



# Special City Council Meeting and Workshop

## April 5, 2012

### Agenda

**5:30 p.m. Special City Council Meeting**

*Pledge of Allegiance*

#### **I. New Business**

1. **Order 20-04052012**  
Adopting the 2011 Androscoggin County Mitigation Plan.
2. **Order 21-04052012**  
Authorizing the Kora Shrine Circus Committee to place temporary signs for its 2012 circus.

**II. 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*

#### **III. Adjournment**

#### **Workshop**

- A. Continue Budget Presentations



# City Council Agenda Information Sheet

City of Auburn

**Council Meeting Date:** April 2, 2012

**Order #** 20-04022012

**Author:** Susan Clements-Dallaire, Acting City Clerk

**Subject:** 2011 Androscoggin County Hazard Mitigation Plan

**Information:** The federally-required County-wide Hazard Mitigation Plan is required to be updated every five years. This is the third such update for this document. The revised plan has been almost two years in the making and has received “conditional” approval from the Federal Emergency Management Agency. Final approval is contingent upon receiving the signed and dated Resolution of Adoption by the City Council at a public Council Meeting.

**Financial:**

**Action Requested at this Meeting:** Recommend Passage

**Previous Meetings and History:** N/A

**Attachments:**



From. . . . .Joanne G. Potvin, CEM/ME, Director  
Androscoggin Emergency Management Agency

**MEMO. . . . . March 7, 2012**

Susan,

Enclosed, please find a copy of correspondence and your copy of the Hazard Mitigation Plan that was sent to Mr. Gerrish with the request to have this item scheduled for an upcoming Council meeting. If you would be so kind as to arrange that, it would be greatly appreciated. The only nights that are not feasible for me are Monday and Tuesday, March 19/20 and Tuesday, April 24 as I am away for training. I look forward to hearing from you with a date for the meeting. The Plan is on the County EMA website: [www.androscogginema.org](http://www.androscogginema.org) and I will so inform the City Councilors.

Please give me a call if you have questions or concerns.

Joanne  
A handwritten signature in cursive script, starting with a large 'J' and ending with a long, sweeping tail that loops back under the name.

**ANDROSCOGGIN UNIFIED  
EMERGENCY MANAGEMENT AGENCY**

2 COLLEGE STREET  
LEWISTON, ME 04240-7101  
TEL. (207) 784-0147  
24 HR. FAX (207) 795-8938  
24 HR. EMERGENCY TEL. (207) 784-3622  
WEB SITE - <http://www.androscogginema.org>



Joanne G. Potvin, CEM/ME, Director  
e-mail: [anem1@roadrunner.com](mailto:anem1@roadrunner.com)

TO: Donald Gerrish, Interim City Manager  
FROM: Joanne G. Potvin, CEM/ME   
SUBJ: ANDROSCOGGIN COUNTY 2011 HAZARD MITIGATION PLAN  
DATE: 07 March 2012

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During the last two years, your Public Works Department personnel have worked with the State Emergency Management staff, your City's Emergency Management staff and Androscoggin Valley Council of Government to complete revisions/updates to the federally-required County-wide Hazard Mitigation Plan. This recently updated document, which is based on the County Hazard Risk and Vulnerability Analysis, is required in the event that your municipality should decide to apply for Federal Hazard Mitigation Funds or if you already have a project in the works. The document is required to be updated every five years. This is the third such update for this document.

After nearly two years on this project, the revised Plan has received "conditional" approval from the Federal Emergency Management Agency. Final approval is contingent upon receiving your signed and dated Resolution of Adoption. I have enclosed a digital copy of the final Plan along with the City's official adoption signature form. The document must be formally adopted at a regular, public Council meeting and be included on the agenda for that meeting.

With this in mind, I will do a follow-up with the City Clerk in order to secure a date/time at which the document will be formally accepted/signed. As the Federal grant for this project requires a 25% soft (in-kind) match, I will attend the meeting at the appointed date/time. The City Council's time, as well as that of other City officials in attendance and me, will be added to that match. I will bring along a separate "sign-in" sheet that will become part of the match documentation package that will be forwarded to the Federal Emergency Management agency along with your Resolution of Adoption.

I look forward to meeting with the City Council in the near future. It is my hope to be able to wrap up this project within one of the next two council meetings. As I previously indicated, I will work out the date with your Acting City Clerk. Please feel free to contact me if you have questions or concerns or save them for the meeting if you wish. Thank you, in advance, for your time and effort in this endeavor.

Enclosure as listed

Cc w/enclosure: Susan Clements Dallaire, Acting City Clerk

Cc w/o enclosure: Mayor Jonathan LaBonté, City Councilors, Phil Crowell, Acting Asst City Manager

## Joanne G. Potvin

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**From:** Joanne G. Potvin [anem1@roadrunner.com]  
**Sent:** Thursday, March 29, 2012 4:07 PM  
**To:** 'Ed Barrett'; 'Kathy Montejo'  
**Cc:** Paul M. LeClair  
**Subject:** FW: Androscoggin County Conditional Approval - ADOPTION DEADLINE for Hazard Mitigation Plan

**Importance:** High

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Categories:** EMA Planning

Ed,

Hazard Mitigation Plans form the foundation for a community's long-term strategy to reduce disaster losses and break the cycle of disaster damages, construction/reconstruction and repeated damages from certain disasters. The Plan creates the framework for risk-based decision-making in order to reduce damages from future disasters. It eliminates or reduces long-term risk to people and property from identified hazards. Under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (PL-93-288) and as amended by the Disaster Mitigation Act of 2000, provides the legal basis for state, local and Tribal governments to undertake risk-based hazard mitigation planning to reduce the damages from natural hazards. The Hazard Mitigation Plan is required as a condition for receiving certain types of non-emergency disaster assistance, for instance, grant dollars to widen a road, elevate a bridge, enlarge a culvert or other project that would reduce or eliminate flooding to a certain area in a future flood event.

The Plan process has four steps:

1. Assemble resources to develop (in our case update) the hazard mitigation plan; since most hazard mitigation projects are public works type projects, public works staff and local EMA directors are the resources that were assembled, countywide, to review and revise the plan
2. Review and identify hazards (risks), through the Hazard Risk and Vulnerability Analysis, along with potential consequential effects of various hazards, for instance, floods will cause road / culvert washouts, bridge washouts, etc.... and impacts on people and property
3. Identify and prioritize ways to reduce or eliminate these undesired effects from the identified hazards, i.e. identify projects
  - a. Steps 1 through 3 have been accomplished through a series of meetings/workshops and reviews of sections of the Plan and maps as they were updated then we had final plan review before it was sent to MEMA/FEMA for conditional approval – we now need Final Approval
4. Implement specific mitigation project(s) as outlined in the Hazard Mitigation Plan, i.e. when hazard mitigation grant funds are made available once a year, a municipality with an approved/adopted Hazard Mitigation Plan has the opportunity to apply for federal funding to complete a project, such as widening a culvert, as long as that project has been identified and listed in the Plan

During the last two years, your Public Works Department personnel have worked with the State Emergency Management Agency staff, your City's Emergency Management staff and Androscoggin Valley Council of Government (contracted by MEMA to assist with plan updates) to complete revisions and updates to the federally-required Countywide Hazard Mitigation Plan. This recently updated document, which is based on the County Hazard Risk and Vulnerability Analysis, is required in the event that the City of Lewiston should decide to apply for federal funds to complete a project or if there is already a project in the works. The document is required to be updated every five years and this is the third such update for this document.

After nearly two years on this update project, the revised Plan has received "conditional" approval from the Federal Emergency Management Agency, meaning it meets all planning criteria, and final approval is contingent upon receiving the City's signed and dated Resolution of Adoption. I have already sent you the Plan on disc along with the official adoption signature form. The Plan must be formally adopted at a regular, public Council meeting and be included on the agenda for that meeting.

I did receive an e-mail from Kathy, today, indicating that you would try to get the material reviewed and on the Council agenda for April 3<sup>rd</sup>. As you can see from the e-mail below, all municipal adoptions must be turned over to MEMA **NO LATER THAN April 9** in order for them to upload the Adoption Resolutions to FEMA by the April 14, 2012 deadline. If the adoptions are not turned in to FEMA by that date, the entire process will need to be repeated, i.e. the plan will have to be re-updated, re-submitted and re-approved / adopted by all the municipalities all over again. I am now waiting on Lewiston and Auburn's Adoptions.

I respectfully request your assistance in getting this on the April 3 meeting agenda. I will be at the meeting to answer any and all questions you and/or the Council may have relative to the document. Meanwhile, if you have any questions or concerns whatsoever, please do not hesitate to give me a call. Thank you, in advance, for your positive consideration relative to getting the adoption done as soon as possible to meet the April 9 deadline for MEMA.

*Joanne*

Joanne G. Potvin, CEM/ME, Director  
Androscoggin Unified Emergency Management Agency  
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Lewiston, ME 04240-7101  
Tel: 207-784-0147  
FAX: 207-795-8938 or 207-784-3365  
E-Mail: [anem1@roadrunner.com](mailto:anem1@roadrunner.com)  
Web Site: <http://www.androscogginema.org>

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Tizz Crowley, Ward One  
Robert Hayes, Ward Two  
Mary Lafontaine, Ward Three  
David Young, Ward Four



Leroy Walker, Ward Five  
Belinda Gerry, At Large  
Joshua Shea, At Large

Jonathan LaBonte, Mayor

## IN CITY COUNCIL

### ORDER #20-04022012

Whereas, natural and man-made disasters may occur at any time, we recognize that to lessen the impacts of these disasters we will save resources, property and lives in Androscoggin County.

And whereas the creation of a Hazard Mitigation Plan is necessary for the development of a risk assessment and effective mitigation strategy;

And whereas, the 2 cities, and 12 towns, and Androscoggin County are committed to the mitigation goals and measures as presented in this plan;

Therefore, be it ordered that the Auburn City Council hereby adopts the 2011 Androscoggin County Hazard Mitigation Plan.

Authorizing Signatures: City of Auburn

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**Signature: Tizz Crowley, Councilor-Ward 1** **Date**

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**Signature: Robert Hayes, Councilor-Ward 2** **Date**

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**Signature: Mary LaFontaine, Councilor-Ward 3** **Date**

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**Signature: David Young, Councilor-Ward 4** **Date**

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**Signature: Leroy Walker, Councilor-Ward 5** **Date**

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**Signature: Belinda Gerry, Councilor-At-Large** **Date**

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**Signature: Joshua Shea, Councilor-At-Large** **Date**

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**Signature: Joanne G. Potvin, Auburn EMA Director** **Date**



## City Council Agenda Information Sheet

City of Auburn

**Council Meeting Date:** April 2, 2012

**Order #** 21-04022012

**Author:** Sue Clements-Dallaire, Acting City Clerk

**Subject:** Placing temporary signs for the Shrine Circus.

**Information:** The Kora Shrine Circus Committee would like to place temporary signs for its 2012 circus to be held on April 13 and April 14, 2012 at the locations listed below.

Court and Minot Ave – 2 signs  
Center St and N. River Road – 1 sign, northbound  
Center St and Mall – K Mart entrance - 2 signs, north and south  
Turner Street Entrance to Walmart – 1 sign  
Turner St and Mount Auburn Ave – 3 signs  
Court St and Park Ave - 1 (two sided) sign  
Minot Ave and Poland Rd out – 1 sign  
Minot Ave and Hotel Rd intown – 1 sign  
Washington St at Turnpike – 1 sign  
Washington St at Rotary northbound – 1 sign  
Broad St going across bridge - 1 (two sided) sign  
Broad St – So Main - 1 (two sided) sign  
Upper Cook St and So. Main – 1 sign  
Riverside Dr – 1 sign

**Financial:** N/A

**Action Requested at this Meeting:** Recommend passage.

**Previous Meetings and History:** N/A

**Attachments:**

- Letter
- Placement of signs

MAR 30 2012



# Kora Shriners

**Barry J. Gates**  
Illustrious Potentate  
bjg4@roadrunner.com

**Paul D. Sherman, P.P.**  
Recorder  
recorder@korashriners.org

March 5, 2012

City of ~~\_\_\_\_\_~~ *Auburn*  
Mayor and City Council

The Kora Shrine Circus Committee is requesting road signs for our 2012 circus to be held in April. We would like to place approximately 30 signs in various locations throughout the city of Auburn. We would like to place the signs in these locations 10-14 days prior to our event. We will remove the signs upon completion of the circus.

Our event dates are as follows:

April 13, 2012	Friday	4:00pm	8:00pm	
April 14, 2012	Saturday	9:30am	2:00pm	7:00pm

Our event will be located at the Colisee located on Birch Street in Lewiston.

Sincerely,

Al Milburn  
Kora Shrine Circus

**Everett Kaheri**  
Chief Rabban

**Daniel Gove**  
Assistant Rabban

**Rick Herson**  
High Priest & Prophet

**Paul Poulin**  
Oriental Guide

**Charley Bouney**  
Treasurer

# Auburn

We request the following locations

- Court and Minot Ave 2
- Center St and N. River Road 1 northbound
- Center St and Mall - K Mart entrance 2 north and south
- Turner Street Entrance to Walmart 1
- Turner St and Mount Auburn Ave 3
- Court St and Park Ave 1 2 side
- Minot Ave and Poland Rd out 1
- Minot Ave and Hotel Rd intown 1
- Washington St at Turnpike 1
- Washington St at Rotary northbound 1
- Broad St going across bridge 1 2 side
- Broad St - So Main 1 2 side
- Upper Cook St and So. Main 1
- Riverside Dr 1

Auburn, Maine, Code of Ordinances >> PART II - CODE OF ORDINANCES >> Chapter 60 - ZONING >>  
ARTICLE VI. - SIGNS >>

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## ARTICLE VI. - SIGNS

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Sec. 60-637. - General provisions; regulations.

Sec. 60-638. - Signs, on-premises.

Secs. 60-639—60-664. - Reserved.

### Sec. 60-637. - General provisions; regulations.

Signs in all districts shall be subject to the following general provisions and regulations:

- (1) Unless otherwise in this article, no sign shall be erected until a sign permit has first been issued by the municipal officer charged with enforcement.
  - a. An application for a sign permit may be obtained at the department of community development and planning.
  - b. No sign permit shall be issued unless the municipal officer charged with enforcement is satisfied that the sign supporting devices and electrical appurtenances and connections are in conformance with the city's building and electrical codes.
  - c. A processing fee in the amount provided in the city fee schedule shall accompany all applications for a sign permit.
- (2) No sign shall contain any moving, flashing or animated lights, or visible moving or movable parts, except such portions of a sign as consist solely of indicators of time and/or temperature or changeable message signs permitted by the director of planning and permitting or his designee pursuant to the following standards:
  - a. The property must be located in the General Business, General Business II, or Industrial Zoning District.
  - b. The applicant must demonstrate to the satisfaction of the chief of police that the sign will not constitute a driving hazard.
  - c. Each message shall be a fixed static display with a five second hold rate of change minimum between changes including the use of subtle transitions such as fade, dissolve, travel and scrolling or similar transitions and with frames that appear to move or change in size, or be revealed sequentially rather than at once including the movement of illumination or the scintillation or varying of light intensity as long as the intermittent lighting is used to change messages and not solely to attract attention. Definitions related to changeable message signs shall have the meanings from 23 M.R.S.A. § 1914(11-A). Time and temperature signs are allowed to change display with a two second message hold rate.
  - d. The changeable message portion of the sign shall not comprise more than 50 percent of the sign area allowed pursuant to section 60-638(c).
  - e.

Those provisions of 23 M.R.S.A. § 1914 that are applicable to changeable message signs as they apply to controlled-access highways or ramps remain in effect. A flashing sign or message with graphic, pictorial, animated, or photographic images is prohibited.

- (3) Signs may be illuminated only by the following means:
  - a. By a white, steady, stationary light of reasonable intensity shielded and directed solely at the sign and not casting light off the premises.
  - b. By interior nonexposed lights of reasonable intensity.
  - c. An illuminated sign or lighting device shall not be so placed or directed so that it constitutes a traffic hazard or nuisance through glare or reflection upon a public street, highway, sidewalk or adjacent premises.
- (4) No illuminated sign shall contain red, green or amber colors or lights if same would, in the opinion of the chief of police, constitute a driving hazard.
- (5) No sign shall project beyond the property line of the lot on which it is placed.
- (6) No sign may be located so as to obstruct a traffic control device or in a manner which would obscure the view of approaching or merging traffic.
- (7) Wall, projecting and roof signs shall be firmly affixed to the building. Wall signs shall not project more than 12 inches from the face of the wall to which it is attached. Projecting signs shall not project more than four feet perpendicularly from the face of the wall to which they are attached. Roof signs shall not project more than four feet above the roofline.
- (8) No sign which advertises or calls attention to any products, businesses or activities which are no longer sold or carried on shall remain on the premises for more than six months after the product, business or activity has ceased being sold or carried on.
- (9) Temporary movable signs are not permitted except for the following uses:
  - a. To call attention to and/or to advertise the name of a new business and the products sold or activities to be carried on in connection with a new business. In such cases, no sign shall remain at premises for more than 90 days.
  - b. To advertise a special sale. In such cases a sign shall be allowed for a period not to exceed 90 days in any calendar year.
  - c. Signs or other advertising devices as may be permitted by the city council to promote community or civic activities. Petitions for such signs shall be made directly to the city council and shall include a scaled map of the sign site, size and design of the sign, how the sign may be electrified, period of use, written permission of property owner if not the city, a description of the reason for the sign, a recommendation from the police department and the department of community development and planning and any other information the city may require. Such signs shall not be required to satisfy the requirements of subsection (1) of this section.
- (10) Signs legally erected before the adoption of this chapter which do not conform to the provision of this chapter may continue to be maintained, provided, however, that no such sign shall be permitted if it is, after the adoption of this chapter, enlarged, reworded (other than in the case of theater or cinema signs or signs with automatic or manually changing messages), redesigned or altered in any way excluding repainting in a different color, except to conform to the

requirements of this chapter; and provided further that any such sign which has deteriorated to such an extent that the cost of restoration would exceed 35 percent of the replacement cost of the sign at the time of restoration shall not be repaired, rebuilt or altered except to conform to the requirements of this chapter. Any exemption provided in this article shall terminate with respect to any sign which:

- a. Shall have been abandoned for at least 12 consecutive months;
  - b. Advertises or calls attention to any products, businesses or activities which are no longer sold or carried on, whether generally or at the particular premises; or
  - c. Shall not have been repaired or properly maintained within 30 days after notice to that effect has been given by the municipal officer charged with enforcement.
- (11) For those developments subject to site plan review (division 2 of article XVI of this chapter) the relaxation of the number and location of signs shall be reviewed by the planning board. The modifications to the sign requirements shall be allowed as the planning board may deem necessary to carry out the objectives and intent of site plan review.

(Ord. of 9-21-2009, § 4.2A)

#### **Sec. 60-638. - Signs, on-premises.**

- (a) *All districts.* The following signs are permitted in any use district, except where otherwise prohibited by law, and shall not be subject to the issuance of a sign permit.
  - (1) One sign not exceeding one square foot used to display the street number and/or name of the occupants of the premises.
  - (2) One nonilluminated sign not exceeding two square feet used to describe a home occupation, boardinghouse or lodginghouse, or tourist home located on the premises.
  - (3) One sign not exceeding 24 square feet on the premises of public or semipublic buildings, funeral homes and charitable or religious institutions. This sign may incorporate a bulletin board.
  - (4) One real estate sign not exceeding eight square feet relating to the sale, rental or lease of the premises. Such sign shall be removed within one week after the property transaction.
  - (5) One sign each for a building contractor, architect or engineer, each sign not exceeding 16 square feet, relating to construction projects. Such sign shall be removed within one week after the issuance of the certificate of occupancy (completion).
  - (6) Building name and date sign and/or memorial tablet, not exceeding an aggregate of ten square feet, showing the name of the building and date of erection and/or historic information, when cut into masonry, formed of bronze or similar noncombustible material.
  - (7) One professional name plate sign not exceeding eight square feet.
  - (8) Two signs, not exceeding 16 square feet each, describing farm products for sale on the premises. Instead of two signs, a single double-faced sign may be erected with a display area, not exceeding 16 square feet on each side.
  - (9)

Political signs, not exceeding 16 square feet in total area for single-faced signs on one standard, or eight square feet on each side of double-faced signs on one standard, provided that:

- a. Such signs shall not be erected more than 30 days prior to the election to which they pertain;
  - b. Such signs are removed within seven days after the election to which they refer;
  - c. Removal of such signs shall be the joint responsibility of the candidate and the property owner on whose premises the signs are displayed.
- (10) Traffic or other municipal signs, legal notices, railroad crossing signs, danger signs, directional signs, noncommercial and temporary signs or street banners related to public or charitable purposes may be approved by the city clerk along with stipulations as to the size, location, message, period of display and other requirements such as insurance and approval of building owners on whose property the banner will be attached.
- (b) *Residence districts.* The following sign regulations apply in residence districts:
- (1) Except where specifically permitted, all signs shall be single-faced, mounted flat on the wall of a structure or standing.
  - (2) No off-premises signs are permitted, except as provided for in chapter 42
  - (3) No projecting or roof signs are permitted.
  - (4) One identification sign, not exceeding 40 square feet in area, at any public entrance to a subdivision or multifamily development.
  - (5) Signs permitted pursuant to a site plan review.
  - (6) In Agriculture and Resource Protection, Low Density Country Residential, Rural Residence and Suburban Residence Districts one nonilluminated sign, not exceeding 16 square feet, used to display the name of the business and products or services sold from a use which is permitted in the district.
- (c) *Business and industrial districts.* The following sign regulations apply in business and industrial districts:
- (1) Sign shall relate to the premises on which they are located and shall only identify the occupants of said premises or advertise the nature of the products and services available within said premises. In the case of a multitenant or condominium development, it shall be the responsibility of the owner or property manager of such premises to allocate sign space upon the premises, under the terms of this article.
  - (2) Wall signs and roof signs are permitted provided that the aggregate area of the signs shall not exceed 15 percent of the area of the wall on or over which the signs are located. Signs proposed for placement at an angle at the intersection of two walls shall use 15 percent of the area of the wall with the smallest dimensions.
  - (3) Projecting and standing signs, one of each per premises, are permitted subject to the following provisions:
    - a. The aggregate area of sign surface for any one premises shall not exceed four square feet per foot of street to the maximum of 250 square feet or one square foot per foot of street frontage, whichever is larger. These dimensions shall be halved in Neighborhood Business (NB) Districts.
    - b.



Tizz Crowley, Ward One  
Robert Hayes, Ward Two  
Mary Lafontaine, Ward Three  
David Young, Ward Four



Leroy Walker, Ward Five  
Belinda Gerry, At Large  
Joshua Shea, At Large

Jonathan LaBonte, Mayor

## IN CITY COUNCIL

### ORDER #21-04022012

ORDERED, that the Kora Shrine Circus Committee may place temporary signs for its 2012 circus to be held on April 13 and April 14, 2012 at the locations listed below as long as their placement does not affect sight distance for streets or adjacent driveways.

Court and Minot Ave – 2 signs  
Center St and N. River Road – 1 sign, northbound  
Center St and Mall – K Mart entrance - 2 signs, north and south  
Turner Street Entrance to Walmart – 1 sign  
Turner St and Mount Auburn Ave – 3 signs  
Court St and Park Ave - 1 (two sided) sign  
Minot Ave and Poland Rd out – 1 sign  
Minot Ave and Hotel Rd intown – 1 sign  
Washington St at Turnpike – 1 sign  
Washington St at Rotary northbound – 1 sign  
Broad St going across bridge - 1 (two sided) sign  
Broad St – So Main - 1 (two sided) sign  
Upper Cook St and So. Main – 1 sign  
Riverside Dr – 1 sign