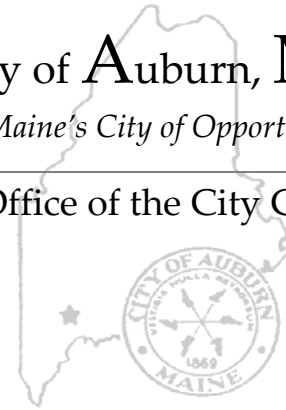


# City of Auburn, Maine

*"Maine's City of Opportunity"*

Office of the City Clerk



## Council Meeting Agenda Packet

January 9, 2006

This packet contains the City Council Agenda and supporting documents. The items in this packet are bookmarked in Adobe Acrobat .pdf format. You may need to click on the Bookmark tab on the left to open the Bookmark window. If you do not see a Bookmark tab on the left, you may need to select the Show/Hide Navigation Pane button in your icon toolbar above or update your version of the Adobe Reader. You can download the free Adobe Reader application at [www.adobe.com](http://www.adobe.com).



# City Council Meeting

## January 9, 2006

### 7:00 P.M.

## Agenda

### 5:30 p.m. Workshop

- Affordable Housing Project (CDBG/Home)
- Annual Audit and Comprehensive Financial Report

**Consent Items** – All items listed with an asterisk (\*) are considered to be 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.

### Minutes

\*010906-00 Minutes of December 19, 2005 Council Meeting

### Reports

- **Mayor**
- **City Councilors**
- **City Manager**  
Comprehensive Annual Financial Report

### Communications and Recognitions

- \*010906-00 Communication from the Maine Dept of Transportation re: Jackson Hill Road.
- \*010906-00 Communication from Auburn Pawn Re: Renewal of Pawn License
- \*010906-00 Communication from Reid's Guns & Cigars Re: Renewal of Pawn License
- \*010906-00 Communication from Police Chief Small Re: Constables

**Open Session** - Members of the public are invited to speak to the Council about any issue which does *not* appear on the agenda

### Old Business

### New Business

010906-01 Public Hearing and action on Special Amusement Permit applications:

- \*Black Watch Restaurant & Pub
- \*Martindale Country Club
- \*Veterans of Foreign Wars #1603
- \*American Legion Post #153
- \*American Legion Post #31
- \*New Auburn Social Club
- \*Lost Valley

010906-02 Set date for second meeting in January (Jan. 16 – Martin Luther King Day): Jan. 23

### ADJOURNMENT

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**Executives Sessions:** 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. Those applicable to municipal government are:

1. Discussion of personnel issues
2. Discussion or consideration of the condition, acquisition, or the use of real or personal property or economic development if premature disclosure of the information would prejudice the competitive or bargaining position of the body or agency.
3. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators.
4. Consultations between a body or agency and its attorney
5. Discussion 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.
6. Discussion or approval of the content of examinations administered by a body or agency for licensing, permitting or employment purposes
7. Consultations between municipal officers and a code enforcement officer relating to an enforcement matter pending in District Court.

**CITY OF AUBURN  
DECEMBER 19, 2005  
CITY COUNCIL MEETING**

**PRESENT**

Mayor Normand W. Guay, Councilors Bethel B. Shields, Robert P. Hayes, Eric G. Samson, Donna L. Rowell, Belinda A. Gerry, and Robert C. Mennealy, City Manager Pat Finnigan, Assistant City Manager Laurie Smith and City Clerk Mary Lou Magno. Councilor M. Kelly Matzen was absent. There were approximately 35 people in the audience.

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

**CONSENT AGENDA**

Councilor Mennealy moved to amend the minutes of December 5<sup>th</sup> by changing a statement that he made during Reports of City Councilors to read as follows: Councilor Mennealy indicated that he had received information from the City Manager, which in his opinion was misleading, regarding legal costs for a police investigation and associated grievances. Seconded by Councilor Gerry. Vote: 6 Yeas, No Nays.

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

**\*MINUTES OF DECEMBER 5, 2005**

Approved under consent agenda.

**REPORTS OF THE MAYOR**

None

**REPORTS OF CITY COUNCILORS**

None

**REPORTS OF THE CITY MANAGER**

**FINANCE REPORT – MONTH OF NOVEMBER**

Councilor Samson moved to accept and place on file the Finance Report for the month of November as prepared and presented by Ron Farris, Finance Director. Seconded by Councilor Gerry. Vote: 6 Yeas, No Nays.

**COMMUNICATIONS AND RECOGNITIONS**

None

**OPEN SESSION**

The following people made comments during the Open Session: Brian Demers, 1085 Riverside Drive; Ed Desgrosseilliers, 121 Hatch Road, Bud Caouette, 40 Gammon

Avenue and Auburn Police Officer; Ron Potvin, 82 Northern Avenue; Deana Chapman, 224 South Main Street; Donna Rowell, 95 Munroe Street; Larry Pelletier, 129 Second Street; Walter Reed, 173 Third Street; Bruce Bickford, 64 Cameron Lane; Tim Ricker, 41 Gill Street; and Paul Raymond, 104 Second Street.

**OPEN SESSION CLOSED**

**OLD BUSINESS**

None

**NEW BUSINESS**

**1. RESOLVE – TRANSFER OF PINE TREE ZONE TO MAINE OXY**

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

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

The following people commented on the above resolve: Bob Bernier, 17 Lamplighter Circle; Deana Chapman, 224 South Main Street; Paul Raymond, 104 Second Street and Ed Desgrosseilliers, 121 Hatch Road.

Vote: 6 Yeas, No Nays.

**2. APPOINTMENTS**

**ZONING BOARD OF APPEALS**

Councilor Shields moved to re-appoint Peter Wallingford to the Zoning Board of Appeals until June 2008. Seconded by Councilor Mennealy. Vote: 6 Yeas, No Nays.

**BOARD OF ASSESSMENT REVIEW**

Councilor Shields moved to re-appoint Georgia Chomas until January 2010 and Jonathan Harris until October 2010 to the Board of Assessment Review. Seconded by Councilor Samson. Vote: 6 Yeas, No Nays.

**COMMUNITY DEVELOPMENT LOAN COMMITTEE**

Councilor Shields moved to re-appoint Traverse Fournier, Scott McGary and Steve Bryant to the Community Development Loan Committee until September 2008. Seconded by Councilor Mennealy. Vote: 6 Yeas, No Nays.

Councilor Shields moved to appoint Katherine Brooks and Nuria Ross to the Community Development Loan Committee until January 2009. Seconded by Councilor Mennealy. Vote: 6 Yeas, No Nays.

**3. SET DATE FOR FIRST MEETING IN JANUARY**

Councilor Mennealy moved that the first meeting in January be held on January 9<sup>th</sup>. Seconded by Councilor Samson. Vote: 5 Yeas, with Councilor Gerry voting Nay.

**ADJOURNMENT – 8:45 P.M.**

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

**A TRUE RECORD**

**ATTEST:** \_\_\_\_\_  
City Clerk

**COMPREHENSIVE ANNUAL FINANCIAL  
REPORT**

**COPIES AVAILABLE AT THE CITY  
MANAGER'S OFFICE**



STATE OF MAINE  
 DEPARTMENT OF TRANSPORTATION  
 16 STATE HOUSE STATION  
 AUGUSTA, MAINE  
 04333-0016



JOHN ELIAS BALDACCI  
 GOVERNOR

DAVID A. COLE  
 COMMISSIONER

**COMMUNITY SERVICES DIVISION**  
**207/624-3270**

December 20, 2005

Patricia Finnigan  
 City of Auburn  
 60 Court Street, Suite 243  
 Auburn, ME 04210

**RE: JACKSON HILL RD**

Ms Finnigan,

I am pleased to inform you that MaineDOT has reviewed the improvements made to the Jackson Hill Road (between the Minot/Auburn City line and Perkins Ridge Road) by the City of Auburn and approves of the transfer of the road from a townway to a State Aid highway. This fulfills our obligation to reclassify the Center Minot Hill Road, Jackson Hill Road and Youngs Corner Road to State Aid highways upon completion (by Minot and Auburn) of certain upgrades. This transfer was formally approved by the Commissioner on December 7, 2005.

The transfer date will be January 1, 2006. This State Aid Highway # 21 begins as Youngs Corner Road (#0110480) at Summer Street then proceeds to Jackson Hill Road, a distance of 1.41 miles, then along Jackson Hill Road (#0110528) to the Minot-Auburn town line a distance of 0.68 miles, for a total distance of 2.09 miles.

The responsibility for summer maintenance will now rest with the MaineDOT's Southern Region and the winter maintenance will continue to be done by Auburn.

I want to thank Bob and Paul for their cooperation and flexibility in this process. Please contact me with any questions. Otherwise, your point-of-contacts are now in the Scarborough office at 885-7000.

Sincerely,

Peter M. Coughlan  
 Director  
 peter.coughlan@maine.gov

Cc: Robert Belz, City of Auburn  
 Paul Niehoff, City of Auburn  
 Arlan Saunders, Town of Minot  
 Marc Guimont/Dave Sherlock, MaineDOT Region 1





# City Council

## Agenda Information Sheet

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<b>Council Meeting Date</b>	1/9/06	<b>Agenda Item No.</b>	<b>Consent</b>
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**SUBJECT:**

**COMMUNICATION FROM AUBURN PAWN RE: RENWAL OF LICENSE**

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**INFORMATION:**

Rene Cloutier, owner of Auburn Pawn located at 61 Mill Street has requested renewal of his Pawn License. All appropriate departments, Treasurer, Fire, and Police have given their approval for this license.

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**STAFF COMMENTS/RECOMMENDATION:**

Staff recommends approval of this request.

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**REQUESTED ACTION:**

Motion to approve issuance of this license

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# Auburn Pawn

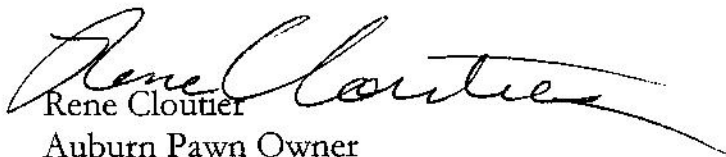
12/19/05

City of Auburn  
Town Office  
Auburn, Maine 04210

Dear Mayor and Selectman,

I am writing this letter for a license renewal for Auburn Pawn Shop located at 61 Mill St. in New Auburn. I would like to let you know that I conducted my business as required by all laws as a pawn broker. I have been cooperative with State, County and local Police Departments in any investigations regarding any merchandise bought or pawned. I also conducted my business in a professional and gentleman work like manner. If you should have any questions in reference to this I can be reached at 207-795-7983.

Thank you for you time in this matter,

  
Rene Cloutier  
Auburn Pawn Owner



# City Council

## Agenda Information Sheet

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**Council Meeting Date** 1/9/06 **Agenda Item No**    **Consent**

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**SUBJECT:**

**COMMUNICATION FROM REID’S GUNS AND CIGARS RE: RENEWAL OF LICENSE**

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**INFORMATION:**

Charlie Chapman, Manager of Reid’s Guns and Cigars, 86 Court Street has requested renewal of a Pawn License. All appropriate departments, Treasurer, Fire and Police have given their approval for this license.

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**STAFF COMMENTS/RECOMMENDATION:**

Staff recommends approval of this request.

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**REQUESTED ACTION**

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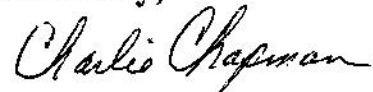
Motion to approve issuance of this license.

**Reid's Guns and Cigars**  
**86 Court Street**  
**Auburn, Maine 04210**  
**(207)777-3579**

**To: Mary Lou Magno**  
**Re: Pawn License Renewal**  
**Fr: Charlie Chapman**  
**Date: 12-29-05**

**This notice is a request for the renewal of our pawn license for Reid's Gun Shop at 86 Court Street in Auburn. Please forward our request to all the appropriate departments at you convenience.**

**Sincerely,**



**Charlie Chapman**  
**Manager**

Reid's Guns Inc.  
86 Court St  
Auburn ME 04210

MEMORANDUM

TO: Honorable Mayor Normand W. Guay and Members of the City Council  
FROM: Chief Richard W. Small, Jr., Auburn Police Department  
DATE: December 21, 2005  
SUBJECT: CONSTABLE

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We request that the following persons be named a Constable for the Auburn Police Department.

Jason M. Croft	Full Time Officer	With Firearm	New Hire
Steven Chouinard	Civil Process Only	Without Firearm	Re-appointment
Harry Darling	Civil Process Only	Without Firearm	Re-appointment
Harry Gorman	Civil Process Only	Without Firearm	Re-appointment

# City Council

## Agenda Information Sheet

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**Council Meeting Date 1/9/06      Agenda Item No 1**

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**SUBJECT:**

**PUBLIC HEARING AND ACTION ON SPECIAL AMUSEMENT PERMIT APPLICATIONS:**

- \*Black Watch Restaurant & Pub
- \*Martindale Country Club
- \*Veterans of Foreign Wars #1603
- \*American Legion Post #153
- \*American Legion Post #31
- \*New Auburn Social Club
- \*Lost Valley

**(Note: Special Amusement Permits allowing dancing and/or entertainment at establishments where alcohol is served.)**

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**INFORMATION:**

The above-named locations have all had the approval of Treasurer, Fire, Police and Planning Permitting

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**STAFF COMMENTS/RECOMMENDATION:**

Staff recommends approval of these permits

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**REQUESTED ACTION:**

Motion for approval of permits

## CITY OF AUBURN

### PUBLIC HEARING

A public hearing will be held on Monday, January 9, 2006 at 7:00 p.m. in the Council Chambers of Auburn Hall to consider the following Special Amusement Permit Applications:

Black Watch Restaurant & Pub, 82 Court Street, Auburn; Martindale Country Club, Inc., 527 Beech Hill Road; VFW #1603, 588 Minot Avenue; American Legion Post #153, 71 South Main Street; American Legion Post #31, 426 Washington Street North; New Auburn Social Club, 7 Second Street; and Lost Valley, 200 Lost Valley Road.

All persons may appear to show cause, if any they may have, why these licenses should not be granted.