

City of Auburn, Maine

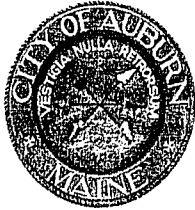
"Maine's City of Opportunity"

Office of the City Clerk

Council Meeting Agenda Packet

July 19, 2010

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 19, 2010

Agenda

5:00 p.m. Dinner

5:30 p.m. Workshop

- A. Discussion: Single Polling Place. (Glenn, Roberta Fogg-City Clerk 20min)
- B. Discussion: Codification. (Glenn 10min)
- C. Discussion: Public Labor Negotiations. (Glenn 15min)
- D. Discussion: Shoreland Zoning Map and Ordinance Adoption (Eric Cousens 20)

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. **Consent items are as follows:**

II. Minutes

III. Reports

Mayor

City Councilors

- Michael Farrell: Rec Adv Bd, Airport, Audit, Lake Aub Watershed Protection Comm,
- Robert Hayes: Planning Bd, Water, Library, and Railroad
- Daniel Herrick: MMWAC, Auburn Housing
- David Young: School Committee, Cable TV Adv Board
- Raymond Berube: Lewiston-Auburn Economic Growth Council, Sewer, Audit, USM-L/A
- Belinda Gerry: LA Transit, Neighborhood Stabilization Program, L/A Public Health Committee,
- Eric Samson: 9-1-1, Auburn Business Development Corp, Andros Valley Council of Gov

City Manager

IV. Communications, Presentations and Recognitions

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*

VI. Unfinished Business

07062010-01 Application for Business license fee waiver from Auburn School Dept.

Auburn City Council Meeting & Workshop

July 19, 2010

VII. New Business

07192010-01 Order- Authorizing the issuance and sale of Capital Improvement bonds in the amount of \$7,900,000 (Annual Capital Improvement Program)
(First Reading – Public Hearing)

07192010-02 Resolve- Approving Capital Purchases – Special Revenue (CIP3) FY2010 - \$370,000

07192010-03 Resolve- Authorizing the City Manager to use TIF funds to purchase WEBQA

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 the agenda.

IX. Future Agenda/Workshop Items

X. ADJOURNMENT

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. Those applicable to municipal government are:

- A. Discussion of personnel issues
- B. Discussion or consideration by a school board of suspension or 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

Agenda Information Sheet

Council Meeting Date: July 19, 2010 Unfinished Business: 07062010-01

SUBJECT:

Auburn School Department's application for business license fee waiver(\$125)

INFORMATION:

Deali's is a student run business that is offering delicious boxed lunches to staff in the local schools communities. Their operation is located in kitchen onsite at RETC/SOS.

This business was developed and continues to help RETC/SOS students foster strong work skills. Through the operation of this business students learn food preparation, advertising, budgeting, and working cooperatively.

The Auburn School Department is seeking a waiver of the business license fee of \$125.

STAFF COMMENTS/RECOMMENDATION

VOTE:

Deali's
Affordable Boxed Lunches

July 7, 2010

We're back and better than ever! Deali's is a student run business that is offering delicious boxed lunches to staff in the local schools communities. We are happy to announce that we have moved our operation from Fairview to our brand new licensed kitchen onsite at RETC/SOS.

As our reputation has demonstrated, our boxed lunches are affordable and delicious! We continue to use fresh ingredients. Our salads and desserts are homemade especially for you. Each lunch box contains your choice of a sandwich or wrap, two sides (whole grain Sun Chips or potato chips, pickle spear, and/or the home made salad), a beverage, and a dessert.

This business was developed and continues to help RETC/SOS students foster strong work skills. Through the operation of this business students learn food preparation, advertising, budgeting, and working cooperatively.

We invite you to order your Deali's lunch for Thursday, July 15th by e-mailing your order to us at dealis@auburnschl.edu by the Tuesday after the e-mail is sent by 10:00am. We will e-mail the new menu choices every Thursday so please check your e-mail before you leave work to make sure you have the opportunity to purchase our delicious affordable lunches. Please mark your choices on the menu that is sent to you. If your system does not allow you to mark on the attachment, there is a second option. You must download the menu to your computer, mark your choices and then save it to desktop. Hit reply on the e-mail and attach the modified menu onto the e-mail. If this doesn't work please just send your choice by a regular e-mail. We will also send a conformation e-mail when we receive your menu back.

Thank you for eating with us.

Sincerely,
Deali's staff

Deali's
Business Plan

Company members

**Haley
Keenan
Dottie
Tylor**

Report by: Tylor & Keenan

Description Of The Business

We are selling boxed lunches at an affordable price. The boxed lunches consist of a drink, a sandwich, two sides, and a dessert. The money we earn will go to buying more food and the rest will go to the school. We are selling the lunches to Auburn/Lewiston school staff.

The staff will have to give their order Tuesday by 11:30. We will prep cook the lunches on Wednesday. Then on Thursday we will make the lunches and deliver. We are each going to get paid. The pay is between \$6.00 and \$8.00 per hour from the student activity fund.

Our boxed lunches will go for \$5.00

The company's name is Deal's

Business Description

We are going to sell boxed lunches at an affordable rate. The first locations that we will sell them are the Dingly Building in Lewiston & Auburn Hall. We are going to use the earned money to buy supplies to make more lunches. Students will be paid with gift cards from the student activity fund. Our companies name is Deal's

Need for Product

The people that Deal's sells lunches to are looking for a good quality lunch that is at a good price. Some people don't have the time to go out to get a lunch or don't have time to make one before work. So we came up with a way

to make it so they can have lunch. Plus, the lunches are only 5 dollars, which is great for even the tightest budget.

Production and Labor

There are four students in the core group and other students rotate in to help us.

Haley-Accountant

Keenan-Types the menu

Dottie-Letter of introduction

Tylor-Packaging

Tuesday-Shop for the ingredients.

Wednesday-Bake the deserts and make the salads

Thursday-Package and deliver

**Shopping-Haley,Keenan,Dottie,Tylor
Preparing-Haley,Keenan,Dottie,Tylor
Packing-Haley,Keenan,Dottie,Tylor**

Menu-Keenan

Packaging-Tylor

Letter of intro.-Dottie

Haley-Accountant

**Students will be paid minimum wage from the Student
Activity Fund.**

Place of Business

Our place of business is in the R.E.T.C/S.O.S. staff room. The students will deliver the lunches in coolers and will switch out the menus .

Sales

Our goal is to spread our business from the Auburn Hall and the Dingly building to places throughout the school district. We have decided to not go out any farther than Lewiston/Auburn because it would take more time than we have to deliver the lunches. We will keep people interested by changing menu choices weakly.

City Council

Agenda Information Sheet

Council Meeting Date: July 19, 2010

Agenda Item No. 1

SUBJECT:

ORDER - AUTHORIZING THE ISSUANCE AND SALE OF CAPITAL
IMPROVEMENT BONDS IN THE AMOUNT OF \$7,900,000
(Annual Capital Improvement Program) (First Reading- Public Hearing)

INFORMATION:

Though the total amount reads \$7,900,000, the actual expense is less due reimbursement from the Maine State School Revolving Renovation Fund Program. The School Department's Capital Purchases amount to \$1,000,000 though if awarded, the School could potentially receive grant funds that would increase their capital expenditures to \$2,500,000, and the Fund would reimburse the City \$1,500,000. If not successful, the School's capital budget would remain at \$1,000,000.

The City's capital purchases amount to \$5,400,000, which includes funds for bond counsel and retaining for bid variances. The City anticipates an October issuance and an interest payment of \$80,000 for Fiscal Year 2011. The City's debt balance as of June 30, 2010 is approximately \$73,012,854, which is about 24% of the state allowable debt given the City of Auburn's valuation.

This issue was discussed publically at the following meetings:

- City Council Workshop April 1, 2010
- City Council Workshop April 26, 2010
- City Council Workshop June 21, 2010

Public hearing notice (Sun Journal) July 2, 2010

Author: Glenn E. Aho (7/12/10)

STAFF COMMENTS/RECOMMENDATION

The City Manager recommends passage.

VOTE:

City of Auburn

CITY COUNCIL, AUBURN, MAINE

Date: July 19, 2010

TITLE: ORDER - AUTHORIZING THE ISSUANCE AND SALE OF CAPITAL IMPROVEMENT BONDS IN THE AMOUNT OF \$7,900,000 (Annual Capital Improvement Program)(First Reading – Public Hearing)

Be It Ordered by the Auburn City Council, following a public hearing duly called and held as required by Article 8, Section 8.13 of the Auburn City Charter, that there be and hereby is authorized the issuance and sale of the City's general obligation bonds in the amount of \$7,900,000, the proceeds of which are hereby appropriated to fund the costs of the following Capital Improvements (including costs of issuance, capitalized interest, and any other costs related or ancillary thereto):

Acquisition of the following capital equipment and the design, construction, renovation, and rehabilitation of the following capital improvements, all constituting part of the City's FY11 Capital Improvement Program:

Department	FY11 Projects Only (See CIP for full description)	CIP Page	Proposed Financing	CIP	FY 2011 CIP Bond
School	Building and Equipment Improvements	n/a	Bond	CIP2	\$2,500,000
Engineering	Major Drainage	27	Bond	CIP2	\$ 460,000
Engineering	MDOT Match	29	Bond	CIP2	\$ 204,000¹
Engineering	Reclaim	30	Bond	CIP2	\$749,944
Engineering	Resurface	31	Bond	CIP2	\$1,133,240
Engineering	Reconstruction	32	Bond	CIP2	\$2,084,542
Engineering	Sidewalk Improvement Program	35	Bond	CIP2	\$100,000
ICT	Integrated Messaging	86	Bond	CIP2	\$25,000
Fire	Engine Five and Central Station Parking and Ramp Area	106	Bond	CIP2	\$150,000
Planning	Traffic Signal Loop Repairs	154	Bond	CIP2	\$44,800
Planning	Roadway Lighting Upgrades	155	Bond	CIP2	\$7,000
Planning	Traffic Signal Preemption Repairs	156	Bond	CIP2	\$3,850
Police	HVAC System	161	Bond	CIP2	\$30,000
Public Works	Building and Grounds	174	Bond	CIP2	\$26,500
Public Works	Heavy Equipment	176	Bond	CIP2	\$238,050
Recreation	Softball Field repairs	135	Bond	CIP2	\$15,000
Recreation	Flash Cam	140	Bond	CIP2	\$6,500
Administration	Bond Counsel				\$35,000
Contingency	Retained earnings for bid variances				\$86,574
TOTALS					\$7,900,000

¹ MDOT Match was increased by \$4,000 and Reconstruction decreased by \$4,000. The MDOT Match was increased to fund the City's match for the Center Street/Minot Avenue local match for the Transportation Study the City Council discussed on February 16, 2010, and April 20, 2010. The bottom line had not changed. The changes are bolded above.

City of Auburn

CITY COUNCIL, AUBURN, MAINE

Date: July 19, 2010

THAT the bonds, which term shall be deemed to include any Bond Anticipation Notes (BAN's) as described below, shall be issued as authorized hereunder and shall be signed by the Finance Director and City Treasurer, attested by the City Clerk under the seal of the City. A tax levy is hereby provided for each fiscal year that the bonds authorized hereunder remain outstanding to meet the annual installments of principal and interest as may accrue in each respective year. The bonds may be issued at one time or from time to time, either singly or in series, and the authority and discretion to fix method of sale, issue date, maturities, denominations, interest rate, place of payment, form and other details of said bonds and notes, and to take all other actions and to sign and deliver all other documents, certificates and agreements in order to provide for the sale thereof is hereby delegated to the Finance Director and City Treasurer.

THAT in the case of the school project(s) described above, the authority of the Finance Director and the City shall include without limitation the authority to execute and deliver a Loan Agreement under the State's School Revolving Renovation Fund Program in such amount as the Maine Department of Education and Maine Municipal Bond Bank ("MMBB") shall approve, provided, however, that the loan amount under that Program that the MMBB does not forgive and which shall be evidenced by a bond shall not exceed the amount set forth above for the school project(s).

THAT the bonds authorized hereunder may be made subject to call for redemption, either with or without premium, on such terms as may be determined by the Finance Director.

THAT in order to finance temporarily the projects described above, the Finance Director is authorized to expend up to \$7,900,000 either from available funds of the City or from the proceeds from BAN's which would be reimbursed or refinanced from bond proceeds.

THAT the authority and discretion to designate the bond or notes, or a portion thereof, as qualified tax-exempt obligations under Section 265 of the Internal Revenue Code of 1986, as amended, is hereby delegated to the Finance Director.

THAT this order is a declaration of official intent pursuant to Treas. Reg. § 1.150-2 and shall be kept available for public inspection during reasonable business hours at the office of the City Clerk.

A Public Notice describing the general purpose of the borrowing and the terms thereof was published the same on July 2, 2010, in the Lewiston Sun-Journal, a daily newspaper published in Androscoggin County.

Motion for acceptance of first reading: _____ Seconded by: _____

Vote:

Motion for acceptance of second reading and final passage:

Seconded by:

Vote:

Action by City Council:

Date:

ATTEST:

CITY CLERK

City Council

Agenda Information Sheet

Council Meeting Date: July 19, 2010

Agenda Item No. 2

SUBJECT:

ORDER- Reviewing Capital Purchases-Special Revenue (CIP3) for FY2011-\$370,000

INFORMATION:

The City's capital projects have three funding sources: CIP1 which is operational and has already been approved; CIP2 which is bonded and has been approved in first reading in the aforementioned resolve; and CIP3 which is funded through special revenues and unallocated bond funds. This order will approve the capital projects that have been selected for FY2011. The list of CIP3 capital projects was included in the Budget Summary Document and the Capital Improvement Planning Document. (See notes written on itemized list submitted as an attachment.)

This issue was discussed publically at the following meetings:

City Council Workshop April 1, 2010

City Council Workshop April 26, 2010

City Council Workshop June 21, 2010

Public hearing notice (Sun Journal) July 2, 2010

Author: Glenn E. Aho (7/12/10)

STAFF COMMENTS/RECOMMENDATION:

The City Manager recommends passage.

VOTE:



City of Auburn

Capital Summary (2)

Fiscal Year 2011
Approved 5.24.2010

Department	FY11 Projects Only (See CIP for full description)	Page	Proposed Financing	CIP	FY 2011 CIP
City Clerk	CIP - Election Equipment	26	Grant	CIP3	\$ 42,000
CS-Engineering	CIP - Municipal Parking Garage	39	Special Rev.	CIP3	\$ 70,000
CS-ICT	CIP - Network Infrastructure	84	Special Rev.	CIP3	\$ 6,000
Fire	CIP - Power Back-up Engine 5	103	Grant	CIP3	\$ 22,000
Planning	CIP - Parking Garage LED Retrofit	157	Special Rev.	CIP3	\$ 60,000
Public Works	CIP - Drainage Imp. Program - General	182	Unallocated	CIP3	\$ 69,000
Public Works	CIP - Non-Vehicle Equipment	177	Unallocated	CIP3	\$ 42,000
Public Works	CIP - Machinery	178	Unallocated	CIP3	\$ 4,000
Public Works	CIP - Street Improvement - Emulsion	180	Unallocated	CIP3	\$ 20,000
Public Works	CIP - Guard Rail Replacement	181	Unallocated	CIP3	\$ 20,000
Public Works	CIP - Court St. Retaining Wall Repair	183	Unallocated	CIP3	\$ 15,000
TOTALS					\$ 370,000

Note: The Municipal Parking Garage project was reduced by \$20,000 and the Parking Garage LED was increased by \$20,000 so as to apply for a new grant opportunity that surfaced recently.

Note: The CIP-Municipal Parking Garage was decreased by \$10,000 and the CIP-Parking Garage LED was increased by \$10,000 to reflect the Energy Efficiency Maine Grant award. The total amount is unchanged.

City of Auburn

City Council, Auburn, Maine

Date: July 19, 2009

**TITLE: RESOLVE – APPROVING CAPITAL PURCHASES– SPECIAL
REVENUE (CIP3) FOR FY2010 - \$370,000**

Be It Resolved by the Auburn City Council that Capital Purchases– Special Revenue (CIP3) for FY 2011 in the amount of \$370,000 are hereby approved.

Motion for acceptance of first reading:

Seconded by:

Vote:

Motion for acceptance of second reading and final passage:

Seconded by:

Vote:

Action by the City Council:

Date:

Attest:

City Clerk

City Council

Agenda Information Sheet

Council Meeting Date: July 19, 2010

Agenda Item No. 3

SUBJECT:

Resolve- Authorizing the City Manager to use TIF funds to purchase WEBQA

INFORMATION:

The City continues in its efforts to upgrade the website's design, functionality and services. We are proposing to use Tax Increment Financing funds to purchase a software add-on to our web site that allows for business search function and provides all Auburn businesses with web page capabilities—or to accentuate existing pages—to provide content management ability, web links, and attachments such as menus, sales, coupons, maps, directions, contact information, etc. The entire business community will be connected and linked together so to offer greater access to our business community.

As the City moves forward with developing its business licensing program, this service will provide significant value to our businesses for the license fee they pay as well as reduce the labor costs for assessing related to identifying new businesses.

This was first introduced at the June 21, 2010 City Council Workshop.

Author: Glenn E. Aho (7/15/10)

STAFF COMMENTS/RECOMMENDATION:

City Manager recommends passage.

VOTE:

City of Auburn

City Council, Auburn, Maine

Date: July 19, 2010

TITLE: RESOLVE – AUTHORIZING CITY MANAGER TO USE TAX INCREMENT FINANCING (TIF) FUNDS TO PURCHASE WEBQA.

Be It Resolved by the Auburn City Council that the City Manager is authorized to use TIF funds to purchase WEBQA.

Motion for acceptance:

Seconded by:

Vote:

Action by the City Council:

Date:

Attest:

City Clerk