



City Council Meeting and Workshop

February 21, 2012

Agenda

5:30 P.M. Workshop

- A. Property Tax Abatement – Renee Lachapelle
- B. Appointment of Registration Appeals Board – Sue Clements-Dallaire
- C. Union Contract Update – Deb Grimmig
- D. Mayor correspondence with MSHA concerning Low Income Housing Tax Credits – Mayor LaBonte
- E. Joint Agency Budget Committee – Mayor LaBonte
- F. Discussion on naming city property – Don Gerrish
- G. Business licensing reclassification – Sue Clements-Dallaire

7:00 P.M. City Council Meeting

Pledge of Allegiance

- I. **Consent Items** – All items listed with an asterisk (*) are considered as routine and will be approved in one motion. There will be no separate discussion of these items unless a Councilor or citizen so requests. If requested, the item will be removed from the consent agenda and considered in the order it appears on the agenda.
- II. **Minutes** – February 6, 2012 City Council Meeting minutes.
- III. **Reports**
 - Mayor's Report
 - Committee Reports
 - **Transportation**
 - Androscoggin Transportation Resource Center – Mayor LaBonte
 - Lewiston Auburn Transit – Councilor Gerry
 - Airport, Railroad – Councilor Hayes
 - **Housing**
 - Community Development Block Grant, Neighborhood Stabilization Program, Auburn Housing Authority – Councilor Gerry
 - **Economic Development**
 - L-A Economic Growth Council, Auburn Business Development Corp. – Councilor Shea
 - **Education**
 - Auburn School Committee – Councilor Young
 - Auburn Public Library – Councilor LaFontaine
 - **Environmental Services**
 - Auburn Water District, Auburn Sewerage District – Councilor Crowley
 - Mid-Maine Waste Action Corp. – Councilor Walker

City Councilors' Reports

Auburn City Council Meeting & Workshop

February 21, 2012

Interim City Manager's Report

Finance Director, Jill Eastman

- January Financial Report

IV. Communications, Presentations and Recognitions

- 2012 Public Service Leadership Award – Charles Morrison, presenter

V. Open Session – Members of the public are invited to speak to the Council about any issue directly related to City business which is *not on this agenda*. Time limit for open sessions, by ordinance, is 45 minutes.

VI. Unfinished Business

VII. New Business

1. Order 04-02212012
Approving a new Liquor License application for GPG, LLC, DBA: Mac's Grill 1052 Minot Avenue. Food Service Establishment – Class A Restaurant with Liquor.
2. Order 05-02212012
Approving a property abatement for tax years 2009 and 2010 for Map 57 Lot 52-1 in the amount of \$2700 of assessed value for each year.
3. Order 06-02212012
Appointing the Registration Appeals Board Members.
4. Order 07-02212012
Authorizing the Mayor to correspond with Maine State Housing Authority concerning the time frame placed projects to receive Low Income Housing Tax Credits.
5. Order 08-02212012
Approving a Joint Agency Budget Committee
6. Order 09-02212012
Appointing the second City Councilor to the Joint Agency Budget Committee.
7. Executive Session
Discussion about a real estate matter, pursuant to 1 M.R.S.A. §405(6)(C) with possible Council action.

VIII. Open Session - Members of the public are invited to speak to the Council about any issue directly related to City business which is *not on this agenda*.

IX. Future Agenda/Workshop Items

X. Adjournment

Auburn City Council Meeting & Workshop

February 21, 2012

Executive Session: On occasion, the City Council discusses matters which are required or allowed by State law to be considered in executive session. Executive sessions are not open to the public. The matters that are discussed in executive session are required to be kept confidential until they become a matter of public discussion. In order to go into executive session, a Councilor must make a motion in public. The motion must be recorded, and 3/5 of the members of the Council must vote to go into executive session. An executive session is not required to be scheduled in advance as an agenda item, although when it is known at the time that the agenda is finalized, it will be listed on the agenda. The only topics which may be discussed in executive session are those that fall within one of the categories set forth in Title 1 M.R.S.A. Section 405(6). Those applicable to municipal government are:

- A. Discussion of personnel issues
- B. Discussion or consideration by a school board of suspension of expulsion
- C. 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 only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency
- D. Labor contracts
- E. Contemplated litigation
- F. Discussions of information contained in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute;
- G. Discussion or approval of the content of examinations administered by a body or agency for licensing, permitting or employment purposes; consultation between a body or agency and any entity that provides examination services to that body or agency regarding the content of an examination; and review of examinations with the person examined; and
- H. Consultations between municipal officers and a code enforcement officer representing the municipality pursuant to Title 30-A, section 4452, subsection 1, paragraph in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.



City Council Workshop Information Sheet

City of Auburn

Council Workshop Date: February 21, 2012

Item # A

Author: Renée Lachapelle, Assessor

Subject: Property Tax Abatement for tax years 2009 and 2010
Tax Map 57-52-1 280 Trapp Road, Auburn, ME

Information: Title 36 Section 841 states that the assessor may grant an abatement up to one year from the date of the commitment of taxes. State Statute allows abatements to be granted up to a three year period and any abatement beyond the one year has to be granted by the city council. I am unable to process the 2009 and 2010 abatements without council approval. This is to correct the acreage on this parcel as it was incorrectly plotted from the deed information. We assessed this parcel for 2.38 acres in 2009 and 2010 when it should have been assessed as a 1.75 acre site.

Financial: N/A

Action Requested at this Meeting: Yes

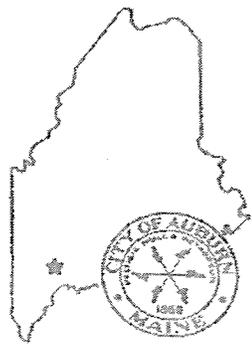
If yes why: Council approval is required in order to process an abatement that is over 1 year from the date of commitment. This is to correct the property acreage from an error in plotting the deed information resulting in an incorrect lot size.

Previous Meetings and History:

Attachments: *(in order of appearance in packet)*

- Copy of the abatement requests
- Copy of the survey
- Copy of the deed

57-52-1



City of Auburn, Maine

"Maine's City of Opportunity"

Office of the Assessor

APPLICATION FOR ABATEMENT OF PROPERTY TAXES

Title 36 M.R.S.A. Section 841



This form must be completed, signed and filed with the municipal assessor. A separate application must be filed for each separately assessed parcel of real estate.

- 1) Name of applicant: CARYN D BOURGOIN
- 2) Legal owner of property: CARYN D BOURGOIN
- 3) Owner's mailing address: 280 TRAPP Rd AUBURN ME 04210
- 4) Telephone number: 240 3252
- 5) Name, address and telephone of attorney or authorized agent: MARC A DEMERS
298 TRAPP Rd 786 3982
- 6) Tax year for which abatement is requested: 2010 - 2011
- 7) Assessed valuation of real estate: 2010 - 2011 ~~157,800~~ 156,600
- 8) Dollar amount of reduction requested for real estate: \$ 2700
- 9) Assessed valuation of personal property: _____
- 10) Dollar amount of reduction requested for personal property: _____
- 11) Property address: 280 TRAPP Rd AUBURN ME
- 12) Please state the specific reason(s) for requesting abatement: ERROR IN acreage

In accordance with the provisions of Title 36 M.R.S., Section 841, I hereby make application for abatement of property taxes to the assessing authority of the City of Auburn as noted above. The above statements are correct to the best of my knowledge and belief.

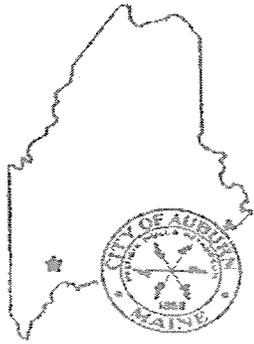
Date: 1/29/12

Signature: [Handwritten Signature]

Printed name: CARYN D. BOURGOIN

$2700 \times .1930 = 52.11 \text{ TAX}$

57-52-1



City of Auburn, Maine

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Office of the Assessor

APPLICATION FOR ABATEMENT OF PROPERTY TAXES

Title 36 M.R.S.A. Section 841



This form must be completed, signed and filed with the municipal assessor. A separate application must be filed for each separately assessed parcel of real estate.

- 1) Name of applicant: CARYN D BOURGOIN
- 2) Legal owner of property: CARYN D BOURGOIN
- 3) Owner's mailing address: 280 TRAPP RD AUBURN ME 04210
- 4) Telephone number: 240 3252
- 5) Name, address and telephone of attorney or authorized agent: MARC A DEMERS
296 TRAPP Rd AUBURN ME 7863982
- 6) Tax year for which abatement is requested: 2009-2010
- 7) Assessed valuation of real estate: ~~157,800~~ 156,600
- 8) Dollar amount of reduction requested for real estate: 2700
- 9) Assessed valuation of personal property: _____
- 10) Dollar amount of reduction requested for personal property: _____
- 11) Property address: 280 TRAPP Rd AUBURN ME
- 12) Please state the specific reason(s) for requesting abatement: ERROR IN ACREAGE

In accordance with the provisions of Title 36 M.R.S., Section 841, I hereby make application for abatement of property taxes to the assessing authority of the City of Auburn as noted above. The above statements are correct to the best of my knowledge and belief.

Date: 1/29/12

Signature: *Caryn D Bourgoin*

Printed name: CARYN D BOURGOIN

$2,700 \times .1831 = \$49.44 \text{ TAX}$

N/F
PENNY DEMERS
2549/41
5225/265
(OUT 1990)

S14°18'20"E 607.73'

57-52-2

LAND TO BE CONVEYED TO
LYDIA DEMERS
2.59 Acres
112985.21 Sq.ft.

25.19'
N37°54'47"E

41.84'
N14°18'20"W

N21°24'06"W

100.00'

550.00'

57-52-1

N/F
CARYN D. DEMERS
4777/70
(OUT 2001)

1.75 Acres
76207.69 Sq.ft.

N19°47'57"W 418.68'

500.00' TOTAL

ROAD

250.00'

S74°02'37"W

LAND TO BE CONVEYED TO
CARYN DEMERS
0.59 Acres
25816.95 Sq.ft.

N30°44'07"W 516.14'

N17°45'47"W

81.36'

S38°32'21"W
150.00'

LAND TO BE RETAINED BY
MARC A. & JEANNE M. DEMERS

843 700 2.38 AC
841 000 1.75 AC
82 700 2009/10/11 TAX YEARS

LAND TO BE RETAINED BY
MARC A. & JEANNE M. DEMERS

S14°18'20"E

EXHIBIT A

A certain lot or parcel of land situated in the City of Auburn, County of Androscoggin, State of Maine, bounded and described as follows:

Beginning at an iron pin set on the southeasterly line of the Trapp Road, so-called, which pin is set 250' southwesterly along the said southeasterly line of the Trapp Road from an iron pin set at the most westerly corner of land conveyed to Laurent Demers and Penny Demers by deed dated May 8, 1990 and recorded in the Androscoggin County Registry of Deeds in Book 2549, Page 41;

Thence in a general southwesterly direction along the southeasterly line of the Trapp Road a distance of 250', passing the end of a stone wall which is approximately 150' from the point of beginning and which stone wall is the northwesterly corner of land conveyed by Rosario Demers to Pierre Demers by deed dated December 31, 1969 and recorded in said Registry of Deeds in Book 1012, Page 320, to an iron pin set;

Thence running South 14° 18' 20" East a distance of 30' to an iron pin set;

Thence running in a general easterly direction to an iron pin set in the above mentioned stone wall a distance of 100' southerly from the southeasterly line of Trapp Road;

Thence running along said stone wall, and a continuation thereof, in a general southerly direction a distance of 500', more or less, to an iron pin set;

Thence in a general easterly direction a distance of 150', more or less, to an iron pin set;

Thence in a general northerly direction a distance of 550', more or less, to an iron pin set at a point which is South 14° 18' 20" East a distance of 50' from the point of beginning;

Thence North 14° 18' 20" West a distance of 50' to the point of beginning.

ATC File No.: 01-1637

NAWPDOCSMICHELLE01-160001-1637.EX2

ANDROSCOGGIN COUNTY

Jeanine D. Bergeron

REGISTER OF DEEDS

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



Jonathan LaBonte, Mayor

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

IN CITY COUNCIL

ORDER #05-02212012

ORDERED, that the Auburn City Council hereby approves the following abatement of the 2009 and 2010 tax years for Map 57 Lot 52-1 in the amount of \$2,700 of assessed value for each year.

These abatements are granted due to assessing error in interpreting the deed acreage for this parcel.



City Council Workshop Information Sheet

City of Auburn

Council Workshop Date: February 21, 2012

Item B

Author: Susan Clements-Dallaire, Acting City Clerk

Subject: Appointment of the Registrations Appeals Board Members

Information: The Democratic and Republican City Committees have nominated their member and alternate. I am nominating Nadeen Daniels as Chair. Nadeen is a former Municipal Clerk.

Financial: N/A

Action Requested at this Meeting: Recommend passage of the Order appointing Registration Appeals Board Members.

Previous Meetings and History:

Attachments: *(in order of appearance in packet)*

- Title 21A §103
- Order 06-02212012

Maine Revised Statutes

[§103 PDF](#)

[§103 WORD/RTF](#)

[STATUTE SEARCH](#)

[CH. 3 CONTENTS](#)

[TITLE 21-A CONTENTS](#)

[LIST OF TITLES](#)

[DISCLAIMER](#)

[MAINE LAW](#)

[REVISOR'S OFFICE](#)

[MAINE LEGISLATURE](#)

§102

Title 21-

§104

A: ELECTIONS

Chapter 3: VOTER REGISTRATION

Subchapter 1: REGISTRAR OF VOTERS

HEADING: PL 1997, C. 436, §12 (AMD)

§103. Registration appeals board

In a city or town that has a population of 5,000 or more, if a person is aggrieved by the decision of the registrar of voters to cancel that person's registration in the central voter registration system or to reject that person's voter registration application, that person may appeal in writing to the registration appeals board. [2005, c. 453, §9 (AMD).]

1. Population of 5,000 or over. The registration appeals board consists of 3 members who must be appointed as follows: The municipal committee of each of the major political parties shall nominate one member, who must be enrolled in the party of the municipal committee that nominates the member, and the municipal officers shall appoint the persons nominated by the municipal committees and the 3rd member must be nominated by the clerk of the municipality and appointed by the municipal officers. The clerk of the municipality may give the municipal committees of the political parties a list of qualifications necessary for a person to fulfill the duties of the registration appeals board, and the municipal committees shall take those qualifications into consideration when nominating members to the board. The 2 members of the board nominated by the municipal committees of the major political parties may be members of the municipal committee nominating them and of the county or state committees of the political party that nominates them and may be members of a state or county delegation to a political convention. When a municipal committee nominates a member to the registration appeals board, it shall also nominate an alternate board member, who serves if the member nominated by the municipal committee is or becomes unable to serve. The municipal clerk may not serve as a member or alternate member of the registration appeals board.

[1997, c. 436, §19 (AMD) .]

2. Population of 4,000 to 5,000.

[1999, c. 426, §4 (RP) .]

3. Term of office. Each member nominated by the municipal committees of the major political parties and appointed to the board shall serve for 3 years and until the member's successor is appointed and sworn. The member nominated by the clerk of the municipality and appointed to the board shall serve for 4 years and until that member's successor is appointed and sworn.

[1995, c. 459, §8 (AMD) .]

4. Chairman of the board. The member nominated by the clerk of the municipality is chairman of the board.

[1985, c. 161, §6 (NEW) .]

5. Vacancy. When there is a vacancy on the board, the alternate board member nominated by the municipal committee of the political party of the former incumbent shall serve. If an alternate is not available, the municipal officers shall appoint a qualified person nominated by the municipal committee of the party of the former incumbent to fill the vacancy. If the vacancy is in the office of the chair of the board, the municipal officers shall appoint a qualified person nominated by the clerk of the municipality to fill the vacancy. Vacancies must be filled for the remainder of the term of office.

[1991, c. 466, §2 (AMD) .]

6. Appeal hearing. Upon receipt of a complaint by a person aggrieved by the decision of the registrar, the chair of the registration appeals board shall immediately fix a time and place for the board to meet for a prompt hearing. The voter must be given written notice of the hearing at least 20 days in advance and must have the opportunity to testify and to present witnesses and other evidence at the hearing. The hearing is de novo. After hearing, the board may affirm, modify or reverse the decision of the registrar of voters. The board shall issue the decision to the voter in writing and shall provide information on how the voter may appeal the decision. The aggrieved person may appeal the decision of the board to the Superior Court in accordance with Rule 80B of the Rules of Civil Procedure.

[2009, c. 253, §9 (AMD) .]

7. Actions of the registration appeals board. A

registration appeals board may only act by unanimous or majority action.

[1995, c. 459, §10 (RPR) .]

8. Removal from office. A member of the board may be removed from office at any time during the member's term by the appointing authority if the appropriate nominating authority nominates a replacement. Any replacement member shall serve out the remainder of the replaced member's term.

[1995, c. 459, §11 (AMD) .]

SECTION HISTORY

1985, c. 161, §6 (NEW). 1985, c. 614, §4 (AMD). 1991, c. 466, §§2,3 (AMD). 1991, c. 862, §§1,2 (AMD). 1995, c. 56, §§1,2 (AMD). 1995, c. 56, §3 (AFF). 1995, c. 459, §§4-11 (AMD). 1997, c. 436, §19 (AMD). 1999, c. 426, §§4,5 (AMD). 2005, c. 453, §9 (AMD). 2007, c. 455, §4 (AMD). 2009, c. 253, §9 (AMD) .

Data for this page extracted on 02/01/2012 10:08:18.

The Revisor's Office cannot provide legal advice or interpretation of Maine law to the public.

If you need legal advice, please consult a qualified attorney.

**Office of the Revisor of Statutes
7 State House Station
State House Room 108
Augusta, Maine 04333-0007**

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 #06-02212012

ORDERED, that the following individuals be and hereby are appointed to the Registration Appeals Board:

NAME	POSITION	TERM EXPIRATION
Nadeen Daniels	Chair	2/28/2016
Mary Roussel	Democratic Member	2/28/2015
Edward Desgrosseilliers	Democratic Alternate	2/28/2015
Georgia Chomas	Republican Member	2/28/2015
Paul Cole	Republican Alternate	2/28/2015



**City Council
Workshop Information Sheet**

City of Auburn

Council Workshop Date: February 21, 2012

Item # C

Author: Sue Clements-Dallaire, Acting City Clerk

Subject: Union Contract Update

Information: This workshop item is intended to provide a brief introduction to the Council on the current status of the various units. We will have a more detailed discussion later when there is a better picture of the budget challenges.

Financial:

Action Requested at this Meeting: Discussion only

Previous Meetings and History:

Attachments: Matrix

Bargaining Unit	Positions Covered	Duration	Current Status	Increases
Maine Association of Police (MAP) -- Police Command Unit	Sergeants and Lieutenants	1 Year agreement 1/1/12 – 12/31/12	Contract has been implemented. Negotiations will commence in October for a new contract.	2% COLA. Some language changes. Adjustment to Tuition Reimbursement and elimination of annual medical exam reimbursement.
MAP -- Police Patrol	Patrol/Detectives/Corporals	1 year agreement 7/1/11 – 6/30/12	Contract has been implemented. This contract will expire at the end of this fiscal year. Negotiations for a new contract will start soon.	2% COLA Some language changes
Teamsters Local 340 --Public Works	All positions except supervisors and administration	3 year agreement 7/1/11 – 6/30/14	Contract has been implemented.	2% COLA for each year of the contract. Several language changes focusing on productivity and efficiency.
International Association of Firefighters (I.A.F.F.) Local 797 -- Fire	Privates, Lieutenants, Captains and Battalion Chiefs	2 year agreement 1/1/10 – 12/31/11	Contract has expired. Negotiations have started.	2% COLA over the life of the contract and one additional step in the pay plan.
Maine State Employees Association (MSEA) – General Government	Most non-supervisory administrative employees	To be determined through negotiations.	This is new a bargaining unit established in 2011. The City is currently negotiating an initial agreement.	To be determined. In FY 12, Non-Union employees received performance-based pay adjustments of between 0 and 2%.



City Council Workshop Information Sheet

City of Auburn

Council Meeting Date: February 21, 2012

Item D

Author: Don Gerrish, Acting City Manager

Subject: Mayor Correspondence with MSHA concerning Low Income Housing Tax Credits

Information: During the recent City Council workshop on the new residential developments proposed for Main Street, a request was made by Councilors to send a correspondence on behalf of the City of Auburn to Maine State Housing Authority officials/board members to express concern about the 90 year deed restriction on properties financially supported by the Low Income Housing Tax Credits and deemed necessary through the Maine State Housing Authority's Qualified Allocation Plan.

Financial: N/A

Action Requested at this Meeting: Authorize the Mayor on behalf of the City to correspond with Maine State Housing Authority concerning the Authority's mandatory 90 year time frame placed on a project to receive Low Income Housing Tax Credits.

Previous Meetings and History: February 13, 2012 City Council Workshop on CEI Projects; September 13, 2011 Planning Board Meeting approving one year extension of approval for Rivershore Place; August 10, 2010 Planning Board Meeting approving Special Exception Request and density waiver at 268-272 Main Street

Attachments: Planning Board Report dated 8/10/2010, Letters to CEI regarding approvals dated 8/17/2010 and 9/29/2011. Maine State Housing Authority Qualified Allocation Plan for 2010-11 and 2012



**City Council
Workshop Information Sheet**

City of Auburn

Council Meeting Date: February 21, 2012

Item E

Author: Don Gerrish, Acting City Manager

Subject: Joint Agency Budget Committee

Information: The City Council has discussed the potential to begin advanced reviews of Joint Agency budgets before formal presentations to both City Councils during budget deliberations. The Lewiston City Council has discussed the same concept and is sharing with us a draft resolve that addresses the previous discussions of this City Council.

Financial: N/A

Action Requested at this Meeting: Passage of Order

Previous Meetings and History: This concept was first suggested during the January 28th City Council Workshop and further discussed during the City Council Meeting/Workshop of February 6th

Attachments: Order 08-02212012

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 #08-02212012

Order, Approving a Joint Agency Budget Committee

Whereas, the Cities of Lewiston and Auburn jointly fund a number of agencies including the Lewiston-Auburn Growth Council, LA 911, Great Falls TV, the Auburn-Lewiston Airport, LA Arts, and the Lewiston Auburn Transit Committee; and

Whereas, in the past, the communities have used several alternative methods for reviewing the budgets submitted by these agencies, none of which has been fully satisfactory; and

Whereas, it is essential that these budgets receive detailed review by elected officials and that this review be done in a manner that assists the respective Governing Bodies in coordinating the approval of these budgets; and

Whereas, this joint budget committee is intended to refine the review of interagency budgets, build working relationships between Councilors of both cities, and streamline efforts to review expenditures and work plans for services funded by both Cities;

Now, therefore, be it Ordered by the City Council of the City of Auburn that

The City Council supports the creation of a Joint Agency Budget Committee to be composed of two City Councilors from Lewiston and two from Auburn. The purpose of this Committee shall be to undertake the necessary review of budgets and work plans presented by agencies and organizations jointly funded by Lewiston and Auburn and to make a consolidated recommendation to the respective governing bodies. Each City shall provide the necessary staff support to the Committee to allow it to successfully accomplish its purpose. In addition:

- The Committee's meetings shall be held in public, and all elected officials shall be provided notice of the time and place of the meetings as well as its agenda;
- All members of the respective governing bodies in attendance at the meetings shall be allowed the privilege of participating in them through asking questions and engaging in discussion, but only the designated members of the Committee shall have a vote on its final recommendations;
- The recommendations of the Committee shall be advisory to the respective governing bodies and each Council shall retain the right to make further budget adjustments and to meet separately with individual agencies to seek additional information regarding their budgets and work plans;
- Subsequent to the completion of this year's budgets, the Committee shall meet to evaluate the effectiveness of this approach to joint agency budgeting and shall make a recommendation to the respective Councils as to whether it should be continued in future years or an alternative approach should be taken;
- One Councilor from the City of Auburn shall be appointed by the Mayor; the second Councilor shall be appointed by the Mayor upon the recommendation of the City Council.



**City Council
Workshop Information Sheet**

City of Auburn

Council Workshop Date: February 21, 2012

Item # F

Author: Don Gerrish, Acting City Manager

Subject: Naming City Property

Information: The Mayor and Council will discuss developing a policy for naming City Property.

Financial: N/A

Action Requested at this Meeting: Discussion

Previous Meetings and History: N/A

Attachments: Copy of other entities/municipalities policies.

Naming of Council Owned or Administered Buildings, Structures and other Assets (excluding roads)

Head of Power

Local Government Act 2009

Objective

The objectives of this policy are to:-

- (1) outline Council's policy position on the naming of all Council owned or administered bridges, buildings and community facilities, parks, reserves, open space, waterways, places, memorials and other assets (except for roads); and
- (2) establish a naming convention for each of those categories of Council controlled assets which is both responsive to anticipated community expectations and consistent with the stated values of stakeholders and Council.

Definitions/Application

Definitions

"Bridge" - a structure of significant dimension and magnitude which is built across a river, creek, waterway, road, rail or other thing for the primary purpose of allowing people or vehicles to cross.

"Buildings and Community Facilities" - one or more roofed structures which are enclosed by walls and are established by Council for use predominantly by Council or the community. The term includes, but is not limited to, administration buildings, libraries, galleries, museums, theatres, day care facilities, community centres, refuges, respite care facilities, clubhouse facilities, public amenity buildings and roofed parking facilities.

"Room" - an enclosed space established for public or private gatherings within a building.

"Park" - an area of Council controlled open space primarily dedicated to public use for informal recreation purposes.

"Reserve" - open space that contributes to community wellbeing principally through environmental qualities and provides opportunities for nature-based recreation. The term also includes land acquired for local government purposes, such as drainage reserves.

"Open Space" - any public space, other than a road, that is open to the sky and contributes to community wellbeing principally through its aesthetic qualities and opportunities for recreation within an urban or rural setting.

"Sporting Complex" - an area of open space primarily dedicated to public use for sporting activities, both formal and informal, which may also provide for some passive recreation opportunities.

"Sports Field" - an area of land formally and permanently marked or set aside for the playing of organised sport which is managed by Council or a sports organisation recognised by Council.

"Waterway" - includes gullies, lakes and dams, wetlands, crossings and similar. These may be naturally occurring or constructed.

“Place” - a readily distinguishable element of, or within, a park or other open space. The term does not include a sports field.

“Pathway” - a clearly identifiable track, trail or other developed access route through an open space area which is dedicated primarily for use by pedestrians, cyclists, horse riders and the like for non-motorised recreational or commuter purposes

“Community Infrastructure” - any public furniture within an open space area or the surrounds of a community facility. The term includes, but is not limited to, seats, benches, shelters, barbecues and the like.

“Memorial” - any monument, commonly accompanied by an explanatory plaque, sign or inscription, which has as its primary purpose, the recognition of individuals or groups for their eminence and outstanding community endeavour across the region, or of events or incidents pertaining to, or of relevance to the region. A commemorative plaque alone is not a memorial.

“Commemorative plaque” - any plaque which is affixed to either its own integral support structure or a seat, table, shelter or other structure located within a Council owned or administered space, and which has as its primary purpose, the commemoration of the life and/or deeds of a person, family or organisation. The term does not include a plaque containing an explanatory statement about the naming or significance of a Council asset covered by this policy or another object of public significance within the region.

“Region” - the Moreton Bay Regional Council local government area.

Application

This policy applies to all Council owned or administered bridges, buildings and community facilities, parks, reserves, open space, waterways, places and other assets within the region. However, this policy specifically does not apply to roads, memorials or commemorative plaques. Nor does it apply to waterways, reserves, other assets or infrastructure, be they naturally occurring or constructed, which are defined, controlled or managed by other authorities.

Policy Statement

1. Council's policy in general

Council recognises the value to the community in general and the emergency services of naming those items of infrastructure and assets under its direct control. Council also acknowledges that any policy and naming convention that it adopts on this issue must be both responsive to anticipated community expectations and consistent with the stated values of all relevant stakeholders. The position adopted under this policy is that naming of Council owned or administered infrastructure and its other assets is to be consistent with the overarching values, ethical principles, and current standards of Council, stakeholders and both the local and wider community. To this end, Council has produced Guidelines for Selection of Permanent Names which are attached as an appendix to this policy.

It is acknowledged there may be instances where names proposed could be considered offensive or discriminatory by some. Such instances could include reflecting the names of persons (be they given, family or nicknames) or events of significance. However, Council asserts its adopted view that these names have a right to be recognised and each proposal shall be considered both in context and on its merits.

Although this policy does not apply to bridges, waterways, reserves, other assets or infrastructure which are controlled or managed by other authorities, Council will use the adopted views expressed herein in any response to a referral or invitation to comment made by that other authority.

2. Request to name a Council administered facility

Any member of the community or Council may initiate a request for naming or renaming of existing Council administered facilities. Also, nothing shall preclude a development proponent from suggesting a permanent name for a facility that is intended to be dedicated to Council control by that entity, or requesting that a permanent name be allocated at the time of dedication. It is Council's policy to encourage permanent naming at the time of dedication. However, Council does acknowledge that there may be instances where it is impractical or inappropriate to allocate a permanent name to some of those facilities at their dedication and interim arrangements will be put in place in such instances.

Anyone seeking to name either a new facility or an existing facility which has not yet been allocated a permanent name must submit their proposal in an appropriate form and include both detailed reasons and research material in support of that proposal. Each submission must be accompanied by a map or diagram which clearly shows the location of the facility for which the name is being proposed relative to readily identifiable features such as roads, parks, waterways, permanent structures, dominant landscape elements and the like. The name proponent is expected to ensure that all material supplied to Council is accurate, objective and not a distortion of actual facts.

The proponent may be required to provide additional evidence or research material to further substantiate the proposal.

Where proposals are found not to be consistent with Council's Guidelines for Selection of Names, the proposed name will not be considered further.

3. Facility specific provisions

In addition to the general naming issues outlined in the Guidelines for Selection of Permanent Names contained in the appendix to this policy, each of the various facility categories has its own specific issues for Council's adopted naming convention and these are outlined below.

3.1 Bridges

In regard to naming of bridges, Council's policy position is that emphasis should be placed on significant structures, and the naming of minor structures such as pipes and culverts is generally to be avoided. It will be at Council's discretion whether a structure is worthy of naming.

However, naming of minor structures may be considered where there are compelling cultural or community reasons or the structure is in an area of local significance. For example, an indigenous community's request is often based on the significance of the stream crossing to country rather than the size or nature of the constructed infrastructure itself and will be assessed accordingly.

Consideration will also be given to dual names for a bridge as a way of recognising more than one person, place or event of importance to the community; most commonly to recognise both European and Indigenous heritage.

3.2 Buildings and community facilities

Names for buildings and community facilities would normally be allocated in a way that reflects the location, geographical or historical context of the land on which the facility is erected. However this does not preclude them being named in recognition of community members or using any of the other conventions listed in the Guidelines for Selection of Permanent Names within the appendix to this policy.

Features of, and within, buildings and community facilities, (e.g., a room, courtyard or garden), may also be named. Naming of rooms and features within the one building or community facility would normally be required to adopt one constant theme which has direct links to the name of the overall facility itself.

3.3 Park, reserve and other open space

Where a substantial parcel of land has been gifted or bequeathed as public open space by an individual (not including land dedicated to Council as part of a development approval), a request for the land to bear the name of that benefactor may be favourably considered.

Where parks provided at different times abut one another, the additions shall assume the name of the adjacent previously named park.

Where a small part of a planned larger park is dedicated to public use at the early stages of a development, this may be grounds for delaying the permanent naming of that facility to a later time. A proposal for permanent naming (of the combined parks) may be made by a development proponent at the time associated with dedication of the later park.

Generally, parks on opposite sides of the same public road or major waterway are to have different names. An exception to this is linear linkage park which may retain the one name for its complete length despite the fact that it may be severed at one or more locations by roadways and/or major waterways. However, that exception will only apply in instances where the linkages between the various segments are obvious in both appearance and function.

3.4 Sporting complexes

The hierarchical level of a sporting complex is to be clearly reflected in its name. For example, facilities of regional significance shall have this indicated within the name, whereas a smaller local facility catering for sport on a much smaller scale should reflect its subordinate/local status.

In instances of local level facilities catering for one sport only, naming relevant to that sport or use may be appropriate.

3.5 Sports fields

Where opportunities arise to sub-name fields and ovals within a sporting complex, Council acknowledges that it would be fitting for each particular field to bear the name of a sports person, member or volunteer of the sports organisation having the predominant use of that field, who has provided a significant contribution to the organisation and can be shown to be of good character. Alternatively, fields may be named after representatives of the sport having predominant use of that field provided that they can be shown to satisfy the same good character requirements.

Sub-naming of a sports field within a complex having only one playing field is permissible if it can be shown to Council's satisfaction that the sub-naming is not likely to cause an unacceptable level of confusion to potential patrons of the sporting complex and its associated facilities.

Before undertaking the naming of any field pursuant to this policy, the sports organisation seeking the sub-naming must:-

- conduct due diligence and character checks on the person after whom the field is to be named;
- supply Council with details of their findings on the character checks;
- supply Council with copies of the minutes of the organisation meeting proposing the naming;
- supply Council with supporting reasons for the proposed naming of the field;
- provide Council with a layout plan clearly showing the location of the field to be named within the overall sporting complex; and
- await Council's approval to undertake the naming of the field.

Council will consider every request but reserves the right to support the proposal, reject the proposal, or request reconsideration of the proposal by the proponent. Council will register any approved field name in its official names register, and distribute advice of the naming in accordance with this policy.

3.6 Waterways etc.

Most waterways come under the direct control of authorities outside of Council. For those that do fall under Council's control, a unique name is to be allocated to each individual waterway or tributary to a main waterway. Generally, naming would be undertaken in a way that reflects the location, geographical or historical context of the land through which the waterway flows. However, that does not preclude them being named in recognition of community members of significant service to the community or using any of the other conventions listed in the Guidelines for Selection of Permanent Names within the appendix to this policy.

3.7 Naming of places

Council will consider all proposals to name places within open spaces. A name allocated to any place within a park or open space must be appropriate, be in context, and not include the word "Park" or "Reserve".

4. Duplication of naming

Facility names are not to be duplicated anywhere within the region and duplication of names of existing facilities within adjacent local authority areas is to be avoided wherever practicable. Further, a similarity between the names of different facilities is also to be avoided, (e.g., "Freshwater Park" and "Freshwater Place" are to be avoided wherever possible even though they may be in well separated parts of the region). Facilities named after individuals having similar names shall be accepted provided that they are well separated, (e.g., "Bill Jones Park" in one locality and "Fred Jones Park" in a different and non-adjointing locality).

5. Community engagement for naming (and renaming) proposals

The scope of community engagement to be undertaken will be determined by Council on a case-by-case basis, having particular regard to anticipated community sensitivities and the results or scope of other recent consultation activities undertaken in the local community or area.

In those instances where public advertising of a naming proposal is deemed to be warranted, it will be carried out by Council.

In order for submissions to be given due consideration, the person giving the response to the advertised naming must ensure that it:-

- is made in writing;
- is received by Council prior to expiry of the advertising period; and
- fully articulates the reasons for supporting or opposing the proposed naming.

6. Installation of name plates, signs

Once a permanent name has been assigned to a Council owned or administered facility, it is Council's practice that a suitable plaque, name plate, sign or other similar device displaying the allocated name and, if warranted, explanatory information, an abbreviated history or basis for the name is installed. All such devices shall comply with Council's standards, and/or be appropriate and applicable to the context of the facility, and may only be installed with the prior approval of Council.

Note that explanatory information in the context of major projects and partnerships specifically includes details such as:-

- Name of Mayor in office at that time;
- Date of opening or unveiling;
- Names of Councillors in office at that time;
- Name of Council's Chief Executive Officer at that time;

- Council's current logo;
- Names of persons opening the place or unveiling the plaque;
- Names of Members of Parliament in attendance at the opening;
- Names of partner organisations or sponsorships;
- Logos of others as may be relevant;
- The official name of the building or project; and
- Any other wording relevant to the project which is deserving of display.

7. Recording of names

Council shall maintain a register of all interim and permanent names allocated to bridges, buildings and community facilities, parks, reserves, open space, waterways, and places under its direct control. However, using its sole discretion, Council may also include names and details of facilities outside of its control in that names register.

The register shall include the reasons or basis for selection of each name, related historical information, and references to related documentation to ensure the names of these facilities are selected and managed in a consistent, accountable and logical manner which aims to prevent undue confusion and duplication of names.

8. Assessment of applications

Council will give due consideration to every proposal to permanently name facilities. However, approval of a proposal to permanently name is only likely to be given in instances where Council is satisfied that the proposal:

- meets all relevant criteria within the Guidelines for Selection of Permanent Names,
- where applicable, is accepted by the nominee or related persons,
- stands assessment and diligence searches conducted by Council,
- is accepted by, or within, the community.

Proposals for permanent naming shall be subject to relevant levels of community engagement. All submissions received during the community engagement period shall be considered before a final decision is made by Council on the naming proposal.

Council may approve the proposed name, or may reject the proposal.

9. Notification of new or revised names

The official name of each asset which is owned or administered by Council at any point in time is the name listed for that particular asset in Council's Asset Names Register at that time.

In those instances where a name has been proposed by an entity outside of Council or some public consultation has been undertaken, those entities seeking the name allocation or involved in the public consultation will be notified of Council's final decision on the proposal. Similarly, Emergency Services and all other external organisations that Council has formally agreed to keep informed of naming will be notified of new or amended names in a timely manner.

Review Triggers

This policy is reviewed internally for applicability, continuing effect and consistency with related documents and other legislative provisions when any of the following occurs:

- (1) The related documents are amended
- (2) The related documents are replaced by new documents
- (3) Amendments which affect the allowable scope and effect of a Policy of this nature are made to the head of power
- (4) Other circumstances as determined from time to time by a resolution of Council

Notwithstanding the above, this policy is to be reviewed at least once every two years for relevance and to ensure that its effectiveness is maintained.

Responsibility

This policy is to be:

- (1) implemented by all Councillors and officers when considering issues and proposals related to naming of infrastructure or assets covered by this policy;
- (2) reviewed and amended in accordance with the "Review Triggers" by the Director Engineering Construction & Maintenance in consultation with the Director Community & Environmental Services.

Version Control

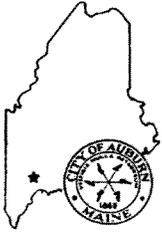
Council Resolution number	11/2788	Date	13 December 2011
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Related Links:

Place Names Act 1994;
Moreton Bay Regional Council Local Law 4 – "Local Government Controlled Areas, Facilities and Roads";
Policy Directive 11-2160-010 - "Protocols for the Naming of Council Owned or Administered Buildings, Structures and Other Assets (excluding roads)"

APPENDIX 1 - Guidelines for Selection of Permanent Names

<p>General Naming is to be consistent with the overarching values, ethical principles, and current standards of Council, stakeholders and the local and wider community.</p> <p>It is acknowledged there may be instances where names proposed could be considered offensive or discriminatory by some. Such instances could include reflecting the names of persons (be they given, family or nicknames) or events of significance. However, Council asserts its adopted view that these names have a right to be recognised and each proposal shall be considered on its merit.</p> <p>Proposals to give recognition to specific members of the community through naming of facilities must be able to establish an association between that individual and the facility to be named or provide other justification such as that person's notable contribution to the community.</p> <p>Bridges The following are to be considered for their relevance:</p> <ul style="list-style-type: none"> a) Name(s) of historic significance; b) Names of families who have had a long association with the locality or pioneers of the area; c) Names of service personnel from the area that have died serving Australia; d) Indigenous connections; e) Names of respected community members of considerable service who are / were resident or working within the area; f) Names which commemorate a special event or occurrence; g) Names which recognise a place; <p>Names of persons may include 'nicknames'</p> <p>Consideration will be given to dual names for a bridge as a way of recognising more than one person, place or event of importance to the community. Most commonly this will apply to recognition of both European and Indigenous heritage.</p> <p>Buildings and Community Facilities Normally, names for these facilities are to be chosen in a way that reflects the location, geographical or historical context of the land on which each is erected. However, an expanded scope may need to be considered in some instances. In those instances, the following are to be considered for their relevance:</p> <ul style="list-style-type: none"> a) Historic landmarks; b) Geographic features such as a nearby mountain or creek; c) Locality of the land; d) Australiana, including locally found flora or fauna species; e) Persons with a historical connection to the land or area; f) Indigenous connections; g) Names of pioneering families and long-term residents; h) Names of respected community members of considerable service who are / were resident or working within the area. <p>Rooms and Building Features Names for these types of facilities shall be selected from the same criteria as for "Buildings and Community Facilities".</p> <p>Room names shall generally follow a theme adopted for the building in which they are contained (usually following the criteria used in the selection of the building name).</p>	<p>Parks, Reserves and Open Space and Places Therein The following are to be considered for their relevance:</p> <ul style="list-style-type: none"> a) Persons with a historical connection to the land or area; b) Indigenous connections; c) Names of pioneering families and long-term residents; d) Names of respected community members of considerable service who are, or were resident or working within the region; e) Historic landmarks; f) Persons having prior ownership of a substantial part of that land for a significant period of time; g) Persons having made a significant financial or "in kind" contribution to the park; h) Recognition of a bequeathed or gifted parcel of land for open space; i) Local fauna, flora or geographic features; j) Locality of the land. <p>Sporting Complexes The hierarchical level of a sporting complex is to be clearly reflected in its name. For example, facilities of regional significance shall have this indicated within the name, whereas a smaller local facility catering for sport on a much smaller scale should reflect its subordinate/local status.</p> <p>Naming shall generally be consistent with the significance of the facility and the criteria used for naming Parks, Reserves and Open Space.</p> <p>In instances of local level facilities catering for one sport only, naming relevant to that sport or use may be appropriate.</p> <p>Sports Fields Sports fields within a sports complex containing multiple fields may be sub-named. Sub-naming of a sports field within a complex having only one playing field is permissible if it can be shown to Council's satisfaction that the sub-naming is not likely to cause an unacceptable level of confusion to potential patrons of the sporting complex and its associated facilities.</p> <p>When proposing names for sports fields, the following are to be considered for their relevance:</p> <ul style="list-style-type: none"> a) Sports persons of high achievement within the organisation the field is associated with; b) Long serving and respected administrators or volunteers within the sport or organisation the field is associated with; c) Sports persons of high achievement within the sport of which the organisation is associated. <p>Waterways Waterways are to be named in a way that clearly identifies with one or more of the following:</p> <ul style="list-style-type: none"> a) Historic landmarks; b) Location of the feature being named; c) Local fauna, flora or geographic features; d) Persons with a historical connection to the land or area; e) Indigenous connections; f) Names of respected community members of considerable service who are / were resident or working within the area.
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City Council Workshop Information Sheet

City of Auburn

Council Workshop Date: February 21, 2012

Item G

Author: Susan Clements-Dallaire, Acting City Clerk

Subject: Business licensing reclassification

Information: Recommending that the City's liquor classifications in Chapter 24 mirror State statute to eliminate confusion on the part of applicants for City licenses and on the part of City staff in administering the licensing function.

Financial: N/A

Action Requested at this Meeting: Discussion only with action at a future meeting

Previous Meetings and History:

Attachments: *(in order of appearance in packet)*

- Fee schedule from Chapter 24 showing changes
- Top page of State Liquor License Application
- State fee schedule with classifications

Food Service Establishment Class D (includes liquor)	sq ft 1-2999 3000-5999 6000-up	\$150 \$200 \$250
Food Service Establishment <u>Class A I Restaurant with Spirituous, Vinous and Malt</u> (based on square footage)	sq ft 1-2999 3000-5999 6000-up	\$500 \$600 \$700 (plus hearing ad)
Food Service Establishment <u>Class B-III/IV Malt and Vinous</u> (based on square footage) (includes liquor)	sq ft 1-2999 3000-5999 6000-up	\$300 \$400 \$500 (plus hearing ad)
Food Service Establishment Class C-IV Tavern Malt Only (based on square footage) (includes liquor)	sq ft 1-2999 3000-5999 6000-up	\$300 \$400 \$500 (plus hearing ad)
<u>Food Service Establishment Class V Club</u>		<u>\$350</u>
Food Service Establishment <u>Class X Class A Lounge</u> (based on square footage) (includes liquor)	sq ft 1-2999 3000-5999 6000-up	\$1000 \$1300 \$1500
<u>Food Service Establishment Class XI Restaurant/Lounge</u> (includes liquor)		<u>\$900</u>
Food Service Establishment Class E (Bottle Club/ BYOB)	sq ft 1-2999 3000-5999 6000-up	\$150 \$200 \$250 (plus hearing ad)
<u>Temporary Food Service Establishment Class F</u> Per event/maximum of 7 days		<u>\$60</u>
Food Service Establishment Class G <u>Retail Take Out</u>	sq ft 1-2999 3000-5999 6000-up	\$150 \$200 \$250

Language to be removed is ~~struck-out~~; language to be added is underlined.

Print Name

Print Name

NOTICE – SPECIAL ATTENTION

All applications for NEW or RENEWAL liquor licenses must contact their Municipal Officials or the County Commissioners in unincorporated places for approval of their application for liquor licenses prior to submitting them to the bureau.

THIS APPROVAL EXPIRES IN 60 DAYS.

FEE SCHEDULE

Class I	Spirituos, Vinous and Malt	\$ 900.00
	CLASS I: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers; OTB.	
Class I-A	Spirituos, Vinous and Malt, Optional Food (Hotels Only)	\$1,100.00
	CLASS I-A: Hotels only that do not serve three meals a day.	
Class II	Spirituos Only	\$ 550.00
	CLASS II: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; and Vessels.	
Class III	Vinous Only	\$ 220.00
	CLASS III: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	
Class IV	Malt Liquor Only	\$ 220.00
	CLASS IV: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.	
Class V	Spirituos, Vinous and Malt (Clubs without Catering, Bed & Breakfasts)	\$ 495.00
	CLASS V: Clubs without catering privileges.	
Class X	Spirituos, Vinous and Malt – Class A Lounge	\$2,200.00
	CLASS X: Class A Lounge	
Class XI	Spirituos, Vinous and Malt – Restaurant Lounge	\$1,500.00
	CLASS XI: Restaurant/Lounge; and OTB.	
FILING FEE	\$ 10.00

UNORGANIZED TERRITORIES \$10.00 filing fee shall be paid directly to County Treasurer. All applicants in unorganized territories shall submit along with their application evidence of payment to the County Treasurer.

All fees must accompany application, made payable to: **TREASURER, STATE OF MAINE. – DEPARTMENT OF PUBLIC SAFETY, LIQUOR LICENSING AND INSPECTION DIVISION, 164 STATE HOUSE STATION, AUGUSTA ME 04333-0164.** Payments by check subject to penalty provided by Sec. 3, Title 28A, MRS.

IN COUNCIL REGULAR MEETING FEBRUARY 6, 2012 VOL 33 PAGE 7

Mayor LaBonte called the meeting to order at 7:10 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All City Councilors were present.

I. Consent Items – None

II. Minutes of January 9, 2012 and January 17, 2012 Council Meeting

Motion was made by Councilor Gerry and seconded by Councilor LaFontaine to approve the January 9, 2012 Council Meeting Minutes. Passage 7-0.

Motion was made by Councilor Young and seconded by Councilor Walker to approve the January 17, 2012 Council Meeting Minutes. Passage 7-0.

III. Reports

Mayor's Report – Joint Agency Approval and Mayor Appointments

Committee Reports

- Transportation
 - Androscoggin Transportation Resource Center – Mayor LaBonte - none
 - Lewiston Auburn Transit – Councilor Gerry reported
 - Airport, Railroad – Councilor Hayes reported
- Housing
 - Community Development Block Grant, Neighborhood Stabilization Program, Auburn Housing Authority – Councilor Gerry reported
- Economic Development
 - L-A Economic Growth Council, Auburn Business Development Corp. – Councilor Shea reported
- Arts/Culture/Recreation
 - LA Arts – Councilor LaFontaine - item removed
- Education
 - Auburn School Committee – Councilor Young reported
 - Auburn Public Library – Councilor LaFontaine - none
- Environmental Services
 - Auburn Water District, Auburn Sewerage District – Councilor Crowley reported
 - Mid-Maine Waste Action Corp. – Councilor Walker reported

Councilor Reports

- Belinda Gerry reported
- Tizz Crowley reported
- Robert Hayes reported
- Mary LaFontaine reported
- David Young reported
- Leroy Walker reported
- Joshua Shea reported

Interim City Manager, Don Gerrish

- Mayor and Council Budget funding
- Items to be discussed at the February 8th workshop

IV. Communications, Presentations and Recognitions

V. Open Session

The following people addressed the Council:

Tim Doughty, 75 Cherry Vale Circle
Joe Gray, Sopers Mill Road
Charles Morrison, 46 Lake Street

VI. Unfinished Business

1. Ordinance 01-01172012 Amending the Code of Ordinances, Chapter 2-Administration, Article III-Officers and Employees, Division 4-City Clerk, Section 2-180-Duties, Item #6 and in Article V-Boards, Commissions and Committees, Division 2-Registration Voter Appeals Board, Section 2-406-Membership: chair. Second reading. This item was postponed on 01/09/2012, and the first reading was on 1/17/2012.

Motion was made by Councilor Hayes and seconded by Councilor Young for passage of the second reading. Passage 7-0.

VII. New Business

2. Order 02-02062012 Authorizing Interim City Manager, Don Gerrish to reallocate unused bond money to purchase a new pumper and spare truck for the Fire Department.

The following people addressed this item:

Joe Gray
Tim Doughty

Motion was made by Councilor Gerry and seconded by Councilor LaFontaine for passage. Passage 7-0.

3. Order 02-02062012 Confirming Mayor LaBonte's committee appointment nominations.

Motions was made by Councilor Shea and seconded by Councilor Gerry for passage. Passage 7-0.

VIII. Open Session

Tim Doughty, 75 Cherry Vale Circle

IN COUNCIL REGULAR MEETING FEBRUARY 6, 2012 VOL 33 PAGE 9

IX. Executive Session

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry to enter into Executive Session, pursuant to 1 M.R.S.A. §405(6)(C), to discuss a real estate matter. Passage 7-0, 8:45 P.M.

The Mayor declared the Executive Session over at 9:40 P.M.

X. Future Agenda/Workshop Items

Councilor Gerry would like to hold a Public Hearing regarding the park in New Auburn, next to Rolly's.

XI. Adjournment

Motions was made by Councilor LaFontaine and seconded by Councilor Hayes to adjourn the meeting. Passage 7-0, 9:43 P.M.

A TRUE COPY.

ATTEST *Susan Clements Dallaire*
Susan Clements-Dallaire, Acting City Clerk

Susan Clements-Dallaire

From: City Manager
Sent: Wednesday, February 08, 2012 2:27 PM
To: Belinda Gerry; Bob Hayes; David Young; Jonathan LaBonte; Joshua Shea; Leroy Walker; Mary Lafontaine; Tizz Crowley
Cc: Karen Veilleux; Susan Clements-Dallaire
Subject: FW: E2 Fire Truck

Hi All,

Below is the response from Finance concerning insurance on Pumper 2 that was raised at the Council meeting. I will send the information to Mr.Gray so he has it and include it in the minutes of the meeting.

Thanks

Don

From: Gina Klemanski
Sent: Tuesday, February 07, 2012 2:57 PM
To: City Manager
Cc: Karen Veilleux
Subject: E2 Fire Truck

Re: The claim to Maine Municipal for the Pumper Truck was done as a non-total loss. After the fire, the cause of loss was a failed turbo with an estimate of repair of \$1369.44. MMA reimbursed us for that. After it still had issues, it was towed to Public Works, we paid the \$500 towing fee. Public Works created a work order # 10-08-153, did repairs and the total on that was \$2115.53. An email was sent to Tracy Roy, Finance Director from Sheri Buck at Fire but no journal entry was done to reimburse Public Works and there was no reimbursement by MMA. My assumption is that it was not forwarded to MMA. It was then sent to New England Detroit Diesel with an estimate of repair of \$5348. We paid that and were reimbursed by MMA.

Gina Klemanski
Accounting Assistant
City of Auburn
60 Court St
Auburn Me 04210
333-6601 ext. 1404

City of Auburn, Maine
"Maine's City of Opportunity"

Financial Services

TO: Don Gerrish, Interim City Manager
FROM: Jill Eadtman, Finance Director
REF: January 2012 Financials
DATE: February 14, 2012

The City has completed its seventh month of the current fiscal year. As a guideline for tracking purposes, revenues and expenditures should amount to approximately 58.3% of the annual budget. However, not all costs and revenues are distributed evenly throughout the year; individual line items can vary based upon cyclical activity.

Revenues

Revenues collected through January 31st were \$388,697,367, or 55.03%, of the budget, which is less than the same period last year by 3.24%. The accounts listed below are noteworthy.

- A. Excise tax for the month of January is at 62.59%. This is a \$40,806 increase from last January. Our excise revenues for FY12 are 4.26% above projections as of January 31, 2012.
- B. State Revenue for the month of January is 61.88% or \$1,485,183. The city received \$227,031 this month compared to \$228,520 FY11, \$295,947 FY10, \$262,614 FY09 and \$287,992 FY08.
- C. Property Tax Revenue in January is 55.41% or \$22,746,087 a decrease from last January of 1.14%.
- D. Business and Non-Business Licenses and Permits are above budget due to Commercial Licenses, Street Openings, Building and Electrical Permits.

Expenditures

CITY OF AUBURN
FINANCIALS -FEBRUARY 2011

Expenditures through January 31st were \$46,446,031, or 64.83%, of the budget. Noteworthy variances are:

- A. Administration is at 65.75% of budget for the end of January primarily due to the City Manager and Legal Services at 81.77% and 70.18% respectively.
- B. Education is at 64.83% this year as compared to 44.19% at the same time last year. The dollar difference in the two years is \$7,399,971 more spent this year than last year. This is primarily due to a timing issue.

Investments

This section contains an investment schedule as of January 31st. Currently the City's funds are earning an average interest rate of .22%, which is less than last January.

Respectfully submitted,

Jill M. Eastman

Jill M. Eastman
Finance Director

CITY OF AUBURN, MAINE
BALANCE SHEET - CITY GENERAL FUND, WC AND UNEMPLOYMENT FUND (NOT INCLUDING SCHOOL)
AS OF January 2012, December 2011, and June 2011

	UNAUDITED January 31 2012	UNAUDITED December 30 2011	Increase (Decrease)	AUDITED JUNE 30 2011
ASSETS				
CASH	\$ 11,741,006	\$ 15,676,565	\$ (3,935,560)	\$ 13,294,906
RECEIVABLES			-	
ACCOUNTS RECEIVABLES	73,631	617,507	(543,876)	1,059,806
TAXES RECEIVABLE-CURRENT	18,161,554	18,453,936	(292,382)	114,898
DELINQUENT TAXES	508,867	514,959	(6,092)	440,748
TAX LIENS	565,944	833,908	(267,964)	1,264,200
NET DUE TO/FROM OTHER FUNDS	6,054,262	2,487,751	3,566,511	1,508,634
	<hr/>	<hr/>	<hr/>	<hr/>
TOTAL ASSETS	\$ 37,105,264	\$ 38,584,626	\$ (1,479,362)	\$ 17,683,192
 LIABILITIES & FUND BALANCES				
ACCOUNTS PAYABLE	\$ (998,567)	\$ (1,156,569)	\$ 158,002	\$ (1,314,860)
PAYROLL LIABILITIES	51,516	30,628	20,888	1,365
ACCRUED PAYROLL	10,214	10,214	0	(166,818)
STATE FEES PAYABLE	(27,625)	(31,248)	3,623	11,446
ESCROWED AMOUNTS	(64,250)	(64,250)	0	(64,250)
DEFERRED REVENUE	(19,013,450)	(19,330,680)	317,230	(1,598,154)
	<hr/>	<hr/>	<hr/>	<hr/>
TOTAL LIABILITIES	\$ (20,042,162)	\$ (20,541,905)	\$ 499,743	\$ (3,131,271)
FUND BALANCE - UNASSIGNED	\$ (16,704,895)	\$ (17,684,516)	\$ 979,621	\$ (14,102,463)
FUND BALANCE - RESTRICTED FOR WORKERS COMP & UNEMPLOYMENT	776,017	776,017	-	684,766
FUND BALANCE - RESTRICTED	(1,134,224)	(1,134,224)	-	(1,134,224)
	<hr/>	<hr/>	<hr/>	<hr/>
TOTAL FUND BALANCE	\$ (17,063,102)	\$ (18,042,723)	\$ 979,621	\$ (14,551,921)
	<hr/>	<hr/>	<hr/>	<hr/>
TOTAL LIABILITIES AND FUND BALANCE	\$ (37,105,264)	\$ (38,584,628)	\$ 1,479,364	\$ (17,683,192)

CITY OF AUBURN, MAINE
REVENUES - GENERAL FUND COMPARATIVE
THROUGH January 31, 2012 VS January 31, 2011

REVENUE SOURCE	FY 2012 BUDGET	ACTUAL REVENUES THRU JAN 2012	% OF BUDGET	FY 2011 BUDGET	ACTUAL REVENUES THRU JAN 2011	% OF BUDGET	VARIANCE
TAXES							
PROPERTY TAX REVENUE-	\$ 41,053,952	\$ 22,746,087	55.41%	\$ 40,447,313	\$ 22,873,491	56.55%	\$ (127,404)
PRIOR YEAR REVENUE	\$ -	\$ 738,161		\$ -	\$ 602,508		\$ 135,653
HOMESTEAD EXEMPTION REIMBURSEMENT	\$ 488,573	\$ 369,692	75.67%	\$ 480,000	\$ 379,509	79.06%	\$ (9,817)
ALLOWANCE FOR ABATEMENT	\$ -	\$ -		\$ -	\$ -		\$ -
ALLOWANCE FOR UNCOLLECTIBLE TAXES	\$ -	\$ -		\$ -	\$ -		\$ -
EXCISE	\$ 2,719,000	\$ 1,701,795	62.59%	\$ 2,806,000	\$ 1,660,989	59.19%	\$ 40,806
PENALTIES & INTEREST	\$ 140,000	\$ 82,534	58.95%	\$ 220,000	\$ 79,907	36.32%	\$ 2,627
TOTAL TAXES	\$ 44,401,525	\$ 25,638,269	57.74%	\$ 43,953,313	\$ 25,596,404	58.24%	\$ 41,865
LICENSES AND PERMITS							
BUSINESS	\$ 30,000	\$ 35,016	116.72%	\$ 42,800	\$ 20,546	48.00%	\$ 14,470
NON-BUSINESS	\$ 268,400	\$ 196,451	73.19%	\$ 260,300	\$ 187,816	72.15%	\$ 8,635
TOTAL LICENSES	\$ 298,400	\$ 231,467	77.57%	\$ 303,100	\$ 208,362	68.74%	\$ 23,105
INTERGOVERNMENTAL ASSISTANCE							
STATE-LOCAL ROAD ASSISTANCE	\$ 378,000	\$ 230,698	61.03%	\$ 378,000	\$ 220,970	58.46%	\$ 9,728
STATE REVENUE SHARING	\$ 2,400,000	\$ 1,485,183	61.88%	\$ 2,421,593	\$ 1,557,917	64.33%	\$ (72,734)
WELFARE REIMBURSEMENT	\$ 44,955	\$ 26,573	59.11%	\$ 44,955	\$ 28,162	62.64%	\$ (1,589)
OTHER STATE AID	\$ 20,000	\$ 22,615	113.07%	\$ 19,000	\$ 22,214	116.92%	\$ 401
FEMA REIMBURSEMENT	\$ -	\$ -		\$ -	\$ 19,473		\$ (19,473)
CITY OF LEWISTON	\$ 158,362	\$ (3,698)	-2.34%	\$ 160,235	\$ -	0.00%	\$ (3,698)
TOTAL INTERGOVERNMENTAL ASSISTANCE	\$ 3,001,317	\$ 1,761,371	58.69%	\$ 3,023,783	\$ 1,848,736	61.14%	\$ (87,365)
CHARGE FOR SERVICES							
GENERAL GOVERNMENT	\$ 135,090	\$ 85,041	62.95%	\$ 140,360	\$ 84,159	59.96%	\$ 882
PUBLIC SAFETY	\$ 206,545	\$ 44,380	21.49%	\$ 77,800	\$ 41,872	108.17%	\$ 2,508
EMS TRANSPORT	\$ -	\$ -		\$ 17,000	\$ -	246.31%	\$ -
EMS AGREEMENT	\$ 100,000	\$ 58,100	58.10%	\$ 100,000	\$ 70,600	70.60%	\$ (12,500)
TOTAL CHARGE FOR SERVICES	\$ 441,635	\$ 187,520	42.46%	\$ 335,160	\$ 196,631	21.06%	\$ (9,111)
FINES							
PARKING TICKETS & MISC FINES	\$ 55,000	\$ 17,578	31.96%	\$ 55,000	\$ 21,934	39.88%	\$ (4,356)
MISCELLANEOUS							
INVESTMENT INCOME	\$ 60,000	\$ 20,296	33.83%	\$ 70,000	\$ 33,997	48.57%	\$ (13,701)
INTEREST-BOND PROCEEDS	\$ 2,000	\$ -	0.00%	\$ 15,000	\$ -	0.00%	\$ -
RENTS	\$ 122,000	\$ 121,827	99.86%	\$ 122,000	\$ 122,077	100.06%	\$ (250)
UNCLASSIFIED	\$ 7,340	\$ 5,721	77.94%	\$ 22,947	\$ 7,849	34.20%	\$ (2,128)
SALE OF RECYCLABLES	\$ -	\$ 15,097		\$ -	\$ 28,864		\$ (13,767)
COMMERCIAL SOLID WASTE FEES	\$ -	\$ 30,070		\$ 40,000	\$ 36,363	90.91%	\$ (6,293)
SALE OF PROPERTY	\$ 20,000	\$ 2,255	11.28%	\$ 50,000	\$ 386,275	772.55%	\$ (384,020)
RECREATION PROGRAMS/ARENA	\$ 33,275	\$ 393	1.18%	\$ 38,489	\$ -	0.00%	\$ 393
MMWAC HOST FEES	\$ 197,400	\$ 116,788	59.16%	\$ 197,500	\$ 114,806	58.13%	\$ 1,982
9-1-1 DEBT SERVICE REIMBURSEMENT	\$ 98,318	\$ -	0.00%	\$ 161,233	\$ -	0.00%	\$ -
TRANSFER IN: TIF	\$ 324,212	\$ -	0.00%	\$ 407,374	\$ -	0.00%	\$ -
ENERGY EFFICIENCY	\$ 2,600	\$ 444	17.08%	\$ 4,000	\$ 1,159	28.98%	\$ (715)
CDBG	\$ 8,000	\$ 4,669	58.36%	\$ 8,000	\$ 4,669	58.36%	\$ -
UTILITY REIMBURSEMENT	\$ 37,500	\$ 14,187	37.83%	\$ 28,642	\$ 7,417	25.90%	\$ 6,770
CITY FUND BALANCE CONTRIBUTION	\$ 1,050,000	\$ -	0.00%	\$ 700,000	\$ -	0.00%	\$ -
TOTAL MISCELLANEOUS	\$ 1,962,645	\$ 331,746	16.90%	\$ 1,865,185	\$ 743,476	39.86%	\$ (411,730)
TOTAL GENERAL FUND REVENUES	\$ 50,160,522	\$ 28,167,952	56.16%	\$ 49,535,541	\$ 28,615,543	57.77%	\$ (447,591)
SCHOOL REVENUES							
EDUCATION SUBSIDY	\$ 17,942,071	\$ 10,314,378	57.49%	\$ 16,213,174	\$ 9,457,685	58.33%	\$ 856,693
EDUCATION	\$ 1,358,724	\$ 215,038	15.83%	\$ 3,051,517	\$ 2,120,380	69.49%	\$ (1,905,342)
SCHOOL FUND BALANCE CONTRIBUTION	\$ 855,251	\$ -	0.00%	\$ 172,103	\$ -	0.00%	\$ -
TOTAL SCHOOL	\$ 20,156,046	\$ 10,529,416	52.24%	\$ 19,436,794	\$ 11,578,065	59.57%	\$ (1,048,649)
GRAND TOTAL REVENUES	\$ 70,316,568	\$ 38,697,367	55.03%	\$ 68,972,335	\$ 40,193,608	58.27%	\$ (1,496,241)

**CITY OF AUBURN, MAINE
EXPENDITURES - GENERAL FUND COMPARATIVE
THROUGH JANUARY 31, 2012 VS JANUARY 31, 2011**

DEPARTMENT	ACTUAL			ACTUAL			VARIANCE
	FY 2012 REVISED BUDGET	EXP THRU JAN 2012	% OF BUDGET	FY 2011 BUDGET	EXP THRU JAN 2011	% OF BUDGET	
ADMINISTRATION							
MAYOR AND COUNCIL	\$ 93,340	\$ 62,047	66.47%	\$ 103,340	\$ 58,266	56.38%	\$ 3,781
CITY MANAGER	\$ 280,915	\$ 229,692	81.77%	\$ 377,931	\$ 203,194	53.76%	\$ 26,498
ASSESSING SERVICES	\$ 188,906	\$ 105,707	55.96%	\$ 200,113	\$ 93,330	46.64%	\$ 12,377
CITY CLERK	\$ 137,422	\$ 83,730	60.93%	\$ 117,812	\$ 61,578	52.27%	\$ 22,152
FINANCIAL SERVICES	\$ 365,023	\$ 233,111	63.86%	\$ 368,730	\$ 195,804	53.10%	\$ 37,307
HUMAN RESOURCES	\$ 137,363	\$ 73,040	53.17%	\$ 138,602	\$ 72,181	52.08%	\$ 859
LEGAL SERVICES	\$ 84,284	\$ 59,154	70.18%	\$ 73,000	\$ 21,758	29.81%	\$ 37,396
CUSTOMER SERVICE	\$ 2,428	\$ 1,501	61.82%	\$ 2,000	\$ -	0.00%	\$ 1,501
TOTAL ADMINISTRATION	\$ 1,289,681	\$ 847,982	65.75%	\$ 1,381,528	\$ 706,111	51.11%	\$ 141,871
COMMUNITY SERVICES							
COMMUNITY SERVICES (IT/ENG)	\$ 658,510	\$ 429,318	65.20%	\$ 713,412	\$ 340,622	47.75%	\$ 88,696
COMMUNITY PROGRAMS	\$ 12,650	\$ 10,850	85.77%	\$ 12,650	\$ 10,850	85.77%	\$ -
PLANNING & PERMITTING	\$ 727,756	\$ 387,255	53.21%	\$ 709,023	\$ 390,780	55.12%	\$ (3,525)
PARKS AND RECREATION	\$ 620,217	\$ 288,812	46.57%	\$ 606,333	\$ 291,664	48.10%	\$ (2,852)
HEALTH & SOCIAL SERVICES	\$ 153,811	\$ 83,853	54.52%	\$ 152,252	\$ 87,899	57.73%	\$ (4,046)
PUBLIC LIBRARY	\$ 929,407	\$ 542,154	58.33%	\$ 919,407	\$ 536,321	58.33%	\$ 5,833
TOTAL COMMUNITY SERVICES	\$ 3,102,351	\$ 1,742,242	56.16%	\$ 3,113,077	\$ 1,658,136	53.26%	\$ 84,106
FISCAL SERVICES							
DEBT SERVICE	\$ 6,810,550	\$ 6,487,644	95.26%	\$ 6,816,314	\$ 6,167,284	90.48%	\$ 320,360
PROPERTY	\$ 680,137	\$ 448,061	65.88%	\$ 649,206	\$ 455,235	70.12%	\$ (7,174)
WORKERS COMPENSATION	\$ 451,890	\$ 219,256	48.52%	\$ 200,000	\$ -	0.00%	\$ 219,256
WAGES & BENEFITS	\$ 4,209,929	\$ 2,371,286	56.33%	\$ 4,397,054	\$ 2,417,092	54.97%	\$ (45,806)
EMERGENCY RESERVE (10108062-670000)	\$ 328,608	\$ -	0.00%	\$ 336,336	\$ -	0.00%	\$ -
TOTAL FISCAL SERVICES	\$ 12,481,114	\$ 9,526,247	76.33%	\$ 12,398,910	\$ 9,039,611	72.91%	\$ 486,636
PUBLIC SAFETY							
EMERGENCY MGMT AGENCY	\$ 2,903	\$ -	0.00%	\$ 6,760	\$ -	0.00%	\$ -
FIRE DEPARTMENT	\$ 3,716,161	\$ 2,053,417	55.26%	\$ 3,549,341	\$ 2,006,429	56.53%	\$ 46,988
POLICE DEPARTMENT	\$ 3,315,380	\$ 1,844,421	55.63%	\$ 3,253,880	\$ 1,732,282	53.24%	\$ 112,139
TOTAL PUBLIC SAFETY	\$ 7,034,444	\$ 3,897,838	55.41%	\$ 6,809,981	\$ 3,738,711	54.90%	\$ 159,127
PUBLIC WORKS							
PUBLIC WORKS DEPARTMENT	\$ 4,682,884	\$ 2,113,854	45.14%	\$ 4,458,060	\$ 2,122,668	47.61%	\$ (8,814)
WATER AND SEWER	\$ 558,835	\$ 418,194	74.83%	\$ 526,252	\$ 393,544	74.78%	\$ 24,650
TOTAL PUBLIC WORKS	\$ 5,241,719	\$ 2,532,048	48.31%	\$ 4,984,312	\$ 2,516,212	50.48%	\$ 15,836
INTERGOVERNMENTAL PROGRAMS							
AUBURN-LEWISTON AIRPORT	\$ 106,750	\$ 80,062	75.00%	\$ 139,250	\$ 76,938	55.25%	\$ 3,124
E911 COMMUNICATION CENTER	\$ 968,347	\$ 484,174	50.00%	\$ 927,500	\$ 695,625	75.00%	\$ (211,451)
LATC-PUBLIC TRANSIT	\$ 207,779	\$ 155,834	75.00%	\$ 176,362	\$ -	0.00%	\$ 155,834
LAEGC-ECONOMIC COUNCIL	\$ 160,687	\$ 80,343	50.00%	\$ 167,487	\$ 83,744	50.00%	\$ (3,401)
L-A ARTS	\$ 20,160	\$ 15,120	75.00%	\$ 20,161	\$ 10,080	50.00%	\$ 5,040
TAX SHARING	\$ 288,593	\$ 39,602	13.72%	\$ 293,939	\$ 41,070	13.97%	\$ (1,468)
TOTAL INTERGOVERNMENTAL	\$ 1,752,316	\$ 855,135	48.80%	\$ 1,724,699	\$ 907,457	52.62%	\$ (52,322)
COUNTY TAX							
TIF (10108058-580000)	\$ 1,925,561	\$ 1,925,560	100.00%	\$ 1,892,352	\$ 1,892,352	100.00%	\$ 33,208
OVERLAY	\$ 2,619,142	\$ 2,619,142	100.00%	\$ 2,500,000	\$ -	0.00%	\$ 2,619,142
	\$ 301,604	\$ -	0.00%	\$ -	\$ -	0.00%	\$ -
TOTAL CITY DEPARTMENTS	\$ 35,747,932	\$ 23,946,194	66.99%	\$ 34,804,859	\$ 20,458,590	58.78%	\$ 3,487,604
EDUCATION DEPARTMENT	\$ 34,705,246	\$ 22,499,837	64.83%	\$ 34,167,476	\$ 15,099,866	44.19%	\$ 7,399,971
TOTAL GENERAL FUND EXPENDITURES	\$ 70,453,178	\$ 46,446,031	65.92%	\$ 68,972,335	\$ 35,558,456	51.55%	\$ 10,887,575

CITY OF AUBURN, MAINE
 INVESTMENT SCHEDULE
 AS OF JANUARY 31, 2012

INVESTMENT	FUND	BALANCE	BALANCE January 31, 2012	INTEREST RATE	WEIGHTED AVG YIELD
BANKNORTH MNY MKT	24-1242924 GENERAL FUND	\$ 55,143.72	\$ 55,162.43	0.20%	
BANKNORTH MNY MKT	24-1745910 GF-WORKERS COMP	\$ 49,164.80	\$ 49,168.40	0.10%	
BANKNORTH MNY MKT	24-1745944 GF-UNEMPLOYMENT	\$ 66,683.74	\$ 66,695.04	0.20%	
BANKNORTH CD	7033 GF-UNEMPLOYMENT	\$ 102,404.84	\$ 102,404.84	2.64%	
BANKNORTH MNY MKT	24-1809302 SPECIAL REVENUE	\$ 52,395.48	\$ 52,395.48	0.20%	
BANKNORTH MNY MKT	24-1745902 SR-PERMIT PARKING	\$ 197,381.74	\$ 197,381.74	0.20%	
BANKNORTH MNY MKT	24-1745895 SR-TIF	\$ 54,621.73	\$ 54,621.73	0.20%	
BANKNORTH MNY MKT	24-1746819 CAPITAL PROJECTS	\$ 14,054,451.17	\$ 14,054,451.17	0.20%	
BANKNORTH MNY MKT	24-1746877 SCHOOL	\$ 120,325.28	\$ 120,325.28	0.20%	
BANKNORTH CD	6895 SCHOOL CAPITAL PROJECTS	\$ 33,148.77	\$ 33,148.77	2.96%	
BANKNORTH MNY MKT	242-6181513 SCHOOL	\$ 984,729.60	\$ 984,729.60	0.20%	
BANKNORTH MNY MKT	24-1745928 ICE ARENA	\$ 47,086.56	\$ 47,086.56	0.10%	
GRAND TOTAL		\$ 15,817,537.43	\$ 15,817,571.04		0.22%



City Council Agenda Information Sheet

City of Auburn

Council Meeting Date: February 21, 2012

Order #04-02212012

Author: Susan Clements-Dallaire, Acting City Clerk

Subject: Public hearing and action approving a new Liquor License application for GPG, LLC, doing business as: Mac's Grill 1052 Minot Avenue.

Information:

Mac's Grill 1052 Minot Avenue in Auburn is an existing business under new ownership. The business will be inspected and reviewed by the Police, Fire, Planning and Permitting and Tax Collector's Departments prior to any licenses being issued. This is a Food Service Establishment – Class A Restaurant with liquor.

Financial: N/A

Action Requested at this Meeting: Recommend approval of the liquor license for GPG, LLC, doing business as Mac's Grill, 1052 Minot Avenue, pending staff approval and provided they are in compliance with all State, Federal and Local laws, rules and regulations.

Previous Meetings and History: N/A

Attachments: Applications and background checks

**Department of Public Safety
Division**



Liquor Licensing & Inspection

Promise by any person that he or she can expedite a liquor license through influence should be completely disregarded. To avoid possible financial loss an applicant, or prospective applicant, should consult with the Division before making any substantial investment in an establishment that now is, or may be, attended by a liquor license.

BUREAU USE ONLY	
License No. Assigned:	
Class:	
Deposit Date:	
Amt. Deposited:	

PRESENT LICENSE EXPIRES _____

INDICATE TYPE OF PRIVILEGE: MALT SPIRITUOUS VINOUS

INDICATE TYPE OF LICENSE:

<input checked="" type="checkbox"/> RESTAURANT (Class I,II,III,IV)	<input type="checkbox"/> RESTAURANT/LOUNGE (Class XI)
<input type="checkbox"/> HOTEL-OPTIONAL FOOD (Class I-A)	<input type="checkbox"/> HOTEL (Class I,II,III,IV)
<input type="checkbox"/> CLASS A LOUNGE (Class X)	<input type="checkbox"/> CLUB-ON PREMISE CATERING (Class I)
<input type="checkbox"/> CLUB (Class V)	<input type="checkbox"/> GOLF CLUB (Class I,II,III,IV)
<input type="checkbox"/> TAVERN (Class IV)	<input type="checkbox"/> OTHER: _____

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

1. APPLICANT(S) –(Sole Proprietor, Corporation, Limited Liability Co., etc.)			2. Business Name (D/B/A)		
Michael Peters DOB: 4/3/70			Mac's Grill		
Gerry Gagne DOB: 2/1/67			Location (Street Address)		
David Gagne DOB: 11/21/79			1052 Minot Ave		
Address			City/Town State Zip Code		
1052 Minot Ave			Auburn Me 04210		
City/Town State Zip Code			Mailing Address		
Auburn Me 04210			same		
Telephone Number Fax Number			City/Town State Zip Code		
783685			same		
Federal I.D. #			Business Telephone Number Fax Number		
FU-0782982			783685		
			Seller Certificate #		

3. If premises are a hotel, indicate number of rooms available for transient guests: N/A

4. State amount of gross income from period of last license: ROOMS \$ FOOD \$ 1m.1 LIQUOR \$ 350K

5. Is applicant a corporation, limited liability company or limited partnership? YES NO

complete Supplementary Questionnaire ,If YES

6. Do you permit dancing or entertainment on the licensed premises? YES NO

7. If manager is to be employed, give name: Nancy Recabel

8. If business is NEW or under new ownership, indicate starting date: 3/1/12
Requested inspection date: ASAP Business hours: 11-9

9. Business records are located at: 1052 Minot Ave

10. Is/are applicants(s) citizens of the United States? YES NO

11. Is/are applicant(s) residents of the State of Maine? YES NO

12. List name, date of birth, and place of birth for all applicants, managers, and bar managers. Give maiden name, if married:
Use a separate sheet of paper if necessary.

Name in Full (Print Clearly)	DOB	Place of Birth
Michael Peters	4/3/70	Middletown CT.
Gerry Gagne	2/1/67	Lewiston, Me
David Gagne	11/21/79	Lewiston, Me

Residence address on all of the above for previous 5 years (Limit answer to city & state)

ME. 56 Corrier Ct. Auburn Me ; G.G. 36 Crest Ave Auburn
D.G. 17 Chestnut Dr. Poland Me 04274

13. Has/have applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States? YES NO

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

14. Will any law enforcement official benefit financially either directly or indirectly in your license, if issued?
Yes No If Yes, give name: _____

15. Has/have applicant(s) formerly held a Maine liquor license? YES NO

16. Does/do applicant(s) own the premises? Yes No If No give name and address of owner: Robert Landry
Robert McFarren ML Holding LLC 340 East Rd Wales Me

17. Describe in detail the premises to be licensed: (Supplemental Diagram Required) Restaurant, 104 capacity
Steakhouse

18. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services?
YES NO Applied for: yes

19. What is the distance from the premises to the NEAREST school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? 1 mile Which of the above is nearest? School

20. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES NO

If YES, give details: _____

The Division of Liquor Licensing & Inspection is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

NOTE: "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to \$2,000 or both."

Dated at: Auburn Me on 2/9, 20 12
Town/City, State Date

[Signature]
Signature of Applicant or Corporate Officer(s)
David Gagne

Please sign in blue ink
[Signature]
Signature of Applicant or Corporate Officer(s)

Print Name

Print Name

NOTICE – SPECIAL ATTENTION

All applications for NEW or RENEWAL liquor licenses must contact their Municipal Officials or the County Commissioners in unincorporated places for approval of their application for liquor licenses prior to submitting them to the bureau.

THIS APPROVAL EXPIRES IN 60 DAYS.

FEE SCHEDULE

Class I	Spirituos, Vinous and Malt	\$ 900.00
	CLASS I: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers; OTB.	
Class I-A	Spirituos, Vinous and Malt, Optional Food (Hotels Only)	\$1,100.00
	CLASS I-A: Hotels only that do not serve three meals a day.	
Class II	Spirituos Only	\$ 550.00
	CLASS II: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; and Vessels.	
Class III	Vinous Only	\$ 220.00
	CLASS III: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	
Class IV	Malt Liquor Only	\$ 220.00
	CLASS IV: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.	
Class V	Spirituos, Vinous and Malt (Clubs without Catering, Bed & Breakfasts)	\$ 495.00
	CLASS V: Clubs without catering privileges.	
Class X	Spirituos, Vinous and Malt – Class A Lounge	\$2,200.00
	CLASS X: Class A Lounge	
Class XI	Spirituos, Vinous and Malt – Restaurant Lounge	\$1,500.00
	CLASS XI: Restaurant/Lounge; and OTB.	

FILING FEE.....\$ 10.00

UNORGANIZED TERRITORIES \$10.00 filing fee shall be paid directly to County Treasurer. All applicants in unorganized territories shall submit along with their application evidence of payment to the County Treasurer.

All fees must accompany application, made payable to: **TREASURER, STATE OF MAINE. – DEPARTMENT OF PUBLIC SAFETY, LIQUOR LICENSING AND INSPECTION DIVISION, 164 STATE HOUSE STATION, AUGUSTA ME 04333-0164.** Payments by check subject to penalty provided by Sec. 3, Title 28A, MRS.

STATE OF MAINE

Dated at: Auburn, Maine Androscoggin SS
City/Town (County)

On: 2/9/12 Date

The undersigned being: Municipal Officers County Commissioners of the City Town Plantation Unincorporated Place of: , Maine

Hereby certify that we have given public notice on this application and held public hearing thereon as required by Section 653 Title 28A, Maine Revised Statutes and herby approve said application.

THIS APPROVAL EXPIRES IN 60 DAYS

NOTICE – SPECIAL ATTENTION

§ 653. Hearings; bureau review; appeal

- 1. Hearing. The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, shall hold a public hearing for the consideration of applications for new on-premise licenses and applications for transfer of location of existing on-premise licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.
A. The bureau shall prepare and supply application forms. [1993, c.730, §27(amd).]
B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c.140, §4 (amd).]
C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premise license, for transfer of the location of an existing on-premise license or for renewal of an on-premise license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premise license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premise license that has been extended pending renewal with 120 days of the filing of the application. [1999, c589, §1 (amd).]
2. Findings. In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:
A. Conviction of the applicant of any Class A, Class B or Class c crime: [1987, c45, Pt.A§4 (new).]
B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control; [1987, c.45, Pt.A§4(new).]
C. Conditions of record such as waste disposal violations, health or safety violation or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner; [1993, c.730, §27 (amd).]
D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises; [1989, c.592,§3 (amd).]
E. A violation of any provision of this Title; and [1989, c.592, §3 (amd).]
F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601. [1989, c.592, §4 (new).]
[1993, c730, §27 (amd).]
3. Appeal to bureau. Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.
A. [1993, c.730, §27 (rp).]
4. No license to person who moved to obtain a license. (REPEALED)
5. (TEXT EFFECTIVE 3/15/01) Appeal to District Court. Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.

STATE OF MAINE
Liquor Licensing & Inspection Unit
 164 State House Station
 Augusta, Maine 04333-0164
 Tel: (207) 624-7220 Fax: (207) 287-3424

SUPPLEMENTARY QUESTIONNAIRE FOR CORPORATE APPLICANTS, LIMITED LIABILITY COMPANIES AND LIMITED PARTNERSHIPS

1. Exact Corporate Name: GPA LLC
 Business D/B/A Name: Mac's Grill
2. Date of Incorporation: _____
3. State in which you are incorporated: Me
4. If not a Maine Corporation, date corporation was authorized to transact business within the State of Maine: _____
5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list percent of stock owned:

Name	Address Previous 5 Years	Birth Date	% of Stock	Title
Gerry Gagne	36 Coast Ave Auburn	2/1/67	40	owner
Michael Peters	56 Corcoran Ct. Auburn	4/2/20	30	owner
David Gagne	17 Chestnut Dr Poland	11/21/79	30	owner

6. What is the amount of authorized stock? N/A Outstanding Stock? N/A
7. Is any principal officer of the corporation a law enforcement official? () YES (X) NO
8. Has applicant(s) or manager ever been convicted of any violation of the law, other than a minor traffic violation(s), of the United States? () YES (X) NO.
9. If yes, please complete the following: Name: _____

Date of Conviction: _____ Offense: _____

Location: _____ Disposition: _____

Dated at: _____ City/Town On: _____ Date

[Signature] Date: 2/9/12
 Signature of Duly Authorized Officer

Michael Peters
 Print Name of Duly Authorized Officer

STATE OF MAINE
Liquor Licensing & Inspection Unit
164 State House Station
Augusta, Maine 04333-0164
Tel: (207) 624-7220 Fax: (207) 287-3424

SUPPLEMENTARY QUESTIONNAIRE FOR CLUB APPLICANTS

1. Exact Club Name: _____

2. Title, name, birth date and telephone number of each principal officer of the club:

Title	Name	Birth Date	Telephone #

3. Date Club was incorporated: _____

4. Purpose of Club: () Social () Recreational () Patriotic () Fraternal

5. Date regular meetings are held: _____

6. Date of election of Club Officers: _____

7. Date elected officers are installed: _____

8. Total Membership: _____ Annual Dues: _____ Payable When: _____

9. Does the Club cater to the public or to groups of non-members on the premises? () YES () NO

10. Excluding salaries, will any person other than the Club, receive any of the financial profits from the sale of liquor?
() YES () NO

11. If a manager or steward is employed, complete the following:

Name: _____ Date of Birth: _____

Signature and Title of Club Officer

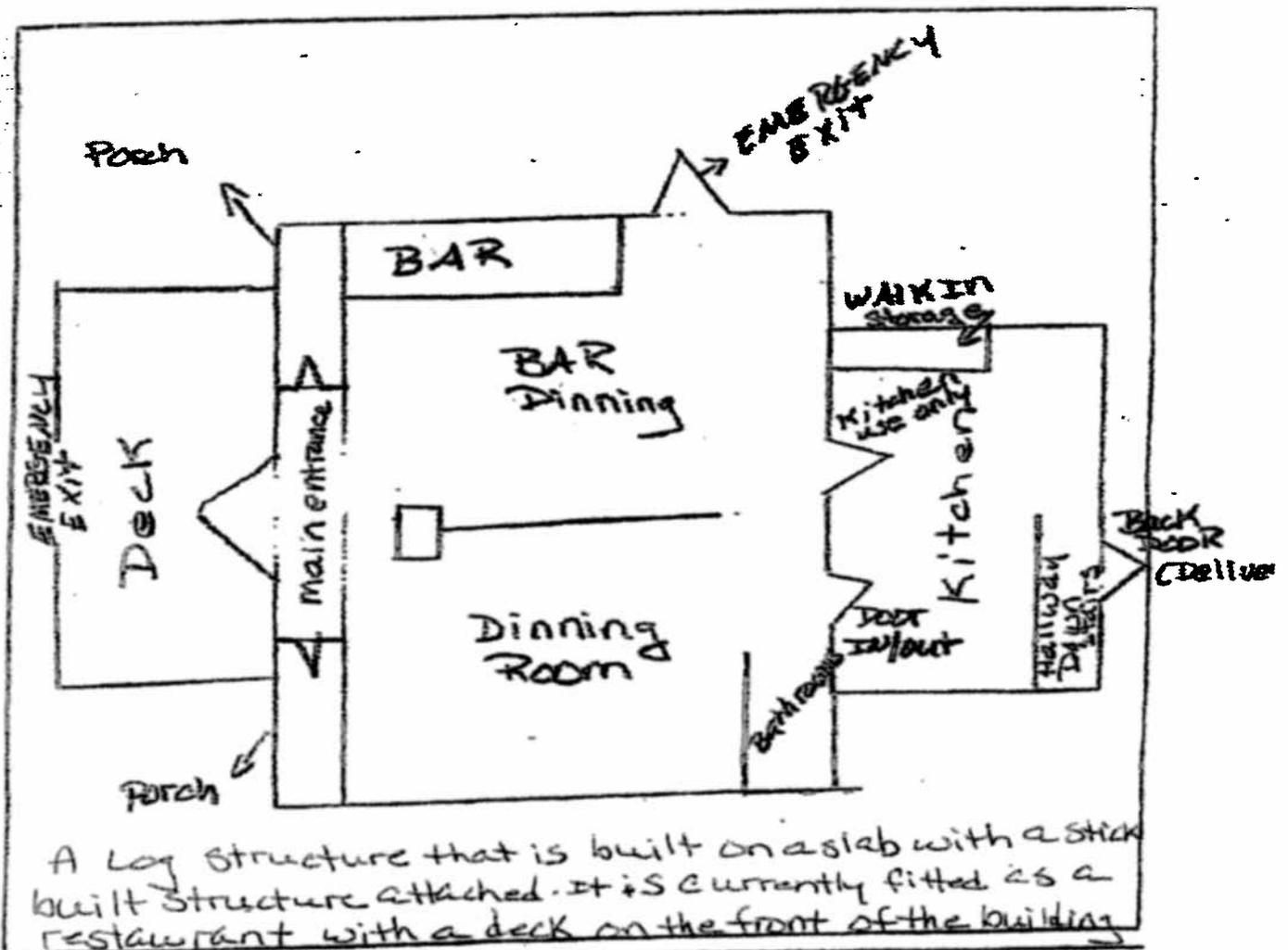
Print Name and Title of Club Officer

PREMISE DIAGRAM

**SUPPLEMENTAL APPLICATION FORM
ON-PREMISE DIAGRAM**

In an effort to clearly define your license premise and the areas that consumption and storage of liquor is allowed, the Liquor Licensing & Inspection Division is requiring all applicants to submit a diagram of the premise to be licensed in addition to a completed license application.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the areas of your premise including entrances, office area, kitchen, storage areas, dining rooms, lounges, function rooms, decks and all areas that you are requesting approval from the Department for liquor consumption.



**CITY OF AUBURN
FOOD LICENSE APPLICATION**

New _____ Renewal _____ Change X

Application date 1-30-12 Opening date 3-1-12 Expiration date _____

License applied for Food Service Establishment (FSE) - Class A
List changes from last license _____

Business Hours of operation 10 AM - 11 PM Tues - Sun Sq Footage 3,000 - 6,000
Fee \$ _____ (Based on square footage and type of service)

Please attach a copy of the following: Floor Plan/facility diagram, menu or draft menu, certified food handler certificate with date of certification, and a copy of all state licenses applicable to this application or date of application.

**ALL QUESTIONS MUST BE ANSWERED IN FULL
(Use back of application if necessary)**

BUSINESS

APPLICANT

Business name MAC'S Grill Owner's name GPG / Gerry Gagne ➔

Business address 1052 MINOT AVE Maiden name/ A/K/A NA

City Auburn State ME Zip 04210 Date of birth 2-1-67

Mailing address 1052 MINOT AVE Home address 36 CREST AVE

City Auburn State ME Zip 04210 City Auburn State ME Zip 04210

Business phone 207-783-6885 Mailing address 36 CREST AVE

Email GerryGagne@Yahoo.com City Auburn State ME Zip 04210

Please indicate address to mail license: Business / Applicant Home phone 207-786-8089

Is applicant a corporation in the State of Maine? Yes _____ No X

(If answer is "Yes", complete Supplementary Questionnaire for Corporate Applicants)

List all residences, including all places of business, within the last 5 years:

Address 36 CREST AVE City Auburn State ME How long 12 years

Address _____ City _____ State _____ How long _____

Address _____ City _____ State _____ How long _____

Mike Peters
56 Carver St.
Ruburn Me 04210
4/13/70

David Gosne
17 Chestnut Dr.
Beland Me 04274
11/21/79

Has applicant(s) ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States, within the past 5 years? Yes _____ No X (If yes, complete the following)

Name _____ Date of conviction _____

Offense _____ Location _____

Disposition _____

If manager is to be employed, complete the following:

Nancy Bucoby 26 Coast Ave Auburn 7863730 3/25/64
Name Home address Phone Date of birth

Has manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States, within the past 5 year? Yes _____ No X (If yes, complete the following)

Name _____ Date of conviction _____

Disposition _____ Location _____

Does applicant(s) own the premises? Yes _____ No X (If "No", give name and address of owner)

Name Kate Landry LLC Holding Address 340 East Rd Wales Me
Phone Number _____ Email _____

Food Service Establishment, Seating 104 Occupancy load _____

Criminal record and/or revocation of driver's license (include driving violations) during the last 5 years:

<u>Date</u>	<u>Charge</u>	<u>Court</u>	<u>Disposition</u>

THE OMISSION OF FACTS OR ANY MISREPRESENTATION OF ANY OF THE INFORMATION ON THIS APPLICATION SHALL BE SUFFICIENT GROUNDS FOR THE REFUSAL OF SUCH LICENSE.

CERTIFICATE OF APPLICANT AND WAIVER OF CONFIDENTIALITY

READ CAREFULLY BEFORE SIGNING

I hereby authorize the release of any criminal history record information to the City Clerk's Office or Licensing Authority. I understand that this information shall become public record, and I hereby waive any rights of privacy with respect hereto.

Nancy Bucoby 1-30-12
Signature of Applicant Date

IF A CORPORATION, MUST FILE A COPY OF CORPORATE PAPERS

Augusta ME 04333-0104

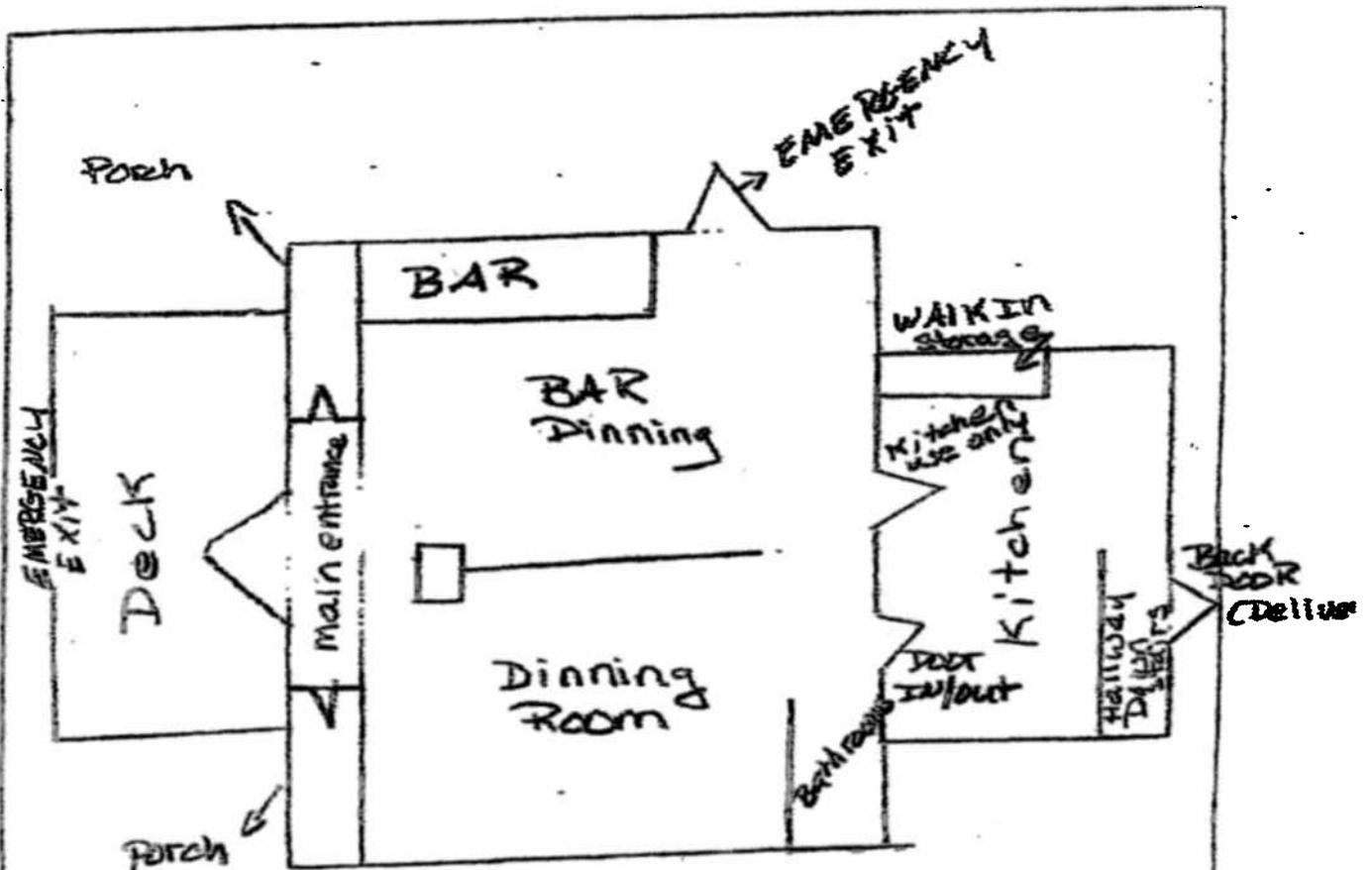
Tel: (207) 624-7220 Fax: (207) 287-3424

PREMISE DIAGRAM

**SUPPLEMENTAL APPLICATION FORM
ON-PREMISE DIAGRAM**

In an effort to clearly define your license premise and the areas that consumption and storage of liquor is allowed, the Liquor Licensing & Inspection Division is requiring all applicants to submit a diagram of the premise to be licensed in addition to a completed license application.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the areas of your premise including entrances, office area, kitchen, storage areas, dining rooms, lounges, function rooms, decks and all areas that you are requesting approval from the Department for liquor consumption.



A Log structure that is built on a slab with a stick built structure attached. It is currently fitted as a restaurant with a deck on the front of the building.

OFFICE LOCATED AT: 39 WATER STREET GARDNER, MAINE 02045



MAINE STATE BUREAU OF IDENTIFICATION
45 Commerce Drive, Suite 1 / STATE HOUSE STATION # 42
AUGUSTA, ME 04333
(207) 624-7240 (VOICE) (207) 624-4478 (TDD)

Transaction Response #: MIQ99B435156

Criminal History Record

Introduction

This rap sheet was produced in response to the following request (Produced on 2012-02-10) :

Inquiries Name(s) MICHAEL PETERS (1970-04-03)

NO MATCH WAS FOUND FOR YOUR REQUEST.

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 #04-02212012

ORDERED, that the City Council hereby approves the request for a Food Service Establishment/Class A Restaurant with Liquor license for GPG, LLC, DBA: Mac's Grill located at 1052 Minot Avenue.



City Council Agenda Information Sheet

City of Auburn

Council Meeting Date: February 21, 2012

Order # 05-02212012

Author: Renée Lachapelle, Assessor

Subject: Property Tax Abatement for tax years 2009 and 2010
Tax Map 57-52-1 280 Trapp Road, Auburn, ME

Information: Title 36 Section 841 states that the assessor may grant an abatement up to one year from the date of the commitment of taxes. State Statute allows abatements to be granted up to a three year period and any abatement beyond the one year has to be granted by the city council. I am unable to process the 2009 and 2010 abatements without council approval. This is to correct the acreage on this parcel as it was incorrectly plotted from the deed information. We assessed this parcel for 2.38 acres in 2009 and 2010 when it should have been assessed as a 1.75 acre site.

Financial: N/A

Action Requested at this Meeting: Passage of the order.

Previous Meetings and History:

Attachments: *(in order of appearance in packet)*

- See workshop item A

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 #05-02212012

ORDERED, that the Auburn City Council hereby approves the following abatement of the 2009 and 2010 tax years for Map 57 Lot 52-1 in the amount of \$2,700 of assessed value for each year.

These abatements are granted due to assessing error in interpreting the deed acreage for this parcel.



City Council Agenda Information Sheet

City of Auburn

Council Meeting Date: February 21, 2012

Order 06-02212012

Author: Susan Clements-Dallaire, Acting City Clerk

Subject: Appointment of Registration Appeals Board Members

Information: The Democratic and Republican City Committees have nominated their member and alternate. I am nominating Nadeen Daniels as Chair. Nadeen is a former Municipal Clerk.

Financial: NA

Action Requested at this Meeting: Passage of Order 06-02212012.

Previous Meetings and History:

Attachments: See workshop item 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 #06-02212012

ORDERED, that the following individuals be and hereby are appointed to the Registration Appeals Board:

NAME	POSITION	TERM EXPIRATION
Nadeen Daniels	Chair	2/28/2016
Mary Roussel	Democratic Member	2/28/2015
Edward Desgrosseilliers	Democratic Alternate	2/28/2015
Georgia Chomas	Republican Member	2/28/2015
Paul Cole	Republican Alternate	2/28/2015



**City Council
Agenda Information Sheet**

City of Auburn

Council Meeting Date: February 21, 2012

Order # 07-02162012

Author: Don Gerrish, Acting City Manager

Subject: Mayor Correspondence with MSHA concerning Low Income Housing Tax Credits

Information: During the recent City Council workshop on the new residential developments proposed for Main Street, a request was made by Councilors to send a correspondence on behalf of the City of Auburn to Maine State Housing Authority officials/board members to express concern about the 90 year deed restriction on properties financially supported by the Low Income Housing Tax Credits and deemed necessary through the Maine State Housing Authority's Qualified Allocation Plan.

Financial: N/A

Action Requested at this Meeting: Authorize the Mayor on behalf of the City to correspond with Maine State Housing Authority concerning the Authority's mandatory 90 year time frame placed on a project to receive Low Income Housing Tax Credits.

Previous Meetings and History: February 13, 2012 City Council Workshop on CEI Projects; September 13, 2011 Planning Board Meeting approving one year extension of approval for Rivershore Place; August 10, 2010 Planning Board Meeting approving Special Exception Request and density waiver at 268-272 Main Street

Attachments: See workshop item D

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 #07-02212012

ORDERED, that the City Council hereby authorizes the Mayor on behalf of the City to correspond with Maine State Housing Authority concerning the Authority's mandatory 90 year time frame placed on a project to receive Low Income Housing Tax Credits.



**City Council
Agenda Information Sheet**

City of Auburn

Council Meeting Date: February 21, 2012

Order # 08-02162012

Author: Don Gerrish, Acting City Manager

Subject: Joint Agency Budget Committee

Information: The City Council has discussed the potential to begin advanced reviews of Joint Agency budgets before formal presentations to both City Councils during budget deliberations. The Lewiston City Council has discussed the same concept and is sharing with us a draft resolve that addresses the previous discussions of this City Council.

Financial: N/A

Action Requested at this Meeting: Passage of Order

Previous Meetings and History: This concept was first suggested during the January 28th City Council Workshop and further discussed during the City Council Meeting/Workshop of February 6th

Attachments: See workshop item E

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 #08-02212012

Order, Approving a Joint Agency Budget Committee

Whereas, the Cities of Lewiston and Auburn jointly fund a number of agencies including the Lewiston-Auburn Growth Council, LA 911, Great Falls TV, the Auburn-Lewiston Airport, LA Arts, and the Lewiston Auburn Transit Committee; and

Whereas, in the past, the communities have used several alternative methods for reviewing the budgets submitted by these agencies, none of which has been fully satisfactory; and

Whereas, it is essential that these budgets receive detailed review by elected officials and that this review be done in a manner that assists the respective Governing Bodies in coordinating the approval of these budgets; and

Whereas, this joint budget committee is intended to refine the review of interagency budgets, build working relationships between Councilors of both cities, and streamline efforts to review expenditures and work plans for services funded by both Cities;

Now, therefore, be it Ordered by the City Council of the City of Auburn that

The City Council supports the creation of a Joint Agency Budget Committee to be composed of two City Councilors from Lewiston and two from Auburn. The purpose of this Committee shall be to undertake the necessary review of budgets and work plans presented by agencies and organizations jointly funded by Lewiston and Auburn and to make a consolidated recommendation to the respective governing bodies. Each City shall provide the necessary staff support to the Committee to allow it to successfully accomplish its purpose. In addition:

- The Committee's meetings shall be held in public, and all elected officials shall be provided notice of the time and place of the meetings as well as its agenda;
- All members of the respective governing bodies in attendance at the meetings shall be allowed the privilege of participating in them through asking questions and engaging in discussion, but only the designated members of the Committee shall have a vote on its final recommendations;
- The recommendations of the Committee shall be advisory to the respective governing bodies and each Council shall retain the right to make further budget adjustments and to meet separately with individual agencies to seek additional information regarding their budgets and work plans;
- Subsequent to the completion of this year's budgets, the Committee shall meet to evaluate the effectiveness of this approach to joint agency budgeting and shall make a recommendation to the respective Councils as to whether it should be continued in future years or an alternative approach should be taken;
- One Councilor from the City of Auburn shall be appointed by the Mayor; the second Councilor shall be appointed by the Mayor upon the recommendation of the City Council.



City Council Agenda Information Sheet

City of Auburn

Council Meeting Date: February 21, 2012

Order 09-02212012

Author: Susan Clements-Dallaire, Acting City Clerk

Subject: Appointment of Joint Agency Budget Committee

Information: Request Council confirmation of the appointment of Councilor LaFontaine to the Joint Agency Budget Committee.

Financial: NA

Action Requested at this Meeting: Passage of Order 09-02212012.

Previous Meetings and History:

Attachments: See workshop item E

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 #09-02212012

ORDERED, that Councilor Mary Lafontaine be and hereby is appointed to the Joint Agency Budget Committee.



City Council Information Sheet

City of Auburn

Council Meeting Date: February 21, 2012

Agenda item #7

Subject: Executive Session with possible Council action

Information: Discussion about a real estate matter, pursuant to 1 M.R.S.A. §405(6)(C).

Executive Session: On occasion, the City Council discusses matters which are required or allowed by State law to be considered in executive session. Executive sessions are not open to the public. The matters that are discussed in executive session are required to be kept confidential until they become a matter of public discussion. In order to go into executive session, a Councilor must make a motion in public. The motion must be recorded, and 3/5 of the members of the Council must vote to go into executive session. An executive session is not required to be scheduled in advance as an agenda item, although when it is known at the time that the agenda is finalized, it will be listed on the agenda. The only topics which may be discussed in executive session are those that fall within one of the categories set forth in Title 1 M.R.S.A. Section 405(6). Those applicable to municipal government are:

- A. Discussion of personnel issues
 - B. Discussion or consideration by a school board of suspension of expulsion
 - C. 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 only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency
 - D. Labor contracts
 - E. Contemplated litigation
 - F. Discussions of information contained in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute;
 - G. Discussion or approval of the content of examinations administered by a body or agency for licensing, permitting or employment purposes; consultation between a body or agency and any entity that provides examination services to that body or agency regarding the content of an examination; and review of examinations with the person examined; and
 - H. Consultations between municipal officers and a code enforcement officer representing the municipality pursuant to Title 30-A, section 4452, subsection 1, paragraph in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.
-