

## **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.

### **I. Consent Items\***

#### **1. Order 01-01062014\***

Confirming Police Chief, Phil Crowell's appointment of Greg S. Pealatero as Constable with a firearm for the Auburn Police Department.

#### **2. 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**

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- Presentation – Alan Manoian on the Downtown Walking Tour

**V. Open Session** - No one from the public spoke.

**VI. Unfinished Business** - None

**VII. New Business**

**1. 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.

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**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.

**I. 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**

**2. 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.

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Public Hearing – no one from the public spoke

Passage 7-0.

**3. 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).

**4. 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).

**5. 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).

**6. 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.

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This item was no longer on the table due to Order 07-01212014 failing.

**7. 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.

**8. 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**

#### **1. 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

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### 2. 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.

### 3. 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.

### 4. 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.

### 5. 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.

### 6. 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**

**1. 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.

### **II. Consent Items\***

#### **2. Order 14-02182014\***

Accepting the transfer of \$4,491.00 forfeiture assets in U.S. currency (Gary Wallace).

#### **3. Order 15-02182014\***

Accepting the transfer of \$6,250.00 forfeiture assets in U.S. currency (Herbert Simmons).

#### **4. 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**

#### **7. 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**

#### **8. 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\***

#### **9. 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 Carll
- 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

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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.

### **I. Consent Items\***

#### **1. 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.

#### **2. Order 21-03172014\***

Approving the temporary sign request for the Kora Shrine for the 2014 circus to be held in April.

**3. Order 22-03172014\***

Approving the temporary sign request for the Auburn Business Association for the Auburn Citizen of the Year signs.

**4. 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\***

#### **10. Order 26-04072014\***

Appointing Election Clerks from May 1, 2014 through April 30, 2016.

#### **11. Order 27-04072014\***

Setting the date for the School Budget Validation Referendum Election for June 10, 2014.

#### **12. Order 28-04072014\***

Setting the date for the Special Municipal Election to fill the vacant Ward 1 School Committee seat for August 12, 2014.

#### **13. 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.

**II. 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.

**III. 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, Superintendent 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 filings 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.

**IV. 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.

**V. 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.

### **VI. 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 LaFontaine had an excused absence. 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, Superintendant 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.

## **VII. 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

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. Pealater)
- 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 Statue. 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 \_\_\_\_\_

**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.

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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.

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**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