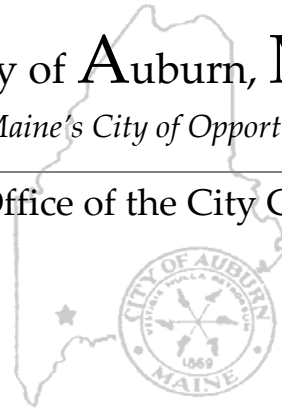


# City of Auburn, Maine

*"Maine's City of Opportunity"*

Office of the City Clerk



## Council Meeting Agenda Packet

September 4, 2007

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 and Workshop September 4, 2007

## Agenda

**5:00 p.m. Dinner**

**5:30 p.m. Workshop**

Renaming South Bridge  
Police Ordinance Changes

**7:00 p.m. City Council Meeting**

Pledge of Allegiance

\* **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

\*090407-00 Minutes of August 27, 2007 Council Meeting

## Reports

- **Mayor**
- **City Councilors**
  - **Dick Gleason:** Water District, Consolidation, Audit Committee, Procurement Committee
  - **Bob Hayes:** Planning Board, L-A Railroad, Alternative Revenues
  - **Eric Samson:** LAEGC, MMWAC, City Manager Search
  - **Bruce Bickford:** A-L Airport, ABDC, Roads & Sidewalks
  - **Ray Berube:** School Committee, Auburn Housing, Communication
  - **Bob Mennealy:** Sewer District, University of Maine L-A, Impact Fees
  - **Ellen Peters:** 9-1-1 Center, Library Board, Comprehensive Plan
- **City Manager**

## Communications and Recognitions

Swearing in of Police Officers

\*090407-00 Communication from Danville Jct. Grange and Danville Union Church Re: Waive fee for Victualers License

## Unfinished Business

None

## New Business

090407-01 Resolve – Amendment to the Interlocal Agreement Article III – Airport Board Organizational Structure

**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

## 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 enforcement matter pending in District Court.

**CITY OF AUBURN  
AUGUST 27, 2007  
CITY COUNCIL MEETING**

**PRESENT**

Mayor John T. Jenkins, Councilors Richard D. Gleason, Robert P. Hayes, Eric G. Samson, Bruce A. Bickford, Raymond C. Berube, Robert C. Mennealy, and C. Ellen Peters, Acting City Manager Laurie Smith, City Clerk Mary Lou Magno, and Finance Director Chris Trenholm. There were 35 people in the audience.

Mayor Jenkins 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 accept, approve and place on the file those items listed with an asterisk. Seconded by Councilor Samson. Vote: 7 Yeas.

**\*MINUTES**

Approved under consent agenda.

**REPORTS OF THE MAYOR**

Mayor Jenkins recognized Officer Nathan Bowie of the Auburn Police Department for his heroic efforts during a recent fire on Main Street; he also recognized Deputy John Guay of the Androscoggin County Sheriff's Department and members of the Fire and Police Departments for all their efforts during this fire.

**REPORTS OF CITY COUNCILORS**

Councilors reported on their respective Council Committee Assignments.

**REPORTS OF THE CITY MANAGER**

Acting City Manager Laurie Smith reminded Councilors of upcoming meeting dates.

**CONSOLIDATION**

Tom Morrill, Acting School Superintendent, Jude Cyr, Business Manager and David Das, Chair of the School, updated the Council with regard to "consolidation".

**FINANCE REPORT**

Councilor Hayes moved to accept and place on file the Finance Report for the month of July as prepared and presented by Chris Trenholm, Finance Director. Seconded by Councilor Bickford. Vote: 7 Yeas.

**COMMUNICATIONS AND RECOGNITIONS**

**\*COMMUNICATION FROM NEW ENGLAND SCHOOL OF METALWORK RE: WAIVE  
FEE FOR VICTUALERS LICENSE**

Approved under consent agenda.

**UNFINISHED BUSINESS**

None

**NEW BUSINESS**

**1. RESOLVE – ADOPTION OF POLICY FOR NAMING OF FACILITIES AND INFRASTRUCTURE**

Councilor Gleason moved for passage of the resolve. Seconded by Councilor Bickford. Vote: 7 Yeas.

**2. PUBLIC HEARING – LIQUOR LICENSE APPLICATION FOR AUBURN MULTIPLEX THEATRE LLC D/B/A FLAGSHIP CINEMAS AUBURN, 730 CENTER STREET**

Mayor Jenkins opened the public hearing. James Grover, Director of Business Development and Andrew Poore, Director of Operations, Flagship Cinemas, both spoke in favor of the above request and answered Councilors questions. Mayor Jenkins closed the public hearing.

Councilor Samson moved for approval of the license. Seconded by Councilor Gleason. Vote: 7 Yeas.

**OPEN SESSION**

The following people spoke during open session: Brian Demers, 1085 Riverside Drive; James Lysen, Taylor Hill Road, Lewiston; Francois Bussiere, 9 Winter Street; Elaine Makas, 10 Sheffield Street, Lewiston; Fred Sanborn, 143 Mill Street; Rachel Michel, 18 Mitchell Street, Lewiston; Dan Gregoire, 19 Mitchell Street, Lewiston (Mr. Gregoire provided Councilors with written information and a DVD regarding the solid waste issue in Lewiston – a copy of this information is on file in the City Clerk’s Office); and Larry Pelletier, 129 Second Street.

**OPEN SESSION CLOSED**

Councilor Gleason moved that in the spirit of joint city cooperation, that the Auburn City Council send a letter to the Lewiston City Council requesting that they delay their vote on the Casella Proposal so that it would not be possible to go to a November 2007 referendum election. Seconded by Councilor Samson.

Councilor Peters moved to amend by striking all of the words following “their” and substituting the following: September 4<sup>th</sup> vote on the Casella Proposal until the Auburn City Council and the Lewiston City Council have had a chance to gather information and get their questions answered. Seconded by Councilor Mennealy. Vote on the amendment: 7 Yeas.

Vote on passage as amended: 7 Yeas.

(The motion now reads “In the spirit of joint city cooperation, that the Auburn City Council send a letter to the Lewiston City Council requesting that they delay their September 4<sup>th</sup> vote on the Casella Proposal until the Auburn City Council and the Lewiston City Council have had a chance to gather information and get their questions answered.)

**EXECUTIVE SESSION**

Councilor Bickford moved to go into Executive Session to discuss Land Negotiations. Seconded by Councilor Peters. (Title 1 M.R.S.A. Section 405). Vote: 7 Yeas.

**ADJOURNMENT – 9:20 PM**

Councilor Bickford moved to adjourn. Seconded by Councilor Berube. Vote: 7 Yeas.

**A TRUE RECORD**

**ATTEST:** \_\_\_\_\_  
**CITY CLERK**

August 25, 2007

TO: Mayor Jenkins and the Auburn City Council  
C/O City Clerk, Mary Lou Magno  
~~45 Spring Street~~ *60 Court Street*  
Auburn, ME 04210

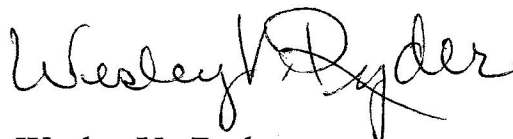
FROM: Wesley V. Ryder, Danville Jct. Grange #65  
P.O.Box 128  
Danville, ME 04223  
Tel: 783-6897

Dear Mayor Guay and the Auburn City Council:

Danville Jct. Grange #65 on behalf of itself and the Danville Union Church request that you waive the Victualer's License fee for the monthly suppers they will jointly hold during the 2007-2008 season. (October - May)

These are two non-profit organizations located in the city of Auburn. We appreciate your cooperation with this matter as you have always done so in the past.

Sincerely,



Wesley V. Ryder

# City Council

## Agenda Information Sheet

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**Council Meeting Date** 9/4/2007

**Agenda Item No.** 1

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**SUBJECT:**

**RESOLVE – AMENDMENT TO THE INTERLOCAL AGREEMENT  
ARTICLE III – AIRPORT BOARD ORGANIZATIONAL  
STRUCTURE**

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**INFORMATION:**

The Airport Board of Directors have approved and recommended an amendment to the Airport Interlocal Agreement which would increase the size of the Airport Board by two members. It further suggests that these two new seats on the board be occupied by an employee representative of the Androscoggin Valley Council of Governments and an employee representative of the Lewiston Auburn Economic Growth Council. Rick Cloutier, Airport Manager, presented this information to Councilors at the August 27<sup>th</sup> workshop. In order implement this change, the City Councils of both Auburn and Lewiston would have to amend the Interlocal Agreement by approving the attached resolve. A copy of the proposed wording is also attached to this document.

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**STAFF COMMENTS/RECOMMENDATION:**

Staff recommends approval of the resolve.

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**REQUESTED ACTION:**

Motion for passage of the resolve.

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**VOTE:**



# City of Auburn

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City Council, Auburn, Maine

Date: September 4, 2007

**TITLE: RESOLVE – AMENDMENT TO THE INTERLOCAL AGREEMENT  
ARTICLE III – AIRPORT BOARD ORGANIZATIONAL  
STRUCTURE**

**Be It Resolved by the Auburn City Council that in accordance with the recommendations of the Airport Master Plan, it is proposed that Article III of the Airport Interlocal Agreement be amended to reflect the addition of two Directors to the Airport Board – one appointed from the Androscoggin Valley Council of Governments and one from the Lewiston Auburn Economic Growth Council.**

**A copy of the proposed wording is attached to and hereby made a part of this resolve.**

Motion for acceptance:

Seconded by:

Vote:

Action by the City Council:

Date:

Attest:

City Clerk

## Proposal:

In accordance with recommendations of the Airport Master Plan, it is proposed that the Auburn-Lewiston Municipal Airport Board of Directors recommend to the Cities of Auburn and Lewiston to amend article III of the Airport Interlocal Agreement to reflect the addition of two Directors to the Airport Board. One appointed from the Androscoggin Valley Council of Governments and one from the Lewiston Auburn Economic Growth Council.

### ARTICLE III - AIRPORT BOARD ORGANIZATIONAL STRUCTURE

#### Board of Directors

##### Section 1. Membership

The Board will consist of ~~seven~~nine members. The Finance Director of Lewiston and the City Manager of the City of Auburn or their designated representatives will be members of the Board by virtue of their respective offices. A third member of the Board shall be a Councilor of the City of Lewiston and shall be nominated by the Mayor and confirmed by the Lewiston City Council at their first regular meeting. A fourth member of the Board shall be a Councilor of the City of Auburn and shall be nominated by the Mayor and confirmed by the Auburn City Council at their first regular meeting. A fifth member of the Board will be a resident of the City of Auburn and will be appointed by the Auburn City Council. The sixth member of the Board will be a resident of the City of Lewiston and will be appointed by the Lewiston City Council. The seventh member of the Board shall be nominated by the Chamber of Commerce and will be elected by the above six members. The seventh member shall be a resident of Auburn or Lewiston, but will not hold any public municipal office or be a member of any municipal board or committee. The eighth member of the board shall be an employee representative of the Androscoggin Valley Council of Governments. The ninth member would be a employee representative of the Lewiston Auburn Economic Growth Council. After the first election of the seventh member, that member thereafter will be a resident of the alternate city of the previous seventh member. If the eight other members are unable to agree upon the naming of a seventh member to the Board, any Justice of the Superior Court or Supreme Judicial Court will, on petition of any three members, select the seventh member of the Board. In the event the Lewiston Finance Director or the Auburn City Manager shall die, become incapacitated, resign or is discharged from said offices, their respective City Council shall appoint a member to the Board and such member shall serve only until the respective offices are filled.

The third and fourth members of the Board shall only serve while a Councilor of the City of Lewiston and a Councilor of the City of Auburn, respectfully. In the event that either of said additional members and the fifth, sixth, seventh, members shall cease to be residents of their respective Cities or should die, become incapacitated, resign from the Board or are discharged from membership, a successor shall be appointed in the same manner as indicated above to serve out the remainder of his term.

In the event the employee representative of the Androscoggin Valley Council of Governments or the Employee representative of the Lewiston Auburn Economic Growth Council shall die, become incapacitated, resign or is discharged from said offices, their respective agency director shall appoint a member to the

Board and such member shall serve only until the respective offices are filled.

By a majority vote of five members, formal written notice may be given by the Board to the appointing authority of any member of the Board requesting the removal of said member. The decision of the appointing authority shall be binding.

Members of the Board will serve without compensation but may be reimbursed for their actual expenses incurred in the performance of their duties upon approval of the Board.

Section 2. Terms of Office (After Initial Appointments)

Lewiston Finance Director - By virtue of the office.

Auburn City Manager - By virtue of the office.

Lewiston Councilor - While a Councilor of the City of Lewiston.

Auburn Councilor - While a Councilor of the City of Auburn.

Fifth Member (Auburn Resident) - Three-year term.

Sixth Member (Lewiston Resident) - Three-year term.

Seventh Member (Alternating Resident) - Three-year term.

*Eighth Member (AVCOG) – By virtue of position*

*Ninth Member (LAEGC)-By virtue of position*