeting

Motion was made by Councilor Crowley and seconded by Councilor LaFontaine to accept the minutes of April 22, 2014 with the addition of the subject for each person who spoke during the open session. Passage 7-0.

**III. Reports**

**Mayor's Report** – No report

**City Manager's Report**

- Business licensing – pre-packaged foods

**City Committee Reports** – Councilor Crowley will provide a written report in a follow up packet.

**Councilor Reports-** Councilor Crowley reported.

**IV. Communications, Presentations and Recognitions**

- Recognition - Central Maine Community College Women's Basketball Team
- Recognition - Central Maine Community College Men's Basketball Team

**V. Open Session**

- Robert Spencer, 79 year resident of Auburn – possible donation of land for a new high school
- Joe Gray, Sopers Mill Road – business licensing on pre packaged foods
- Bettyann Sheats – Flag retirement ceremonies throughout the city for damaged flags
- Diana Sanzone – supports the Auburn Fire Department proposal on EMS transport

**VI. Unfinished Business**

**4. Order 34-04222014**

Authorizing the City Manager to expend an additional amount up \$150,000 (from TIF

revenue) for the Transportation Center to be built on Spring Street.

## **IN COUNCIL REGULAR MEETING MAY 5, 2014 VOL. 34 PAGE 27**

Motion was made by Councilor Crowley and seconded by Councilor Walker to postpone this item until the June 2, 2014 meeting. Passage 6-1 (Councilor Gerry opposed).

Motion was made by Councilor Hayes and seconded by Councilor LaFontaine to take out of order item number 6 and place it as the first item under new business. Passage 7-0.

### **VII. New Business**

#### **5. Order 40-05052014**

Approving to vacate the paper street known as Foss Street.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker approving to vacate the paper street known as Foss Street.

Public comment – none, Councilor Crowley requested the manager provide an update when this has been recorded with the Registry of Deeds. Passage 7-0.

#### **6. Public Hearing - Municipal Budget**

##### **Resolve 06-05052014**

Draft Annual Appropriation

Motion was made by Councilor LaFontaine and seconded by Councilor Walker on resolve 06-05052014.

Public hearing;

Dan Herrick, 470 Hatch Road – City cell phones, credit cards, percentage of the City Manager's pay that comes out of the TIF, firefighter physicals, negotiations.

Nancy Greene, Granite St-Supports recycling.

Dave Sawicki, Lake Shore Drive-School and City Health care costs, fringe benefits.

Dennis Bergeron, Dexter Avenue-Supports recycling, budget concerns, road service maintenance not adequate, building maintenance in school budget missing, supports the City Managers original budget.

Doris Bonneau, 85 West Auburn Road-Supports the school budget and Library budget.

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley to accept the Annual Appropriation resolve (amendments) as presented by the City Manager with a reduction of expenditures by \$167, 604 with additional revenue stated of \$1,134,271 with a net change of a reduction of \$1,301,875 which equates to a total tax increase of 1.22% with School, City, and County combined.

## **IN COUNCIL REGULAR MEETING MAY 5, 2014 VOL. 34 PAGE 28**

Motion was made by Councilor Hayes and seconded by Councilor Young striking the EMS implementation items pending Council deliberation on the item later in the meeting. Passage 6-0-1 (Councilor Lee abstained).

Motion was made by Councilor Crowley and seconded by Councilor Walker to postpone

until May 19<sup>th</sup> meeting. Motion failed 3-4 (Councilors Lee, Young, Hayes, and LaFontaine opposed).

Councilor Crowley moved the question on the amendment to the motion. Mayor LaBonté ruled the question out of order seeing Council was willing to debate.

Motion on the amendment to the budget Resolve failed 2-5 (Councilors Crowley, Hayes, Lee, Walker, and Gerry all opposed).

Motion was made by Councilor Walker and seconded to Councilor Crowley to postpone until May 19. Passage 6-1 (Councilor LaFontaine opposed).

**7. Order 37-05052014**

Adopting the Community Development Block Grant Budget for FFY14.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to adopt the Community Development Block Grant Budget for Federal Fiscal Year 2014 (Order 37-05052014).

Public comment – no one from the public spoke. Passage 6-1 (Councilor Crowley opposed).

**8. Order 38-05052014**

Adopting the School Budget for Fiscal Year 2015.

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

Public comment;

Jaime Thibodeau, 256 Beech Hill Road in support of the school budget.

Joe Gray, Sopers Mill Road with a question on one of the figures listed on the Resolve (line 17 under crossing guards had a typing error).

Motion was made by Councilor Young and seconded by Councilor Lee to postpone this item until the May 19, 2014 meeting. Passage 7-0.

**9. Order 39-05052014**

Approving the Auburn Fire Department based Emergency Medical Services (EMS) transport services.

**IN COUNCIL REGULAR MEETING MAY 5, 2014 VOL. 34 PAGE 29**

Motion was made by Councilor LaFontaine and seconded by Councilor Walker on Order 39-05052014 approving the Auburn Fire Department based Emergency Medical Services transport services.

Public comment;

Sherry, 40 Damy Drive - supports EMS transport,

Larry Pelletier, 129 Second Street – supports EMS transport

Mike McKay, resident of Calais Maine but spends much of his time in Auburn - supports Fire based EMS transport.

Dan Herrick, 470 Hatch Road - does not support EMS transport, concerns with 24 hour shifts.

Joe Gray, Sopers Mill Road – stated the City should not rush into the EMS transport, discussed Firefighters base pay and take home pay that was provided in the budget packet,

and also stated the City should have a professional negotiator.  
Wayne Werts, 556 Pownal Road – supports EMS transport.  
Seth Robbins, 1606 Minot Avenue - supports EMS transport.  
Frank Roma, West Shore Road (Fire Chief) – he is always available to the public and anyone who would like to express concerns or suggestions regarding the Fire Department. He stated that the City has an excellent Fire Department serving this community.

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

**VIII. Executive Session** – None

**IX. Open Session** – No one from the public spoke.

**X. Adjournment**

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley with a unanimous vote to adjourn. Time 9:13 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

**IN COUNCIL REGULAR MEETING MAY 19, 2014 VOL. 34 PAGE 30**

Mayor LaBonté called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

**VIII. Consent Items\***

**8. Order 41-05192014\***

Setting the time to open the polls for the June 10, 2014 Election.

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

**II. Minutes**

- May 5, 2014 Regular Council Meeting

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to approve the minutes of May 5, 2014 as presented. Passage 7-0.

**III. Reports**

**Reports**

**Mayor's Report** – Reported

**City Councilors' Reports** – Councilors Young, Crowley, Hayes, and Gerry reported.

**City Manager Report**

- New Auburn Little League
- Athletic Fields Assessment

**Finance Director, Jill Eastman**

- April 2014 Monthly Finance Report

Motion was made by Councilor Crowley and seconded by Councilor Gerry to accept and place on file the April 2014 monthly finance report as presented.  
Passage 7-0.

**IV. Communications, Presentations and Recognitions**

- Proclamation – Maine Arbor Week May 18 – 24, 2014

- V. Open Session – Katy Grondin, Superintendant of the Auburn School Department on Bring a Veteran to School Day and the plant sale at the Edward Little High School greenhouse; Bob Spencer, Auburn resident regarding possible land donation.

**Motion was made by Councilor LaFontaine and seconded by Councilor Lee to take item number three under new business (Ordinance 03-05192014) out of order and placing it before unfinished business. Passage 5-2 (Councilors Crowley and Walker opposed).**

- 10. Ordinance 03-05192014 (item #3 under new business that was taken out of order)**  
Approving the zoning text amendment to the Agricultural and Resource Protection Zone (ZOMA 1180-2013). First reading.

**IN COUNCIL REGULAR MEETING MAY 19, 2014 VOL. 34 PAGE 31**

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

Public comment-no one from the public spoke. Motion failed 2-5 (Councilors Hayes, LaFontaine, Lee, Young, and Crowley opposed). A roll call vote was taken.

**VI. Unfinished Business**

- 11. Order 38-05052014**  
Adopting the School Budget for Fiscal Year 2015.

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

Public Comment-no one from the public spoke. Passage 5-2 (Councilors Walker and Gerry opposed). A roll call vote was taken.

- 12. Resolve 06-05052014**  
Adopting the Appropriations Resolve for Fiscal Year 2015, First reading.

Motion was made by Councilor Lee and seconded by Councilor Hayes to take this item off the table (this item was postponed at the 5/5/2014 meeting). Passage 7-0.

Motion was made by Councilor LaFontaine and seconded by Councilor Lee to adopt the Resolve (06-05052014).

Motion was made by Councilor Crowley and seconded by Councilor Gerry to amend that no final vote on the budget be taken by the City Council until there is a single published document on each department's budget amount that be made available to the public. The Mayor ruled that out of order as it does not directly pertain to the budget document in front of Council. Councilor Gerry requested a vote. Mayor LaBonté called for a vote of the Council on whether or not to accept this as an appropriate amendment to the City budget. Failed 3-4 (LaFontaine, Hayes, Young, Lee in opposition).

Motion was made by Councilor Lee and seconded by Councilor LaFontaine to amend the

resolve in respect to amendment number 2 in the packet to amend the Department of Fire by decreasing expenditures by \$73,000 to fire operations; Amend the Parking Program of the City and Police Budget to initiate greater use of revenues by \$55,000 and institute a non-sworn model for parking enforcement; Amend Police Department Budget to eliminate the shared funding with Lewiston for Animal Control decreasing expenses by \$15,142; Amend the Vehicle Purchases for the Police department to only one new cruiser purchased in this budget, decreasing expenses by \$94,000; Amend the Police Department to delay purchases of special equipment (radar) decreasing expenses by \$49,500; Amend Police Department revenues to utilize \$45,000 of federal drug seizure money.

Passage 6-1 (Councilor Walker opposed).

Motion was made by Councilor Crowley and seconded by Councilor Walker (Councilor Crowley's amendment document item #54) that FY2015 budget amount for the Fire

### **IN COUNCIL REGULAR MEETING MAY 19, 2014 VOL. 34 PAGE 32**

Department not exceed \$4,010,133.00. Motion failed 3-4 (Councilors Hayes, LaFontaine, Lee, and Young opposed).

Motion was made by Councilor Lee and seconded by Councilor LaFontaine to amend the resolve in respect to amendment number 3 in the packet to amend the Department of Finance, Administration Program to reduce training by \$500; Amend the Revenues of the City of Auburn, Department of Finance, to increase revenues by \$5,000 for new required fees for lien fillings at Androscoggin County registry of deeds; Amend the Department of City Clerk to decrease expenditures by \$23,946 eliminating the switchboard information position; Amend the Department of City clerk to decrease expenditures by \$5,650 to reduce training, mileage reimbursement, office supplies, and records restoration; Amend Health and Social Services to last year's funding level a decrease of expenditures of \$38,399 (this does intentionally under budget but per statute overages are allowed); Amend Fringe Benefits for Medical consulting to decrease expenditures by \$30,000; this sustains investing in a medical consultant at a reduced rate that will yield long-term health savings; Amend the ICT budget to decrease expenditures by \$4,500 to eliminate Council laptop initiative; Amend the Library budget to reduce annual expenditures by \$12,846; Amend Public Services Budget to reduce operating expenditures by \$99,300, leaving money in the budget for spring clean up, herbicide program and mowing at Oak Hill Cemetery; Amend the Revenues from Recreation Program Fund to increase by \$41,720 to fund the cost of the recreation program leader from program income.

Motion was made by Councilor Lee and seconded by Councilor LaFontaine to amend the amendment by striking the reduction in the Library budget and the elimination of the Switchboard position. Passage 4-3 (Councilors Walker, Gerry, and Hayes opposed).

Motion was made by Councilor Gerry and seconded by Councilor Walker to strike the last line of the amendment that states "Amend the revenues from Recreation Program Fund to increase by \$41,720 to fund the cost of the recreation program leader from program income". Motion failed 2-5 (Councilors Hayes, LaFontaine, Lee, Young, and Crowley opposed).

Motion was made by Councilor Crowley to amend (Councilor Crowley's amendment document item #69) that the FY2014 budget be amended so the expenditures for Public Services be \$5,598,179 plus any monies added for a city wide recycling program. The Mayor called the motion out of order as it may conflict with the Public Services budget amendment that is already included in the amendment.

Passage of amendment #3 that was included in the packet, as amended, 5-2 (Councilors

Gerry and Walker opposed).

Motion was made by Councilor Crowley (Councilor Crowley's amendment document item #69) that the budget be amended so the expenditures for Public Services be \$5,598,179 plus any monies added for a city wide recycling program. The Mayor called that motion out of order and asked for a specific final number to be referenced to add to the appropriation resolve.

### **IN COUNCIL REGULAR MEETING MAY 19, 2014 VOL. 34 PAGE 33**

Motion was made by Councilor Crowley and seconded by Councilor Walker to set the bottom line of expenditures for Public Services to be \$5,700,179. Motion fails 3-4 (Councilors Young, Hayes, LaFontaine, and Lee opposed).

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley to amend the resolve in respect to amendment number 1 to amend the Department of Fire to expand into the program of EMS transport by increasing expenditures by \$720,468 to implement EMS transport and increase revenue by \$987,551 for EMS transport collections.

Motion was made by Councilor Crowley and seconded by Councilor Gerry to amend the amendment by striking \$85,000 for funding the Deputy Chief position bringing the total increase of expenditures to \$635,468. Passage 4-2-1 (Councilors Walker and Hayes opposed, and Councilor Lee abstained).

Passage of amendment #1 in packet as amended, 6-0-1 (Councilor Lee abstained).

Motion was made by Councilor Lee and seconded by Councilor LaFontaine to amend the resolve in respect to amendment number 4 in the packet to amend the following intergovernmental departments as follows: reduce Airport by \$8,750, reduce LATC by \$1,648 and reduce LA911 by \$12,535. Passage 5-0-2 (Councilors Walker and Gerry abstained).

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to amend the resolve in respect to amendment number 5 in the packet amending that all City Departments decreasing expenditures by \$335,000 for staff reductions, attrition, or retirements to be implemented by the City Manager. Motion failed 3-4 (Councilors LaFontaine, Lee, Walker, and Gerry opposed).

Motion was made by Councilor Lee and seconded by Councilor LaFontaine to amend that all City Departments decreasing expenditures by \$178,000 for staff reductions, attrition, or retirements to be implemented by the City Manager. Passage 5-2 (Councilors Walker and Gerry opposed).

Motion was made by Councilor Crowley to amend by decreasing all outside funding by the same percentage for personnel costs as done for City employees. The Mayor asked for a specific number at the second reading.

Motion was made by Councilor Lee and seconded by Councilor Hayes to amend the resolve in respect to amendment number 6 in the packet amending the Department of Public Services, Environmental Program to increase expenditures by \$102,000 to sustain and expand curbside recycling; and further amended to state that it is the policy of the City of Auburn to implement a curbside (striking the word "automated") recycling and solid waste program with a City Ordinance of solid waste and recycling no later than June 30<sup>th</sup>, 2015. Passage 5-2 (Councilors Gerry and Walker opposed)

Motion was made by Councilor Crowley and seconded by Councilor Gerry (Councilor Crowley's amendment document item #88) that the FY2015 budget amount for expenditures for the LAEGC be the FY2014 amount reduced by \$27,564 and that no

**IN COUNCIL REGULAR MEETING MAY 19, 2014 VOL. 34 PAGE 34**

funds be distributed until there is a signed contract for services with the City of Auburn; for each month, or part thereof, that the contract is delayed, the total contract amount due will be reduced by one-twelfth of the total contract amount. Motion failed 3-4 (Councilors Hayes, LaFontaine, Lee, and Young opposed).

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to amend the resolve in respect to amendment number 7 in the packet to amend the operational CIP requested items to decrease expenditures by \$187,427, leaving a total of \$165,863. Passage 7-0.

Motion was made by Councilor Crowley (Councilor Crowley's amendment document item #94) that all city services used by the Norway Arena be charged out at the overtime rate for that person or machine. It is not reasonable to expect the municipal side to pay overtime when work is being done for the business. The Mayor called the motion out of order without a specific expenditure amount.

Motion was made by Councilor Crowley and seconded by Councilor Gerry (Councilor Crowley's amendment document item #82) that the FY2015 budget amount for County Taxes be \$2,046,880 and that at least \$800,000 of this amount not be distributed until the City of Auburn gets a satisfactory solution to the unfair cost allocation to Auburn for dispatch services. The Mayor said he will not recognize the motion as it would violate State law.

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley to amend the resolve in respect to amendment number 8 in the packet to amend the FY 2015 Appropriation Resolve to include the following statements: the FY15 budget implements up to a 2% COLA for employees. The City Manager is authorized to update the 2007 Pay Scales for the City of Auburn by the CPI-U for each year through 2014. Passage 7-0.

Motion was made by Councilor Crowley and seconded by Councilor Walker (Councilor Crowley's amendment document item #86) that the reference to LA Arts in the budget be struck and replaced with Arts and Culture allowing those funds to be reserved for Arts and Culture projects in Auburn and not restricted to LA Arts. Passage 5-2 (Councilors Lee and LaFontaine opposed).

Public comment; Gary Simard, Cook Street, Auburn – Concerns with the Quint option for the Fire Department.

Passage of the appropriation resolve 06-05052014 as amended, 4-3 (Councilors Walker, Gerry, Crowley opposed). A roll call vote was taken.

VII. New Business - Ordinance 03-05192014 was taken out of order as the first item before unfinished business.

**VIII. Open Session – the last open session was taken out of order and placed before the Executive Session.** Gary Simard, Cook Street regarding what he considered inappropriate remarks made by a previous City Councilor at the last Council meeting about city staff.

**IN COUNCIL REGULAR MEETING MAY 19, 2014 VOL. 34 PAGE 35**

**IX. Executive Session**

- Discussion regarding economic development (TIF), pursuant to 1 M.R.S.A. §405(6)(C).

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry to enter into Executive Session. Passage 6-1 (Councilor Crowley opposed). Time 9:08 P.M.

Council was declared out of Executive Session at 9:50 P.M.

- X. Adjournment** – Motion was made by Councilor Crowley and seconded by Councilor LaFontaine to adjourn, with all Councilors present in favor (Councilor Gerry was not in the room), time 9:50 P.M.

A True Copy.

ATTEST \_\_\_\_\_

Susan Clements-Dallaire, City Clerk

**IN COUNCIL REGULAR MEETING JUNE 2, 2014 VOL. 34 PAGE 36**

Mayor LaBonté called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Councilor Crowley had an excused absence. All other Councilors were present.

**V. Consent Items\***

Item number one was moved from the consent agenda and placed under new business. A motion was made by Councilor LaFontaine and seconded by Councilor Walker to accept consent item #2 as presented. Passage 6-0.

**1. Order 42-06022014\***

Nominating Jonathan LaBonté and appointing City Manager Clint Deschene as the MMA LPC (Maine Municipal Association's Legislative Policy Committee) members for the 2014-2016 term.

**2. Order 43-06022014\***

Accepting the transfer of Forfeiture Asset (William Tardif).

**II. Minutes**

May 19, 2014 Regular Council Meeting.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to accept the minutes of May 19, 2014 as presented. Passage 6-0.

**III. Reports**

**Mayor's Report** – reported on Blackstone start up weekend in the Lewiston-Auburn area.

**City Manager's Report**

- Edward Little Statue Update
- FY15 Budget Impact Update
- Future of Downtown Auburn, (form based code)-Alan Manoian

**City Committee Reports** – Councilor LaFontaine reported (Library), Councilor Hayes reported (Railroad), Councilor Gerry reported (LATC, and the ELHS plant sale), and Councilor Young

reported (Great Falls TV).

**IV. Communications, Presentations and Recognitions**

- Communication – The Liberty Festival Mass Gathering application – this item will be placed on the June 16, 2014 agenda for a public hearing and action.

**V. Open Session**

- Melissa Dunn, tenant organizer for the Neighborhood Housing League in Lewiston, Howa Abdil, resident of Auburn delivered a message from a tenant in Auburn regarding living conditions.

**IN COUNCIL REGULAR MEETING JUNE 2, 2014 VOL. 34 PAGE 37**

- Peter Rubins and Jarrod Lussier of Grow LA and Androscoggin River task force on upgrading the use of the Androscoggin River for recreational and aesthetic purposes.
- Jim Tierney, Drummond Street on crossing at walkways, pedestrian right of ways, and wanted to encourage planting fruit and nut trees, Whitewater Park that Westbrook is establishing.

**VI. Unfinished Business**

**13. Ordinance 03-05192014**

Approving the zoning text amendment to the Agricultural and Resource Protection Zone (ZOMA 1180-2013). Public hearing and second reading.

Motion was made by Councilor Lee and second by Councilor LaFontaine on approving the zoning text amendment to the Agricultural and Resource Protection Zone (ZOMA 1180-2013).

Public hearing - no one from the public spoke, the motion failed 0-6 with all Councilors present opposed. A roll call vote was taken.

**14. Resolve 06-05052014**

Adopting the Appropriations Resolve for Fiscal Year 2015, second reading.

Motion was made by Councilor LaFontaine and seconded by Councilor Lee who clarified that the motion was made without the two enterprise accounts that were included in the packet.

Motion was made by Councilor LaFontaine and seconded by Councilor Lee to amend by adding the two enterprise accounts included in packet (Norway Arena, and Ingersoll Arena as provided in the agenda packet). Passage 6-0.

Motion by Councilor Gerry and seconded by Councilor Walker to reduce the FY15 LATC budget by \$23,996 and use the \$23,996 funds saved toward other transport improvements in Auburn. Passage 5-1 (Councilor Hayes opposed).

Motion was made by Councilor Gerry and seconded by Councilor LaFontaine to amend FY15 Municipal budget to fund the 3 snowmobile clubs who operate in Auburn (Snow Gypsies, Andy Valley, and New Auburn Snowmobile Clubs) by reducing the other State aid line by \$3,000 and to create a new budget line in the amount of \$3,000 for snowmobile grant clubs to be used solely on projects in Auburn. Motion failed 3-4 (there was a tie vote 3-3 with Councilors LaFontaine, Hayes, and Lee opposed, and in accordance the City Charter, Article III, Section 3.3 the Mayor voted to break the tie vote, he voted in opposition).

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to amend the appropriations resolve to endorse the creation of the Deputy Chief  
**IN COUNCIL REGULAR MEETING JUNE 2, 2014 VOL. 34 PAGE 38**

position without the fiscal note. Passage 4-1-1 (Councilor Gerry opposed, and Councilor Lee abstained).

Motion was made by Councilor Walker and seconded by Councilor Gerry to amend the FY15 budget to allocate \$10,000 in FY15 to begin a four year effort to mark and have flags placed for all veteran graves in all public and private cemeteries in Auburn. Passage 6-0.

Public comment – Joe Gray Sopers Mill Road, on marking the veteran graves, the reduction of Animal Control and Auburn’s investment on the Animal Control Officers truck, the CPIU formula put in to curb expenses, and the snowmobile clubs; Larry Pelletier, 129 Second Street, student work at the cemeteries.

Motion was made by Councilor Lee and seconded by Councilor Gerry to postpone action on the second reading of the Appropriations resolve until the June 16, 2014 City Council meeting. Passage 6-0.

VII. New Business

**Consent item 42-06022014 that was moved under New Business**

Motion was made by Councilor LaFontaine and seconded by Councilor Lee to amend the order and appoint City Manager Clint Deschene as the MMA LPC (Maine Municipal Association’s Legislative Policy Committee) members for the 2014-2016 term (excluding the nomination of Jonathan LaBonte). Passage 5-0 (Councilor Walker was out of the room during the vote).

**15. Order 44-06022014**

Approving the liquor license for The Penalty Box. Public hearing.

Motion was made by Councilor Hayes and seconded by Councilor LaFontaine to approve the liquor license for The Penalty Box.

Public hearing - Kevin Pratt, owner responded to questions asked by Council.  
Passage 6-0.

**16. Ordinance 04-06022014**

Approving the Spring Street zoning amendment. Public hearing and first reading.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to approve the Spring Street zoning amendment as presented.

Public hearing - no one from the public spoke.  
Passage of the first reading 6-0. A roll call vote was taken.

**17. Resolve 07-05052014**

**IN COUNCIL REGULAR MEETING JUNE 2, 2014 VOL. 34 PAGE 39**

Supporting the Community Fundraising Campaign to acquire the historic 1915 Bells of St. Louis Church.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to support the Community fundraising campaign to acquire the historic 1915 bells of St. Louis Church.  
Public comment - no one from the public spoke. Passage 6-0.

**VIII. Executive Session**

- Discussion regarding economic development (TIF), pursuant to 1 M.R.S.A. 405(6)(C). **This was not needed and was removed from the agenda.**

**IX. Open Session** – Joe Gray, Sopers Mill Road in regards to comments made during the earlier open session on fruit and nut trees, pedestrian walk ways, and support for the Library.

**X. Adjournment**

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to adjourn. There were no objections. Time 8:50 P.M.

A True Copy.

ATTEST

\_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

**IN COUNCIL REGULAR MEETING JUNE 16, 2014 VOL. 34 PAGE 40**

Mayor LaBonté called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

**IX. Consent Items\***

**9. Order 45-06162014\***

Accepting the transfer of Forfeiture Asset (Darnell Robinson).

**10. Order 46-06162014\***

Accepting the transfer of Forfeiture Asset (Paul Robinson).

**11. Order 47-06162014\***

Setting the date for the Special Municipal Election to fill the vacant Ward 4 School Committee seat for November 4, 2014.

**12. Order 48-06162014\***

Appointment of Karen Scammon as the interim City Assessor.

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

**II. Minutes**

- June 2, 2014 Regular Council Meeting

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to approve the minutes of June 2, 2014 as presented. Passage 6-0-1 (Councilor Crowley abstained as she was not present for the meeting due to an excused absence).

**III. Reports**

**Reports**

**Mayor's Report** – Reported on possible development of the Great Falls Art Center Site (Community Little Theater).

**City Councilors' Reports** – Councilor LaFontaine reported on the Business to Business Trade Show and the School Budget passing, Councilor Walker reported on the Flag Day ceremony that was held at Mt. Auburn Cemetery, Councilor Gerry reported on the Business to Business Trade

Show, and Councilor Crowley reported on the Community Little Theater item, Decoration Day, Flag Day, Visiting hours at the Library, Auburn Community Band Concerts, and the Downtown Auburn Walk with Alan Manoian.

**City Manager Report** – Reported on Community Little Theater, the Business to Business Trade Show, the Joint Charter Commission recount, and provided an update on the Assessing Department.

**Finance Director, Jill Eastman**

**IN COUNCIL REGULAR MEETING JUNE 16, 2014 VOL. 34 PAGE 41**

- May 2014 Monthly Finance Report

Motion was made by Councilor Crowley and seconded by Councilor LaFontaine to accept and place on file the May 2014 monthly finance report as presented. Passage 7-0.

**IV. Communications, Presentations and Recognitions**

- Recognition was given to the Junior Youth of the Year and Youth of the Year from the Boys and Girls Club

V. Open Session – Joe Gray, Sopers Mill Road on recreation facilities, creating a walking trail with markers, and thanked staff involved in the “Adopt-A-Park” program.

VI. Unfinished Business

**18. Resolve 06-05052014**

Adopting the Appropriations Resolve for Fiscal Year 2015. Second reading.

Motion was made by Councilor LaFontaine and seconded by Councilor Lee to take Resolve 06-05052014 as included in the Council packet (which was postponed at the 6/2/2014 City Council Meeting) off table. Passage 7-0.

Motion was made by Councilor Lee and seconded by Councilor Crowley to amend by placing an immediate priority on implementing complete streets on targeted downtown streets, including, but not limited to, safe, highly visible crosswalks for pedestrians of all abilities, travel lanes of a width necessary for speed limits, bicycle lanes well marked for that use, on-street parking striped to a standard expected within our downtown development plans and that this targeted plan shall be assessed for completion where striping and/or signage in addition to proper law enforcement measures would allow its implementation. And that the plan for immediate implementation shall be brought to the Council for review within 30 days of final budget adoption, and that staff present its recommendation for funding out of existing sources, with CDBG, Downtown TIF and existing Public Services budgets as possible options. Passage 7-0.

Motion was made by Councilor Gerry and seconded by Councilor Crowley to amend by allocating \$3000 from other revenue into the recreation budget to be held as matching funds for snowmobile club grants as authorized by the City Manager or his designee. Passage 7-0.

Public comment – Joe Gray Sopers Mill Road, stated that the budget is based on fictitious numbers for revenues and based on assessments that are too high. Asked about the Library budget, and commented on the amendment on Veteran grave markers and flags; and Larry Pelletier, 129 Seventh Street expressed thanks to City staff and Council for working with the School Department this year in drafting a budget that the Citizens of Auburn agreed to.

**IN COUNCIL REGULAR MEETING JUNE 16, 2014 VOL. 34 PAGE 42**

Passage 5-2 (Councilors Gerry and Crowley opposed). A roll call vote was taken.

**19. Ordinance 04-06022014**

Approving the Spring Street zoning amendment. Public hearing and second reading.

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley.  
Public hearing - no one from the public spoke. Passage 7-0. A roll call vote was taken.

VII. New Business

**20. Order 49-06162014**

Approving the Mass Gathering permit for the 2014 Liberty Festival. Public hearing.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to approve the Mass Gathering permit for the 2014 Liberty Festival.  
Public hearing – no one from the public spoke. Passage 7-0.

**21. Order 50-06162014**

Adopting the FY2015 Capital Improvement Plan (CIP).

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

Public comment – Joe Gray Sopers Mill Road.

Motion was made by Councilor Crowley and seconded by Councilor Gerry to strike one million dollars from the School facility improvements and all public works capital improvement projects and to remove the Festival Plaza canopies. Motion failed 2-5 with Councilors Young, Hayes, LaFontaine, Lee, and Walker opposed.

Passage of Order 50-06162014 adopting the FY2015 Capital Improvement Plan (CIP) as presented. Passage 5-2 (Councilors Crowley and Gerry opposed). A roll call vote was taken.

**22. Resolve 08-06162014**

Supporting the Green and Healthy Homes Initiative.

Motion was made by Councilor LaFontaine and seconded by Councilor Lee to support the Green and Healthy Homes Initiative as presented.

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

**23. Order 51-06162014**

Approving the Joint Development Agreement with Hartt Transportation.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to approve the Joint Development Agreement with Hartt Transportation.

Public comment, Joe Gray Sopers Mill Road. Passage 7-0.

**IN COUNCIL REGULAR MEETING JUNE 16, 2014 VOL. 34 PAGE 43**

**24. Order 52-06162014**

Approving the two-year Memo of Understanding with Lewiston Auburn Economic Growth Council (LAEGC) and the City of Lewiston.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to approve the two-year Memo of Understanding with Lewiston Auburn Economic Growth Council (LAEGC) and the City of Lewiston. Public comment – no one from the public spoke.

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

**VIII. Open Session – the last open session was taken out of order and placed before the Executive Session.** No one from the public spoke.

**IX. Executive Session**

- Discussion regarding economic development (Industrial Park TIFS), pursuant to 1 M.R.S.A. §405(6)(C).

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to enter into Executive Session. Passage 5-2 (Councilors Crowley and Walker opposed). Time 8:29 P.M.

Council was declared out of Executive Session at 9:00 P.M.

- X. Adjournment** – Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to adjourn, with all Councilors present were in favor (Councilors Walker and Gerry were out of the room), time 9:01 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

**IN COUNCIL REGULAR MEETING JULY 7, 2014 VOL. 34 PAGE 44**

Mayor LaBonté called the meeting to order at 7:10 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

**VI. Consent Items\***

Item number five (Order 57-07072014\*) was moved from the consent agenda and placed under new business. A motion was made by Councilor LaFontaine and seconded by Councilor Hayes to accept consent item numbers 1 through 4 as presented. Passage 7-0.

**13. Order 53-07072014\***

Accepting the transfer of Forfeiture Asset (John Johnson).

**2. Order 54-07072014\***

Approving the Audit committee review recommendation to engage Runyon, Kersteen, Ouellette (RKO) in a 3 year contract for the Municipal, School and Airport annual audit.

**3. Order 55-07072014\***

Authorizing the City Manager to execute the necessary documentation granting an easement to the owners of 343 Minot Avenue for the use and maintenance of an existing driveway on adjacent City owned property.

**4. Order 56-07072014\***

Authorizing the City Manager and the Mayor to submit comments to FERC (Federal Energy and Regulatory Commission) in regards to the Lower Barker Hydroelectric Project.

**5. Order 57-07072014\***

Adopting the Community Development Block Grant Program Guidelines.

## II. Minutes

June 16, 2014 Regular Council Meeting.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to accept the minutes of June 16, 2014 as presented. Passage 7-0.

## III. Reports

**Mayor's Report** – reported on strengthening neighborhoods, complete streets implementation and bidding for services (School and City).

**City Manager's Report** – Assistant Manager Howard Kroll welcomed two city employees back from deployment. They are Fire Fighter Joshua Harris with the Maine Air National Guard who was deployed to the Middle East, and Police Officer Scott Laliberte with the Maine National Guard who was deployed to Afghanistan served in a combat zone for over a year.

### IN COUNCIL REGULAR MEETING JULY 7, 2014 VOL. 34 PAGE 45

**City Committee Reports** – Councilor Young reported (Knight House and Downing Shoe Shop), Councilor Crowley reported (Audit Committee, Recreation and Special

Events Advisory Board, Auburn Sewerage district, Auburn Water District, Lake Auburn Watershed Protection Committee, and gave her Ward 1 report), Councilor Gerry reported (Auburn Housing residents planted flowers, and the Transportation Center).

## IV. Communications, Presentations and Recognitions

- Fire Chief Frank Roma - Auburn Fire Department Matrix Presentation
- Norway Savings Bank Arena staff introductions (Timothy Holden and Jason Pacquin)

## V. Open Session

- Larry Pelletier, 129 Second Street on cleaning streets, litter, graffiti, update on resident Steve Martelli and his adventure hiking the Appalachian Trail.
- Curtis Webber, Whitney Street inquired about the status of the Community Forest Board and the Ordinance, and talked about trees that were cut in front of his home.
- Ron Beaulieu of Beaulieu Accountants, Portland, Maine regarding the audit bid.
- Andy Titus, 17 Lamplighter Circle regarding complete streets and ambulance service.
- Joe Gray, Sopers Mill Road regarding tax acquired properties and the purchasing policy.

## VI. Unfinished Business - None

## VII. New Business

### 1. Order 58-07072014

Appointing board and committee members as nominated by the Appointment Committee. Council may enter into executive session, pursuant to 1 M.R.S.A. §405(6)(A).

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to appoint the board and committee members as nominated by the Appointment Committee. Passage 7-0.

### 2. Order 59-07072014

Approving the Development Agreement with ABDC.

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry to approve

the development agreement with ABDC as presented.  
Public comment – no one from the public spoke. Passage 5-2 (Councilors Crowley and Gerry were opposed).

**3. Order 60-07072014**

**IN COUNCIL REGULAR MEETING JULY 7, 2014 VOL. 34 PAGE 46**

Reenacting the proposed amendments to Tax Increment Finance District #10 that were passed on 12/2/2013 as recommended by the Department of Economic and Community Development. Public hearing.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to reenact the proposed amendments to the Tax Increment Finance District #10 that were passed on 12/2/2013 as recommended by the Department of Economic and Community Development.

Public hearing – no one from the public spoke. Passage 6-1 (Councilor Gerry opposed).

**4. Order 61-07072014**

Authorizing issuance of general obligation bonds and a tax levy therefore. First reading.

Motion was made by Councilor LaFontaine and seconded by Councilor Lee to postpone this item to July 21, 2014. Passage 4-3 (Councilors Hayes, Young, and Walker opposed).

**Order 57-07072014\*** *This item was removed from the Consent Agenda*  
Adopting the Community Development Block Grant Program Guidelines.

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry to postpone this item until July 21, 2014. Passage 6-1 (Councilor Walker opposed).

**VIII. Executive Session - None**

**IX. Open Session**

- Joe Gray, Sopers Mill Road – when the Council discusses Tax Increment Financing (TIF), he would like it explained so it is easier for himself and people watching to have a better understanding. He also commented on the lack of information.
- Andy Titus, 17 Lamplighter Circle regarding the canopies for the plaza.

**X. Adjournment**

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley to adjourn. Passage 6-1 (Councilor Walker opposed). Time 9:20 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

**IN COUNCIL REGULAR MEETING JULY 21, 2014 VOL. 34 PAGE 47**

Mayor LaBonté called the meeting to order at 7:13 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Councilors Crowley and Young had excused absences. All other Councilors were present.

X. Consent Items\*

1. **Order 62-07212014\***

Accepting the conveyance of 7 acres of green space.

2. **Order 63-07212014\***

Setting the time to open the polls for the August 12, 2014 Special Municipal Election for the Ward 1 School Committee seat that is to be held at Washburn School for 7:00 A.M.

3. **Order 64-07212014\***

Casting votes for the Maine Municipal Association's Vice President and Executive Committee Members

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

II. Minutes

- July 7, 2014 Regular Council Meeting

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to approve the minutes of July 7, 2014 as presented. Passage 5-0.

III. Reports

Reports

**Mayor's Report** – Reported that the LA Veterans Council will be updating and rededicating the memorial plaque on the Veterans Memorial Bridge.

**City Councilors' Reports** – Councilor LaFontaine reported on upcoming events at the Auburn Public Library.

**City Manager Report** – Proposing changes to the September Meeting Dates; Bike-Ped Committee Expansion; Update on Route 4; Memorial Day report.

**Finance Director, Jill Eastman**

- June 2014 Monthly Finance Report

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to accept and place on file the June 2014 monthly finance report as presented. Passage 5-0.

IV. Communications, Presentations and Recognitions

**IN COUNCIL REGULAR MEETING JULY 21, 2014 VOL. 34 PAGE 48**

- National Night Out Proclamation
- Recognition – Citizens Fire Academy

V. Open Session – Larry Pelletier, 129 Second Street on complete Streets and restriping. He also thanked the Director of Public Services on working on cleaning streets, and addressing the graffiti issue; Joe Gray, Sopers Mill Road on complete streets and the comment on closing Academy Street.

VI. Unfinished Business

1. **Order 57-07072014**

Adopting the Community Development Block Grant Program Guidelines.

Motion was made by Councilor Gerry and seconded by Councilor Lee to postpone this item to the meeting of 8/04/2014. Passage 4-1 (Councilor Walker opposed).

2. **Order 61-07072014**

Authorizing issuance of General Obligation Bonds and a tax levy therefore. First reading. *Passage requires an affirmative vote of 5 Councilors.*

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry to postpone this item to the meeting of 8/04/2014. Passage 4-1 (Councilor Walker opposed).

VII. New Business

4. **Order 65-07212014**

Approving the funding of the Airport Hanger.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to approve the funding of the Airport Hanger.

Motion was made by Councilor Walker and seconded by Councilor Gerry to postpone action on this item until the final reading of the general obligation bonds. Motion to postpone failed 2-3 (Councilors LaFontaine, Hayes, and Lee opposed).

Public comment - no one from the public spoke.

The motion for Order 65-07212014 approving the funding of the Airport Hanger failed 3-2 (Councilors Walker and Gerry opposed). Four affirmative votes were needed for passage of the order. A roll call vote was taken.

VIII. **Open Session**

*The last open session was taken out of order and placed before the Executive Session.*

Glenn Dyer, Hatch Road, on the sale of City owned property.

**IN COUNCIL REGULAR MEETING JULY 21, 2014 VOL. 34 PAGE 49**

IX. **Executive Session**

- Discussion regarding labor negotiations (Public Services), pursuant to 1 M.R.S.A. Section 405(6)(D).

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to enter into executive session. Passage 5-0. Time 7:54 P.M.

Council was declared out of executive session at 8:23 P.M.

- Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development in which premature disclosure of the information would prejudice the competitive or bargaining position of the body or agency, pursuant to 1 M.R.S.A. Section 405(6)(C).

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to enter into executive session. Passage 4-0 (Councilor Gerry was not in the room during the vote). Time 8:24 P.M.

Council was declared out of executive session at 9:17 P.M.

**X. Adjournment** – The meeting adjourned at 9:17 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

**SPECIAL JOINT MEETING OF THE CITY COUNCIL AND SCHOOL DEPARTMENT JULY 23, 2014 VOL. 34 PAGE 50**

City Manager, Clint Deschene and School Superintendent Katy Grondin called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. School Committee members Tom Kendall, Larry Pelletier, Bonnie Hayes, Ron Potvin, and Laurie Tannenbaum were present. Councilors Tizz Crowley, Adam Lee, Mary LaFontaine, Bob Hayes, Leroy Walker, and Belinda Gerry were also present. Councilor Young and Mayor LaBonté had excused absences.

**I. Communications, Presentations, and Recognitions**

Katy Grondin gave an update on options and risk associated with securing property in advance of purchase.

**II. Open Session** – no one from the public spoke

**III. Executive Session**

Motion was made by Councilor Gerry and seconded by School Committee member Larry Pelletier to enter into executive session. Passage 10-1 (Councilor Crowley opposed). Time 7:13 P.M.

City Council and School Committee members were declared out of executive session at 9:00 P.M.

**II. Adjournment** – 9:00 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

**IN COUNCIL REGULAR MEETING AUGUST 4, 2014 VOL. 34 PAGE 51**

Mayor LaBonté called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

**VII. Consent Items**

Item number two (Order 67-08042014) was moved from the consent agenda and placed under new business. A motion was made by Councilor Hayes and seconded by Councilor LaFontaine to accept consent item number 1 as presented. Passage 7-0.

**5. Order 66-08042014**

Accepting the transfer of Forfeiture Asset (Kenneth Gardner).

**6. Order 67-08042014**

Approve changing the September regular City Council meeting dates from September 2 and September 15, 2014 to September 8 and September 22, 2014.

**II. Minutes**

July 21, 2014, 2014 Regular Council Meeting.

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley to accept the minutes of July 21, 2014 as presented. Passage 7-0.

July 23, 2014 Special Joint Meeting (City Council and School Department).

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley To accept the minutes of July 23, 2014 as presented. Passage 7-0.

**III. Reports**

**Mayor's Report** – reported on the date and time of the re-dedication of the Veterans Memorial Bridge monument and commented on the announcement of the expansion of Pioneer Plastics which will bring 140 new jobs to the area.

**City Manager's Report** – reported on the proposed land donation for a new high school and the Priority Workshop that was tentatively set for August 25<sup>th</sup> will be delayed.

**Committee Reports** – Councilor Gerry reported on the Lewiston Auburn Transportation Center, Auburn Housing Authority/Dillingham Building, and National Night Out; Councilor Crowley reported on the Audit Committee, County Budget Committee, Recreation and Special Events Advisory Committee, Lake Auburn Watershed Commission, Auburn Sewerage District, Auburn Water District, and gave her Ward 1 report; Councilor LaFontaine reported on the Special Meeting date for the City Manager's review; Councilor Walker reported on Mid Maine Waste Action Corporation, Hasty Community Center; and the Mayor requested a Railroad update on real estate negotiations from Councilor Hayes.

**IN COUNCIL REGULAR MEETING AUGUST 4, 2014 VOL. 34 PAGE 52**

**IV. Communications, Presentations and Recognition** - Howard Kroll and Jill Eastman discussed the FY 2014-2015 Tax Commitment item that was on the workshop.

**V. Open Session**

- Larry Pelletier, 129 Second Street on the Ward 4 School Committee seat (nomination papers are available for that seat).

**VI. Unfinished Business**

**1. Order 57-07072014**

Adopting the Community Development Block Grant Program Guidelines.

Motion was made by Councilor LaFontaine and seconded by Councilor Lee to adopt the Community Development Block Grant Program Guidelines to include the refined language discussed in the workshop which would include the historic property exterior restoration

guidelines.

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

**2. Order 61-07072014**

Authorizing issuance of General Obligation Bonds and a tax levy therefore. Public hearing and first reading. *Passage requires an affirmative vote of 5 Councilors.*

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to authorize the issuance of general obligation bonds and a tax levy therefore.

Motion was made by Councilor Walker and seconded by Councilor Gerry to amend by reducing funding as follows;

Engineering – reconstruction from \$1,100,000 to \$900,000

Engineering – reclaim/resurfacing from \$1,000,000 to \$900,000

Fire Department – generator for the S. Main St. station from \$25,000 to \$15,000

Recreation – Pettengill Park softball field – from \$72,000 to \$60,000

Planning – Comprehensive plan property program – from \$400,000 to \$350,000

School – School Department funding – from \$2,181,365 to \$1,781,000

Motion was made by Councilor Lafontaine and seconded by Councilor Young to amend the amendment by returning school funding back to \$2,181,365. Passage 4-3 (Councilors Crowley, Walker, and Gerry opposed).

Passage of the amendment as amended 4-3 (Councilors Lafontaine, Hayes, Lee opposed).

Public hearing-no one from the public spoke.

**IN COUNCIL REGULAR MEETING AUGUST 4, 2014 VOL. 34 PAGE 53**

\*Motion on the order as amended failed 4-3 (5 affirmative votes were needed, Councilors Gerry, Crowley, and Walker were opposed). A roll call vote was taken.

**VII. New Business**

**3. Ordinance 05-08042014**

Adopting the new General Assistance Maximums. First reading.

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley to adopt the new General Assistance Maximums as presented.

Public comment – no one from the public spoke. Passage 7-0. A roll call vote was taken.

**Order 67-08042014 – *this item was moved from the consent agenda to new business.***

Approve changing the September regular City Council meeting dates from September 2 and September 15, 2014 to September 8 and September 22, 2014.

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry to change the September regular City Council meeting dates from September 2 and September 15, 2014 to September 8 and September 22, 2014. Passage 5-2 (Councilors Walker and Crowley opposed).

\*Motion was made by Councilor Walker and seconded by Councilor LaFontaine to reconsider the first reading of Order 61-07072014 authorizing issuance of general

obligation bonds and a tax levy therefore which failed earlier on during the meeting.  
Passage 7-0.

Motion was made by Councilor Walker and seconded by Councilor Hayes to amend the order by cutting out the \$255,000 for the front end loader. Passage 6-1 (Councilor Lee opposed).

Passage of the full order as amended 6-1 (Councilor Gerry opposed). A roll call vote was taken.

**VIII. Executive Session - None**

**IX. Open Session – No one from the public spoke.**

**X. Adjournment**

Motion was made by Councilor LaFontaine and seconded by Councilor Lee to adjourn with Council unanimously in favor. Time 8:38 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

**IN COUNCIL REGULAR MEETING AUGUST 18, 2014 VOL. 34 PAGE 54**

Mayor LaBonté called the meeting to order at 7:15 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Councilor Young had an excused absence. All other Councilors were present.

**XI. Consent Items**

**II. Minutes**

- August 4, 2014 Regular Council Meeting

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to approve the minutes of August 4, 2014 as presented. Passage 6-0.

**III. Reports**

**Reports**

**Mayor's Report** – The Citizens Advisory Committee (CAC) application period has been extended; Bates College students will be assisting with the CAC during the planning process; Hartt Transportation ground breaking who is building a new facility in Auburn; three TIFs for Council to consider; there are 3 candidates for President of the LAEGC that are in town and there will be a reception held at the Hilton on August 19, 2014 where the public can meet and interact with the 3 candidates.

**City Councilors' Reports** – Councilor Gerry on financials of Auburn Housing; Lewiston-Auburn Transportation Center (LATC) bus passes (funded through a Community Concepts grant). The deadline to get the bus pass is 9/30/2014. Councilor Lee on the reception for the LAEGC presidential candidates; the recent accident on the corner of High and Elm Streets; and urged people to please not feed the ducks in the Festival Plaza area. Councilor Crowley gave her Ward 1 report.

**City Manager Report** – Morris Auto Parts/Auto Graveyard-Junkyard license; Special Event Committee; East Auburn Neighborhood Committee; Comprehensive Plan.

**Finance Director, Jill Eastman**

- July 2014 Monthly Finance Report

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley to accept and place on file the July 2014 monthly finance report as presented. Passage 6-0.

**IV. Communications, Presentations and Recognitions - None**

**V. Open Session**

- Joe Gray, Sopers Mill Road – The New Auburn group is holding a pig roast, yard sale, and bottle drive; and he commented on not receiving information he requested a month ago on the purchase of equipment.
- Katy Grondin, Superintendent of Auburn School Department and resident – The East Auburn School will be holding an open house and she suggested that city

**IN COUNCIL REGULAR MEETING AUGUST 18, 2014 VOL. 34 PAGE 55**

staff may want to set up a table to try to get volunteers for the East Auburn Neighborhood Committee.

- Dan Herrick, 470 Hatch Road complimented the public works department on their quick response to his call the previous weekend and also commented on an issue with a piece of property he purchased on Hatch Road that is being taxed as a residence but is permitted for a shed.

**VI. Unfinished Business**

**7. Order 61-07072014**

Authorizing issuance of General Obligation Bonds and a tax levy therefore. Second reading. *Passage requires an affirmative vote of 5 Councilors.*

Motion was made by Councilor LaFontaine and seconded by Councilor Lee authorizing issuance of General Obligation Bonds and a tax levy therefore.

Motion was made by Councilor Crowley and seconded by LaFontaine to amend by striking the \$25,000 for the Public Works message sign board and \$25,000 for the Public Works facilities generator transfer switch. Passage 5-1 (Councilor Walker opposed).

Public Comment-no one from the public spoke.

Motion was made by Councilor Hayes and seconded by Councilor LaFontaine to increase funding for the Fire Departments generator for the South Main Street Station from \$15,000 to \$25,000. Motion failed 2-4 (Councilors Crowley, LaFontaine, Walker, and Gerry opposed).

\*Motion on the order as amended failed 3-3 (Councilors Crowley, Lee, and Gerry opposed and the Mayor abstained from voting to break the tie vote). Passage would have required an affirmative vote of 5. A roll call vote was taken.

**8. Ordinance 05-08042014**

Adopting the new General Assistance Maximums. Second reading.

Motion was made by Councilor Crowley and seconded by Councilor Gerry to adopt the new General Assistance maximums as presented.

Public Comment -no one from the public spoke. Passage 6-0. A roll call vote was taken.

VII. New Business

**9. Order 68-08182014**

Approving the request for a liquor license for Xin Fa, Inc., DBA Tin Tin Buffet located at 120 Center Street.

**IN COUNCIL REGULAR MEETING AUGUST 18, 2014 VOL. 34 PAGE 56**

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry to approve the request for a liquor license for Xin Fa, Inc., DBA Tin Tin Buffet located at 120 Center Street.

Public Comment - no one from the public spoke. Passage 6-0.

*\*Motion was made by Councilor Lee and seconded by Councilor Crowley to reconsider the vote on Order 61-07072014 on General Obligation Bonds. Passage of the reconsideration 6-0.*

*Motion by Councilor Lee and seconded by Councilor Crowley to postpone to the first meeting in September, September 8, 2014. Passage 5-1 (Councilor Walker opposed).*

**10. Ordinance 06-08182014**

Adopting the most current edition of the National Electrical Code NFPA 70-2014. First reading.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to adopt the most current edition of the National Electrical Code NFPA 70-2014.

Public comment – no one from the public spoke. Passage 4-2 (Councilors Crowley and Walker opposed). A roll call vote was taken.

**11. Order 69-08182014**

Establishing the property tax payment due dates and to establish the property tax delinquency and overpayment interest rates for Fiscal Year 2014-2015.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to establish the property tax payment due dates and to establish the property tax delinquency and overpayment interest rates for Fiscal Year 2014-2015.

Public Comment - no one from the public spoke.

Motion was made by Councilor Crowley and seconded by Councilor LaFontaine to amend by changing due dates to September 18<sup>th</sup> and March 16<sup>th</sup>.

Motion was then made by Councilor Crowley and seconded by Councilor LaFontaine to withdraw their motions to change the due dates.

Passage of the order as presented 5-1 (Councilor Gerry opposed).

*Motion was made by Councilor Walker and seconded by Councilor LaFontaine to suspend the rules to allow an additional item to be added to the agenda. Passage 5-1 (Councilor Crowley opposed).*

*Motion was made by Councilor Walker and seconded by Councilor LaFontaine to authorize*

*the City Manager to execute documents associated with a loan to the Auburn*

**IN COUNCIL REGULAR MEETING AUGUST 18, 2014 VOL. 34 PAGE 57**

*Lewiston Airport at a rate of 3.25% interest for a term of 13 years for a total of \$1.1 million dollars.*

*Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to amend by authorizing a 2.58% to 3.25% variable interest rate for a 13 year loan of \$1,100,000.00 from the City's General Fund to the Auburn-Lewiston Airport for the purchase of the Nobility hanger and if taxability is ever lost during the loan or if Lufthansa lease is not renewed the Council would have the option to increase the rate of the loan up to 3.25%. Passage 4-2 (Councilors Walker and Gerry opposed).*

*Public comment – no one from the public spoke. Passage of the Resolve as amended 4-3 (there was a tie vote 3-3 with Councilors Crowley, Walker, and Gerry opposed, and in accordance the City Charter, Article III, Section 3.3 the Mayor voted to break the tie vote). A roll call vote was taken.*

**VIII. Open Session**

*The last open session was taken out of order and placed before the Executive Session.*

Joe Gray, Sopers Mill Road commented on providing information after the meeting, the mil rate and valuation, and commented on Councils action on the General Obligation Bonds.

**IX. Executive Session**

- Discussion regarding labor negotiations (Public Services), pursuant to 1 M.R.S.A. Section 405(6)(D).

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to enter into executive session. Passage 4-1-1 (Councilor Crowley opposed, and Councilor Walker abstained). Time 8:57 P.M.

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

- Discussion regarding economic development, pursuant to 1 M.R.S.A. Section 405(6)(C). This executive session was not needed.
- Discussion regarding a legal matter, pursuant to 1 M.R.S.A. Section 405(6)(E). This executive session was not needed.

- X. Adjournment** – Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to adjourn with Council all in favor. The meeting adjourned at 9:16 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

**IN COUNCIL SPECIAL MEETING AUGUST 25, 2014 VOL. 34 PAGE 58**

Mayor LaBonté called the meeting to order at 6:09 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Councilor Crowley arrived at approximately 6:30 P.M. All other Councilors were present.

I. Executive Session

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to enter into executive session for discussion of a personnel matter (the City Manager's evaluation), pursuant to 1 M.R.S.A. §406 (6)(A). Passage 6-0 (Councilor Crowley was not present at the time of this vote). Time 6:10 P.M.

Council was declared out of executive session at 9:30 P.M.

II. Adjournment

Motion was made by Councilor LaFontaine and seconded by Councilor Lee to adjourn. No one was in opposition. The meeting adjourned at 9:30 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

**IN COUNCIL REGULAR MEETING SEPTEMBER 08, 2014 VOL. 34 PAGE 59**

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

**I. Consent Items**

**12. Order 70-09082014\***

Adopting the revised Board and Committee Appointment Process.

Item number one (Order 70-09082014) was moved from the consent agenda and placed under unfinished business.

**13. Order 71-09082014\***

Accepting the transfer of Forfeiture Asset (Jeremy Klein-Golden).

**14. Order 72-09082014\***

Accepting the transfer of Forfeiture Asset (William Tardif).

A motion was made by Councilor Lee and seconded by Councilor Gerry to accept consent items #2 & #3 as presented. Passage 7-0.

II. Minutes

August 18, 2014 Regular Council Meeting.

Motion was made by Councilor Hayes and Seconded by Councilor Lee to accept the minutes of August 18, 2014. Councilor Crowley wanted it noted that due to the absence of Councilor Young, Councilor Crowley started the roll call vote. Passage 6-0 with change.

August 25, Special Council Meeting

Motion was made by Councilor Walker and Seconded by Councilor Hayes to accept the minutes of August 25, 2014. Councilor Crowley wanted to strike that Councilor

LaFontaine was not present due to an excused absence. Councilor LaFontaine was present during the meeting. Passage 6-0 with change.

### **III. Reports**

**City Manager Report** –City Manager wanted it noted that there was a correction made to the Bells of St. Louis. There was a \$12,000.00 purchase and sales executed, not the initial \$8,000.00. Approximately \$600.00 in donations has been received.

**City Committee Reports** – Councilor Gerry reported (LATC), Councilor Hayes reported (Airport & Railroad), Councilor Lee (Economic Development), Councilor LaFontaine reported (School Committee and Public Library), Councilor Young reported (Great Falls TV), Councilor Crowley reported (Water & Sewer), Councilor Walker reported

## **IN COUNCIL REGULAR MEETING SEPTEMBER 08, 2014 VOL. 34 PAGE 60**

(MMWAC), Councilor Gerry reported (Auburn Housing) and Councilor Crowley reported (Recreation Advisory Committee).

**City Councilor Reports** – Councilor Hayes reported, Councilor Crowley reported, Councilor LaFontaine reported and Councilor Gerry reported.

### **IV. Communications, Presentations and Recognitions**

Proclamation – Constitution Week, September 17-23, read by Councilor Lee

Proclamation - Diaper Week, September 8-14, read by Councilor Lee

New Auburn Plan – Presentation was given in July. Copy of plan is in CD form. Plan now includes New Auburn Village Study.

### **V. Open Session**

- Katy Grondin, Superintendent of Auburn School Department and resident - On October 08, 2014 there will be an Auburn Education Planning Conference. Invitations will be sent out. Participation is limited to the first 100 that RSVP.
- Jim Dock, 40 Fern Street on Ingersoll Arena Repurposing. Expressed need of having indoor athletic facilities for soccer, lacross, field hockey, etc. Encourages moving project forward.
- Ben Michaud, Lewiston on Ingersoll Arena Repurposing. Expressed need for having indoor athletic facility.
- Bonnie Hersey, 357 Merrow Road. Commented on Lewiston/Auburn transportation and looking at extending services to include trips to the malls in Portland and or Augusta and providing transportation to various appointments.
- Angela Simond, 74 Lake Auburn Ave. Commented on sidewalk conditions. Sidewalks have large cracks making it unsafe for wheelchair users, bike users and pedestrians that have to use walkers.
- Elaine Cahoon, Auburn. Commented public transportation and the possibility of buses advertising for businesses in an effort to increase revenue.
- Dan Herrick, 470 Hatch Road. Commented on an issue with a piece of property he purchased on Hatch Road that is being taxed as a residence but is permitted for a shed.
- Joe Gray, Sopers Mill Road. Commented on the Real Estate Tax error.

VI. Unfinished Business

**1. Order 61-07072014**

Authorizing issuance of General Obligation Bonds and a tax levy therefore. Second reading. *Passage requires an affirmative vote of 5 Councilors.*

Motion was made by Councilor Lee and seconded by Councilor Hayes authorizing issuance of General Obligation Bonds and a tax levy therefore.

**IN COUNCIL REGULAR MEETING SEPTEMBER 08, 2014 VOL. 34 PAGE 61**

After discussion, Councilor Lee called the question. Motion failed 3-4 (Councilors Walker, Gerry, and Crowley opposed). A roll call vote was taken.

Motion was made by Councilor Walker to reconsider the vote and seconded by Councilor Hayes. Motion passed 6-1 (Councilor Crowley opposed).

Motion was made by Councilor Walker to consider amending order 61-07072014 in the amount of \$7,200,000.00 and seconded by Councilor Lee. The proposed amendments are as follows: Engineering/Retaining walls was increased to \$100,000.00 for the purpose of the New Auburn Greenway (Phase I); Parks, Festival Plaza Canopies was decreased to \$35,000.00; Recreation, Repurpose Ingersoll Arena was decreased to \$250,000.00; Contingency was reduced to \$51, 518.00; School Department was reduced to \$2,081,365.00. Motion with amendment passed 5-2 (Councilor Crowley and Gerry opposed).

**2. Ordinance 06-08182014**

Adopting the most current edition of the National Electrical Code NFPA 70-2014. Second Reading.

Motion was made by Councilor Lee and seconded by Councilor Hayes to adopt the most current edition of the National Electrical Code NFPA 70-2014.

Motion was made by Councilor Crowley and seconded by Councilor Gerry to table until National Electrical Code NFPA 70-2014 is set. Motion passed 4-3 (Councilor Hayes, Lafontaine, and Young opposed).

**3. Order 70-09082014\* Consent item moved to Unfinished Business**

Motion was made by Councilor Crowley and seconded by Councilor Gerry to table until the October 5, 2014 meeting. Motion failed 3-4 (Councilor Young, Hayes, Lafontaine, and Lee opposed).

Motion was made by Councilor Hayes and seconded by Councilor Lee to accept Order 70-09082014 adopting the revised Board and Committee Appointment Process.

Motion was made by Councilor Walker and seconded by Councilor Crowley to change appointment selections for Appoint Selection Committee from Mayor to Council. Motion failed 3-4 (Councilor Young, Hayes, Lafontaine, and Lee opposed).

Mayor Pro Tempore, Mary J. Lafontaine brought Council back to original motion to accept Order 70-09082014 adopting the revised Board and Committee Appointment Process. Motion passed 4-3 (Councilor Crowley, Walker, and Gerry opposed).

**IN COUNCIL REGULAR MEETING SEPTEMBER 08, 2014 VOL. 34 PAGE 62**

VII. New Business

**4. Order 73-09082014**

**Accepting the transfer of Forfeiture Asset (Darnell Robinson)**

Motion was made by Councilor Lee and seconded by Councilor Hayes to accept the transfer of Forfeiture Asset (Darnell Robinson). Motion passed 7-0.

**5. Order 76-09082014**

Authorize the City Manager to execute a First Amendment to the Auburn/Lewiston (AL) Consortium Mutual Cooperation Agreement.

Motion was made by Councilor Hayes and seconded by Councilor Gerry to execute a First Amendment to the Auburn/Lewiston (AL) Consortium Mutual Cooperation Agreement. Motion passed 6-1 (Councilor Walker opposed).

**6. Order 77-09082014**

Authorize the Mayor Labonte to sign the letter to the U.S. Department of Housing and Urban Development requesting a grant reduction.

Motion was made by Councilor Hayes and seconded by Councilor Gerry to authorize Mayor Labonte to sign the letter to the U.S. Department of Housing and Urban Development. Motion passed 6-1 (Councilor Walker opposed).

**7. Ordinance 07-09082014**

Adopt the zoning ordinance changes (Taylor Pond). Public Hearing and first reading.

Motion was made by Councilor Hayes and seconded by Councilor Walker to open Public Hearing and first reading of Ordinance 07-09082014 . Eric Cousens, Director of Planning and Permitting informed Council that the Public Hearing was not intended to happen on the first reading, it will be held on the second reading.

Motion was made by Councilor Young and seconded by Councilor Crowley to table first reading and Public Hearing to the September 22, 2014 City Council Meeting. Motion passed 6-1 (Councilor Walker opposed).

**8. Order 74-09082014**

Approving the TIF Credit Enhancement Agreement

Motion was made by Councilor Lee and seconded by Councilor Gerry to authorize the City Manager to execute all documents needed to create a tax increment finance (TIF)

relationship with Auburn Housing Development Corporation (AHDC). The attached credit enhancement agreement (CEA) will pledge 75% of the new captured assessed value and resulting tax revenue back to the project at 62 Spring St. to ensure long-term

**IN COUNCIL REGULAR MEETING SEPTEMBER 08, 2014 VOL. 34 PAGE 63**

affordability. The general fund will continue to receive the same tax revenues that have been historically contributed from this property. Motion passed 7-0. A roll call vote was taken.

Motion made by Councilor Gerry and seconded by Councilor Walker to rescind motion to approve Order 74-09082014 in order to hold a Public Hearing.

Mayor Pro Tempore, Mary J. Lafontaine opened the meeting to a public hearing.

- Joe Gray, Soper's Mill Road asked for clarification to have a better understanding of how TIF benefits Auburn.

Mayor Pro Tempore, Mary J. Lafontaine brought the motion back to the table to approve Order 74-09082014. Passage 6-1 (Councilor Crowley opposed). A roll call vote was taken

**VIII. Open Session – the last open session was taken out of order and placed before the Executive Session.** No one from the public spoke.

XI. Executive Session

- Discussion regarding economic development pursuant to 1 M.R.S.A. Section 405(6)(C).

Motion was made by Councilor Lee and seconded by Councilor Walker to enter into executive session. Passage 6-1 (Councilor Crowley opposed). Time 9:15 P.M.  
Council was declared out of executive session at 9:28 P.M.

- Discussion regarding economic development pursuant to 1 M.R.S.A. Section 405(6)(C).

Motion was made by Councilor Walker and seconded by Councilor Lee to enter into executive session. Passage 6-1 (Councilor Crowley and Gerry opposed). Time 9:28 P.M.  
Council was declared out of executive session at 9:43 P.M.

**X. Adjournment** – Motion was made by Councilor LaFontaine and seconded by Councilor Young to adjourn, with all Councilors present were in favor (Councilors Crowley and Gerry were out of the room), time 9:43 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Alison F. Pepin, Deputy City Clerk

**IN COUNCIL REGULAR MEETING SEPTEMBER 22, 2014 VOL. 34 PAGE 64**

Mayor LaBonté called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

XII. Consent Items

15. **Resolve 09-09222014\***

Supporting the Recreational Trail Grant.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes supporting the Recreational Trail Grant , passage 7-0.

II. Minutes

- September 8, 2014 Regular Council Meeting

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to approve minutes of September 8, 2014 that were included in the amended agenda packet. Passage 6-1 (Councilor Crowley opposed).

III. **Reports**

**Reports**

**Mayor's Report** – Reported on his meeting with Nancy Grant of the Bicycle Coalition of Maine, the Oxford Network's Data Center opening in Brunswick he attended, the 40<sup>th</sup> anniversary event at the International Paper facility, and the Bells of St. Louis Church event.

**City Councilors' Reports** – Councilor LaFontaine on the School Committee voting in favor of the extension for the efficiency based diploma project, and the Auburn Public Library's annual meeting with guest, Maine author and playwright, Monica Wood; Councilor Walker on an event taking place at Rolly's Diner where people will have a chance to meet the candidates running for State office in November, and the Neighborhood Watch meeting at Tailgate Café; Councilor Young on the Great Falls Advisory Board meeting; Councilor Gerry on the LATC meeting, and the Auburn Housing Authority meeting; Councilor Crowley reported on the condition of the intake line for the drinking water supply to Auburn and Lewiston, notice of public hearings, her resignation from the Audit Committee and the County Budget Committee, Breast Cancer Awareness month, her visiting hours, the Lake Auburn Community Center, and Saturday's event for the St. Louis Church bells. Councilor Crowley also submitted a written report which will be placed on file; Councilor Hayes on the Airport Board strategic planning sessions.

**City Manager Report** – Reported on Pettengill Park improvements, the EMS (Emergency Management Services) implementation process, and the striping on Route 4.

**Finance Director, Jill Eastman**

- August 2014 Monthly Finance Report

**IN COUNCIL REGULAR MEETING SEPTEMBER 22, 2014 VOL. 34 PAGE 65**

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to accept and place on file the August 2014 monthly finance report as presented. Passage 7-0.

IV. **Communications, Presentations and Recognitions**

- Police Department Promotions (Lieutenant Laurie L. Woodhead, Sergeant Christopher A. Hatfield, Corporal Marshall W. McCamish, Corporal Eric J. Bell)
- Police Department Swearing in Officers (Patrol Officers Katherine D. Avery, David K. Brown, II, Joseph M. Correia, Nicholas J. Kyllonen, Krista M. Lee, Joseph T. Miville, Gregory S. Pealatore)
- Proclamation for Polish Fire Officer Cadet Norbert Janik

- Swearing in four new Firefighters (Sita West, Nick Jaskiewicz, Dana Connon, James Bradley)
- Swearing in of New Lieutenants (Craig Bouchard, Jon Woodhead, Chris Moretto, Jeff Bolduc, Matt Brochu, Dan Masselli)
- Swearing in of Captain (Matt Fifield)
- Swearing in of Battalion Chief (David Richard)
- Introduction and swearing in of EMS Director (Doctor Ian Reight)

V. **Open Session** – No one from the public spoke

VI. Unfinished Business

**16. Ordinance 06-08182014**

Adopting the most current edition of the National Electrical Code NFPA 70-2014. Public hearing and second reading.

Motion was made by Councilor Hayes and seconded by Councilor Walker to adopt the most current edition of the National Electrical Code NFPA 70-2014 as presented.

Public hearing – no one from the public spoke, passage 6-1 (Councilor Crowley opposed). A roll call vote was taken.

**17. Ordinance 07-09082014**

Adopting the zoning ordinance amendment (Taylor Pond). Public hearing and first reading.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to adopt the zoning ordinance amendment (Taylor Pond) as presented.

Public hearing - no one from the public spoke, passage 6-1 (Councilor Crowley opposed). A roll call vote was taken.

VII. New Business

**18. Resolve 10-09222014**

Supporting the creation of a Finance Committee.

**IN COUNCIL REGULAR MEETING SEPTEMBER 22, 2014 VOL. 34 PAGE 66**

Motion was made by Councilor LaFontaine and seconded by Councilor Walker supporting the creation of a Finance Committee as amended by striking the last four paragraphs on the Resolve presented that were part of a typographical error.

Public comment – no one from the public spoke. Passage 5-2 (Councilors Crowley and Gerry opposed).

**19. Ordinance 08-09222014**

Adopting the 2013 Maine Food Code. First reading.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to adopt the 2013 Maine Food Code as presented.

Public comment – Joe Gray, Sopers Mill Road

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

**20. Order 78-09222014**

Approving the renewal of an Auto Graveyard/Junk yard at Bucks Auto, 249 Merrow Road.  
Public Hearing.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to approve the renewal of an Auto Graveyard/Junk yard at Bucks Auto, 249 Merrow Road.

Public hearing – no one from the public spoke, passage 7-0.

**21. Order 79-09222014**

Approving the renewal of an Auto Graveyard/Junk yard at Morris Auto, 940 Washington Street. Public Hearing.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to approve the renewal of an Auto Graveyard/Junk yard at Morris Auto, 940 Washington Street.

Public hearing – Dan Herrick, 470 Hatch Road; Eric Cousens, Deputy Director of Planning and Permitting.

Motion failed 1-6 (Councilors Young, Crowley, Hayes, LaFontaine, Lee, and Gerry opposed).

**22. Order 80-09222014**

Approving the renewal of an Auto Graveyard/Junk yard at M & P Auto, 227 Merrow Road.  
Public Hearing.

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley to approve the renewal of an Auto Graveyard/Junk yard at Bucks Auto, 249 Merrow Road.

Public hearing – no one from the public spoke, passage 7-0.

**IN COUNCIL REGULAR MEETING SEPTEMBER 22, 2014 VOL. 34 PAGE 67**

**23. Order 81-09222014**

Approving the renewal of an Auto Graveyard/Junk yard at Randy's Auto Parts, 899 Broad Street.  
Public Hearing.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to approve the renewal of an Auto Graveyard/Junk yard at Randy's Auto Parts, 899 Broad Street.

Public hearing – no one from the public spoke, passage 7-0.

**24. Order 82-09222014**

Approving the renewal of an Auto Graveyard/Junk yard at Isodore T. Miller Co., 78-79 Hotel Road. Public Hearing.

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley to approve the renewal of an Auto Graveyard/Junk yard at Isodore T. Miller Co., 78-79 Hotel Road.

Public hearing – no one from the public spoke, passage 7-0.

**25. Order 83-09222014**

Approving the renewal of an Auto Graveyard/Junk yard at Prolerized New England Company, 522 Washington Street. N. Public Hearing.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to approve the renewal of an Auto Graveyard/Junk yard at Prolerized New England Company, 522 Washington Street. N.

Public hearing – no one from the public spoke, passage 7-0.

**VIII. Open Session**

*The last open session was taken out of order and placed before the Executive Session.*

Don St. Germain owner of Morris auto parts regarding the denial of his Auto Graveyard/Junkyard license.

Dan Herrick 470 Hatch Road (and 240 Hatch Road), on his property at 240 Hatch Road.

Joe Gray, Sopers Mill Road, TIF article in Portland Press Herald, \$5,000 expenditure for MRI (Municipal Resources, Inc.), EMS (Emergency Medical Services), and the Fire Departments Medical Director position.

**IX. Executive Session**

Discussion regarding Minot Avenue Development pursuant to 1 M.R.S.A Section 405(6)(C).

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to enter into Executive Session pursuant to 1 M.R.S.A Section 405(6)(C). Passage 6-1 (Councilor Crowley opposed). Time in 8:44 P.M.

**IN COUNCIL REGULAR MEETING SEPTEMBER 22, 2014 VOL. 34 PAGE 68**

Council was declared out of Executive Session at 9:22 P.M.

- X. Adjournment** – Motion was made by Councilor LaFontaine and seconded by Councilor Lee to adjourn. Passage 5-0-2 (Councilors Crowley and Gerry were not in the room for this vote). The meeting adjourned at 9:23 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

**IN COUNCIL SPECIAL MEETING SEPTEMBER 29, 2014 VOL. 34 PAGE 68**

The meeting was called to order at 6:00 P.M. in the Council Chambers of Auburn Hall. Councilors Walker and Crowley were absent. All other Councilors were present.

**I. Executive Session**

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to enter into executive session for discussion of a personnel matter (the City Manager's evaluation), pursuant to 1 M.R.S.A. §406 (6)(A). Passage 5-0, time 6:00 P.M.

Council was declared out of executive session at 8:00 P.M.

**II. Adjournment**

Motion was made by Councilor Lee and seconded by Councilor Gerry to adjourn. No one was in opposition. The meeting adjourned at 8:01 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

## IN COUNCIL REGULAR MEETING OCTOBER 6, 2014 VOL. 34 PAGE 69

Mayor LaBonté called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Councilors LaFontaine and Walker had excused absences. All other Councilors were present.

### II. Consent Items

**26. Order 84-10062014\***

Setting the time for opening the polls for 7:00 A.M. for the November 4, 2014 Election.

**27. Order 85-10062014\***

Approving the temporary sign request for Saint Dominic's Holiday fair.

**28. Order 86-10062014\***

Approving the temporary sign request for the Auburn Ski Associations annual ski swap.

**29. Order 87-10062014\***

Appointing Warden's and Ward Clerks for the November 4, 2014 Election.

Motion was made by Councilor Crowley and seconded by Councilor Hayes to accept the consent items as presented. Passage 5-0.

### II. Minutes

September 22, 2014 Regular Council Meeting  
September 29, 2014 Special Council Meeting

Motion was made by Councilor Crowley and seconded by Councilor Hayes to accept the corrected minutes of the September 22, 2014 meeting as presented at the table and to also accept the minutes of the September 29, 2014 as presented in the packet. Passage 5-0.

### III. Reports

**Mayor's Report** – Reported on the multi-million dollar Rangeley branch rail line officially opened for service, the Mechanic Savings Bank ground breaking, the Lost Valley press conference, College for ME Androscoggin, the ribbon cutting at the new Hampton Inn in Lewiston, and the Tree Planting event in Auburn.

**City Manager Report** – Provided a summary on the purchase of the EMS ambulances and the Quint as requested by Council.

**City Committee Reports** – Councilor Lee on the Bike-Ped Committee, and congratulated Maine Marathon winner Moninda Marube of Auburn; Councilor Gerry on the LATC meeting, and, the Citizens Advisory Committee will be meeting soon, and she noted that she was unable to attend the Auburn Housing Authority meeting; Councilor Crowley on the Recreation and Special Event Advisory Committee meeting, the Lake Auburn Watershed Protection Commission meeting, Auburn Sewerage District, Sewer tip, Auburn Water District, and gave her Ward 1 report. She also provided written copies to be placed on file.

## IN COUNCIL REGULAR MEETING OCTOBER 6, 2014 VOL. 34 PAGE 70

### IV. Communications, Presentations and Recognitions

- Recognition – Rebecca Raby & Ellena Frumiento, winners of the Auburn Book Project
- Communication - Way-finding signs (Eric Cousens)

## V. Open Session

- Don St. Germain, owner of Morris Auto Parts/Don's Towing regarding the denial of his Auto graveyard/Junkyard permit.
- Dan Herrick, 470 Hatch Road and 240 Hatch Road, gave thanks to 3 Auburn Police Officers, commented that he is still waiting for a resolution on the issue regarding his property at 240 Hatch Road, and he mentioned that he would like to sit down with the Mayor to discuss City issues.
- Joe Gray, Sopers Mill Road, commented on light agendas, \$80,000 for the Bike Ped Committee, where is it and what is it working for (their web page is outdated), 3 years since there has been a public meeting about Riverside Drive, Auburn roads that are in horrible condition, and street closings during the Dempsey Challenge.

## VI. Unfinished Business

### 30. Ordinance 07-09082014

Adopting the zoning ordinance changes (Taylor Pond). Second reading.

Motion was made by Councilor Gerry and seconded by Councilor Lee to adopt the zoning ordinance changes (Taylor Pond) as presented.

Public comment – No one from the public spoke. Passage 5-0. A roll call vote was taken.

### 31. Ordinance 08-09222014

Adopting the 2013 Maine Food Code. Second reading.

Motion was made by Councilor Lee and seconded by Councilor Young to adopt the 2013 Maine Food Code as presented.

Public comment – No one from the public spoke. Passage 4-1 (Councilor Crowley opposed). A roll call vote was taken.

## VII. New Business

### 32. Order 88-10062014

Appointing board and committee members as nominated by the Appointment Committee.  
*Council may enter into executive session, pursuant to 1 M.R.S.A. §405(6)(A).*

Motion was made by Councilor Crowley and seconded by Councilor Lee to enter into executive session, pursuant to 1 M.R.S.A. §405(6)(A). Passage 5-0, time 8:10 PM.

## IN COUNCIL REGULAR MEETING OCTOBER 6, 2014 VOL. 34 PAGE 71

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

Motion was made by Councilor Lee and seconded by Councilor Crowley to re-appoint the board and committee members as nominated by the Appointment Committee.

Public comment – Joe Gray, Sopers Mill Road asked a question regarding the Ethics Panel.

Passage of Order 88-10062014 as presented 5-0.

**Motion was made by Councilor Hayes and seconded by Councilor Crowley to suspend the rules in order to add an item to the agenda in respect to a legal matter. Passage 4-1**

(Councilor Lee abstained).

**Motion was made by Councilor Hayes and seconded by Councilor Crowley to authorize Council to sign and submit a letter prepared by staff and legal counsel to the Executive Director of United Ambulance, and the two leaders of the local hospitals that serve on the Board of Directors for United Ambulance. The letter clarifies the implementation of the EMS transport service and the 9-1-1 system.**

**Passage 4-1 (Councilor Lee abstained).**

**VIII. Open Session – the last open session was taken out of order and placed before the Executive Session.**

- Joe Gray, Sopers Mill Road, when will the tax acquired property item be back on an agenda.

**XI. Executive Session**

- Discussion regarding contract negotiations, pursuant to 1 M.R.S.A. Section 405(6)(C). This executive session was longer needed.
- Discussion regarding a personnel matter (City Manager Review), pursuant to 1 M.R.S.A. Section 405(6)(A).

Motion was made by Councilor Lee and seconded by Councilor Hayes to enter into executive session, pursuant to 1 M.R.S.A. Section 405(6)(A). Passage 4-1 (Councilor Crowley opposed). Time in 8:37 P.M.

Council was declared out of executive session at 9:04 P.M.

**X. Adjournment – Motion was made by Councilor Crowley and seconded by Councilor Lee to adjourn, passage 4-0 (Councilor Gerry was out of the room), time 9:04 P.M.**

A True Copy.

ATTEST \_\_\_\_\_

Susan Clements-Dallaire, City Clerk

**SPECIAL JOINT MEETING OF THE CITY COUNCIL AND SCHOOL COMMITTEE  
OCTOBER 9, 2014 VOL. 34 PAGE 72**

The City Manager called the meeting to order at 7:04 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. School Committee members Peter Letourneau, Bonnie Hayes, Tom Kendall, Larry Pelletier, and Ron Potvin were present. Mayor Jonathan LaBonté, and Councilors Tizz Crowley, Bob Hayes, Adam Lee, David Young, and Belinda Gerry were also present. School Committee member Laurie Tannenbaum, and City Councilors Mary LaFontaine and Leroy Walker had excused absences.

**I. Executive Session**

- Discussion regarding an Economic Development matter, pursuant to 1 M.R.S.A. Section 405(6)(C) with possible action and open session to follow.

Motion was made by School Committee member Bonnie Hayes, seconded by School Committee member Tom Kendall to enter into executive session pursuant to 1 M.R.S.A. Section 405(6)(C). Passage 9-1 with Councilor Crowley opposed. Time 7:06 PM. They were declared out of executive session at 8:02 PM.

**II. Adjournment**

Motion was made by Councilor Crowley and seconded by Councilor Lee to adjourn. Passage 10-0, 8:03 PM.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

### **IN COUNCIL SPECIAL MEETING OCTOBER 16, 2014 VOL. 34 PAGE 73**

The meeting was called to order at 5:33 P.M. in the Council Chambers of Auburn Hall. Councilor Young had an excused absence. All other Councilors were present.

#### **I. Executive Session**

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to enter into executive session for discussion of a personnel matter, pursuant to 1 M.R.S.A. §406 (6)(A). Passage 6-0, time 5:34 P.M.

Council was declared out of executive session at 5:47 P.M.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to authorize the Mayor to execute an agreement with the City Manager, Clinton E. Deschene, for terms of separation and acceptance of his resignation effective November 15, 2014. Passage 6-0. This becomes Order 90-10162014.

#### **II. Adjournment**

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to adjourn. Passage 6-0. The meeting adjourned at 5:51 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

### **IN COUNCIL REGULAR MEETING OCTOBER 20, 2014 VOL. 34 PAGE 74**

Mayor LaBonté called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

#### **III. Consent Items - None**

#### **II. Minutes**

October 6, 2014 Regular Council Meeting  
October 9, 2014 Special Joint Meeting

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to accept the minutes of the October 6, 2014 and October 9, 2014 as presented. Passage 7-0.

#### **III. Reports**

**Mayor's Report** – No report.

**City Councilor Reports** – Councilor Crowley reported on the Fire Departments Open House, the Neighborhood meetings, the New Auburn Hello-ween event, the Marijuana Educational Forum, the pink tea program with guest speaker Alan Manoian (Auburn’s Economic Development Specialist), and on the Election, absentee voting, and campaign signs. She also provided a written report to be placed on file.

**City Manager Report** – On the EMS memo regarding the EMS update to be presented in November, the October 27<sup>th</sup> Council Workshop on Governance, the Dempsey Challenge After Action report and the Comprehensive Plan Update (both under Communications in the packet), open session items including Dan Herrick’s property on the Hatch Road, the County Budget Committee which will need a City representative from County Commission district 5, and lastly gave his condolences on the passing of Joseph Harvey Theriault.

**Finance Director, Jill Eastman - September 2014 Monthly Finance Report**

Motion was made by Councilor Crowley and seconded by Councilor LaFontaine to accept and place on file the September 2014 monthly finance report. Passage 7-0.

**IV. Communications, Presentations and Recognitions**

- Proclamation – Extra Mile Day
- Lewiston-Auburn Bicycle Pedestrian Committee Presentation – Craig Saddlemire

**V. Open Session**

- Dan Herrick, 470 Hatch Road regarding his property at 240 Hatch Road, EMS 24 hour shifts, tax acquired properties, and an incident involving a tow truck that was called to an accident on Riverside Drive.

VI. Unfinished Business - None

VII. New Business

**IN COUNCIL REGULAR MEETING OCTOBER 20, 2014 VOL. 34 PAGE 75**

**33. Ordinance 09-10202014**

Adopting the General Assistance Appendices B and C (food and rent) as required by state statute. First reading.

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley to adopt the General Assistance Appendices B and C (food and rent) as required by State Statute. This was the first reading.

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

**34. Order 89-10202014**

Re-appointing Arthur Wing to the Auburn Housing Authority with a term expiration of 10/01/2019.

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry to reappoint Arthur Wing to the Auburn Housing Authority with a term expiration of 10/01/2019.

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

### VIII. Executive Session

- Discussion regarding a personnel matter (City Manager Review), pursuant to 1 M.R.S.A. Section 405(6)(A). *Not needed.*

IX. Open Session - Members of the public are invited to speak to the Council about any issue directly related to City business which is not on this agenda. *No one from the public spoke.*

X. **Adjournment** – Motion was made by Councilor LaFontaine and seconded by Councilor Gerry to adjourn. With Council unanimously in favor, the meeting adjourned at 8:20 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

### IN COUNCIL REGULAR MEETING NOVEMBER 3, 2014 VOL. 34 PAGE 76

Mayor LaBonté called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

### IV. Consent Items

#### 35. Order 91-11032014\*

Appointing Wardens and Ward Clerks for the November 4, 2014 Election.

Motion was made by Councilor Hayes and seconded by Councilor LaFontaine to accept the one consent item as presented. Passage 7-0.

### II. Minutes

- October 16, 2014 Special Council Meeting
- October 20, 2014 Regular Council Meeting

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to accept the minutes of October 16, 2014 and October 20, 2014 as presented. Passage 7-0.

### III. Reports

**Mayor's Report** – October 24, 2014 has been declared by the Mayor as Food Day in City of Auburn, he asked the Community and Council to join him in offering our thoughts and prayers to Larry Pelletier who suffered an unfortunate accident this week, he agreed to relay a message from Dan Herrick thanking the Police Department for their follow up on the towing incident he talked about during the last Council meeting, and lastly, he reminded residents that November 4<sup>th</sup> was election day and encouraged everyone to vote.

**City Manager's Report** – ATRC organization update, Norway Savings Bank Arena quarterly report, past practice on City holidays (when Christmas falls on a Thursday). This is his last official meeting.

**City Committee Reports** – Councilor Crowley on Water District (cleaning the in-take valve, a fuel spill near the route 4 causeway, the South Main Street project), Sewer District (rate increase, and a sewer tip), Recreation Advisory Board meeting, Ward 1 report (Pink Ribbon Teas and Talks, Neighborhood Meeting in New Auburn, Citizens Advisory Committee, dates/events to watch for, Election Day) a copy of these reports are on file. Councilor Gerry, Auburn Housing Authority, Citizen Advisory Committee, Lewiston-Auburn Transit Committee (LATC). A written report is on file, Councilor Lee on the

Citizens Advisory Committee, Lewiston Auburn Economic Growth Council (LAEGC) meeting on Friday, Councilor Walker on the South Main Street project.

**IV. Communications, Presentations and Recognitions - None**

**V. Open Session** – No one from the public spoke.

**VI. Unfinished Business**

**36. Ordinance 09-10202014**

**IN COUNCIL REGULAR MEETING NOVEMBER 3, 2014 VOL. 34 PAGE 77**

Adopting the General Assistance Appendices B and C (food and rent) as required by State Statute. Public hearing and second and final reading.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to adopt the General Assistance Appendices B and C (food and rent) as required by State Statute.

Public hearing – no one from the public spoke. Passage 7-0. A roll call vote was taken.

**VII. New Business**

**37. Order 92-11032014**

Authorizing the demolition of a dangerous building located at 33 South Goff Street. Public Hearing.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker authorizing the demolition of a dangerous building located at 33 South Goff Street.

Public hearing – no one from the public spoke. Passage 7-0. A roll call vote was taken.

**38. Order 93-11032014**

Authorizing the City Manager to execute a deed for the sale of a portion of 143 Hampshire Street and 325 Turner Street.

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley to postpone this item to a future workshop.

Passage 5-1-1 (Councilor Hayes opposed and Councilor Young abstained).

**39. Order 94-11032014**

Authorizing the payment of \$10,000 for land acquisition of 261 Main Street.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to postpone this item to a future workshop.

Passage 6-1 (Councilor Hayes opposed).

**40. Resolve 11-11032014**

Supporting the addition of extra members to the Lewiston-Auburn Bike-Ped Committee.

Motion was made by Councilor LaFontaine and seconded by Councilor Lee to support the addition of extra members to the Lewiston-Auburn Bike-Ped Committee.

Public comment – no one from the public spoke. Passage 6-0-1 (Councilor Walker abstained).

**VIII. Executive Session**

- Discussion regarding an Economic Development matter, pursuant to 1 M.R.S.A. Section 405(6)(C).

**IN COUNCIL REGULAR MEETING NOVEMBER 3, 2014 VOL. 34 PAGE 78**

Motion was made by Councilor LaFontaine and seconded by Councilor Lee to enter into executive session to discuss an economic development matter, pursuant to 1 M.R.S.A. Section 405(6)(C). Passage 5-2 (Councilors Crowley and Gerry opposed). Time 8:00 PM.

Council was declared out of executive session at 8:24 PM.

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

Motion was made by Councilor Lee and seconded by Councilor Young to enter into executive session to discuss a personnel matter, pursuant to 1 M.R.S.A. Section 405(6)(A). Passage 5-0 (Councilors LaFontaine and Crowley were out of the room for this vote). Time 8:24 PM.

Council was declared out of executive session at 8:41 PM.

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

Andy Titus 17 Lamplighter Circle, regarding executive sessions, agenda items, and the County Budget Committee vacancy.

- X. Adjournment** – Motion was made by Councilor LaFontaine and seconded by Councilor Crowley to adjourn. With no objections from Council, the meeting adjourned at 8:46 PM.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

**IN COUNCIL REGULAR MEETING NOVEMBER 17, 2014 VOL. 34 PAGE 79**

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

**I. Consent Items - None**

**II. Minutes**

November 3, 2014 Regular Council Meeting

Motion was made by Councilor Crowley and seconded by Councilor Gerry to accept the minutes of the November 3, 2014 as presented. Passage 6-0.

**III. Reports**

**Mayor's Report** – On the canal water rights discussions with Lewiston.

**City Councilor Reports** – Councilor Lee announced that John Holden is the new

president of the Lewiston Auburn Economic Growth Council; Councilor Crowley on Election Day, Veterans Day, veterans that were recognized at Clover Manor, went over dates to watch, free fare day on the purple buses, holiday parade, visiting hours at the Library, Lewiston agenda packet did not include the water intake valve issue, the condition of North River Road, and budget discussions. A written report is on file; Councilor Gerry on the Lewiston Auburn Transit Committee meeting and discussions about the transportation center; and Councilor Walker on the South Main Street Project.

**City Manager Report** – Gave thanks to former City Manager Clint Deschene for his service to the City, thanked the City Clerk staff for running a smooth election, congratulated candidates, and suggested moving reports toward the end of the meetings after New Business.

**Finance Director, Jill Eastman - October 2014 Monthly Finance Report**

Motion was made by Councilor Crowley and seconded by Councilor Hayes to accept and place on file the October 2014 monthly finance report. Passage 5-0-1 (Councilor Walker abstained).

**IV. Communications, Presentations and Recognitions**

- Update on the South Main Street water main project

**V. Open Session**

- Don St. Germaine, owner of Morris Auto Parts/Don's Towing regarding his license for an Auto Graveyard/Junkyard application.

VI. Unfinished Business - None

VII. New Business

**1. Order 95-11172014**

**IN COUNCIL REGULAR MEETING NOVEMBER 17, 2014 VOL. 34 PAGE 80**

Authorizing the City Manager to execute documents that provide a Credit Enhancement Agreement (CEA) to Mechanics Savings Bank for their new development project.

Motion was made by Councilor Lee and seconded by Councilor Hayes to authorize the City Manager to execute documents that provide a Credit Enhancement Agreement (CEA) to Mechanics Savings Bank for their new development project.

Public comment - No one from the public spoke.

Motion was made by Councilor Gerry to amend to include the sidewalk and parking lot improvements. The amendment failed for lack of a second.

Motion was made by Councilor Crowley and seconded by Councilor Walker to include a directive to staff to report back within 60 days on any opportunities to leverage the credit enhancement dollars that would be captured under this project. Amendment failed 2-4 (Councilors Young, Hayes, Lee, and Gerry opposed).

Passage of the original order as presented 4-2 (Councilors Crowley and Walker opposed). A roll call vote was taken.

**VIII. Executive Session**

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

*This was taken up during the workshop.*

IX. Open Session - Members of the public are invited to speak to the Council about any issue directly related to City business which is not on this agenda. *No one from the public spoke.*

X. **Adjournment** – Motion was made by Councilor Young and seconded by Councilor Gerry to adjourn. There were no objections and the meeting adjourned at 8:00 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

**IN COUNCIL REGULAR MEETING NOVEMBER 17, 2014 VOL. 34 PAGE 79**

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

**II. Consent Items - None**

II. Minutes

November 3, 2014 Regular Council Meeting

Motion was made by Councilor Crowley and seconded by Councilor Gerry to accept the minutes of the November 3, 2014 as presented. Passage 6-0.

**III. Reports**

**Mayor’s Report** – On the canal water rights discussions with Lewiston.

**City Councilor Reports** – Councilor Lee announced that John Holden is the new president of the Lewiston Auburn Economic Growth Council; Councilor Crowley on Election Day, Veterans Day, veterans that were recognized at Clover Manor, went over dates to watch, free fare day on the purple buses, holiday parade, visiting hours at the Library, Lewiston agenda packet did not include the water intake valve issue, the condition of North River Road, and budget discussions. A written report is on file; Councilor Gerry on the Lewiston Auburn Transit Committee meeting and discussions about the transportation center; and Councilor Walker on the South Main Street Project.

**City Manager Report** – Gave thanks to former City Manager Clint Deschene for his service to the City, thanked the City Clerk staff for running a smooth election, congratulated candidates, and suggested moving reports toward the end of the meetings after New Business.

**Finance Director, Jill Eastman - October 2014 Monthly Finance Report**

Motion was made by Councilor Crowley and seconded by Councilor Hayes to accept and place on file the October 2014 monthly finance report. Passage 5-0-1 (Councilor Walker abstained).

**IV. Communications, Presentations and Recognitions**

- Update on the South Main Street water main project

**V. Open Session**

- Don St. Germaine, owner of Morris Auto Parts/Don's Towing regarding his license for an Auto Graveyard/Junkyard application.

VI. Unfinished Business - None

VII. New Business

**2. Order 95-11172014**

**IN COUNCIL REGULAR MEETING NOVEMBER 17, 2014 VOL. 34 PAGE 80**

Authorizing the City Manager to execute documents that provide a Credit Enhancement Agreement (CEA) to Mechanics Savings Bank for their new development project.

Motion was made by Councilor Lee and seconded by Councilor Hayes to authorize the City Manager to execute documents that provide a Credit Enhancement Agreement (CEA) to Mechanics Savings Bank for their new development project.

Public comment - No one from the public spoke.

Motion was made by Councilor Gerry to amend to include the sidewalk and parking lot improvements. The amendment failed for lack of a second.

Motion was made by Councilor Crowley and seconded by Councilor Walker to include a directive to staff to report back within 60 days on any opportunities to leverage the credit enhancement dollars that would be captured under this project. Amendment failed 2-4 (Councilors Young, Hayes, Lee, and Gerry opposed).

Passage of the original order as presented 4-2 (Councilors Crowley and Walker opposed). A roll call vote was taken.

**VIII. Executive Session**

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

*This was taken up during the workshop.*

IX. Open Session - Members of the public are invited to speak to the Council about any issue directly related to City business which is not on this agenda. *No one from the public spoke.*

**X. Adjournment** – Motion was made by Councilor Young and seconded by Councilor Gerry to adjourn. There were no objections and the meeting adjourned at 8:00 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

**IN COUNCIL REGULAR MEETING DECEMBER 1, 2014 VOL. 34 PAGE 82**

Mayor LaBonté called the meeting to order at 7:05 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Councilor Young had an excused absence. All other Councilors were present.

**III. Consent Items**

**41. Order 97-12012014\***

Appointing Susan Clements-Dallaire as Registrar of Voters with a term expiration of December 31, 2016.

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

**II. Minutes**

- November 17, 2014 Regular Council Meeting

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to accept the minutes of November 17, 2014 as presented. Passage 6-0.

**III. Reports\***

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

Motion was made by Councilor Lee and seconded by Councilor Walker to suspend the rules and move item III, Reports on the agenda to immediately after item VIII, Executive Session. Passage 6-0.

**IV. Communications, Presentations and Recognitions**

- Jam the Gym Fundraiser for the PAL Center – Chief of Police, Phil Crowell

**V. Open Session – Joe Gray, Sopers Mill Road regarding Tax Increment Financing.**

**VI. Unfinished Business**

**1. Order 94-11032014**

Authorizing the payment of \$10,000 for land acquisition of 261 Main Street.

Motion was made by Councilor Lafontaine and seconded by Councilor Lee to authorize the payment of \$10,000 for the land acquisition of 261 Main Street as presented.

Public comment-no one from the public spoke. Passage 5-1 (Councilor Walker opposed). A roll call vote was taken.

**VII. New Business**

**42. Ordinance 10-12012014**

**IN COUNCIL REGULAR MEETING DECEMBER 1, 2014 VOL. 34 PAGE 83**

Approving the proposed ordinance amendment in Chapter 2, Article VI, section 2-485 (Council action on budget increase). Public hearing and first reading.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to approve the proposed ordinance amendment in Chapter 2, Article VI, Section 2-485 (Council action on budget increase) as presented.

Motion was made by Councilor Crowley and seconded by Councilor Walker to amend to

include the waiver by a super majority or 5 votes of the City Council to pass. The motion failed 3-4 (there was a tie vote 3-3 with Councilors Hayes, LaFontaine, and Lee in opposition and in accordance to the City Charter, Article III, Section 3.3 the Mayor voted to break the tie vote. He voted in opposition and the motion failed).

Public hearing – no one from the public spoke.

The motion to approve the proposed ordinance amendment in Chapter 2, Article VI, section 2-485 (Council action on budget increase) failed the first reading 3-4 (there was a tie vote 3-3 with Councilors Crowley, Walker, and Gerry in opposition and in accordance to the City Charter, Article III, Section 3.3 the Mayor voted to break the tie vote. He voted in opposition and the motion failed).

**43. Resolve 12-12012014**

Supporting the location of the Downtown Transportation Center on the city owned property in the Great Falls area and the allocation of at least \$150,000 for the local matching funds.

Motion was made by Councilor Lee and seconded by Councilor LaFontaine supporting the location of the Downtown Transportation Center on the city owned property in the Great Falls area and the allocation of at least \$150,000 for the local matching funds, and to include additional language that the authorizations previously provided by the Council in Order 92-11192012 and Order 35-04222014, including the monetary allocations therein are hereby rescinded.

Motion by was made by Councilor Lee and seconded by Councilor Hayes to also strike the language of “at least” (\$150,000 for the local matching funds). Passage 6-0.

Motion was made by Councilor Crowley and seconded by Councilor Walker to amend by adding a completion date of no later than November 1, 2015. The motion for this amendment failed 2-4 (Councilors Lee, Lafontaine, Hayes, and Gerry opposed).

Public comment – Mark Adams on behalf of Lee Griswold (owner of the Hilton Garden Inn) who read letter written by Mr Griswold supporting the Downtown Transportation Center and the Great Falls location.

Passage of Resolve 12-12012014 as amended, 6-0.

**VIII. Executive Session**

- Discussion on a Poverty Abatement, pursuant to 36 M.R.S.A. Sec. 841(2) with possible action to follow.

**IN COUNCIL REGULAR MEETING DECEMBER 1, 2014 VOL. 34 PAGE 84**

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley to enter into executive session pursuant to 36 M.R.S.A. Sec. 841(2) with possible action to follow. Passage 6-0, time 7:34 PM.

Council was declared out of executive session at 8:47 PM.

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley to deny the abatement for years 2009, 2010, and 2011 as it is outside of the limitations and Council declines to extend that limitation. Passage 5-1 (Councilor Walker opposed). This becomes order 98-12012014.

Motion was made by Councilor LaFontaine and seconded by Councilor Lee to deny the poverty abatement on the grounds that the applicant has not met his burden to show that he is unable to contribute to the public cause. Passage 4-2 (Councilors Walker and Gerry opposed). This becomes order 99-12012014.

- Discussion of a labor contract, pursuant to 1 M.R.S.A. Sec. 405(6) (D).

Motion was made by Councilor LaFontaine and seconded by Councilor Lee to enter into executive session, pursuant to 1 M.R.S.A. Sec. 405(6) (D). Passage 5-0-1 (Councilor Walker abstained), time 8:49 PM.

Council was declared out of executive session at 9:05 PM.

## Reports\*

**Mayor's Report** – no report at this time.

**City Manager's Report** – The 2014 Financial Audit for Council to review and a presentation will follow on December 15, 2014.

## Committee and City Councilor Reports

Councilor Crowley - will submit her Committee reports in writing, and provided her Ward 1 report with dates to watch (World Aids Day, Community Holiday Parade, St. Nicholas Day, Pearl Harbor Day, Small Business Day in Maine, traditional shopping day in Ireland, Christmas open house at the Women's Literary Union headquarters on Elm Street, Hanukkah, winter solstice, whiners day, visiting hours at the Library, welcomes comments from residents regarding the City budget). A written report was also submitted.

Councilor Hayes – no report

Councilor LaFontaine – School Committee and faculty visit to Worcester Technical School, Auburn School system looked upon favorably by many, the Auburn Library Board of Trustees audit report was good and things are in good standing, the College for ME luncheon.

Councilor Lee – to attend the upcoming Bike-Ped and LAEGC meetings and will report after those meetings.

## IN COUNCIL REGULAR MEETING DECEMBER 1, 2014 VOL. 34 PAGE 85

Councilor Walker – tree lighting at Denny Sullivan Park on December 14, 2014 and Santa Clause will be there for the event.

Councilor Gerry – Citizens Advisory Committee meeting on December 2, 2014.

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

No one from the public spoke.

## X. **Adjournment** – Motion was made by Councilor LaFontaine and seconded by Councilor Walker to adjourn. With no objections from Council, the meeting adjourned at 9:16 PM.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

## IN COUNCIL REGULAR MEETING DECEMBER 15, 2014 VOL. 34 PAGE 86

Mayor LaBonté called the meeting to order at 7:04 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

#### **IV. Consent Items**

##### **44. Order 100-12152014\***

Accepting the 2014 Audit.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to accept the 2014 Audit as presented. Passage 7-0.

#### **II. Minutes**

- November 24, 2014 Special Council Meeting
- December 1, 2014 Regular Council Meeting

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to accept the minutes of November 24, 2014 and December 1, 2014 as presented. Passage 6-0-1 (Councilor Young abstained as he was not present at those meetings).

#### **III. Reports**

Motion was made by Councilor LaFontaine and seconded by Councilor Lee to suspend the rules to move item III. Reports on the agenda to immediately after item VIII. Executive Session. Passage 5-2 (Councilors Crowley and Walker opposed).

#### **IV. Communications, Presentations and Recognitions**

Communication – Letter from the Sabattus Selectmen to the Androscoggin County Commissioners regarding Commissioner’s compensation. With support from the City Council, the Interim City Manager and the Mayor will be co-signing a letter joining other communities in Androscoggin County to weigh in and support the Androscoggin County Budget Committee’s authority to set County Commissioner’s compensation.

#### **V. Open Session**

- Peter Letourneau, 38 Field Avenue – County Commissioner compensation issue
- Joe Gray, Sopers Mill Road – Thank you to the Fire Department who escorted Santa into Rolly’s Diner and for leading the parade in New Auburn.

#### **VI. Unfinished Business**

##### **45. Ordinance 10-12012014**

Approving the proposed ordinance amendment in Chapter 2, Article VI, section 2-485 (Council action on budget increase). Second reading.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to approve the proposed ordinance amendment in Chapter 2, Article VI, section 2-485 (Council action on budget increase) as presented.

Public comment – Joe Gray, Sopers Mill Road spoke in opposition of this amendment.

#### **IN COUNCIL REGULAR MEETING DECEMBER 15, 2014 VOL. 34 PAGE 87**

Motion was made by Councilor Crowley and seconded by Councilor Gerry to amend under part B, *Exception* with the provision that it may be waived by a super majority vote of 5 City Councilors. Passage of amendment 4-3 (Councilors Lee, Young, and LaFontaine opposed).

Passage of Ordinance 10-12012014 as amended 6-1 (Councilor Young opposed). A roll call vote was taken.

VII. New Business

**46. Order 101-12152014**

Approving the Special Amusement Permit for Jasmine Café, located at 730 Center Street. Public hearing.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to approve the Special Amusement Permit for Jasmine Café, located at 730 Center Street.

Public hearing – Joe Gray, Sopers Mill Road had questions regarding the security requirements on the application.

Passage 7-0.

**47. Order 102-12152014**

Approving the Hartt Transportation TIF (Tax Increment Financing). Public hearing.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to approve the Hartt Transportation TIF as presented.

Public hearing – Joanna Bradeen, CFO for Hartt Transportation regarding their facility and investment in Auburn, Dan Herrick 470 Hatch Road questioned whether or not they registered their trucks in Auburn.

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

**48. Order 103-12152014**

Approving an Auto Graveyard/Junkyard permit for Morris Auto Parts located on 940 Washington Street. Public hearing.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to approve the Auto Graveyard/Junkyard permit for Morris Auto Parts located at 940 Washington Street North.

Public hearing – no one from the public spoke.

Passage 6-1 (Councilor Gerry opposed).

**VIII. Executive Session**

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

**IN COUNCIL REGULAR MEETING DECEMBER 15, 2014 VOL. 34 PAGE 88**

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to enter into executive session to discuss a real estate matter. Passage 6-1 (Councilor Crowley opposed), time 7:48 PM.

Council was declared out of executive session at 7:54 PM with no action to follow.

- Discussion regarding labor contracts, pursuant to 1 M.R.S.A. 405(6)(D) with possible public presentation and action to follow.

Motion was made by Councilor LaFontaine and seconded by Councilor Lee to enter into executive session to discuss labor contracts. Passage 4-1-2 (Councilor Crowley opposed, Councilors Walker and

Gerry were not in the room during the vote), time 7:56 PM.

Council was declared out of executive session at 7:59 PM. Chief of Police Phil Crowell and Human Resource Director Deb Grimmig gave an update of what is before Council.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to authorize the Interim City Manager to execute the Collective Bargaining Agreement with MAP (Maine Association of Police) Patrol Unit for July 1, 2013 through June 30, 2014 and for July 1, 2014 through June 30, 2017. This becomes order 104-12152014.

Public comment – Joe Gray, Sopers Mill Road asked why there would be an extra 16% in the retirement every year.

Passage 5-2 (Councilors Crowley and Gerry opposed). A roll call vote was taken.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to approve the new retirement plan from the current 2C Plan (25 year/50% pension/no minimum age plan) to the 3C Plan (25 year/67%/no minimum age plan) effective January 1, 2015 for uniformed law enforcement personnel hired after December 31, 1989. The 3C Plan applies to service rendered on January 1, 2015 or later. Service rendered prior to January 1, 2015 remains under the Special 2C Plan. All Police Officers hired January 1, 2015 or after shall be covered by the 3C Plan. The City Council authorizes the Interim City Manager to sign the contract between the City of Auburn and the Maine Public Employees Retirement System to implement the 3C Plan. This becomes order 105-12152014.

Public comment – no one from the public spoke.

Passage 5-2 (Councilors Crowley and Gerry opposed). A roll call vote was taken.

**Mayor's Report** – A workshop will take place on December 18<sup>th</sup> on solid waste with a recommendation to pay as you throw. He also thanked the folks in New Auburn for a phenomenal neighborhood Christmas event that took place on Sunday.

### **City Councilor Reports**

**Councilor Hayes** – no report.

## **IN COUNCIL REGULAR MEETING DECEMBER 15, 2014 VOL. 34 PAGE 89**

**Councilor LaFontaine** – requested a meeting with the School Committee before budget discussions begin to talk about process between the School Committee and Council.

**Councilor Lee** – Citizens Advisory Committee meeting update.

**Councilor Walker** – gave thanks to the United New Auburn Association for a successful tree lighting event and thanks to Tim Horton's.

**Councilor Gerry** – Androscoggin County Budget Committee update.

**Councilor Young** – no report.

**Councilor Crowley** – gave thanks to the Community organizations that helped to make December special and went over dates to watch (Hanukkah, Auburn Water and Sewer budget, public meeting on recycling, winter solstice, United New Auburn Association meeting change, New Years Eve, visiting hours at the Library, the Winter Festival, calls regarding reports, concerns regarding energy costs, and the ice arena shortfall).

**City Manager** – Budget meeting discussion of the snowmobile clubs, County budget increase, gave thanks to all involved in the Christmas parade, and read a letter received recognizing various employees (Police and Fire), and the workshop that was planned for December 22 has been rescheduled to January 12<sup>th</sup>, 2015.

**Finance Director, Jill Eastman - November 2014 Monthly Finance Report**

Motion was made by Councilor Crowley and seconded by Councilor LaFontaine to accept and place on file the November 2014 monthly finance report. Passage 7-0.

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

Priscilla Miller, 211 Summer Street – changes to police departments retirement, County Commissioners pay and benefits, recommended putting less salt and sand on the roads and sidewalks, recycling comments, and the Norway Savings Bank Arena.

Bob Cavanagh, 127 Field Avenue - gave recognition to the Public Services Department for their sidewalk maintenance.

Joe Gray, Sopers Mill Road – Norway Savings Bank Arena finances, urged Council to take tighter control that and other spending, on the County Budget, suggested hiring a private negotiator for labor contracts, twin city community logo, and recognized the Public Works drivers who are doing a good job when plowing.

X. **Adjournment** – Motion was made by Councilor LaFontaine and seconded by Councilor Walker to adjourn. Passage 7-0 and the meeting adjourned at 9:00 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

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

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

**V. Consent Items**

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

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

II. Minutes

▪ **December 15, 2014 Regular Council Meeting**

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

IV. **Reports\***

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

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

IV. **Communications, Presentations and Recognitions**

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

V. **Open Session**

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

**IN COUNCIL REGULAR MEETING JANUARY 5, 2015 VOL. 34 PAGE 91**

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

VI. Unfinished Business - **None**

VII. New Business - **None**

VIII. **Executive Session** - None

**Reports\***

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

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

**Committee and City Councilor Reports**

**Councilor LaFontaine** – On scheduling a meeting with Council and the School Committee to talk about process, members of the School Committee and high school administration visited a

school in Worcester, Massachusetts; she encouraged School Administration to not think about building only when talking about curriculum for high school students. She also commented on the Auburn Public Library activities and events, and on the labor shortage in our community (and all of Maine).

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

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

**Councilor Young** – no report.

**Councilor Crowley** - On Auburn Recreation and Special Events meeting, posting on message board, the Winter Festival, the First Auburn Senior Citizens group activities, Ingersoll update report, programming updates, Auburn Water and Sewerage District report included budget, cell tower lease agreement, Auburns share of the Lewiston-Auburn Water Pollution Control  
**IN COUNCIL REGULAR MEETING JANUARY 5, 2015 VOL. 34 PAGE 92**

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

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

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

Jim Tierney, 7 Drummond Street commented on snow removal.

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

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

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

A True Copy.

ATTEST

\_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

Mayor LaBonté called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Councilor Young had an excused absence. All other Councilors were present.

## **VI. Consent Items**

### **53. Order 05-01202015\***

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

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

## **II. Minutes - January 5, 2015 Regular Council Meeting**

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

## **III. Reports**

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

## **IV. Communications, Presentations and Recognitions**

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

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

## **V. Open Session – No one from the public spoke**

## **VI. Unfinished Business - None**

## **VII. New Business**

### **1. Order 06-01202015**

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

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

Public comment – no one from the public spoke

## **IN COUNCIL REGULAR MEETING JANUARY 20, 2015 VOL. 34 PAGE 94**

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

### **2. Ordinance 01-01202015**

Adopting the proposed amendment to Part II, Code of Ordinance, Chapter 2, Administration,

Article V, Boards, Commissions and Committees, Division 4, Planning Board. First reading.

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

Public comment – no one from the public spoke

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

**3. Ordinance 02-01202015**

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

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

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

**4. Ordinance 03-01202015**

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

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

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

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

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

**Mayor's Report** – No report

**City Councilor Reports**

**IN COUNCIL REGULAR MEETING JANUARY 20, 2015 VOL. 34 PAGE 95**

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

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

**Councilor Gerry** – no report

**Councilor Walker** – no report

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

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

**City Manager's Report** – Commended the Police Department on the well organized effort with the Lewiston Police Department, the Lisbon Police Department, the County Sherriff's office and various State and Federal agencies on the arrest of 24 individuals who were selling drugs in the area.

**Finance Director, Jill Eastman** - December 2014 Monthly Finance Report

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

IX. Open Session – **No one from the public spoke**

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

A True Copy.

ATTEST \_\_\_\_\_

Susan Clements-Dallaire, City Clerk

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

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

I. New Business

**25. Ordinance 04-01262015**

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

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

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

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

II. **Executive Session**

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

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

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

III. Adjournment

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

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

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

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

Mayor LaBonté called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Councilors Young and Crowley had excused absences. All other Councilors were present.

**VII. Consent Items**

**5. Order 07-02022015\***

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

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

**II. Minutes**

▪ **January 20, 2015 Regular Council Meeting**

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

**V. Reports\***

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

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

**IV. Communications, Presentations and Recognitions**

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

**V. Open Session**

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

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

**VI. Unfinished Business**

**1. Order 06-01202015**

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

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

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

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

**2. Ordinance 01-01202015**

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

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

Public hearing – no one from the public spoke.

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

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

**3. Ordinance 02-01202015**

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

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

Public comment – no one from the public spoke.

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

**IN COUNCIL REGULAR MEETING FEBRUARY 9, 2015 VOL. 34 PAGE 99**

**4. Ordinance 04-01262015**

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

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

Public comment – no one from the public spoke.

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

Passage of the amendment 5-0.

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

## VII. New Business

### 5. **Order 08-02022015**

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

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

Public comment – Andy Titus 14 Pinnacle Drive

Passage 4-1 (Councilor Lee was opposed).

### 6. **Ordinance 05-02022015**

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

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

Public hearing – no one from the public spoke.

## **IN COUNCIL REGULAR MEETING FEBRUARY 9, 2015 VOL. 34 PAGE 100**

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

### 7. **Ordinance 06-02022015**

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

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

Public hearing-no one from the public spoke.

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

**8. Ordinance 07-02022015**

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

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

Public hearing – no one from the public spoke.

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

**9. Ordinance 08-02022015**

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

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

Public hearing – no one from the public spoke.

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

**10. Ordinance 09-02022015**

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

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

Public hearing – no one from the public spoke.

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

**11. Order 09-02092015**

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

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

Ordinance requirements, applicable department approvals and conditions are met.

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

Passage 4-1, Councilor Hayes opposed.

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

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

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

**Reports\***

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

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

**IN COUNCIL REGULAR MEETING FEBRUARY 9, 2015 VOL. 34 PAGE 102**

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

**Committee and City Councilor Reports**

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

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

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

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

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

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

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

**IN COUNCIL REGULAR MEETING FEBRUARY 17, 2015 VOL. 34 PAGE 103**

Mayor LaBonté called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Councilor Lee arrived at 8:20 P.M. All other Councilors were present.

**VIII. Consent Items**

**54. Order 10-02172015\***

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

**55. Order 11-02172015\***

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

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

**II. Minutes - January 26, 2015 Special Council Meeting**

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

**III. Communications, Presentations and Recognitions**

- Recognition - Auburn Wellness Team

**IV. Open Session – No one from the public spoke**

**V. Unfinished Business**

**12. Ordinance 05-02022015**

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

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

Public comment - no one from the public spoke.

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

**13. Ordinance 06-02022015**

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

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

Public comment - no one from the public spoke.

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

**14. Ordinance 07-02022015**

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

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

Public comment - no one from the public spoke.

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

**15. Ordinance 08-02022015**

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

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

Public comment - no one from the public spoke.

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

**16. Ordinance 09-02022015**

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

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

Public comment - no one from the public spoke.

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

**IN COUNCIL REGULAR MEETING FEBRUARY 17, 2015 VOL. 34 PAGE 105**

**VI. New Business**

**17. Order 12-02172015**

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

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

Public comment – no one from the public spoke.

Passage 6-0.

**18. Order 13-02172015**

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

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

Public comment – no one from the public spoke.

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

**19. Order 14-02172015**

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

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

Public comment – no one from the public spoke.

Passage 5-1 (Councilor Crowley opposed).

**20. Order 15-02172015**

Approve funding \$12,691 to LA Arts.

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

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

**IN COUNCIL REGULAR MEETING FEBRUARY 17, 2015 VOL. 34 PAGE 106**

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

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

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

Motion was made by Councilor Crowley and seconded by Councilor Walker to postpone

allowing time for the City Manager provide funding alternatives. Passage 4-2 (Councilors Young and Gerry opposed).

**21. Ordinance 10-02172015**

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

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

Public hearing - no one from the public spoke.

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

**22. Order 16-02172015**

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

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

Public comment - no one from the public spoke.

Passage 6-0.

**VII. Reports**

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

**City Councilors' Reports**

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

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

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

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

**Finance Director, Jill Eastman – January 2015 Monthly Finance Report**

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

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

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

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

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

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

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

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

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

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

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

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

**IX. Consent Items - None**

II. Minutes

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

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

**III. Communications, Presentations and Recognitions - None**

**IV. Open Session**

- Dan Herrick, 470 Hatch Road on tax acquired properties, the Agricultural Resource Protection Zone, Emergency Management Service transport issue.

- Clem Clements, 28 First Street, Lewiston with positive comments on the Norway Savings Bank Arena and the tournaments that are taking place.

V. Unfinished Business

1. **Ordinance 10-02172015**

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

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

2. **Order 15-02172015**

Approve funding \$12,691 to LA Arts.

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

**IN COUNCIL REGULAR MEETING MARCH 2, 2015 VOL. 34 PAGE 109**

V. New Business

3. **Order 18-03022015**

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

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

Public hearing – no one from the public spoke.

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

4. **Order 19-03022015**

Appointing Board and Committee members.

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

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

5. **Order 20-03022015**

Authorizing the agreement to share health officer services with Lisbon.

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

Public comment – no one from the public spoke.

Passage 6-1 (Councilor Walker opposed).

6. **Order 21-03022015**

Authorizing the reallocation of bonds in the amount of \$350,000 for the repurposing of Ingersoll Arena. Public hearing and first reading. *Council may enter into executive*

*Session regarding a real estate matter, pursuant to 1 M.R.S.A. §405(6) (C).*

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

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

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

Public hearing - no one from the public spoke.

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

**IN COUNCIL REGULAR MEETING MARCH 2, 2015 VOL. 34 PAGE 110**

Motion was made by Councilor LaFontaine and seconded by Councilor Lee to resume the earlier executive session to review and discuss an examination conducted by the City for licensing purposes pursuant to 1 M.R.S. § 405 (6) (G). Passage 7-0, 8:31 PM.

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

**7. Order 17-03022015**

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

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

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

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

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

**Reports\***

**Mayor's Report** – no report

**City Councilors' Reports**

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

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

**Councilor Crowley** – reported on the Auburn Sewerage District (also submitted a written copy which has been placed on file), discussed their budget, hydrant maintenance, ASD Trustee Jeff Preble's term has expired and he will not be re-applying, CSO Master plan 5 year update, RFQ for team building and leadership development, Sewer tip of the month –flooding basements, Auburn Water District Report (also submitted a written copy which has been placed on file), Water District budget, slow flowing water lines to prevent freezing, mortgage on the Brackett

House, FOAA fees, purchase of trucks, Recreation and Special Events Advisory Board, business plan repurposing Ingersoll Arena, the mission statement of the board, special events under recreation or economic and community development, Ward 1 report, thanked Alfreda Fournier for photos, working with Chris Langis (School Committee) regarding communications, dates to watch, Dinny Sullivan Day - A Salute to Neighborhood Businesses.

**Councilor Young** – no report

**Councilor Hayes** – no report

**Councilor LaFontaine** – no report

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**Councilor Lee** – no report

**City Manager's Report** – no report

**IX. Open Session** – no one from the public spoke

**Ordinance 10-02172015**

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

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

Public hearing - no one from the public spoke.

Passage 6-1 (Councilor Crowley opposed).

**Order 15-02172015**

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

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

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

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

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

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

**IN COUNCIL REGULAR MEETING MARCH 16, 2015 VOL. 34 PAGE 112**

Mayor LaBonté called the meeting to order at 7:09 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Councilor LaFontaine had an excused absence. All other Councilors were present.

**X. Consent Items**

**1. Order 22-03162015**

Appointing the Registration Appeals Board members.

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

**II. Minutes - March 2, 2015 Regular Council Meeting**

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

**III. Communications, Presentations and Recognitions**

Lewiston Auburn Economic Growth Council - postponed to April.

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

**V. Unfinished Business**

**8. Order 19-03022015**

Appointing Board and Committee members.

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

**9. Order 21-03022015**

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

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

Public comment - no one from the public spoke.

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

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

**IN COUNCIL REGULAR MEETING MARCH 16, 2015 VOL. 34 PAGE 113**

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

**Public comment – no one from the public spoke.**

**Passage 5-1 (Councilor Gerry opposed).**

## VI. New Business

### 10. Order 23-03162015

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

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

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

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

Public comment - Andy Titus 14 Pinnacle Drive

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

## VII. Executive Session

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

## VIII. Reports

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

### IN COUNCIL REGULAR MEETING MARCH 16, 2015 VOL. 34 PAGE 114

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

#### City Councilors' Reports

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

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

**Councilor Gerry** - no report.

**Councilor Hayes** - no report.

**Councilor Young** - no report.

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

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

**Finance Director, Jill Eastman** – February 2015 Monthly Finance Report

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

**IX. Open Session**

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

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

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

**IN COUNCIL REGULAR MEETING MARCH 16, 2015 VOL. 34 PAGE 115**

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

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

**IN COUNCIL REGULAR MEETING APRIL 6, 2015 VOL. 34 PAGE 116**

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

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

**XI. Consent Items**

11. **Order 24-04062015\***  
Approving the temporary sign request for Safe Voices.
12. **Order 25-04062015\***  
Approving the temporary sign request for Auburn Business Association.
13. **Order 26-04062015\***  
Approving the temporary sign request for Park Avenue Elementary School (Spring Fest and Auction event).
14. **Order 27-04062015\***  
Accepting the transfer of Forfeiture Asset (Leslie Scott and Robert Scott).
15. **Order 28-04062015\***  
Setting the time to open the polls for the June 9, 2015 Election.

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

## II. Minutes

- March 16, 2015 Regular Council Meeting

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

## III. Communications, Presentations and Recognitions

- Lewiston-Auburn Economic Growth Council – John Holden

## IV. Open Session

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

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

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

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

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

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

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

## V. Unfinished Business

**1. Order 19-03022015**

Appointing Board and Committee members.

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

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

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

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

Charles Morrison – Cable TV Advisory Board, term expiration 1/1/2017

Edward Desgrosseilliers – Cable TV Advisory Board, term expiration 1/1/2017

Stanwood Gray – Cable TV Advisory Board, term expiration 1/1/2017

Daniel Philbrick – Planning Board, term expiration 1/1/2018

Evan Cyr – Planning Board, term expiration 1/1/2018

Susan Patneau – Recreation and Special Events Advisory Board, term expiration 1/1/2017

Dana Staples – Recreation and Special Events Advisory Board, term expiration 1/1/2017

Robert Cavanagh – Auburn Sewerage District, term expiration 3/1/2019

Preston Chapman – Auburn Water District, term expiration 3/1/2019

Lane Feldman – Zoning Board of Appeals, term expiration 10/01/2018

Kenneth Sonogere – Zoning Board of Appeals, term expiration 10/01/2018

Elizabeth Shardlow – Zoning Board of Appeals, term expiration 10/01/2018

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

**2. Order 23-03162015**

**IN COUNCIL REGULAR MEETING APRIL 6, 2015 VOL. 34 PAGE 118**

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

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

**V. New Business**

**3. Order 29-04062015**

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

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

Public comment – No one from the public spoke.

Passage 7-0.

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

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

**5. Order 30-04062015**

Approving the Public Services Labor Contract.

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

Public comment – no one from the public spoke.

Passage 7-0.

**6. Order 31-04062015**

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

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

Public comment – no one from the public spoke.

**IN COUNCIL REGULAR MEETING APRIL 6, 2015 VOL. 34 PAGE 119**

Passage 7-0.

**7. Ordinance 11-04062015**

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

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

Sec. 2-487 – Bond Authorization

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

Public comment – no one from the public spoke.

Passage 7-0.

**8. Order 32-04062015**

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

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

Public comment – no one from the public spoke.

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

**VIII. Executive Session - None**

**Reports\***

**Mayor's Report** - no report

### **City Councilors' Reports**

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

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

### **IN COUNCIL REGULAR MEETING APRIL 6, 2015 VOL. 34 PAGE 120**

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

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

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

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

**Councilor Young** – no report.

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

### **IX. Open Session**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

*The City Council commits to identifying local funding, along with Lewiston, as a match towards*

*drawing down state investment in such a planning study. Local funds may include,*

**IN COUNCIL REGULAR MEETING APRIL 6, 2015 VOL. 34 PAGE 122**

*but aren't limited to, use of planning funds allocated to Lewiston-Auburn through the Androscoggin Transportation Resource Center, funding from the Cities shared Lewiston-*

*Auburn Railroad Company fund balance, or Auburn's Downtown Tax Increment Finance Development Program account.*

**Passage 6-1 (Councilor Crowley opposed).**

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

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

**IN COUNCIL REGULAR MEETING APRIL 21, 2015 VOL. 34 PAGE 123**

Mayor LaBonté called the meeting to order at 7:15 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Councilor LaFontaine had an excused absence. All other Councilors were present.

**XII. Consent Items**

- No Consent items

**II. Minutes**

- April 6, 2015 Regular Council Meeting

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

**XIII. Communications, Presentations and Recognitions**

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

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

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

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

V. Unfinished Business

1. **Ordinance 11-04062015**

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

**IN COUNCIL REGULAR MEETING APRIL 21, 2015 VOL. 34 PAGE 124**

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

VII. New Business – **No new business**

**VIII. Reports**

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

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

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

**Councilor Crowley** – Commented on Auburn Sewer and Water District meetings. In her Ward 1 she discussed General Assistance program not now being available for certain groups of people. Dates to watch, Thursday, April 23<sup>rd</sup> is take your daughter or son to work day; Thursday there will be regular visiting hours from 5-7 at the Library; April is Autism Awareness Month; Friday, April 24<sup>th</sup> the Recreation Advisory Committee and City Council will be having a groundbreaking ceremony at noon at Pettengill Park for the Ingersoll Turf Facility; Saturday, April 25<sup>th</sup> the community take back medicine program at Bedard Medical; Saturday, May 2<sup>nd</sup> there will be a May Day celebration at Walton Elementary from 1-3; Sunday, May 3<sup>rd</sup> is the Empty Bowl Supper at the Unitarian Universalist Church, on the corner of Pleasant and Elm Street. Councilor Crowley commented on cable television and Great Falls TV, data and income levels that she requested for all of Auburn, and calls and e-mail regarding the budget.

**Councilor Young** – No report

**City Manager Report** – The City Manager wanted to thank Auburn, Superintendent of Schools, Katy Grondin for organizing the community conversation that took place Thursday at the Middle School, commented on budget process, Airport Board meeting taking place April 22<sup>nd</sup>, wanted to remind the public that the Auburn School Board would be holding their budget meeting on April 22<sup>nd</sup> at 7 pm and the City Council and public are invited to attend. Commented on downtown Auburn Transportation

Center, groundbreaking at Ingersoll, next Monday a City Council Workshop will be held to discuss Public Service, Police and Fire Departments. The City Manager wanted to congratulate Detective Jason Moore of the Auburn Police Department for

**IN COUNCIL REGULAR MEETING APRIL 21, 2015 VOL. 34 PAGE 125**

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

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

**Finance Director** – March 2015 Monthly Finance Report

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

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

No one spoke.

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

A True Copy.

ATTEST \_\_\_\_\_

Alison F. Pepin, Deputy City Clerk

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

Mayor LaBonté called the meeting to order at 7:10 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

**XIV. Consent Items - None**

**II. Minutes**

- April 21, 2015 Regular Council Meeting

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

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

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

Passage 7-0.

**III. Communications, Presentations and Recognitions**

- Proclamation – Declaring Friday, May 15, 2015 Bike to Work Day in Auburn

- Recognition – Auburn’s Odyssey of the Mind team

**IV. Open Session**

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

V. Unfinished Business – **None**

**VI. New Business**

**2. Resolve 02-05042015**

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

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

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

**IN COUNCIL REGULAR MEETING MAY 4, 2015 VOL. 34 PAGE 127**

Public comment – no one from the public spoke.

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

**3. Resolve 03-05042015**

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

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

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

Passage 7-0.

**4. Order 33-05042015**

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

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

Public comment - no one from the public spoke.

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

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

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

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

Public comment:

Rob Kilgore, 36 Newbury Street and Citizens Advisory Committee member

Larry Pelletier, 129 Second Street and Citizens Advisory Committee member

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Peter Flanders, 99 Lake St and Citizens Advisory Committee member

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

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

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

**5. Order 34-05042015**

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

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

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

**6. Order 35-05042015**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**IN COUNCIL REGULAR MEETING MAY 4, 2015 VOL. 34 PAGE 129**

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

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

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

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

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

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

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

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

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

Passage 6-1 (Councilor Gerry opposed).

**VII. Executive Session - None**

**VIII. Reports\***

**Mayor's Report - no report**

**City Councilors' Reports**

**Councilor Young, no report**

**IN COUNCIL REGULAR MEETING MAY 4, 2015 VOL. 34 PAGE 130**

**Councilor Crowley**, she will give her Water and Sewer reports at the second meeting of the month, her sewer tip of the month "do not pour grease down the drain", Ward 1 report, Lake Auburn Watershed Protection, Touch a Truck event (Advocates for Children), United New

Auburn Association and the May Day event, Congratulations to Four Seasons Farm Market for their 1 year anniversary, Empty Soup Bowl fundraiser, thank you to Mr. Drummond and others who reached out on the traffic pattern on Court Street, dates to watch, Taber's ribbon cutting, Fishing Derby, Arbor Day, Memorial Day weekend in New Auburn, parade May 23<sup>rd</sup>, Decoration Day, ABA Citizen of the Year, visiting hours, budget comments from residents, thank you to the person who left her a chocolate May Day treat.

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

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

**Councilor Walker**, no report

**Councilor Gerry**, on LATC

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

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

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

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

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

I. New Business

### **26. Order 36-05112015**

Adopting the School Budget for Fiscal Year 2016.

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

Public comment:

- Tom Kendall, 221 Stevens Mill Road and chair of the School Committee, and Peter Letourneau, 38 Field Avenue and member of the School Committee presented a slide show which covered the proposed School Budget and the cost per pupil in various communities as well as the State average.
- Cynthia Jalbert, 11 Shepley Street, spoke in support of the SRO's (School Resource Officers) and School budget and commented that the Council and School Committee need to get together on this and set egos aside. She noted that she moved here years ago because Auburn had good schools but feels that is no longer the case.
- Larry Pelletier, 129 Second Street agreed with comments made by Ms. Jalbert and feels that Council and the School Committee need to work collaboratively. He commented that in watching several joint meetings of the Lewiston Council and Lewiston School Committee there was a difference in how they work together. They work as one. He is also in favor of working out the budget for the SRO's (School Resource Officers) because they are needed.
- Jennifer Corey, 1611 Perkins Ridge Road said that she has two students in the Auburn School Department and they deserve better than a reduction of the school

budget and all students in Auburn deserve better. She added that that is what the proposed school budget is – a cut and a further deterioration of the schools in Auburn. She said she appreciated the comments made before her and added that it reaffirms things that have been said in the past that people don't want to move to Auburn because of the school system.

- Chief of Police, Phil Crowell spoke about the School Resource Officers and the SRO program. He stated that they are vital to the community, schools, teachers, students and parents. They build relationships and get ahead of things that could potentially take place.

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

## **IN COUNCIL SPECIAL MEETING MAY 11, 2015 VOL. 34 PAGE 132**

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

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

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

## **II. Executive Session**

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

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

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

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

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

This is order 37-05112015.

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

Passage 7-0.

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III. Adjournment

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

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

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

Mayor LaBonté called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

**XV. Consent Items**

**1. Order 38-05182015 \***

Accepting the transfer of \$3,592.62 forfeiture assets in U.S. Currency (Glen Barry).

**2. Order 39-05182015 \***

Accepting the transfer of \$4,932.00 forfeiture assets in U.S. currency, and one 2005 Saab 9-3 VIN #YS3FB49S751054079 (Garrett Griffin).

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

II. Minutes

- May 4, 2015 Regular Council Meeting

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

**XVI. Communications, Presentations and Recognitions**

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

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

No one from the public spoke.

V. Unfinished Business - None

VII. New Business

1. **Order 40-05182015**

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

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

Public hearing - No one from the public spoke.

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

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

2. **Order 41-05182015**

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

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

Public hearing – No one from the public spoke.

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

3. **Order 42-05182015**

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

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

Public comment - No one from the public spoke.

Passage 7-0.

4. **Order 43-05182015**

Approving the Land Lease agreement for Hawkeye Elecnor Group.

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

Public comment – No one from the public spoke.

Passage 7-0.

VIII. Reports

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

**Councilor Young** – No report.

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

**IN COUNCIL REGULAR MEETING MAY 18, 2015 VOL. 34 PAGE 136**

petitesbite.com whose site launched today, dates to watch - May 19 Tree Tea and Talk, May 25 is Decoration Day, the original name for Memorial Day, there will be a Remembrance Service at Oak Hill cemetery, and an Open House at the Central Fire Station, Sunday June 14<sup>th</sup> Flag Day celebration and service at Lake Grove Park starting at 5 PM, visiting hours are at the Foss Mansion tomorrow and the Library on the 28<sup>th</sup>, the School Budget Validation vote on June 9, 2015 and all voting will be at Auburn Hall, median value of a single family home in Auburn is not \$150,000. Does not have the current value but in 2013 it was \$132,000. She also stated that she thought the information provided about social security benefits at the last meeting was misleading and talked about the 2015 HUD income guidelines.

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

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

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

**Councilor Walker** – no report

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

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

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

**Finance Director, Jill Eastman** – April 2015 Monthly Finance Report

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

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

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

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

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

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

Mayor LaBonté called the meeting to order at 7:05 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Councilor Hayes had an excused absence. All other councilors were present.

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

**II. Minutes**

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

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

**III. Communications, Presentations and Recognitions**

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

**IV. Open Session –**

No one from the public spoke.

**VII. Unfinished Business**

**5. Order 40-05182015**

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

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

Public Comment – No one spoke

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

**6. Order 41-05182015**

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

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

**IN COUNCIL REGULAR MEETING JUNE 01, 2015 VOL. 34 PAGE 139**

Public Comment – No one spoke

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

**VIII. New Business**

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

**7. Order 44-06012015**

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

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

Public Hearing –

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

Passage 6-0

**8. Resolve 03-06012015**

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

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

Public Hearing – No one spoke.

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

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

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

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**9. Resolve 04-06012015**

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

Whereas, the Cities of Lewiston and Auburn are recognized leaders in the State of Maine for intergovernmental cooperation, working together to cost effectively provide a wide range of services from water pollution control to public transportation; and  
Whereas, at a joint Lewiston Auburn City Council meeting held on May 1, 2013, the Councils discussed the concept of municipal consolidation as the next step in cooperation; and  
Whereas, following the discussion held at this joint meeting, residents of both Lewiston and Auburn organized successful petition campaigns for the purpose of creating a Joint Charter commission to explore and formalize a consolidation effort; and  
Whereas, members of a Joint Charter Commission were elected in June 2014 and have been working diligently since then; and  
Whereas, the Commission has tentatively selected the general election of November 2016 as the date where the communities will vote on a charter that would formally consolidate the two communities into a single local government; and  
Whereas, it is right and appropriate that the residents of Lewiston and Auburn have the opportunity to vote on whether to approve a joint charter and consolidate the two communities;

**Now, therefore, be it resolved by the City Council of the \_\_\_\_\_**  
that:

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

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

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

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

Public Comment –

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

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- Larry Pelletier, 129 Second St., Auburn

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

**IX. Reports**

**Mayor's Report** – Spoke about attending the groundbreaking at Good Shepherd Food Bank, he received

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

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

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

**Councilor Lee** commented on attending the Build Maine Conference.

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

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

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

**Manager Report** – The City Manager wanted to thank the Fire Department, Public Services Department, Edward Little Students and educators that came out to Oak Hill Cemetery and placed flags on Veterans markers, next Tuesday, June 9<sup>th</sup> is the Special Municipal Election, he wanted to thank the Planning Staff for their ongoing effort of working with Community Little Theatre, Sunday June 14<sup>th</sup> a Flag Day celebration and service will be held at Lake Grove

**IN COUNCIL REGULAR MEETING JUNE 01, 2015 VOL. 34 PAGE 142**

Park starting at 5 PM, he congratulated John Storer for his new position he will be taking in Rochester, NH, he congratulated all Edward Little Graduates, he congratulated Jan Biron for her 30<sup>th</sup> Anniversary with the City of Auburn, and Norway Savings Bank secured the University of Maine Hockey Coach Red Gendron and Staff to facilitate a clinic a 4 day youth hockey camp from August 17-20.

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

No one from the public spoke.

## **XI. Adjournment**

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

A True Copy.

ATTEST \_\_\_\_\_

Alison F. Pepin, Deputy City Clerk

**IN COUNCIL REGULAR MEETING JUNE 15, 2015 VOL. 34 PAGE 143**

Mayor LaBonté called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Councilor Crowley had an excused absence. All other Councilors were present.

**XVIII. Consent Items**

**25. Order 51-06152015\***

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

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

**II. Minutes**

• **June 1, 2015 Regular Council Meeting**

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

**XIX. Communications, Presentations and Recognitions**

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

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

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

**V. Unfinished Business**

**1. Resolve 03-06012015**

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

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

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

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

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

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

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

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

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

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

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

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

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

Passage of amendments 6-0.

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

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

VII. New Business

**26. Order 45-06152015**

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

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

Public hearing – no one from the public spoke.

Passage 6-0.

**27. Order 46-06152015**

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

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

Public hearing – no one from the public spoke.

Passage 6-0.

**28. Order 47-06152015**

Approving the Special Amusement Request for The Penalty Box.

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

Public hearing – no one from the public spoke.

Passage 6-0.

**29. Order 48-06152015**

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

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

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

Passage of the amendment 6-0.

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

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

**30. Order 49-06152015**

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

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

Public comment – no one from the public spoke.

Passage 6-0.

**31. Order 50-06152015**

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

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

Public comment – no one from the public spoke.

Passage 6-0.

**32. Ordinance 12-06152015**

Adopting the proposed amendment to Part II, Code of Ordinance, Chapter 14, Business Licenses and Permits, Article XVII, Garage Sales, Section 14-632, to include Agricultural Barn Sale, Article I, In General, Section 14-2, Definitions, to include Agricultural Barn Sale, and Appendix A – Fees and Charges under Businesses and Business Regulations to include Agricultural Barn Sale. Public hearing and first reading.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to adopt the proposed amendment to Part II, Code of Ordinance, Chapter 14, Business Licenses and Permits, Article XVII, Garage Sales, Section 14-632, to include

**IN COUNCIL REGULAR MEETING JUNE 15, 2015 VOL. 34 PAGE 147**

Agricultural Barn Sale, Article I, In General, Section 14-2, Definitions, to include Agricultural Barn Sale, and Appendix A – Fees and Charges under Businesses and Business Regulations to include Agricultural Barn Sale with a friendly amendment correct a typographical error in the language under section 14-632, the last sentence states “purposes generating more *that* 50% of their household income for 5 years or more. The word “*that*” should be changed to “*then*”.

Public hearing – Roger Gauthier, said he is only asking for 3 more permits that are currently allowed, he has farmed for 38 years there and has given back to the community and he doesn’t feel like he is asking too much for this change.

Motion failed 2-4 (Councilors LaFontaine, Lee, Gerry, and Young opposed). A roll call vote was taken.

**33. Ordinance 13-06152015**

Adopting the proposed amendment to Part II, Code of Ordinance, Chapter 14, Business Licenses and Permits, Article I, In General, Section 14-2, Definitions, and Appendix A – Fees and Charges under Businesses and Business Regulations (Flea market, craft fairs, swap meets, and bazaars). Public hearing and first reading.

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry to adopt the proposed amendment to Part II, Code of Ordinance, Chapter 14, Business Licenses and Permits, Article I, In General, Section 14-2, Definitions, and Appendix A – Fees and Charges under Businesses and Business Regulations (Flea market, craft fairs, swap meets,

and bazaars).

Public hearing – no one from the public spoke.

Passage 6-0. A roll call vote was taken.

Motion was made by Councilor Gerry and seconded by Councilor LaFontaine to suspend the rules to add an item #10 to the agenda, Resolve 05-06152015 Authorizing legal action against Androscoggin County regarding certain elements of the County Charter relating to elected official compensation and benefits and the authority of the County Budget Committee.

Passage 5-0-1 (Councilor Lee abstained).

Motion was made by Councilor Gerry and seconded by Councilor LaFontaine to adopt Resolve 05-06152015 as follows:

*Resolve, Authorizing Legal Action Against Androscoggin County Regarding Certain Elements of the County Charter Relating to Elected Official Compensation and Benefits and the Authority of the County Budget Committee.*

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*Whereas, in 2012, the voters of Androscoggin County approved a new county charter changing the nature, responsibilities, and composition of both the Board of County Commissioners (the Board) and the County Budget Committee (the Committee); and*

*Whereas, the Committee's role was redefined from approving all county budget expenditures to advising on such expenditures, but with two exceptions: a requirement that the County elected officials' compensation and benefits be approved by the Committee (County Charter section 3.7) and authorizing the Committee to override specific line items recommended by the Board by an affirmative vote of 11 of its members (County Charter Section 5.5.2); and*

*Whereas, when the new charter went into effect, the newly constituted Committee and the transitional Board agreed that Section 3.7 of the Charter ultimately meant that the Board could not set its own salaries or benefits since final authority remained with the Committee; and*

*Whereas, this same understanding was reiterated without objection at the outset, during, and at the conclusion of this year's budget process; and*

*Whereas, only following final presentation of the budget and the adjournment of the Committee did the Board (upon an opinion solicited from the County's legal counsel) disregard the Committee's action on Commissioner compensation; and*

*Whereas, the official version of the charter provided to the municipal clerks prior to the charter election and upon which the voters cast their ballots clearly indicated that the County Budget Committee had the authority to change line items in the budget proposed by the Commissioners with a supermajority vote of 11 of its members; and*

*Whereas, subsequent to the approval of the charter, the Commissioners requested the legislature to make certain "non-substantive" changes to the voter approved charter to address practical problems in implementing the new charter; and*

*Whereas, one of the changes requested – to amend the charter to transform the Budget Committee into an advisory body only – constituted a substantive change; and*

*Whereas, subsequent to the legislature's adoption of a resolve directing the Commissioners to amend the charter as requested by the Commissioners, the Commissioners amended the charter to eliminate the Budget Committee's authority to make changes in the budget by a supermajority vote; and*

*Whereas, Maine Revised Statutes, 30-A M.R.S.A. § 1353, states that a county charter may give the board the authority to appropriate money according to the budget so long as the budget is approved by the finance committee, and the Budget Committee functions as the finance committee under 30-A M.R.S.A. § 1353 ; and*

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*Whereas, Maine Revised Statutes, 30-A M.R.S.A. §§ 725 and 1352 provide that the Androscoggin County Budget Committee has final approval of the budget unless otherwise provided in a charter adopted by the county.*

*Whereas, state law also requires that amendments to county charters adopted by referendum must be approved by referendum, a process that was not followed in this case; and*

*Whereas, the county's municipalities have strongly objected to the County Commission's interpretation of the county charter that, in effect, denies any meaning to Section 3.7 of the charter dealing with the compensation and benefits of elected officials; and*

*Whereas, the municipalities also object to the Commission taking unilateral action without consultation with its municipalities to pursue a substantive change in the charter to transform the budget committee into a purely advisory body; and*

*Whereas, the Commission's proposal to place an amendment to section 3.7 of the charter on the November ballot is unacceptable in that it continues to advance the Commission's position that the budget committee is and remains purely advisory; and*

*Whereas, when presented recently with a proposed charter amendment to clarify the ability of the Budget Committee to make line item budget changes with a supermajority vote, the Commission failed to take action; and*

*Whereas, these actions of the Commission have undermined the checks and balances intended by the framers of the Charter and the will of the public as expressed in their approval of a county charter that clearly and unequivocally provided authority to the Budget Committee to approve elected official salaries and benefits and to make changes in the county budget with a supermajority vote, actions that have served to undermine the legitimacy of the County's governance structure;*

*Now, therefore, be it resolved by the City Council of the City of Auburn that the firm of Brann & Isaacson is hereby authorized to initial legal action against Androscoggin County in regard to certain actions of the Commissioners relating to elected official compensation and benefits and the authority of the county budget committee, subject to the participation of the lesser of seven other communities or communities representing two thirds or more of the total municipal assessed value of the county and to share costs and expenses in accordance with the formula used to allocate the County Tax; and*

*Be It Further Resolved that Lewiston is authorized to act as fiscal agent for the communities joining in this legal action, and the City Manager is authorized to enter into such agreements as the Manager deems necessary to implement the foregoing resolutions; and*

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*Be It Further Resolved that the Council designates Councilor Gerry as its representative to any meetings of the communities participating in this effort.*

Passage 5-0-1 (Councilor Lee abstained).

Motion was made by Councilor Lee and seconded by Councilor Hayes to reconsider a failed motion on Resolve 04-06012015 from the June 1, 2015 Council meeting. This is a Resolve expressing the support of the City Council of the City of Auburn for the process now underway to develop a plan and charter for the possible consolidation of the cities of Lewiston and Auburn for presentation to the voters in November 2016.

There was debate about the vote on that item because the motion to suspend the rules to add the item to the 6/1/2015 agenda was not imposed at the last meeting and did not have the required 2/3 vote of the Council. It has since been brought to our attention that in order to suspend the rules, a 2/3 vote of Councilors present is required. It was determined that because there was not a 2/3 vote of the Council, the item should not have been added and any motion would be a new consideration of that item. Councilor Lee requested this item be placed on the July 6, 2015 Council agenda.

Motion was made by Councilor Walker and seconded by Councilor Gerry to suspend the rules and add the item to the agenda. Passage 4-2 (Councilors LaFontaine and Lee opposed).

Motion was made by Councilor Lee and seconded by Councilor LaFontaine to adopt the Resolve as follows:

*Resolve, Expressing the Support of the City Council of the City of Auburn for the Process Now Underway to develop a Plan and Charter for the Possible Consolidation of the cities of Lewiston and Auburn for Presentation to the voters in November 2016.*

*Whereas, the Cities of Lewiston and Auburn are recognized leaders in the State of Maine for intergovernmental cooperation, working together to cost effectively provide a wide range of services from water pollution control to public transportation; and*

*Whereas, at a joint Lewiston Auburn City Council meeting held on May 1, 2013, the Councils discussed the concept of municipal consolidation as the next step in cooperation; and*

*Whereas, following the discussion held at this joint meeting, residents of both Lewiston and Auburn organized successful petition campaigns for the purpose of creating a Joint Charter commission to explore and formalize a consolidation effort; and*

*Whereas, members of a Joint Charter Commission were elected in June 2014 and have been working diligently since then; and*

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*Whereas, the Commission has tentatively selected the general election of November 2016 as the date where the communities will vote on a charter that would formally consolidate the two communities into a single local government; and*

*Whereas, it is right and appropriate that the residents of Lewiston and Auburn have the opportunity to vote on whether to approve a joint charter and consolidate the two communities;*

*Now, therefore, be it resolved by the City Council of the city of Auburn that: We support the process now underway to develop a plan and charter for a consolidated Lewiston Auburn that is tentatively scheduled to be presented to the voters of our community in November 2016. We urge all residents to become informed about and participate in this process in order to be prepared to vote on whether or not to adopt a joint charter and become one municipality.*

Public comment – Andy Titus, does not agree with funding coming from the State not knowing how the money will be spent and does not feel it should be spent to promote the merging of the two cities.

Passage 4-2 (Councilors Walker and Gerry opposed).

## **VIII. Reports**

**Mayor's Report** – the Mayor commented on the Resolve that was just passed and the importance of transparency. He stated that the Resolve was brought to Council in a way that was not transparent and questioned at what point did the Joint Charter Commission put on their agenda or discuss a meeting with the Governor or drafting a Resolve.

### **City Councilors' Reports**

**Councilor Young**, commented on participating in the Auburn Fit Fest.

**Councilor Gerry** thanked the Mayor for what he said in his report tonight.

**Councilor Walker** stated that the consolidation will be defeated in the end.

**Councilor LaFontaine** commented on the Resolve and stated that personal opinions are just that without information to make good decisions and emotions are leading the conversations more than any factual data provided. She encouraged people to be open to information.

On behalf of Councilor Crowley, the Mayor presented the public with her monthly sewerage tip.

**City Manager Report** - He apologized to Chip Morrison for the comments and discussion regarding the Joint Charter Commission Resolve. He also commented on the recognition

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of the Vietnam Veterans, the Flag Day event and thanked all involved in making that a positive event. He thanked the department heads for the budget in particular Jill Eastman, thanked Greg Jordan for being here tonight, and thanked Council for support given to staff this budget season.

**Finance Director, Jill Eastman** – May 2015 Monthly Finance Report  
Motion was made by Councilor LaFontaine and seconded by Councilor Gerry to accept and place on file the May 2015 Monthly Finance Report. Passage 6-0.

## **IX. Open Session** – Members of the public are invited to speak to the Council about any issue directly related to City business which is *not on this agenda*.

Chip Morrison on Concert in the Park in Festival Plaza, an update on the Joint Charter Commission.

Joe Gray, Sopers Mills Road commented on the Joint Charter Commission. He stated that he and 4 other people were going to start a petition to withdraw the Resolve that was just passed. He also talked about the EMS (Emergency Management Services) financial statement that was presented. He asked why the City did not make EMS pay for what they cost us.

- X. Adjournment** – Motion was made by Councilor LaFontaine and seconded by Councilor Walker to adjourn. All were in favor and the meeting adjourned at 9:03 PM.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

**IN COUNCIL REGULAR MEETING JULY 6, 2015 VOL. 34 PAGE 153**

Mayor LaBonté called the meeting to order at 7:10 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Councilor Lee had an excused absence. All other councilors were present.

- XX. Consent Items** – There were none.

**II. Minutes**

- June 15, 2015 Regular Council Meeting

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to accept the minutes of June 15, 2015 as presented. Passage 5-0-1 (Councilor Crowley abstained because she was not present for the June 15, 2015 meeting).

**III. Communications, Presentations and Recognitions**

- They Mayor gave recognition to Dave Gonyea, recipient of the United States Collegiate Athletic Association (USCAA) Career Achievement Award noting that Mr. Gonyea is active in volunteer service to the community. He serves on our Recreation and Special Events Advisory Committee whose projects include the Ingersoll Arena retrofit to a surf facility. He is also active in hosting a series on Sports Tourism which helps with economic development and attracting visitors to this area. He has also hosted multiple national championships for college basketball and his teams have not only excelled on the court but off the court and in life.
- Proclamation – National Parks and Recreation Month
- Ingersoll Update - Ravi Sharma & Derek Boulanger
- Workshop item C, Reallocation of Bond Funds for the Fire Station Floor was discussed as there was insufficient time during the workshop to cover this item

- IV. Open Session** – No one from the public spoke.

**V. Unfinished Business**

**34. Ordinance 12-06152015**

Adopting the proposed amendment to Part II, Code of Ordinance, Chapter 14, Business Licenses and Permits, Article XVII, Garage Sales, Section 14-632, to include Agricultural Barn Sale, Article I, In General, Section 14-2, Definitions, to include Agricultural Barn Sale, and Appendix A – Fees and Charges under Businesses and Business Regulations to include Agricultural Barn Sale. Second reading.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to adopt the proposed amendment to Part II, Code of Ordinance, Chapter 14, Business Licenses and Permits, Article XVII, Garage Sales, Section 14-632, to include Agricultural Barn Sale,

Article I, In General, Section 14-2, Definitions, to include Agricultural Barn Sale, and Appendix A – Fees and Charges under Businesses and Business Regulations to include Agricultural Barn Sale.

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Motion by Walker and seconded by LaFontaine to amend the last line under section 14-632 (2) by changing from 5 years to 25 years.

Passage of amendment 5-1 (Councilor Crowley opposed).

Public comment – no one from the public spoke.

Passage of Ordinance 12-06152015 as amended 4-2 (Councilors Crowley and Gerry opposed). A roll call vote was taken.

**35. Ordinance 13-06152015**

Adopting the proposed amendment to Part II, Code of Ordinance, Chapter 14, Business Licenses and Permits, Article I, In General, Section 14-2, Definitions, and Appendix A – Fees and Charges under Businesses and Business Regulations (Flea market, craft fairs, swap meets, and bazaars). Second reading.

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley to adopt the proposed amendment to Part II, Code of Ordinance, Chapter 14, Business Licenses and Permits, Article I, In General, Section 14-2, Definitions, and Appendix A – Fees and Charges under Businesses and Business Regulations (Flea market, craft fairs, swap meets, and bazaars).

Public Hearing – no one from the public spoke.

Passage 6-0. A roll call vote was taken.

**VI. New Business**

**36. Order 52-07062015**

Establishing the property tax payment due dates and to establish the property tax delinquency and overpayment interest rates for Fiscal Year 2015-2016.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to establish the property tax payment due dates and to establish the property tax delinquency and overpayment interest rates for Fiscal Year 2015-2016.

Public comment – no one from the public spoke.

Passage 5-1 (Councilor Gerry opposed).

**37. Order 53-07062015**

Approving the liquor license for Café LA located at 49 Spring Street. Public hearing.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to approve the liquor license for Café LA located at 49 Spring Street.

Public hearing – Dan Gagnon, owner spoke about Café LA.

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Passage 6-0.

**38. Order 54-07062015**

Appointing Board and Committee members as nominated by the Appointment Committee.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to appoint Jordan Tate and Robert Sipe to the Conservation Commission each with term expirations of 6/1/2016. These are both new appointments.

Public comment – no one from the public spoke.

Passage 6-0.

**VII. Executive Session**

- Discussion on a legal matter pursuant to 1 M.R.S.A. §405 (6)(E).

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to enter into executive session. Passage 5-1 (Councilor Crowley opposed), time 8:00 PM.

Council was declared out of executive session at 8:28 PM.

**VIII. Reports**

**Mayor's Report**—A few weeks ago, he, along with Denis D'Auteuil served as a tour guide for the President of the Maine International Trade Center as well as the Director of the Port of St. John, New Brunswick who is looking to expand its relationships and are seeking opportunities for movement of goods. There is an opportunity to follow up to begin to build a relationship with St. John, New Brunswick. It looks like Lewiston and Auburn may attempt to initiate a sister city relationship with St. John. They are doing a lot with logistics and distribution around their port and also around innovation and economy. On the international relations front, he made his third trip in three months last week to Montreal to meet with Francois Robello, who is the investor proposing the hotel train that would run between Montreal to Boston which would include opportunity to serve Auburn. He also met with the President and COO of the Central Maine and Quebec Railroad. They have interest coming to Auburn to learn more about our freight activity here. In addition, he also spent time meeting with the Mayors of some of the smaller communities between the border and Montreal to see what their interest was in establishing passenger rail service. The conversation turned into a good conversation about hockey. He will be meeting with Mark Gosselin. He feels that there are opportunities to build relationships not only with Montreal but with the smaller communities to encourage them to visit our City in the summer. He also followed up with John Holden regarding our lease arrangement with St. Lawrence & Atlantic Railroads for parts of the Lewiston/Auburn railroad assets. We don't have a lease with the intermodal facility at this point and there isn't a lease with the railroad company for the Rangeley branch line. St. Lawrence & Atlantic Railroad is the longest run of railroad along the

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proposed route. They have set high conditions for that track for passenger train service. There is a role Lewiston and Auburn could play in negotiating to make passenger rail between Montreal and Boston a reality. He is hopeful they will continue the dialogue because there are significant opportunities here.

**City Councilors' Reports**

**Councilor Gerry** – stated that she was unable to attend the last Housing Authority Meeting because it was moved from the last Wednesday of the month to July 1<sup>st</sup> and she had a prior commitment.

**Councilor Walker** – thanked the people who came out for neighborhood watch for the historical walk led by Alan Manoian. There were a total of 51 starting out on the walk finishing with 48 so it was a good turnout. He also noted that on July 16<sup>th</sup> two of the St. Louis bells will be moved to Festival Plaza and placed display for one week.

**Councilor LaFontaine** – commented on the Library’s online auction that raised \$4,700. They have a new website that is more mobile friendly for those who use mobile devices. Their annual book sale coming up, and they continue with amazing programs. One is Super Hero Human Checker program and for teens, a comic book workshop is coming up. She did not have a school report at this time.

**Councilor Hayes** – stated he will report at the next meeting.

**Councilor Crowley** – Recreation Advisory report-she extended two invitations to the community. There will be a ribbon cutting at Pettengill Park at the new softball field Tuesday, July 7<sup>th</sup> at 5:30 PM, and Wednesday, July 8<sup>th</sup> at 6PM there will be a presentation on the Sports Tourism Program. Central Maine Community College and the City of Auburn’s Recreation and Special Events Advisory Board are co-sponsoring this program. She encouraged people to check the Recreation Services on the city website. It is not just for kids. One program in particular is the Pickle Ball program.

Water District report- The new Assistant Superintendent Michael Broadband was introduced at the Board meeting, the Broad Street water main installation project is done, Lake Auburn appears to be in good shape at this time and no one has seen the presence of algae. The annual audit report is available for review if anyone has an interest.

In regards to the Auburn Sewerage District, Michael Broadband, the Assistant Superintendent was introduced there as well. Sewer service revenues are down, the LA Water Pollution control costs are running higher than budgeted, electrical contracts were discussed for both water and sewer. She provided us with the sewer tip of the month, wet wipes are still a problem and clogging pipes.

Ward 1 report – Councilor Crowley gave thanks to community members who have worked hard for the July 4<sup>th</sup> celebration. She also commented on the Library Auction. Dates to remember: a ribbon cutting at Pettengill Park ball field on July 7<sup>th</sup>, a Sports Tourism presentation on July 8<sup>th</sup>, the Auburn Community Band is performing at Festival Plaza on

#### **IN COUNCIL REGULAR MEETING JULY 6, 2015 VOL. 34 PAGE 157**

Wednesdays (rain location is the Franco Center), July 14<sup>th</sup> is Bastille Day, July 15<sup>th</sup> is Flying Frisbee Dogs (A Wednesday in the Park Program), July 29<sup>th</sup> the Veayo twins are performing anti bullying music. The School Budget vote is over, but we need residents to stay engaged letting us know what is important to them. She encouraged residents to step up and share their ideas.

**Councilor Young** had no report at this time.

**City Manager’s Report** – wished a happy 4<sup>th</sup> of July to everyone and hoped everyone had a good weekend. He noted that today was the first day of employment for the new Norway Savings Bank Arena General Manager, Mark Gosselin. He added that Jeremy Gatcomb will be the General Manager of Ingersoll beginning September 1, 2015.

**VIII. Open Session** Members of the public are invited to speak to the Council about any issue Directly related to City business *which is not on this agenda.*

No one from the public spoke.

#### **XI.Adjournment**

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to adjourn. All were in favor and the meeting adjourned at 8:55 PM.

True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

## **IN COUNCIL REGULAR MEETING JULY 20, 2015 VOL. 34 PAGE 158**

Mayor LaBonté called the meeting to order at 7:04 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Councilor LaFontaine had an excused absence. All other Councilors were present.

### **XXI. Consent Items**

#### **39. Order 55-07202015\***

Confirming Chief Crowell's appointment of Christopher P. Saunders and Pedro "Efra" Becerra as Constables with a Firearm for the Auburn Police Department.

Motion was made by Councilor Hayes and seconded by Councilor Walker to approve the consent item as presented. Passage 6-0.

### **II. Minutes**

#### **• July 6, 2015 Regular Council Meeting**

Motion was made by Councilor Crowley and seconded by Councilor Walker to accept the minutes of July 6, 2015 as presented. Passage 5-0-1 (Councilor Lee abstained because he was not present).

### **XXII. Communications, Presentations and Recognitions**

- Proclamation – National Night Out
- County Dispatch Update – Phil Crowell

### **III. Open Session** – Members of the public are invited to speak to the Council about any issue directly related to City business which is *not on this agenda*.

**Larry Morrisette**, PO Box 3030 commented on the State Budget and how it affects children. **Larry Pelletier**, 129 Second Street commented on the Riverside Drive project and the impact the heavy flow of trucks going up and down Second Street is having. He also commented that the June 30<sup>th</sup> United New Auburn Association neighborhood walk with Alan Manoian was a great learning experience.

### **IV. Unfinished Business - None**

### **V. New Business**

#### **40. Order 56-07202015**

Authorizing the reallocation in the amount of \$120,000 of unspent proceeds from the City's 2013 General Obligation Bonds to finance repairs to Central Fire Station Apparatus Bay Floors. First reading and Public Hearing.

Motion was made by Councilor Crowley and seconded by Councilor Walker to authorize the reallocation in the amount of \$120,000 of unspent proceeds from the  
**IN COUNCIL REGULAR MEETING JULY 20, 2015 VOL. 34 PAGE 159**

City's 2013 General Obligation Bonds to finance repairs to Central Fire Station Apparatus Bay floors.

Public hearing – no one from the public spoke.

Passage 6-0. A roll call vote was taken.

## **VI. Reports –**

**Mayor's Report** – Over the last couple of weeks he has had conversations regarding a racist comment that was directed at an African American woman from Texas by a City of Auburn elected official. He reached out to her to express that in no way does that comment reflect the culture or ethic in this community. She expressed that she was impressed with how the community pushed back and understands that one comment does not represent the people of Auburn. He wanted to thank the Police Chief, Phil Crowell for making time to sit down with the Maine ACLU and himself to discuss the programs the Police Department has created and how their department responds to challenges. The Maine ACLU would like to continue dialogue and engagement.

### **City Councilors' Reports**

**Councilor Young** – He took part in the second Triple Crown Race along with the Mayor and Councilor Lee. One more to go in August; he spent last week in St. Paul, Minnesota.

**Councilor Crowley** – Gave thanks all that stopped by on Bastille Day in New Auburn; wanted to thank the Auburn Community Band for providing great entertainment every Wednesday night in downtown Auburn. Her next visiting hours will be Tuesday July 21<sup>st</sup> 1:30 PM to 3:30 PM and Thursday, July 23<sup>rd</sup> from 5 PM to 6 PM at the Auburn Public Library. Dates to remember: Conservation Commission Meeting will be held on 7/21 at 6:00 PM at Auburn City Hall, Sunday, July 26<sup>th</sup> is Open Farm Day in Auburn, Wednesday, July 29<sup>th</sup> the Veyo Twins will be performing at 10:00 AM at Festival Plaza, Thursday, July 30<sup>th</sup> is National Day of Friendship, Friday, July 31<sup>st</sup> is the first movie in the park event starting at dusk, this is a free event and the first movie will be "Ratatouille," Saturday, August 1<sup>st</sup> is a sock hop at Taber's starting at 6:00 PM., Tuesday, August 4<sup>th</sup> is National Night Out's 12<sup>th</sup> year. Regarding constituent comments, she has received emails regarding trash on the streets, she has been contacted regarding follow up work on the East Auburn Community School parking lot. Lastly, the Community Development Department is expected to hold a citizens input meeting to develop neighborhood revitalization strategies for downtown, New Auburn and Union Street.

**Councilor Hayes** – the Railroad Company annual meeting will be held on Tuesday, August 11<sup>th</sup> and the Airport Board meeting will be held on Thursday, August 6<sup>th</sup> at 5:00 PM.

## **IN COUNCIL REGULAR MEETING JULY 20, 2015 VOL. 34 PAGE 160**

**Councilor Lee** – commented on social media and he also had an opportunity to speak to the young woman from Texas.

**Councilor Walker** – the next Neighborhood Watch meeting will be held Thursday, July 23<sup>rd</sup> at Mr. and Mrs. Kings house located on the corner of South Main Street and Reginald. Next Tuesday, July 28<sup>th</sup> the United New Auburn Association will be at Rolly's Diner. The Mayor will

be speaking.

**Councilor Gerry** – recognized Mr. Larry Pelletier for his pride in the City of Auburn.

**City Managers Report** – wanted to share an incident that occurred during the last Council Meeting, 7/6 – Councilor Walker informed him that a woman went into cardiac arrest at Lake View and off duty firefighters called the paramedics and administered CPR immediately. A pulse could not be found but they did not give up, they went to the next level of care. One of the paramedics found a vein in her ankle that had not collapsed. Thanks to all of the events that took place and the training that our firefighters have been put through and not giving up, the woman survived.

**Denis** – shared that the University of Maine girl’s hockey team will be playing Brown University on October 24<sup>th</sup> at the Norway Ice Arena, also, the Superintendent of Schools, Jim Horn and the National School Board Association (NSBA) are working with the on the Bridge Program which helps utilize some students that are looking for scholarship opportunities. Details of the program are being finalized.

**Finance Director, Jill Eastman** – June 2015 Finance Report

A motion was made by Councilor Crowley and seconded by Councilor Walker to postpone the June 2015 Monthly Finance Report to the next meeting in the absence of the Finance Director.

Passage 6-0

**VII. Open Session** – Members of the public are invited to speak to the Council about any issue directly related to City business which is *not on this agenda*.

**Larry Pelletier**, 129 Second Street thanked Councilor Gerry for her comments, he talked about the streets where he picks up trash. He also suggested that the walkabouts be put on video (Great Falls TV).

**VIII. Adjournment** – Motion was made by Councilor Crowley and seconded by Councilor Walker to adjourn. All were in favor and the meeting adjourned at 8:20 PM.

A True Copy.

ATTEST \_\_\_\_\_  
Alison F. Pepin, Deputy City Clerk

**IN COUNCIL REGULAR MEETING AUGUST 3, 2015 VOL. 34 PAGE 161**

Mayor LaBonté called the meeting to order at 7:08 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Councilor LaFontaine had an excused absence. All other councilors were present.

**XXIII. Consent Items**

1. **Order 57-08032015\***  
Confirming Chief Crowell’s appointment of Paul R. Carpentier as a Constable without a firearm.
2. **Order 58-08032015\***  
Accepting the transfer of Forfeiture Asset (Jaymel Reese).

Motion was made by Councilor Hayes and seconded by Councilor Lee to accept the consent items as presented. Passage 6-0.

## II. Minutes - July 20, 2015 Regular Council Meeting

Motion was made by Councilor Walker and seconded by Councilor Hayes to accept the minutes of July 20, 2015 as presented. Passage 6-0.

## IV. Communications, Presentations and Recognitions

- Workshop item C, Petition for Street Discontinuance (Glenn Street) was discussed by Gary Johnson.
- Proclamation – Make A Wish
- Proclamation – Uncle Andy’s Digest Night
- Bike – Ped Committee update (Howard Kroll). The 2012 Bike-Ped Committee Resolve #03-192012 lapses at the end of September. The City Manager is recommending extending the committee beyond September of 2015 and making it a permanent committee.

## V. Open Session

- Joseph Roy, owner/operator of a Mobile Food Unit in Auburn – would like us to consider modifying the Mobile Food Distribution Unit ordinance. He would like the ordinance to allow them to park on the streets.
- Andy Titus, 24 Rubelite Lane commented on the Community Gardens workshop presentation. He said his recollection was that Block Grant money was limited and many worthy programs were cut because of limited funding. Now this is coming forward and he would like us to find out where the funding would be coming from before moving forward with this. He also wanted to comment on the Medical Tourism business that was featured in the newspaper. He said he likes what he saw and it looks like a worthwhile project, but he didn’t see anything regarding the business aspect of the project. Does the city have any money invested in the project and if so, what will that be? If the old police station is to be used as office space, are we giving it to them or renting to them? Is the building in a TIF district, and if so, will it be a credit enhancement TIF? He also stated that his understanding is that they

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have to prove job creation in order to get their green card and he would like to see more on that.

- Joe Gray, Sopers Mill Road, would also like the information Mr. Titus has requested on the Medical Tourism project. He also commented on Mr. Roy’s comments on Roving Diners commenting that “the City of Auburn lowers the boom and cancels everybody’s fun” adding that “we need to get away from the first thing being no, you can’t do it” and get to a “we don’t do it that way yet, but here is how we can change it”. He stated that “the people who work in this building need to be more accommodating to people who have ideas that are perhaps not traditional because we could be growing Auburn a lot faster if we didn’t always look to say no”.
- Randy Smith, Lisbon Falls who is also the owner/operator of Pinky D’s food truck spoke about food trucks and the ordinances that pertain to them. He said he has been having discussions with Lewiston on their Mobile Food Distribution Unit ordinance stating when proposing ordinance changes, there are a lot of pieces that can be added to make it work for everybody, including the taxpayer, the restaurants, and food truck operators. He

said he also worked with the City of Portland when changes were made to their Food Truck ordinance.

V. Unfinished Business

1. **Order 56-07202015**

Authorizing the reallocation in the amount of \$120,000 of unspent proceeds from the City's 2013 General Obligation Bonds to finance repairs to Central Fire Station Apparatus Bay Floors. Second reading.

Motion was made by Councilor Gerry and seconded by Councilor Walker to authorize the reallocation in the amount of \$120,000 of unspent proceeds from the City's 2013 General Obligation Bonds to finance repairs to Central Fire Station Apparatus Bay Floors.

Public comment – no one from the public spoke.

Passage 6-0.

VI. **New Business**

2. **Order 59-08032015**

Authorizing the City Manager to purchase the property at 204 Minot Avenue for \$140,000 for the purpose of improving the Washington Street and Minot Avenue gateway to our community.

Motion was made by Councilor Lee and seconded by Councilor Walker to authorize the City Manager to purchase the property at 204 Minot Avenue for \$140,000 for the purpose of improving the Washington Street and Minot Avenue gateway to our Community.

Public comment – Eric Cousens, Deputy Director of Planning and Development spoke, Joe Gray, Sopers Mill Road, and Andy Titus, 24 Rubelite Lane both commented.

Motion failed 0-6. All Councilors present were opposed.

**IN COUNCIL REGULAR MEETING AUGUST 3, 2015 VOL. 34 PAGE 163**

VII. **Executive Session**

- Discussion on a personnel matter, pursuant to 1 M.R.S.A. §405 (6)(A). *Possible action to follow.*

Motion was made by Councilor Hayes and seconded by Councilor Walker to enter into executive session pursuant to 1 M.R.S.A. §405 (6)(A). Passage 6-0. Time 8:14 P.M.

Council was declared out of executive session at 9:20 P.M.

Motion was made by Councilor Crowley and seconded by Councilor Walker to move possible action to the end of the agenda after the next open session. Passage 5-0 (Councilor Lee was out of the room at the time of this vote).

VIII. **Reports**

**Finance Director, Jill Eastman** – June 2015 Monthly Finance Report (this item was postponed at the July 20, 2015 City Council Meeting).

Motion was made by Councilor Crowley and seconded by Councilor Hayes to accept and place on file the June 2015 monthly finance report. Passage 6-0.

### **City Councilors' Reports**

**Councilor Walker** submitted a written report which was included in the packet.

**Councilor Gerry** – commented on the United New Auburn Association meeting. Mayor LaBonté was the guest speaker at the meeting. Councilor Gerry commended him on his presentation.

**Councilor Young** – commented that the Community Garden presentation in the workshop made him think of his grandfather, George Young who was a farmer in Auburn. He shared a story about his cousins who lived in town visited his grandfather one day and told him that “he was so lucky to be able to eat all of this free food”. His grandfather corrected them by stating “it wasn’t free, you had to work for it!”.

**Councilor Crowley** – Auburn Recreation Advisory Report – Phil Savignano, a member of the Recreation and Special Events Advisory Board stepped up and spoke on Sports Tourism when the original speaker cancelled. There are great opportunities for Sports Tourism in Auburn. She spoke about the Movies in the Park series which kicked off. She thanked the Public Services crew, the United New Auburn Association, Walton’s PTO, and the Women’s Literary Union. Box Car Movie Night to be held on Friday, August 14<sup>th</sup> at Pettengill Park, rain or shine (to be held inside Hasty Armory if it rains), Auburn staff is looking for volunteers to work on the Winter Festival (January 29-31, 2016), the next Recreation Advisory Board meeting will be Wednesday August 12<sup>th</sup> at City Hall.

The Auburn Water District met wed on July 22<sup>nd</sup>, their finances remain strong although water sales are down. Fire hydrants are receiving attention. A workplan to inspect and repair

### **IN COUNCIL REGULAR MEETING AUGUST 3, 2015 VOL. 34 PAGE 164**

hydrants is currently underway. The Broad Street water main installation was completed July 1st. She also spoke on the water quality of Lake Auburn and the lead and copper tested that was completed as required.

The Auburn Sewerage District met Tuesday July 21<sup>st</sup>. The Trustees approved a recommendation from Sid Hazelton to enter into a power agreement. Staff and management at Cascade are working on the odor problem. She also provided her sewer tip of the month. Do not pour fats, oils, and grease (FOG) down the kitchen sink, when pulling hair out of tub or shower drains, throw it in trash not the toilet to prevent clogging.

She provided a list of upcoming events happening in the City, encouraged residents to apply to serve on a City Board or Committee – there are several vacancies, and she commented on the Conservation Commission. Their next meeting will be August 18<sup>th</sup>. A written report was also submitted and placed on file.

**Councilor Hayes** – reminded everyone that the Airport Board will meet on Thursday night and there will be an upcoming breakfast Railroad meeting at the Hilton Garden Inn in Auburn.

**Mayor’s Report** – Mayor LaBonté thanked Howard Kroll and Denis D’Auteuil for their work in managing last Friday’s press announcement stating there are a lot of moving parts around the project (the medical tourism facility) and he spoke briefly about the project.

**City Manager’s Report** – he thanked Roland Miller on his work on the medical tourism project,

he reminded everyone about National Night Out at Festival Plaza on Tuesday, and he thanked Public Services and the Recreation staff for their efforts in putting together the first of the Movies in the Park series. He said the bacteria levels were down at the Municipal Outlet Beach and he would like to work with staff to open the beach up for swimming for the remainder of the summer and will continue having the water tested.

The City Clerk reported that the new Ward lines that were adopted in March of 2014 went into effect 7/1/2015 and notifications would be going out to all voters who have been impacted by the change. In addition, Ward 3 and Ward 4 voting places will be reassigned so voters are voting in the appropriate wards. Currently, Ward 3 voters go to Auburn Hall to vote but Auburn Hall is actually in Ward 4 and Ward 4 voters go to Fairview School to vote but Fairview School is actually in Ward 3. Now, Ward 3 voters will vote at Fairview School and Ward 4 voters will vote at Auburn Hall. Notifications will be sent to all Ward 3 and 4 voters notifying them of the change.

Motion was made by Councilor Lee and seconded by Councilor Walker to remove from the table the action of the Executive Session and to authorize the Mayor to sign a contract appointing Howard Kroll as City Manager. This is a 5 year contract with an annual salary of \$99,000. Passage 6-0, a roll call vote was taken.

**VIII. Adjournment** - Motion was made by Councilor Lee and seconded by Councilor Walker to adjourn. All were in favor and the meeting adjourned at 10:00 P.M.

True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

#### **IN COUNCIL REGULAR MEETING AUGUST 17, 2015 VOL. 34 PAGE 165**

Mayor LaBonté called the meeting to order at 7:04 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Councilor LaFontaine had an excused absence. All other Councilors were present.

#### **XXIV. Consent Items - None**

##### **II. Minutes**

- **August 3, 2015 Regular Council Meeting**

Motion was made by Councilor Walker and seconded by Councilor Hayes to accept the minutes of August 3, 2015 as presented. Passage 6-0.

#### **XXV. Communications, Presentations and Recognitions**

- Proclamation – 80<sup>th</sup> Anniversary of the Social Security Act
- Ethan Boxer-Macomber and Rick Whiting - 62 Spring Street Potential Project Update

#### **III. 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*.

**Melissa Dunn**, Tenant Rights Community Organizer for Neighborhood Housing League spoke about a press event she spoke at regarding tenant/landlord issues. Handouts were provided and a copy has been placed on file.

**Katy Grondin**, Auburn resident and Superintendent of the Auburn School Department talked about the State subsidy and the School Budget. In order to expend any of those funds in the current school year, a referendum vote is required.

**Andy Titus**, 24 Rubellite regarding the Barn project and he would like to see a “punch list”. He talked about the Community Gardens project and would like to see an inventory of property we own and can any of those be sold so funds could be used for revitalization projects. He also commented on the Spring Street presentation would like to hear more about financials and projections, parking and traffic.

**Joe Gray**, Sopers Mill Road commented on the 62 Spring Street presentation and because it was placed under presentations there was no information sheet. If it had been brought up during a workshop, there would be documents to reference. He said the same about the Superintendent who “came up out of nowhere” and “should have been a planned event”. He also mentioned that over the weekend, the United New Auburn Association had a pig roast, bottle drive, and yard sale. He thanked, the Boys and Girls Club and specifically Andrea, Christian, Savannah, Zac, Reginald, and Maurice who helped immensely.

IV. Unfinished Business - None

V. New Business

**3. Order 61-08172015**

Authorizing the City Manager to purchase property at 14 Newbury Street.

**IN COUNCIL REGULAR MEETING AUGUST 17, 2015 VOL. 34 PAGE 166**

Motion was made by Councilor Lee and seconded by Councilor Young authorizing the City Manager to purchase property at 14 Newbury Street.

Public comment – Larry Pelletier, 129 Second Street commented.

Passage 6-0.

**4. Order 62-08172015**

Authorizing the discontinuance of Glenn Street.

Motion was made by Councilor Lee and seconded by Councilor Walker authorizing the discontinuance of Glenn Street.

Public comment – no one from the public spoke.

Passage 6-0.

**5. Order 63-08172015**

Confirming the City Manager’s appointment of Denis D’Auteuil as Assistant City Manager.

Motion was made by Councilor Lee and seconded by Councilor Hayes confirming the City Manager’s appointment of Denis D’Auteuil as Assistant City Manager.

Passage 4-2 (Councilors Walker and Gerry opposed).

**6. Resolve 06-08172015**

Authorizing the City Manager to request a quote from Androscoggin County for the provision of dispatch services under the fee-for-service program currently offered to other Androscoggin County Municipalities.

Motion was made by Councilor Crowley and seconded by Councilor Hayes authorizing the City Manager to request a quote from Androscoggin County for the provision of dispatch services under the fee-for-service program currently offered to other Androscoggin County Municipalities.

Public comment – no one from the public spoke.

Passage 5-0-1 (Councilor Lee abstained).

## **VI. Executive Session**

- Discussion on a real estate matter pursuant to 1 M.R.S.A. §405 (6)(C).  
This executive session was not needed.
- Discussion on an economic development matter pursuant to 1 M.R.S.A. §405 (6)(C).  
Motion was made by Councilor Lee and seconded by Councilor Walker to enter into executive session. Passage 6-0. Time 8:11 P.M.

## **IN COUNCIL REGULAR MEETING AUGUST 17, 2015 VOL. 34 PAGE 167**

Council was declared out of executive session at 8:35 P.M.

## **VII. Reports**

**Mayor's Report** – The Mayor commented that it was nice that there were so many activities and events taking place this past Saturday here in Auburn. He thanked volunteers and businesses who help to make these events happen.

### **City Councilors' Reports**

**Councilor Gerry** reported that she attended an event in Lewiston at CMMC. It was a diabetic informational meeting that addressed making better life and food choices. She segued on to the community gardens and farmers markets and how she is personally working on making better food choices in order to improve her overall health.

**Councilor Walker** thanked everyone for a great weekend. A lot of businesses, business people and volunteers helped the United New Auburn Association on their event that took place over the weekend. It was a great time.

**Councilor Lee** reported that the last of the last of the Triple Crown series is on Saturday (The Bridge Run) and he welcomed people to join in.

**Councilor Hayes** had no report.

**Councilor Crowley** thanked the United New Auburn Association for sponsoring the Garage Sale/Pig Roast event that took place over the weekend, she also thanked the Boys and Girls Club members who helped out, she thanked the children who entered the box car driving contest held on Friday at Pettengill Park, she congratulated Tabers who are celebrating 75 years in business, Top it Off Yogurt Bar and Maine Gourmet Chocolate who are celebrating 2 years in business. She went over dates to watch, including the 95<sup>th</sup> anniversary of the ratification of the 19<sup>th</sup> amendment granting women the right to vote. She encouraged women to volunteer to serve on one of the boards or committees of the City. Thursday 8/20 is the deadline for filing nomination papers, 8/21 is the Great Falls Balloon Festival, 8/25 is St Louis Feast Day, Thursday, 8/27 Don Campbell will be performing at Festival Plaza. Monday, September 6<sup>th</sup> the movie Gone with the Wind will be featured at the Outlet Beach. She went over her visiting hours at the Library. She is working with a couple of constituents on determining if there is a cat leash law in Auburn and consideration of increasing the number of chickens one can keep under our current ordinance. She mentioned that currently swimming is allowed at the Outlet Beach, and she thanked Councilor Gerry for sharing her personal story during her report.

**Councilor Young** reported that the Androscoggin Historical Society will have the Knight House open during the Balloon Festival and the Great Falls TV Advisory Board will be meeting on

Thursday.

**City Managers Report** reminded everyone that the Great Falls Balloon Festival will be taking place on both sides of the river over the weekend. He congratulated Café LA  
**IN COUNCIL REGULAR MEETING AUGUST 17, 2015 VOL. 34 PAGE 168**

located at the Auburn Public Library on their opening. The ribbon cutting took place last week. There will also be a ribbon cutting for Hartt Transportation. He wanted to wish both businesses the best of luck. He thanked Alan Manoian for his work on coordinating various events at Festival Plaza. Construction projects are taking place in New Auburn and he wanted to let those residents know how much he appreciated their cooperation and understanding during this construction. Great Falls TV will be having their quarterly meeting here at Auburn Hall on Thursday. University of Maine Hockey coach Red Gendron and his staff will be holding a clinic at the Norway Savings Bank Arena. He congratulated Denis D'Auteuil on his appointment as Assistant City Manager and he is confident that he will do a great job and he is looking forward to working with him.

**VII. 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*.

**Tim Goss**, 176 Val View Drive expressed concerns about construction projects in the City that are started but not completed. He used Park Avenue as an example. A project on Val View Drive was scheduled to begin this spring but just started a few weeks ago. Why have these projects been put on hold? He commented that if the contractors are too busy, there should be timelines, and there should be penalties for not meeting the timelines given and put back out to bid if needed.

**VIII. Adjournment** – Motion was made by Councilor Crowley and seconded by Councilor Lee to adjourn. All were in favor and the meeting adjourned at 8:53 PM.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

**IN COUNCIL REGULAR MEETING SEPTEMBER 8, 2015 VOL. 34 PAGE 169**

Mayor LaBonté called the meeting to order at 7:09 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Councilor Lee had an excused absence. All other councilors were present.

**XXVI. Consent Items**

**41. Order 64-09082015\***

Approving the temporary sign request for Saint Dominic's Academy.

**42. Order 65-09082015\***

Setting the date for the election amending the School Budget for November 3, 2015.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to approve the two consent items as presented. Passage 6-0.

**II. Minutes – August 17, 2015 Regular Council Meeting**

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to accept the

minutes of August 17, 2015 as presented. Passage 6-0.

## **VI. Communications, Presentations and Recognitions**

- LAEGC (Lewiston Auburn Economic Growth Council) Presentation – John Holden
- Presentation to the Mayor and City Council by Chief of Police Phil Crowell for the support they've given over the years to the PAL Center.

## **VII. Open Session**

Richard Valcourt 29 Marian Drive thanked the Council for work on Broad Street. He commented that the project was complete and looks nice. He asked who decision was it to place 14 parking spaces in the middle of the hill between 6<sup>th</sup> and 8<sup>th</sup> Streets and why were they put there. He said that he would appreciate a response to the questions.

Olga Dolgicer, 123 Pleasant Street and owner of the Munroe Inn commented that she has a good rapport with everyone at City Hall, she said that she is pleased with progress of the downtown area, and she spoke about property taxes and commented that the tax roll and the prices attached to the property did not make sense to her. They are higher than what the property is. She wondered where those prices came from. She said she would rather use her own money than use special funds or grants but would like to receive a tax abatement for the property she is investing in. She invested almost \$200,000 in her property which was billed at almost \$200,000 more than what she paid for the property 3 months earlier. She would like to see tax abatements offered. She talked about her experience renovating her house. She commented that code enforcement is strict. She went on to say that city staff is very capable and they do their best to address the issues, and she would like Council to look into a way to adopt a code for historic downtown which allows the department the flexibility to work with her more. She said she opened about 5 work permits and none have closed. They all have problems. She understands that ordinances are involved, but she would like to see this looked into.

## **IN COUNCIL REGULAR MEETING SEPTEMBER 8, 2015 VOL. 34 PAGE 170**

Dan Herrick, 470 Hatch Road, noted that the Council will be changing soon and he wasn't sure if it will be better or worse. He said that he hears people commenting about taxes increasing and stated that this Council has done nothing to decrease taxes. He asked what this Council done in the last 4 years to help lessen the burden of taxes. He thanked the Police Department for setting up patrol in front of one of the schools on Minot Avenue. He thinks an article should be written informing citizens on where the money for the traffic stops go. People think the Auburn is making a lot of money on these traffic stops. He asked the Council what has been done on the agricultural resource zone. Meetings have been held but nothing has been done. He said the same about tax acquired properties stating "we're stagnant". He talked about the \$40,000,000 investment coming in to Auburn and stated that it sounds great but no particulars were given and based on his past experience, anytime you invest, it costs taxpayers a lot of money. He brought up his property at 240 Hatch Road and the zoning/permitting issues with that property. He then went on to talk about how City staff does not get back to constituents when they call the City with a complaint or concern but did go on to say that Public Services, Assessing, the Tax Office, and the Police Department do get back to constituents.

Joe Gray, Sopers Mill Road, stated that he agreed with the owner of the Munroe Inn who spoke about code enforcement being restrictive. He went on to comment on Great Falls TV stating that they've lost their lease and have to move. He said it is time to bring this out to the public and get it resolved. He noted that a few things that have come up that Great Falls could help with. One would be marketing the city. They could do a public service announcement to discuss the school budget, and to inform the public about where the traffic stop fines go. He commented that we can use Great Falls TV more than we currently do. They are underutilized.

V. Unfinished Business - None

**VI. New Business**

**1. Order 66-09082015**

Authorizing the City Manager to sign a memorandum of understanding between the City and St. Mary's Nutrition Center dedicating 61 Webster Street as a community garden.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes authorizing the City Manager to sign a memorandum of understanding between the City and St. Mary's Nutrition Center dedicating 61 Webster Street as a community garden.

Bob Stone, 12 Harrison Circle spoke in support of the proposal and stated that he thinks it is a great proposal and a worthy project.

Andy Titus, 24 Rubellite Lane, spoke in favor of the project itself but questioned if we could spend time looking into other site options.

Bridget Bartlett, works with the St. Mary's Nutritional Center in Community Gardens noted that many people ask why there aren't any community gardens in Auburn. She said she would encourage Council to think of the long term benefits of this project. It will add value to the community.

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Lynn Holland, Education Assistant for the Cooperative Extension of the University of Maine. She commented that with Community Gardens, you grow more than food, you grow community.

Dan Herrick, 470 Hatch Road stated that he doesn't mind Community Gardens but noted that the cost we are putting into this is ludicrous. He asked if any farmers in the area have been contacted to help with this project. He said he would be willing to deliver all of the loom and compost and would be willing to till every year to get this started. He said he would build a garden free of charge. He said people would be willing to help, including him but \$26,000 to spend on a garden did not make sense to him.

Kirsten Walter, Director of St. Mary's Nutrition Center addressed the comments about the cost of the project.

Deb Charest, Androscoggin Land Trust, said they support the project and will be partnering with them and will do whatever they can to help.

Grady Burns 25 Hillsdale Street said he was thrilled to hear about this project and is excited to see an investment like this in this neighborhood.

Ken Estes said he lives in the neighborhood and was excited to hear about the project. He said he would like to take Mr. Herrick up on his offer to do some "free stuff", and went on to say that grants are available to offset the cost. He commented that it shouldn't be a free ride and if we can the people involved to invest in the initial set up and get people involved based on their interest, the cost can go away.

Julie Isbill, resident of Brunswick who works for the National Park Service, a community assistance program. This group applied for assistance with this project. They are in support this project stating that Community gardens are just as important as parks and trails, and rivers.

Joe Gray, Sopers Mill Road, said he was not going to speak but commented that he was irritated when Mr. Herrick made a good faith offer that was taken as a joke and smirked at. He said it hasn't been taken into account the schools community garden, Auburn Housing community gardens and we can expand on what we currently have and we certainly do not have to spend \$25,000 for a small plot. This proposal is a good idea but has not been whittled down properly. He would like to see more of a grass roots effort and not have it imposed on him.

Passage 4-3 (there was a tie vote 3-3 with Councilors Crowley, Walker, and Gerry opposed, and in accordance the City Charter, Article III, Section 3.3 the Mayor voted to break the tie vote and voted in the affirmative).

## **VII. Executive Session**

- Discussion on a real estate matter (comprehensive plan/property acquisition) pursuant to 1 M.R.S.A. §405 (6)(C).

Motion by Councilor Lafontaine, second by Councilor Walker to enter into executive session to discuss a real estate matter pursuant to 1 M.R.S.A. §405 (6)(C).

### **IN COUNCIL REGULAR MEETING SEPTEMBER 8, 2015 VOL. 34 PAGE 172**

Passage 5-1 (Crowley opposed). Time 8:43 PM.

Council was declared out of executive session at 9:04 PM.

- Discussion on a real estate matter (1 Minot Avenue) pursuant to 1 M.R.S.A. §405 (6)(C). *This item will be taken up at the September 14, 2015 meeting.*
- 1. Discussion on a real estate matter (review of a proposed lease for a crematorium at Oak Hill Cemetery) pursuant to 1 M.R.S.A. §405 (6)(C).

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to enter into executive session to discuss a real estate matter pursuant to 1 M.R.S.A. §405 (6)(C).

Passage 4-0 (Councilors Crowley and Gerry were not in the room during this vote). Time 9:04 PM.

Council was declared out of executive session at 9:25 PM.

## **VIII. Reports**

**Finance Director, Jill Eastman** – July 2015 Monthly Finance Report.

Motion was made by Councilor Crowley and seconded by Councilor Hayes to accept and place on file the July 2015 monthly finance report. Passage 5-0 (Councilor LaFontaine was not present during this vote).

**Mayor's Report** – Mayor LaBonté spoke on the substance abuse and drug trafficking issues in Auburn. Within the next few weeks we will be rolling out a public awareness campaign.

### **City Councilors' Reports**

**Councilor Young** – submitted a written report which was included in the packet.

**Councilor Crowley** – reported back on the Auburn Sewerage District meeting of 8/18/2015.

They submitted the 15 year Clean Water master plan to the Maine DEP, the board approved a new collection policy and procedure for delinquent accounts, they discussed the request from the Auburn City Clerk regarding information sharing, and she provided a sewer tip of the month on sewer rats. She also reported back on the 8/19/2015 Auburn Water District meeting. Their financial position remains stable, they approved a new collection policy and procedure for delinquent accounts, there was a presentation by Western Sampson Engineers on groundwater investigation work, measuring of the lake was held at the end of August and the lake continues to have good water quality numbers and the algae remains low, and they also discussed the request from the Auburn City Clerk regarding information sharing. Written reports were provided and have been placed on file. She also went over her ward 1 report, she thanked Councilor Walker and Peter and Jasmine (Recreation staff) for the work and success of the movies in the Park series, thank you to those who contributed to the success of the Red Table Picnic event, congratulations to Community Little Theater for reaching their 75<sup>th</sup> jubilee, dates to watch September 9<sup>th</sup> is the Recreation and Special Events Advisory

**IN COUNCIL REGULAR MEETING SEPTEMBER 8, 2015 VOL. 34 PAGE 173**

Committee meeting, the upcoming Greek Festival in September, September 18<sup>th</sup> there is an open house and tours of the Foss Mansion, a parade on September 19<sup>th</sup>. She reported that we are looking for Republicans to work the November 3<sup>rd</sup> election. She also reached out to Ward 1 residents who would like to come forward to consider declaring themselves as a write in candidate for the Ward 1 School Committee seat. Ward 1 School Committee does not have a candidate running in the November 3<sup>rd</sup> election. Without a winning write in candidate, it will result in a Special Election. She also discussed visiting hours at the Library.

**Councilor Walker** submitted a written report which was included in the packet. He also thanked the City Manager for allowing them to do the movies in the parks series, and he reported that the Marshall's Popcorn truck was on display and was also in the Balloon Festival parade.

**Councilor Gerry** – noted that the LATC (Lewiston Auburn Transit Committee) would be meeting on Thursday at 12:30 PM (time change) in the Community Room at Auburn Hall rather than AVCOG.

**Councilor Hayes** – no report.

**City Manager's Report** – on Thursday the Fire Department will host an Ice Cream Social, following that there will be a fundraiser at Margaritas for the PAL Center, Friday is the 14<sup>th</sup> anniversary of 9/11. A memorial will be held at the Fire Department. Walton School will also have an assembly that same morning.

**IX. Open Session**

Timothy Goss, 176 Val View Drive suggested that the reports be posted on the website rather than reading them at the Council meeting. He also commented that at the previous Council meeting, he came forward with a concern and the very next day the project manager followed up with him on his concern and he had all of the information he was looking for. He stated that during the first open session, the former City Councilor made the comment that Council and City staff doesn't do anything. Mr. Goss said he disagreed with that comment.

**X. Adjournment** - Motion was made by Councilor Walker and seconded by Councilor Gerry to adjourn. All were in favor and the meeting adjourned at 9:56 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

**IN COUNCIL SPECIAL MEETING SEPTEMBER 14, 2015 VOL. 34 PAGE 174**

Mayor LaBonté called the meeting to order at 5:30 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

I. New Business

**27. Order 67-09142015**

Approving the sale of city owned property at One Minot Avenue to Miracle Enterprise, LLC for \$500,000 and authorizing the City Manager to execute all documents necessary to complete this transaction.

Motion was made by Councilor LaFontaine and seconded by Councilor Lee to approve the sale of city owned property at One Minot Avenue to Miracle Enterprise, LLC for \$500,000 and authorizing the City Manager to execute all documents necessary to complete this transaction.

Public comment: David Sawicki, State Representative and resident of Auburn spoke in favor of the sale of this property.

Passage 7-0.

III. Adjournment

**The meeting adjourned at 5:45 PM and was followed by a workshop of the City Council.**

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

**IN COUNCIL REGULAR MEETING SEPTEMBER 21, 2015 VOL. 34 PAGE 175**

Mayor LaBonté called the meeting to order at 7:08 P.M. in the Council Chambers of Auburn Hall. The Auburn Fire Department's Honor Guards presented the colors leading the assembly in the salute to the flag. All Councilors were present.

**XXVII. Consent Items**

**7. Order 68-09212015\***

Confirming Chief Crowell's appointment of Charity G. Klinger as a Constable without firearm for the Auburn Police Department.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to confirm Chief Crowell's appointment of Charity G. Klinger as a Constable without firearm for the Auburn Police Department. Passage 7-0.

II. Minutes

- **September 8, 2015 Regular Council Meeting**
- **September 14, 2015 Special Council Meeting**

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley to accept the

minutes of the September 8, 2015 and September 14, 2015 Council meetings. Passage 6-0-1 (Councilor Lee abstained as he was not present for the September 8, 2015 meeting).

### III. Communications, Presentations and Recognitions

- Proclamation for Polish Fire Cadet Mateusz Cizewski
- There was a swearing in ceremony for new hires and promotions of the Auburn Fire Department – Gavin Smith (not present), John Monahan, and Eric Michaud are the new hires (Firefighter Paramedic's), and promotions went to Jake Verrill, and Julian Beale (promoted from Firefighter to Lieutenant), Mike Scott (not present, promoted from Lieutenant to Captain), and Don Flanagan (promoted from Captain to Battalion Chief)
- Sophia Carson, winner of the Auburn Book Project was recognized
- Auburn's Chief of Police, Phil Crowell, discussed Auburn's Drug Abuse Awareness Campaign

### IV. Open Session – Members of the public are invited to speak to the Council about any issue directly related to City business which is *not on this agenda*.

Larry Pelletier, 129 Second Street, spoke about an initiative he started picking up litter in New Auburn. He was approached by the Director of the Boys and Girls Club asking if he wanted help from the kids at the Club picking up trash. The Assistant City Manager provided vests, pickers, and buckets and the kids have been helping out picking up litter in the New Auburn area.

Joe Gray, Sopers Mill Road – said he wants to keep beating the drum about Great Falls TV. He commented that they should be filming the Auburn Police Departments

### IN COUNCIL REGULAR MEETING SEPTEMBER 21, 2015 VOL. 34 PAGE 176

awareness for the Hero Initiative sessions. He also commented that Sophia Carson (Auburn Book Project winner) is a hardworking dedicated young lady who occasionally works on his farm. He also commented that he was out with his motorcycle looking for a place to park and he would like to see Council propose an ordinance where motorcycles can park in those corner spaces. He also spoke about interaction between Council and citizens. He noted that we need to develop a process where citizens concerns can be aired and a response can be aired as well.

### V. Unfinished Business - None

### VI. New Business

#### 1. Order 69-09212015

Approving the Lewiston Auburn Economic Growth Council's (LAEGC) request for funding in the amount of \$20,000 towards a grant opportunity to support the marketing plans to attract new business and investment to LA Maine.

Motion was made by Councilor Lee and seconded by Councilor Gerry amending the order as follows;

***“Ordered that the City Council hereby authorizes the City Manager to document City of Auburn activities related to Foreign Direct Investment (FDI), including, but not limited to, engagement of Canadian sporting interests at Norway Savings Bank Arena and Chinese investors as the medical tourism project advances.***

***This documentation will be provided at a sufficient level that it be utilized as matching funds for a grant of LAEGC to the Maine International Trade Center, and be at a minimum match of \$20,000.”***

Public comment – no one from the public spoke. Passage 7-0.

**2. Order 70-09212015**

Adopting the Community Development Block Grant Amendments as presented by the Community Development Director.

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry to adopt the CDBG amendments as presented.

Public hearing – no one from the public spoke.

Motion by Councilor Crowley and seconded by Councilor Walker to amend by taking \$70,210 from Homeowner Rehab and \$4,790 from the Homebuyer Program rather than make the transfer of \$75,000 from future income.

Motion failed 2-5 (Councilors Young, Hayes, LaFontaine, Lee, and Gerry opposed).

**IN COUNCIL REGULAR MEETING SEPTEMBER 21, 2015 VOL. 34 PAGE 177**

Passage of Order 70-09212015 as presented, 5-2 (Councilors Walker and Crowley opposed).

**3. Order 71-09212015**

Authorizing the Community Development Director to execute and deliver a conditional commitment letter and execute all loan documents necessary to complete the transaction under which the City will lend \$250,000 to Auburn Housing Development Corporation, whose source shall be HOME Investment Partnership Program Funds, to be used exclusively for construction financing for the development of an affordable housing project located at 62 Spring Street in Auburn.

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry  
Second Gerry authorizing the Community Development Director to execute and deliver a conditional commitment letter and execute all loan documents necessary to complete the transaction under which the City will lend \$250,000 to Auburn Housing Development Corporation, whose source shall be HOME Investment Partnership Program Funds, to be used exclusively for construction financing for the development of an affordable housing project located at 62 Spring Street in Auburn.

Public comment – no one from the public spoke. Passage 7-0.

**4. Order 72-09212015**

Adopting the Neighborhood Revitalization Strategy for the Downtown New Auburn and Union Street areas.

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry to adopt the Neighborhood Revitalization Strategy for the Downtown New Auburn and Union Street areas.

Public comment – Andy Titus, 24 Rubellite Lane commented on the last order that it was mentioned that 309 rental units in this project area could be rehabilitated for rental units to revitalize the downtown area but they are empty apartments that are not being used right now. He went on to comment that we need to look at all options.

Passage 7-0.

**5. Order 73-09212015**

Approving the Board and Committee appointments as nominated by the Appointment Committee.

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley  
Second Crowley to appoint the following;  
Asmo Dol, re-appointment to the Auburn Housing Authority with a term expiration of 10/1/2020;  
Greg Whitney, re-appointment to the CDBG Loan Committee with a term expiration of 10/1/2018;

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Celia McGuckian, re-appointment to the CDBG Loan Committee with a term expiration of 10/1/2018, and;  
Whitney Blondeau, new appointment to the CDBG Loan Committee with a term expiration of 10/1/2018.

Passage 7-0.

Motion was made by Councilor Crowley and seconded by Councilor Walker to enter into executive session pursuant to 1 M.R.S.A. 405(6)(A) to review applicants for the Auburn Water District Board of Trustees. Passage 7-0, time 8:05 PM.  
Council was declared out of executive session at 8:27 PM.

Motion was made by Councilor LaFontaine and seconded by Councilor Lee to appoint Carrie White, new appointment to the Auburn Water District with a term expiration of 3/1/2018. Passage 5-2 (Councilors Young and Walker opposed).

#### **6. Order 74-09212015**

Authorizing the City Manager to purchase the property located at 351 Main Street for \$50,000 and to cause the demolition and stabilization of the site as soon as possible after the purchase.

Motion was made by Councilor LaFontaine and seconded by Councilor Lee authorizing the City Manager to purchase the property located at 351 Main Street for \$50,000 and to cause the demolition and stabilization of the site as soon as possible after the purchase.

Public comment – no one from the public spoke. Passage 6-1 (Councilor Crowley opposed).

#### **VII. Executive Session**

Discussion on a poverty tax abatement pursuant to 36 M.R.S.A. Sec. 841(2) with possible action to follow.

Motion was made by Councilor LaFontaine and seconded by Councilor Lee to enter into executive session a poverty tax abatement pursuant to 36 M.R.S.A. Sec. 841(2) with possible action to follow. Passage 7-0, time 8:40 PM.

Council was declared out of executive session at 8:51 PM.

Motion was made by Councilor Lee and seconded by Councilor LaFontaine to deny the abatement request. This is order 75-09212015. Passage 6-0-1 (Councilor Walker abstained).

#### **VIII. Reports**

**Mayor's Report** – The Mayor commented that he had a productive meeting last week with the City Manager, Superintendent of Schools, School Committee Chair, and

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members of the Legislative delegation regarding the next steps with ELHS. Movement has been made on the State priority list and Auburn now sits at #4 on the State list. Discussion on how can we start the process sooner than later without losing our place in line and how can we think of innovative approaches to the school during that period. The working group has agreed to meet once a month going forward, legislators have submitted a place holding bill to freeze the existing list, and the Mayor will be meeting with Scott Brown on how can Auburn can begin planning. There will be more to follow and the Mayor will keep Council informed as they go.

### **City Councilors' Reports**

**Councilor Young** attended and filmed the (Agren Appliance) open house where Councilor Lee did a great job filling in for the Mayor. It has been posted and he will share the link.

**Councilor Crowley** spoke about the Hero Initiative, the medicine take back, she reminded citizens that they can subscribe to Auburn email alerts, also on Tuesday, 9/22 at noon there will be a ribbon cutting and launch for The Good Food Bus, Friday 9/25 is last Art Walk for the season, Sunday the 27<sup>th</sup> the public is invited to honor Norma Rice Gould for 65 years of ministry music at the United Methodist Church, Monday, September 28th is part of the developers Bootcamp event. She thanked Pam Stowe for agreeing to be a write in candidate for the Ward 1 School Committee seat. She also spoke about her visiting hours and constituent work having to do with clear cutting.

**Councilor Hayes** reported that there were no railroad activities and the Airport Board meeting is coming up the first of October. The Mayor added that there may be an upcoming executive session in October to talk about the Intermodal Facility lease negotiations and the St. Lawrence lease negotiations with the Railroad Company.

**Councilor LaFontaine** had no report.

**Councilor Lee** had no report.

**Councilor Walker** had no report.

**Councilor Gerry** no report.

**City Manager Report** congratulated the Fire Department new hires and staff promotions, he thanked staff of Police Department for the Hero Initiative, he thanked the Fire and Police Departments as well as the Mayor for the 9/11 event that took place on Friday, he congratulated Agren Appliance on their renovation project and recent ribbon cutting and what they bring to our community, and he thanked Councilor Crowley for bringing up the Good Food Bus ribbon cutting.

**Assistant City Manager** – reported that he was just notified by Lowes Department Store that the Recreation Department was just selected as the 2015 Lowes Heroes project recipient resulting in the Tot Lot getting some care including playground chips around the swing set, new sand in sand boxes, painting park benches, repairing and painting

## **IN COUNCIL REGULAR MEETING SEPTEMBER 21, 2015 VOL. 34 PAGE 180**

picnic tables, some yard care, new barbeque pits, a horseshoe pit, and more. He commended the Recreation Staff who have been working with Lowes on this.

**Finance Director, Jill Eastman** – August 2015 Monthly Finance Report

Motion was made by Councilor Crowley and seconded by Councilor Lee to accept and place on file the August 2015 Monthly Finance Report. Passage 7-0.

- IX. Open Session** – Members of the public are invited to speak to the Council about any issue directly related to City business which is *not on this agenda*.

No one from the public spoke.

- X. Adjournment** – Motion was made by Councilor Crowley and seconded by Councilor Walker to adjourn. All were in favor and the meeting adjourned at 9:14 PM.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

**IN COUNCIL REGULAR MEETING OCTOBER 5, 2015 VOL. 34 PAGE 181**

Mayor LaBonté called the meeting to order at 7:17 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Councilor Hayes had an excused absence. All other councilors were present.

**XXVIII. Consent Items**

**43. Order 76-10052015\***

Setting the time to open the polls for the November 3, 2015 Election.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to set the time to open the polls at 7:00 A.M. for the November 3, 2015 Election. Passage 6-0.

**XXIX. Minutes - September 21, 2015 Regular Council Meeting**

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to accept the September 21, 2015 Regular Council Meeting minutes as presented. Passage 6-0.

**VIII. Communications, Presentations and Recognitions - None**

**IX. Open Session**

Alfreda Fournier, Androscoggin County Commissioner of District 5, and Davis Avenue resident commended the crew that is doing the street and sidewalk work on Davis Avenue. She also expressed concern that it is just over 3 weeks from Halloween and the crew keeps getting pulled from the project. It should have been a three month job but it is taking longer than that. She commented that there are a large number of trick-or-treaters that go to the Davis Avenue area for Halloween and only ¼ of the street has curbing installed. She has concerns that people may fall and feels that it is a potential safety hazard. She said she hopes the curbing will be completed by Halloween and the equipment is removed adding that kids sometimes play on the equipment that is left when crews are not working. She also noted that she attended the Neighborhood Garden Project open house, and said it was nice to see such a strong sense of neighborhood. She mentioned that they are looking for help to remove some piping which is about 4 ft high with screws that are rusty and stick out. She also wanted to clarify something that came up at a previous Council meeting regarding not having received a quote for dispatch purposes. She did bring this to the Commissioners and wanted to clarify that Council hasn't received a quote because commission hasn't received it yet.

Andy Titus, 24 Rubellite Lane commented that he was concerned about the speed we are going with the rail item. He said he was concerned that we would consider funding \$50,000 with State funding over \$400,000 on a study adding that it is a lot of money for the taxpayers of Auburn.

Grady Burns, 25 Hillsdale Street, said he wanted to state his strong support for the passenger rail adding that an opportunity to connect us with Portland is an opportunity we cannot afford to ignore.

Bob Spencer, spoke about building a new high school. He said he has been trying to work with the City on getting a new high school built. He said he gave the City Manager a detailed letter today providing reasons why he thinks it is going to be another 30 or so years before a new high school is built.

## **IN COUNCIL REGULAR MEETING OCTOBER 5, 2015 VOL. 34 PAGE 182**

V. Unfinished Business - None

### **VI. New Business**

#### **2. Order 77-10052015**

Approving the Liquor License and the Special Amusement Permit for Sapphire Entertainment, Inc. located at 150 Center Street. Public Hearing.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to approve the liquor license and special amusement permit for Sapphire Entertainment, Inc. located at 150 Center Street.

Public hearing – Chief Crowell and Lt. Cogle spoke, followed by business owner Jeremy Fitts, 9 Shirley Street, Lewiston and Noah Hogan who is with the private security company based out of Portland who confirmed that the establishment would only be open until 1 A.M. and also spoke of their plans for this establishment.

Councilor Lee suggested adding a friendly amendment to the original motion to adjust the hours of operation from 2 A.M. to 1 A.M. as the closing time with Councilors LaFontaine and Walker both in agreement.

Passage of the order which includes the friendly amendment 6-0.

#### **3. Order 78-10052015**

Adopting the amendment to the 2015-16 school budget which authorizes additional expenditures of up to \$200,404 for school purposes with no increase in local taxes.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to adopt the amendment to the 2015-16 school budget authorizing additional expenditures of up to \$200,404 for school purposes with no increase in local taxes.

Public comment – no one from the public spoke.

Passage 5-1 (Councilor Crowley opposed). A roll call vote was taken.

#### **4. Ordinance 14-10052015**

Adopting the new general assistance appendices A, C, and D for October 1, 2015 through September 30, 2016. Public hearing and first reading.

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley adopting the new general assistance appendices A, C, and D for October 1, 2015 through September 30, 2016 as presented.

Public hearing - no one from the public spoke.

Passage 6-0. A roll call vote was taken.

**5. Order 79-10052015**

Adopting the Great Falls TV Inter-local Agreement.

**IN COUNCIL REGULAR MEETING OCTOBER 5, 2015 VOL. 34 PAGE 183**

Motion was made by Councilor LaFontaine and seconded by Councilor Lee adopting the Great Falls TV Inter-local agreement as presented.

Public hearing – no one from the public spoke.

Passage – 4-3 (there was a tie vote of 3-3 with Councilors Crowley, Walker, and Gerry opposed, and in accordance the City Charter, Article III, Section 3.3 the Mayor voted to break the tie vote and voted in support of the Order).

**6. Order 80-10052015**

Authorizing the relocation of the Great Falls TV Facility from Central Maine Community College to Auburn Hall and the studio facility to be temporarily relocated to the Auburn Library.

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley authorizing the relocation of the Great Falls TV Facility from Central Maine Community College to Auburn Hall and the studio facility to be temporarily relocated to the Auburn Library.

Motion by Councilor Young and seconded by Councilor Walker to amend by including a 12 month report back provision on the temporary location.

Motion on the amendment failed 2-4 (Councilors Crowley, LaFontaine, Lee, and Gerry opposed).

Public hearing - Mamie Anthoine Ney, Director of the Auburn Public Library regarding the use of the Library studio.

Passage 6-0.

**7. Order 81-10052015**

Authorizing the modification of the tax increment finance (TIF) relationship and credit enhancement agreement (CEA) approved by the City Council in Order 74-09082014 to change the term from 20 to 15 years and to clarify that the developer's proceeds can be used for both credit enhancement and operating subsidy, and to authorize the City Manager to execute all documents needed to implement the TIF and CEA.

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry authorizing the modification of the tax increment finance (TIF) relationship and credit enhancement agreement (CEA) approved by the City Council in Order 74-09082014 to change the term from 20 to 15 years and to clarify that the developer's proceeds can be used for both credit enhancement and operating subsidy, and to authorize the City Manager to execute all documents needed to implement the TIF and CEA.

Public hearing - no one from the public spoke .

Passage 6-0.

**VII. Executive Session - None**

**VIII. Reports**

**Mayors Report** – commented on the railroads and the future use of railroads in and out of Lewiston and Auburn and on outstanding rail issues which includes both passenger rail and freight rail activity.

**Councilor Young** – brought up a constituent question on whether people receive free Cable TV, and as far as he knows, that is not the case. Free Cable TV service is not offered.

**Councilor Crowley** – reported that October is Breast Cancer Awareness Month and the best way to fight breast cancer is to have a plan to catch the disease in the early stages. This includes regular breast exams, mammograms, and self examinations. On Thursday, October 8<sup>th</sup>, there will be a fall program at the Women’s Literary Union featuring staff from Donna’s Greenhouse on “putting away your garden” and preparing it for the winter months. On Friday October 9<sup>th</sup> there is a Grand Opening of the new Ingersoll Indoor Turf Facility at 5:30 PM. Later that evening a concert will be held at the Franco Center in Lewiston where Auburn resident Rebecca Leonard will be performing. On Saturday, October 10<sup>th</sup> the public is invited to attend a tour of the Knight House in Auburn. On Wednesday, November 11<sup>th</sup> from 3-6 PM she will be hosting a “thank you” open house for residents in Ward 1, City staff, community members, and friends she has made over the last 4 years while serving as City Councilor. Visiting hours will be Tuesday, October 20<sup>th</sup> at 1:30 PM at the Auburn Library. She ended by providing the sewer tip of the month regarding sump pumps.

**Councilor Lafontaine** commented that she is happy to support of the \$50,000 expenditure for the Rail Study. She said that she unfortunately will not be here on the 19<sup>th</sup> to vote but feels that it is important that Auburn is involved in the process. If we do not support the funding, another community like Augusta or Bangor will step up to the plate and get the funding, and Auburn would lose this opportunity.

**Councilor Lee** also commented on the passenger rail stating that nuance is good and should be embraced. We should be part of the nuance discussions.

**Councilor Walker** stated that he thinks the rail will be a great thing, and something that our grandchildren and great grandchildren will benefit from and added that he thinks he will vote in support of it.

**Councilor Gerry** stated that she will support the passenger rail study when the vote comes, but she would have preferred that the Auburn delegation would have come forward sooner before budgets were finalized. She also noted that the Androscoggin County Budget Committee met last Wednesday. They will be meeting every Wednesday night beginning at 6:00 PM at the Court House. She noted that Beth Bell gave an overview of the County budget and gave a thorough presentation. As it stands right now, if left as it is the budget stands at a 4.6% increase over what was put into effect for the last budget.

**City Manager’s Report** – He welcomed home two City employees. Scott Laliberte (Auburn Police Department) and Brian Martin (Auburn Fire Department) are returning from military duty. He also noted that there will be a ribbon cutting event on Friday, October 9<sup>th</sup> at 5:30 for the grand opening of the new Ingersoll Indoor Turf Facility. On Friday, October 23<sup>rd</sup>, the University of Maine Women’s

Hockey team will be playing Brown University at the Norway Savings Bank Arena. Tickets can be purchased on the City website or at the Norway Savings Bank Arena.

**X. Open Session**

Joe Gray, Sopers Mill Road received an email alert from the city on Board and Committee vacancies, and with tonight's vote on the Cable TV Advisory Board, and he would like to see the vacancies updated. He also commented on the railroad stating that "it cannot be funded in a vacuum". We need something that will bring people here. There has to be a reason for the train to come here, and "not just the romantic idea".

**X. Adjournment** - Motion was made by Councilor Crowley and seconded by Councilor Lee to adjourn. All were in favor and the meeting adjourned at 8:44 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

**IN COUNCIL REGULAR MEETING OCTOBER 19, 2015 VOL. 34 PAGE 186**

Mayor LaBonté called the meeting to order at 7:06 P.M. in the Council Chambers of Auburn Hall. The 077th Composite Squadron Color Guard presented the colors leading the assembly in the salute to the flag. Councilor LaFontaine had an excused absence. All other Councilors were present.

**XXX. Consent Items**

**8. Order 82-10192015\***

Approving the temporary sign request for the Auburn Ski Association.

Motion was made by Councilor Hayes and seconded by Councilor Walker approving the temporary sign request for the Auburn Ski Association as presented. Passage 6-0.

**II. Minutes**

• **October 5, 2015 Regular Council Meeting**

Motion was made by Councilor Walker and seconded by Councilor Gerry accepting the minutes of the October 5, 2015 Council meeting. Passage 5-0-1 (Councilor Hayes abstained as he was not present for the that meeting).

**III. Communications, Presentations and Recognitions**

a. **Proclamation - Extra Mile Day, November 1<sup>st</sup>, 2015**

Mayor LaBonté wanted to publicly recognize a few individuals for their contributions to the community and for going the "extra mile".

Those recognized were:

John Wing (Public Services staff member)

Leroy Walker (City Councilor)

Larry Pelletier (Auburn resident)

Connie Bilodeau (Auburn resident)

b. **Proclamation – Red Ribbon Week**

c. **Norway Savings Bank Arena Update – Marc Gosselin**

**V. 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*.

Alfreda Fournier, 43 Davis Ave. and District 5 County Commissioner thanked Marc Gosselin for his work at the Norway Savings Bank Arena adding that Marc is a “good leader who thinks out of the box”. She also thanked Mr. Wing who is “ever present on the streets”. She also thanked City Manager Howard Kroll and City Engineer Tony Beaulieu who both went out to inspect the progress of the work being done in the Davis Ave. area project. As a result of that, the work is progressing and she commented that “it will be safe on Halloween night” in that area.

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Matt Darlington, 12 Newbury Street spoke in regards to a proposal he forwarded regarding some land that the City has recently acquired and he was hoping it would appear on a future agenda.

**VI. Unfinished Business**

**1. Ordinance 14-10052015**

Adopting the new general assistance appendices A, C, and D for October 1, 2015 through September 30, 2016. Second reading.

Motion was made by Councilor Gerry and seconded by Councilor Hayes adopting the new general assistance appendices A, C, and D for October 1, 2015 through September 30, 2016.

Public comment – no one from the public spoke. Passage 6-0. A roll call vote was taken.

**VI. New Business**

**8. Resolve 07-10192015**

Approving Tree Inventory and 2016 TD Green Streets Program Grants.

Motion was made by Councilor Lee and seconded by Councilor Crowley approving the Tree Inventory and 2016 TD Green Streets Program Grants.

Public comment – no one from the public spoke. Passage 6-0.

**9. Order 83-10192015**

Authorizing the City Manager to fund \$50,000 for the passenger rail study.

Motion was made by Councilor Lee and seconded by Councilor Walker authorizing the City Manager to fund \$50,000 for the passenger rail study.

Public comment –

Jarod Golden, State Representative spoke in support of the study and provided a letter which has been placed on file.

Paul Landry, co-chair of the Business Advocacy of the local Chamber, Chuck Gill, Central Maine Medical Center Vice President of Public Affairs, Paul Weiss, Cumberland resident and member of the Maine Rail Transit Coalition and Chair of the Maine Sierra Clubs Transportation and Energy Task Force and was on the Technical Advisory Committee of the State of Maine Rail Plan all spoke in support of the study.

Larry Pelletier, 129 Second Street stated that would be supportive unless it is between Rail Service and the new High School in which case he would go for the High School.

Bob Stone spoke in opposition of funding this study.

Amanda Burgess, student at the Muskie School of Public Service and ELHS graduate, Wayne Werts, 556 Pownal Road, and also served on the 126<sup>th</sup> Legislatures Transportation Committee, Grady Burns, 25 Hillsdale Street all spoke in support of the study.

Andy Titus, 24 Rubellite Lane stated that he would liked to have more time before having to make a decision because there are still a lot of unknowns.

Linda Wooten, Auburn resident commented that she was concerned about a passenger rail bringing an influx of homeless people here from Portland, Boston or other areas and would like Council to consider that.

Passage 6-0.

**10. Order 84-10192015**

Approving the renewal of the Auto Graveyard/Junkyard permit for M & P Auto located at 227 Merrow Road.

Motion was made by Councilor Lee and seconded by Councilor Walker to approve the renewal of the Auto Graveyard/Junkyard permit for M & P Auto located at 227 Merrow Road.

Public hearing - no one from the public spoke. Passage 6-0.

**11. Order 85-10192015**

Approving the renewal of the Auto Graveyard/Junkyard permit for Randy's Auto Parts located at 899 Broad Street.

Motion was made by Councilor Lee and seconded by Councilor Crowley to approve the renewal of the Auto Graveyard/Junkyard permit for Randy's Auto Parts located at 899 Broad Street.

Public hearing - no one from the public spoke. Passage 6-0.

**12. Order 86-10192015**

Approving the renewal of the Auto Graveyard/Junkyard permit for Prolerized New England Company, LLC located at 522 Washington St. N.

Motion was made by Councilor Lee and seconded by Councilor Walker to approve the renewal of the Auto Graveyard/Junkyard permit for Prolerized New England Company, LLC located at 522 Washington St. N.

Public hearing - no one from the public spoke. Passage 6-0.

**13. Order 87-10192015**

**IN COUNCIL REGULAR MEETING OCTOBER 19, 2015 VOL. 34 PAGE 189**

Approving the renewal of the Auto Graveyard/Junkyard permit for Isadore T. Miller Co., a Division of Schnitzer NE located at 78 & 80 Hotel Road.

Motion was made by Councilor Lee and seconded by Councilor Walker to approve the renewal of the Auto Graveyard/Junkyard permit for Isadore T. Miller Co., a Division of Schnitzer NE located at 78 & 80 Hotel Road.

Public hearing - no one from the public spoke. Passage 6-0.

**14. Order 88-10192015**

Approving the renewal of the Auto Graveyard/Junkyard permit for Morris Auto Parts located at 940 Washington St. N.

Motion was made by Councilor Lee and seconded by Councilor Walker to approve the renewal of the Auto Graveyard/Junkyard permit for Morris Auto Parts located at 940 Washington St. N.

Public hearing - no one from the public spoke. Passage 6-0.

Motion was made by Councilor Lee and seconded by Councilor Crowley to amend by adding the condition that the unsafe structure would be removed within 60 days. Passage of the amendment 5-0-1 (Councilor Walker abstained).

Passage of the Order as amended 6-0.

**15. Resolve 08-10192015**

Authorizing the City Manager and/or his designee to negotiate and execute a ground lease agreement with Cremation Care of Maine, LLC for a Crematorium at Oak Hill Cemetery with possible executive session pursuant to 1 M.R.S.A. Sec. 405(6)(C).

Motion was made by Councilor Lee and seconded by Councilor Walker authorizing the City Manager and/or his designee to negotiate and execute a ground lease agreement with Cremation Care of Maine, LLC for a Crematorium at Oak Hill.

Public comment – no one from the public spoke. Passage 6-0.

**VII. Executive Session - none**

**VII. Reports**

**Mayor LaBonté** – Encouraged everyone to show their support for the University of Maine who will be here (Norway Savings Bank Arena) this weekend. He also noted that there will be a Celebration of City employees and all of the work they do on Wednesday, October 21<sup>st</sup>. He asked that the City Manager report back at the next Council meeting on employees recognized. Also on Wednesday at 3PM in Great Falls Plaza, there will be a press conference to make an announcement about public transportation and an exciting opportunity coming to the downtown area.

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**Councilor Gerry** – reported on the Androscoggin County Budget.

**Councilor Walker** – Talked about Santa Claus coming to Auburn, Lewiston, and New Auburn area. The request to come from Lewiston, through New Auburn on the 28<sup>th</sup> has been denied. The United New Auburn Association will have their own parade on December 5<sup>th</sup> with Santa coming to the New Auburn area. He said he would like to propose that Auburn to have their own parade next year, separate of Lewiston.

**Councilor Lee** – commented on how fantastic the new Ingersoll Turf Facility is. He also noted that he will be attending the Candid Candidates event scheduled for Tuesday, October 20<sup>th</sup>.

**Councilor Hayes** – read his departure statement (he is not running for municipal office this year). He thanked Ward 2 residents for the opportunity to be a Councilor for the past 11 years, he provided his thoughts regarding the Lewiston/Auburn merger discussion, he noted that he sees

that the relationship with Lewiston has eroded, he said he is hopeful that future Councils will work more constructively within and for the betterment of Androscoggin County and refraining from thinking that Auburn should splinter off from Androscoggin County and he encouraged Lewiston and Auburn residents to read a paper dated back to the 1960's called the Rockland Papers or Rockland Experience regarding discussions between Lewiston and Auburn at that time. Council should allow the manager to truly manage and work collaboratively with Lewiston.

**Councilor Crowley** – Auburn Water District report – there will be a community presentation on November 5<sup>th</sup> at Auburn Hall. Steve Norton will be presenting findings of the Lake Auburn Sediment Sampling Project. The Board of Trustees met on Sept. 16<sup>th</sup>, and the budget forecast is favorable. They are discussing rate increase in 2017.

The Auburn Sewerage Board of Trustees met on Tuesday, Sept. 15<sup>th</sup>. They will not meet budget at year end, and there is discussion of a rate increases of as much as 10% by mid 2016. Tentative sewer projects include South Main Street, Highland Avenue, Lake Street, and Park Avenue. The new delinquent account procedure is now in effect, a new Superintendent should be hired soon, and she provided her sewer tip of the month.

The Recreation Advisory Board meeting scheduled for October was cancelled due to no quorum. This is the third or fourth month there has been no quorum and work is being delayed. She is urging the City to post openings based on the current ordinance in order to increase membership.

Ward 1 Report- she gave thanks to various community groups for getting the message out for Breast Cancer Awareness month. She talked about the Lake Auburn Community Center's Pink Bridge, October 20<sup>th</sup> absentee voting at Schooner Estates, City Hall is open for absentee voting and October 29<sup>th</sup> is the deadline to request an absentee ballot. Wednesday, October 21<sup>st</sup> is an Employee Appreciation event for city employees. The Great Falls TV meeting is held on the same night and she would encourage the meeting

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be taped. October 28<sup>th</sup> is a meeting of the Parks sub-committee. Friday October 30<sup>th</sup> there is a Pink Ribbon Tea and all Girl Scouts and former Girl Scouts are invited (Woman's Literary Union located in the Foss Mansion). Juliette Low, the founder of girl scouts of America died of Breast Cancer and the date was chosen because October 30<sup>th</sup> is her birthday. The women's hockey program will be on Friday night at Norway Savings Bank Arena. Tuesday, November 3<sup>rd</sup> is Election Day. She encouraged folks to get to know the candidates who have stepped up to serve. November 11<sup>th</sup> from 3-6 PM at the Foss Mansion she will be hosting a small thank you reception for staff, constituents, and friends who have helped her during her term in office. She also wanted to reach out for a program called Coats for Kids where people can donate warm clothes for needy – the contact is Natalie Ray at Great Falls Credit Union.

**Councilor Young** – attended the Dempsey challenge and got the Mayor on video during his run.

**City Manager Report** – Thanked the Council and Marc Gosselin for University of Maine Women's hockey team that is coming to the Norway Savings Bank Arena. He commented on the grand opening of the new wing at Central Maine Community College. There is also a ribbon cutting event at IHOP at 11AM on Thursday, and there will be an Open House at the Fire Department on Saturday, October 24<sup>th</sup>.

**Finance Director, Jill Eastman** – September 2015 Monthly Finance Report

Motion was made by Councilor Crowley and seconded by Councilor Lee to accept and place on file the

September 2015 monthly finance report. Passage 6-0.

**IX. Open Session - Members of the public are invited to speak to the Council about any issue directly related to City business which is *not on this agenda*.**

Andy Titus, 24 Rubellite Lane, commented on the County Budget Process and the litigation going on.

**X. Adjournment**

Motion was made by Councilor Lee and seconded by Councilor Young to adjourn. All were in favor, the meeting adjourned at 9:12 PM.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

**IN COUNCIL REGULAR MEETING NOVEMBER 2, 2015 VOL. 34 PAGE 192**

Mayor LaBonté called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

**XXXI. Consent Items**

**9. Order 89-11022015\***

Confirming the appointments of Wardens and Ward Clerks.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes confirming the appointments of Wardens and Ward Clerks. Passage 7-0.

**XXXII. Minutes - October 19, 2015 Regular Council Meeting**

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to accept the October 19, 2015 Regular Council Meeting minutes as corrected (two spelling errors). Passage 7-0.

**X. Communications, Presentations and Recognitions - None**

**XI. Open Session**

Alfreda Fournier – 43 Davis Ave., commented that Halloween went off without a hitch in the Davis Avenue area thanks to Howard Kroll and Tony Beaulieu.

**V. Unfinished Business - None**

**VI. New Business**

**10. Order 90-11022015**

Accepting First Flight Drive as a City Street.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker accepting First Flight Drive as a City Street.

Public comment – no one from the public spoke. Passage 7-0.

**11. Order 91-11022015**

Authorizing the request for funding – LA ARTs.

Motion was made by Councilor LaFontaine and seconded by Councilor Lee authorizing the request for funding LA Arts.

Public comment – no one from the public spoke. Passage 4-3 (Councilors Gerry, Crowley, and Walker opposed).

**VII. Executive Session - None**

**VIII. Reports**

**IN COUNCIL REGULAR MEETING NOVEMBER 2, 2015 VOL. 34 PAGE 193**

**Mayors Report** – The Mayor reminded everyone of the November 3, 2015 Election tomorrow and encouraged residents to come out to vote. He gave kudos to Mark Gosselin and the staff at the Norway Savings Bank Arena for a first class event (the University of Maine Women’s Hockey team vs. Brown University on October 23<sup>rd</sup> to a sell out crowd), and also noted that same night the Edward Little High School football team won the game against Lewiston High School’s team. He then went on to thank Councilor Walker and members of the New Auburn Neighborhood Group and businesses for the Halloween event in New Auburn. Also thanks to Center Street Dental and the Norway Savings Bank Arena for the candy buy back program.

**City Councilors’ Reports**

**Councilor Gerry** – reported on the Androscoggin County budget.

**Councilor Walker** – encouraged residents to come out to vote tomorrow.

**Councilor Lee** – stated that the most important thing facing the future of this community is education. He talked about the budget cap (Consumer Price Index). He would like Council to repeal that budget cap. He also commented that the Superintendent and School Committee should commit to a transparent process when presenting the budget to the council. Those are two things that should happen in the beginning of the next budget process.

**Councilor Lafontaine** – echoed Councilor Lee’s comments and also reminded residents about changes to Ward 3 and Ward 4 voting locations. Ward 3 now votes at Fairview School and Ward 4 now votes at Auburn Hall.

**Councilor Hayes** – no report.

**Councilor Crowley** – thanked residents and visitors who honked their horns and waived during the rally for local law enforcement. She thanked the United New Auburn Association and all of the New Auburn businesses that participated in the Halloween event. She thanked all candidates running for office and urged voters to go out and vote. There is a “Bunko” event at the Foss Mansion. There is also a used book sale that will take place before and after. On Thursday the 5<sup>th</sup> there will be a presentation at Auburn Hall by Steve Norton from University of Maine sharing the findings of the Lake Auburn sediment sampling project. On Tuesday Nov. 10<sup>th</sup> at the Park Avenue Elementary School there will be an event honoring Veterans. Also on the 10<sup>th</sup> is a Veterans event at the Auburn Public Library. On Wednesday, November 11<sup>th</sup> at the Woman’s Literary Union building, she will host a small thank you event for staff, constituents, family and friends, which will also be her last regular visiting hours as Councilor. The Community Little Theater will be featuring The Adams Family from November 5<sup>th</sup> through the 16<sup>th</sup>. The Auburn

Water District consists of 612 public fire hydrants and 154 private ones. They are flushed biannually. City of auburn has several boards and committees that citizens can volunteer to be members of. The deadline to submit applications is Monday November 23<sup>rd</sup>. The Appointment Committee will be meeting on Monday Nov. 30<sup>th</sup> at 5:30 at Auburn Hall. She also thanked all Veterans for their service.

**Councilor Young** – Great Falls Board will meet Thursday. He also commented on the number of Birth vs Death records that are issued in Auburn.

#### **IN COUNCIL REGULAR MEETING NOVEMBER 2, 2015 VOL. 34 PAGE 194**

**City Manager's Report** – he wished success to the candidates running in the Nov. 3<sup>rd</sup> election, he thanked the New Auburn Association and businesses for going above and beyond in making the Halloween event in New Auburn a success, he wanted to recognize and thank all Veterans, he thanked the Norway Savings Bank Arena staff for the University of Maine Women's Hockey team event. They had a successful game and played in front of almost 1000 people. The University of Maine Baseball team coaching staff is going to be visiting the Ingersoll Indoor Turf facility and may consider holding a clinic next summer. He also noted that the Great Falls TV agenda is now posted to the website.

**IX. Open Session – no one from the public spoke.**

**X. Adjournment** - Motion was made by Councilor Lee and seconded by Councilor LaFontaine to adjourn. All were in favor and the meeting adjourned at 7:30 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

#### **IN COUNCIL REGULAR MEETING NOVEMBER 16, 2015 VOL. 34 PAGE 195**

Mayor LaBonté called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

#### **XXXIII. Consent Items - None**

**II. Minutes**

- **November 2, 2015 Regular Council Meeting**

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to accept the minutes of the November 2, 2015 Council meeting. Passage 7-0.

#### **III. Communications, Presentations and Recognitions**

Assistant City Manager, Denis D'Auteuil, presented Councilors Gerry, Lee, LaFontaine, Hayes, and Crowley each with a plaque thanking them for their years of service as City Councilors.

**IV. Open Session** – Members of the public are invited to speak to the Council about any issue directly related to City business which is *not on this agenda*.

Larry Pelletier, 129 Second Street took a moment to thank the City Council for their service to the City of Auburn.

V. Unfinished Business - None

VI. New Business

1. **Order 92-11162015**  
Accepting Hickory Drive as a City Street.

Motion was made by Councilor LaFontaine and seconded by Councilor Lee to accept Hickory Drive as a City Street.

Public comment – no one from the public spoke. Passage 7-0.

2. **Order 93-11162015**  
Authorizing the City Manager to enter into a Master Lease Agreement for Cellular Micro-site Locations on City poles or Structures with Portland Cellular Partnership, a Maine general partnership, d/b/a Verizon Wireless.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker authorizing the City Manager to enter into a Master Lease Agreement for Cellular Micro-site Locations on City poles or Structures with Portland Cellular Partnership, a Maine general partnership, d/b/a Verizon Wireless.

Public comment – no one from the public spoke. Passage 7-0.

**IN COUNCIL REGULAR MEETING NOVEMBER 16, 2015 VOL. 34 PAGE 196**

3. **Resolve 08-11162015**  
Support and approve staff to apply for a Recreational Trails Program Grant.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to support and approve staff to apply for a Recreational Trails Program Grant, and the Resolve will include the cost analysis for equipment and staff time being committed as part of the FY16-17 budget which totals \$32,285.01.

Public comment – no one from the public spoke. Passage 7-0.

VII. **Executive Session** - none

VI. **Reports**

**Mayor LaBonté** – no report

**Councilor Gerry** – reported on the Lewiston Auburn Transit Center. Their audit will be included in the AVCOG audit. She also wanted to thank the Auburn residents for the support they've given her during her time as City Councilor.

**Councilor Walker** – Thanked the outgoing Councilors for their service.

**Councilor Lee** – Wanted to thank the following groups of people – the current Council, City staff, and the residents of Auburn.

**Councilor LaFontaine** – Expressed her appreciation to the residents and voters of the City, congratulated the new Councilors, thanked the current Mayor and Council, and provided words of advice to the new Council to keep communication open and honest, respect the roles as fellow Councilor, Mayor or City Staff, honor the work of the School Committee, work together with

collaboration and conversation, not confrontation. She also thanked City Staff for the work they do.

**Councilor Hayes** – Thanked Ward 2 residents for giving him the opportunity to serve, he thanked City Staff, and he said that he echoed the comments made earlier, in particular working in collaboration both inside the City and outside not only with Lewiston but regionally as well.

**Councilor Crowley** – Recreation Advisory Committee – Ravi Sharma submitted his resignation and the City is recruiting a new Director to fill his role, Jasmine McCloughlin (Recreation Specialist) has been working on the holiday celebration and is leading the work on Winter Festival. Auburn Water District Report – revenue remains favorable and it is expected they will have about \$800,000 on hand at year end. The overall water quality of the lake remains excellent as compared against historic measures. November 19<sup>th</sup> meeting will focus on the budget, and the Board of Trustees for both Water and Sewerage have hired Sid Hazelton as the Superintendent of the Districts. Auburn Sewerage Report – she thanked the Mayor for providing her the opportunity to serve, the

## **IN COUNCIL REGULAR MEETING NOVEMBER 16, 2015 VOL. 34 PAGE 197**

financial position of the district has been greatly impacted by the significant reduction in service for Cascades Auburn Fiber and they will likely not meet budget targets, she gave her sewer tip of the month – Do not put egg shells down your sewer system (garbage disposal). Ward 1 report – thanked family, friends, and constituents who attended the Veterans Day thank you event, she thanked all of the Veterans who have served our country, November 17<sup>th</sup> she will be delivering dictionaries to all 3<sup>rd</sup> graders at East Auburn School, Thursday, November 19<sup>th</sup> is Dedication Day, November 28<sup>th</sup> will be the Festival of Arts and Lights as well as the Parade of Lights in the downtown area. The City is seeking applicants to volunteer to serve on Boards and Committees. She reminded residents of the dangers of carbon monoxide poisoning. She talked about the history of the Thanksgiving Holiday and wished all a Happy Thanksgiving.

**Councilor Young** – Great Falls TV Advisory board has been meeting every week. They think they will meet the deadline for their by-laws to be approved. He noted with sadness that the Chair of the committee (Ed Desgrosseilliers) has submitted his resignation and Phil Nadeau has stepped into that role. The Androscoggin Historical Society will be meeting to talk about media formats (pamphlets, leaflets, postcards, etc.) and will have some on display.

**City Manager Report (Assistant Manager, Denis D'Auteuil)** – Great Falls TV move is complete with just a few minor issues to walk through. He also thanked all of the outgoing Councilors for their service and he is also looking forward to working with the incoming Council.

**Finance Director, Jill Eastman** – October 2015 Monthly Finance Report

Motion was made by Councilor Crowley and seconded by Councilor Lee to accept and place on file the October 2015 monthly finance report. Passage 7-0.

IX. Open Session - **Members of the public are invited to speak to the Council about any issue directly related to City business which is *not on this agenda*.**

Alfreda Fournier, 43 Davis Avenue thanked the Council for their service and for keeping in mind the needs of the residents. She commented that she found an old news clipping which had to do with teaching students about city government and in looking at it she saw a collegiality of city, school, and county. It was a triangular connection that operated as a unit, and for the betterment of the community. She said she is hoping to see that again moving forward.

## **X. Adjournment**

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley to adjourn. All were in favor, the meeting adjourned at 7:43 PM.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

## **IN COUNCIL REGULAR MEETING DECEMBER 21, 2015 VOL. 34 PAGE 198**

City Manager Howard Kroll called the meeting to order at 7:05 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Mayor LaBonté had an excused absence. All Councilors were present.

Motion was made by Councilor Pross and seconded by Councilor Walker to elect Councilor Young to serve as Mayor Pro Tempore in the absence of Mayor LaBonté. Passage 6-0-1 (Councilor Young abstained).

### **XXXIV. Consent Items**

#### **12. Order 95-12212015\***

Confirming Mayor LaBonté's recommendations and appointments for Boards, Committees and Commissions.

Motion was made by Councilor Titus and seconded by Councilor Stone to move item to new business. Passage 5-1 (Pross against) (Mayor Pro Tempore Young did not vote)

#### **13. Order 94-12212015\***

Confirming Chief Crowell's appointment and re-appointment of Constables without firearms for the Auburn Police Department.

Motion was made by Councilor Walker and seconded by Councilor Titus to accept Chief Crowell's appointment and re-appointment of Constables without firearms for the Auburn Police Department. Passage 6-0 (Mayor Pro Tempore Young did not vote)

### **II. Minutes**

#### **• November 16, 2015 Regular Council Meeting**

Motion was made by Councilor Stone and seconded by Councilor Walker accepting the minutes of the November 16, 2015 Council meeting. Passage 6-0 (Mayor Pro Tempore Young did not vote)

### **III. Communications, Presentations and Recognitions**

#### **• Bond Refunding – Jill Eastman**

Motion was made by Councilor Pross and seconded by Councilor Stone to accept the Bond Refunding report. Passage 6-0 (Mayor Pro Tempore Young did not vote)

### **IV. Open Session – Members of the public are invited to speak to the Council about any issue directly related to City business which is *not on this agenda*. No one from the public spoke.**

**IN COUNCIL REGULAR MEETING DECEMBER 21, 2015 VOL. 34 PAGE 199**

**V. Unfinished Business – None**

**VI. New Business**

**1. Order 96-12212015**

Approving the Liquor License and Special Amusement Permit for Lost Valley. Public Hearing.

No one from the public spoke.

Motion was made by Councilor Grady and seconded by Councilor Titus approving the Liquor License and Special Amusement Permit for Lost Valley. Passage 7-0

**2. Order 97-12212015**

Authorizing the City Manager to accept title to the Oak Hill Cemetery property and properly record that document at the Registry of Deeds.

Motion was made by Councilor Titus and Seconded by Councilor Walker to accept title to the Oak Hill Cemetery property and properly record that document at the Registry of Deeds. Passage 7-0

**3. Order 95-12212015 (Moved from consent agenda)**

Confirming Mayor LaBonte's recommendations and appointments for Boards, Committees and Commissions.

Motion was made by Councilor Titus and seconded by Councilor Walker to confirm Mayor LaBonte's recommendations and appointments for Boards, Committees and Commissions. Passage 7-0

**VII. Executive Session - none**

**VIII. Reports**

**Councilor Pross** - There is a meeting on January 06 at 6:00 PM at the West Auburn Congregational Church to address the Summer Street Extension.

**Councilor Titus** - Wanted to thank everyone for help with the transition and to encourage constituents to contact him.

**Councilor Young** - Great Falls TV is slowly moving along with writing bylaws and once complete will present to Council. The transition with the moving of the stations is going well.

**Councilor Gilbert** – Attended a transportation committee meeting.

**IN COUNCIL REGULAR MEETING DECEMBER 21, 2015 VOL. 34 PAGE 200**

**Councilor Walker** – Wanted to remind people about the New Auburn meeting at Rolly's Diner on January 28<sup>th</sup>; on January 7<sup>th</sup> there will be a meeting to discuss the master plan for the village area at the Boy's and Girl's Club at 6PM. Doug Greene will be speaking.

**Councilor Burns** – Wanted to thank to staff for shepherding the Council Inauguration.

**City Manager** – Denis D’Auteuil, invited Sid Hazelton, Auburn Water District to come in to explain the upcoming rate increase and to outline what his communication will look like during the process. There will be a public hearing at the Auburn Public Library on January 19<sup>th</sup> at 5:30 PM. The City Manager wished everyone Happy Holidays; recognized Local 797 firefighters who collected gifts to distribute to kids in the community; police department hosted a Christmas party at the Pal Center; Auburn Hall will be closing at noon on Christmas Eve and will be closed on New Year’s Day and on December 30<sup>th</sup> the University of Maine Baseball team will be at Ingersoll Arena holding a free baseball clinic.

**Finance Director, Jill Eastman** – November 2015 Monthly Finance Report

Motion was made by Councilor Walker and seconded by Councilor Stone to accept and place on file the November 2015 monthly finance report. Passage 7-0.

IX. Open Session - **Members of the public are invited to speak to the Council about any issue directly related to City business which is *not on this agenda*.**

Larry Pelletier, 129 Second Street, welcomed and congratulated new councilors. He also said there was a problem with water in the Barker Arms parking lot and asked if anything would be done.

X. **Adjournment**

Motion was made by Councilor Stone and seconded by Councilor Walker to adjourn. All were in favor, the meeting adjourned at 8:09 PM.

A True Copy.

ATTEST \_\_\_\_\_  
Alison F. Pepin, Deputy City Clerk

