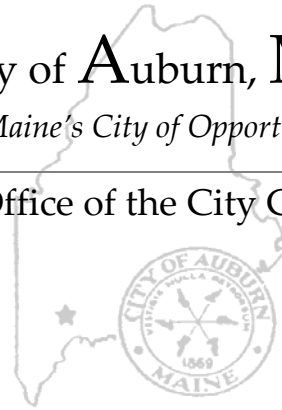


City of Auburn, Maine

"Maine's City of Opportunity"

Office of the City Clerk



Council Meeting Agenda Packet

July 10, 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.



City Council Meeting and Workshop July 10, 2006

Agenda

5:30 p.m. Workshop

- Mall Area Traffic Improvements
- Annual Capital Improvement Bond
- City Charter
- Committee Appointments (Executive Session)

7:00 p.m. Council Meeting

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.

Minutes

*071006-00 Minutes of June 19 and 26, 2006 Council Meetings

Reports

- Mayor
- City Councilors
- City Manager

Communications and Recognitions

*071006-00 Communication from Great Falls Balloon Festival Committee for Use of City Property, and Waiving License and Tipping Fees

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

071006-01 Resolves (2) – Accepting Certain Forfeited Funds/Property

ADJOURNMENT

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 enforcement matter pending in District Court.

CITY OF AUBURN
JUNE 19, 2006
CITY COUNCIL MEETING

PRESENT

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

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

CONSENT AGENDA

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

***MINUTES OF JUNE 5, 2006**

Approved under consent agenda.

REPORTS OF THE MAYOR

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

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

REPORTS OF CITY COUNCILORS

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

REPORTS OF THE CITY MANAGER

FINANCE REPORT – MONTH OF MAY

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

REVIEW OF CITY-WIDE REVALUATION

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

COMMUNICATIONS AND RECOGNITIONS

None

OPEN SESSION

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

CLOSED OPEN SESSION

OLD BUSINESS

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

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

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

Vote: 7 Yeas.

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

NEW BUSINESS

2. SET DATES FOR JULY COUNCIL MEETINGS

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

ADJOURNMENT – 9:00 p.m.

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

A TRUE RECORD

ATTEST: _____
City Clerk

CITY OF AUBURN
JUNE 26, 2006
SPECIAL CITY COUNCIL MEETING

PRESENT

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

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

MOMENT OF SILENCE

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

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

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

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

ADJOURNMENT – 7:11 P.M.

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

A TRUE RECORD

ATTEST: _____
City Clerk

City Council

Agenda Information Sheet

Council Meeting Date 7/10/06	Agenda Item No. Consent
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SUBJECT:

**COMMUNICATION FROM BALLOON FESTIVAL COMMITTEE FOR USE
OF CITY PROPERTY, AND WAIVING LICENSE AND TIPPING FEES**

INFORMATION:

The Balloon Festival will be held August 18 - 20. The attached request has been reviewed by Police, Fire, Planning and Permitting and the City Clerk, and all of these departments have given their approval.

STAFF COMMENTS/RECOMMENDATION:

Staff recommends approval of this request.

REQUESTED ACTION:

Motion to grant approval of request.

FESTIVAL APPROVALS REQUIRED FROM THE CITY OF AUBURN

by
GREAT FALLS BALLOON FESTIVAL, INC.,
AUGUST 18-20, 2006

June 8, 2006

Auburn City Council
City of Auburn
45 Spring Street
Auburn , ME 04210

Re: Great Falls Balloon Festival

Dear Councilors,

The Board of Directors for the Great Falls Balloon Festival respectfully submit the schedule of the Great Falls Balloon Festival and requests the following:

Friday, August 18, 12:00 p.m. – Sunday, August 20, midnight

Posted closure of Main Street from Court Street to Mechanics Row to facilitate safe pedestrian movement and access for festival logistical vehicles. Tents, food booths, static displays, activities, and a stage may be set up on Main Street and on Festival Plaza. Emergency vehicle access will be maintained on Main Street and at the Androscoggin River boat launch below Festival Plaza at all times.

Permission to use public parking areas and green spaces in Bonney Park for festival activity and to control use, access and security in these areas.

Permission to use public areas, green spaces and parking lots in the downtown Main Street area including Festival Plaza, Miller Street parking lot, and the new Riverwalk.

Friday, August 18, 5:00 p.m. – Sunday, August 20, 7:00 p.m.

Permission for the police to ticket and tow away vehicles not in conformance with posted parking bans.

Permission for the Great Falls Balloon Festival, Inc. to control all mobile and itinerant food and product vendors in the Great Falls Plaza area and in all public areas and sidewalks on Court Street between the Longley Memorial Bridge to Pleasant Street, on Turner Street between Court Street and the Union Street Bypass, and on Main Street from Court Street to Newbury Street and on Hampshire, Academy, Elm, Vine, Drummond, and Mechanics Row.

Posted closure of one lane of the Longley Memorial Bridge (northbound or downstream side) to facilitate pedestrian movement between Festival activity areas in Auburn and Lewiston and for use by Festival logistical vehicles such as golf carts.

Friday, August 18, 8:00-9:30 p.m.

Fireworks will be launched on Friday night. We have requested and received permission from Florida Power and Light to use West Pitch Park. Security at the site will be needed from 30 minutes prior to firework product deliver to 30 minutes after the fireworks display is completed. Pyrotechnic company will obtain permit. Rain date is Saturday, August 19, 2006.

Liability Insurance

The Great Falls Balloon Festival, Inc. has secured a \$1,000,000 general liability (will be faxed to city clerk prior to the festival).

Security

The Auburn Police Department will be responsible for traffic control, security, and crowd control in Auburn activity areas. A full briefing will be held with Police Department liaison Officer Bilodeau and staffing has been organized to cover manpower needs.

Emergency Medical Services

A city of Auburn water rescue boat will be stationed on site for emergency medical needs.

Trash Removal

Volunteers will be used to collect and bag trash. Volunteers will be used to keep festival areas clean on an ongoing basis and clean up after the festival. Dumpsters will be provided for garbage disposal. The City of Auburn has picked up the tipping fees for the past six years and we are again requesting this assistance.

Sanitary Facilities

A total of at least 5 portable toilets (4 regular, 1 handicapped) will be located in festival activity areas in Auburn. Additional units will be located in Lewiston. A contract has been executed with a private company to supply and service the units. More units may be added if it is deemed necessary.

Sanitary Compliance for Food Booths

If needed, non-profit organizations will vend food from booths or their own tents and have been briefed on requirements. Great Falls Balloon Festival, Inc. has entered into a contract with a private company to remove cooking grease following the festival.

Safety Compliance

A representative of each non-profit agency dispensing food is required to attend a fire safety demonstration (including the use of extinguishers) on the proper methods for putting out ordinary and grease fires. An Auburn Fire Department Truck will stand by at the balloon refueling site.

Licenses

The Festival will supply license information for food and beverage booths to the City Clerk and Health Inspector. As in previous years we are requesting the waiver of fees by the City Council.

Parking for Festival Attendees

There will be a free shuttle bus operating between the Lewiston and Auburn activity areas. Handicap parking will be at TD Banknorth. Parking in the Great Falls lots will remain free to the public. Parking in the open-air Mechanics Row lot will be used for Festival volunteers, vendors and we will gladly set-aside 10 spaces for the residents of the Roak Block Apartments.

Alternate Launch Sites

The Festival would like to be able to use alternate sites to launch hot air balloons from for the early morning and late afternoon launches. These sites include: Chestnut Street field, Pettingill Park, Lakeview Fields, Cleveland Field, the fields by Auburn Middle School, and the Edward Little High School practice football field. These fields may or may not be used at each launch depending on the prevailing wind patterns. There are two possible launch times each day of the festival.

We greatly appreciate Auburn's cooperation in the past and look forward to its participation this year.

Respectfully,

James L. Wilkins, Vice President
Great Falls Balloon Festival

Richard Cloutier, Director
Great Falls Balloon Festival



- xxx = barriers
- = toilets
- = Food vendors

Great Falls Balloon Festival
 (subject to modifications)

City Council

Agenda Information Sheet

Council Meeting Date 7/10/06 **Agenda Item No.** 1

SUBJECT:

RESOLVES (2) – ACCEPTING CERTAIN FORFEITED FUNDS/PROPERTY

INFORMATION:

Federal Forfeiture Law permits the forfeiture of currency/property used to facilitate drug trafficking or which exists as the result of being the proceeds of drug trafficking. The law further permits the United States to distribute up to 90% of the value of forfeited property to State and local law enforcement agencies who participate in the underlying investigation. Justice Department policy dictates that local law enforcement agencies must use the monies for “law enforcement purposes”.

STAFF COMMENTS/RECOMMENDATION:

Staff recommends approval of this resolve.

REQUESTED ACTION:

Motion for passage of the resolve.

CITY OF AUBURN

CITY COUNCIL, AUBURN, MAINE

DATE: July 10, 2006

TITLE: RESOLVE – ACCEPTING CERTAIN FORFEITED FUNDS - PROPERTY

Be It Resolved by the Auburn City Council, that the City of Auburn agrees to accept the sum of \$2,925.00 in funds seized in connection with drug enforcement matters. The funds in question shall be made available to the Auburn Police Department for use in their law enforcement purposes.

Motion for passage:

Seconded by:

Vote:

ACTION BY COUNCIL:

DATE:

ATTEST:

CITY CLERK

CITY OF AUBURN

CITY COUNCIL, AUBURN, MAINE

DATE: July 10, 2006

TITLE: RESOLVE – ACCEPTING CERTAIN FORFEITED FUNDS - PROPERTY

Be It Resolved by the Auburn City Council, that the City of Auburn agrees to accept a vehicle seized in connection with drug enforcement matters. The property in question shall be made available to the Auburn Police Department for use in their law enforcement purposes.

Motion for passage:

Seconded by:

Vote:

ACTION BY COUNCIL:

DATE:

ATTEST:

CITY CLERK