



# City of Auburn, Maine

*"Maine's City of Opportunity"*

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Office of the City Clerk

## Special Council Meeting Agenda Packet

October 25, 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](http://www.adobe.com).



# Special City Council Meeting October 25, 2010 Agenda

## 5:00 p.m. Council Meeting

### *Pledge of Allegiance*

- I. **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.
- II. **New Business**
  1. 10252010-01 Authorize the City Manager to execute all necessary documents to sell City owned property at 359 Minot Avenue to Bedard Medical, Inc. for \$450,000.
- III. **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.
- IV. **Future Agenda/Workshop Items**
- V. **ADJOURNMENT**

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**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 Information Sheet

Item # 10252010-01

**Council Meeting Date:** October 25, 2010

**Subject:** Authorize the City Manager to execute closing documents to sell City owned property at 359 Minot Avenue to Bedard Medical, Inc. for \$450,000.

**Previous Meetings / Agendas:** The City Council previously authorized the City Manager to enter into a Purchase and Sales agreement with Bedard Medical, Inc. at the meeting of August 16, 2010. The P & S was executed on September 8, 2010.

**Information:** The buyer's attorney is not comfortable that the previous action is sufficient and has requested this resolve to be acted upon by the City Council. The sale will conform to the stipulations of the executed P & S. This special meeting is being held to allow the closing on the property to happen on October 27, 2010.

**Financial:** The sales price is \$450,000. Under the terms of the P & S the buyer will make payments to the City for 6 years at which time the unpaid balance of the amount owed will be paid in full. The full amount of the unpaid balance has been collateralized by 1<sup>st</sup> mortgage positions on two parcels of property owned by Michael and Annette Nadeau and/or Bedard.

**Staff Requested Action:**

Do you require action at this meeting:      Yes X      No     

**If yes why:** To allow the transfer of title of the property, to Bedard Medical, Inc., on which this project will be built. This will allow the financing institutions to close the construction and permanent financing for the project.

**Author:** Roland G. Miller, Director Community & Economic Development

**History:** The development of the corporate headquarters, retail pharmacy and specialty equipment manufacturing facility has been worked on for many months. The requested action will facilitate completion of the project.

**Attachments:** Resolve



## **CITY OF AUBURN**

**CITY COUNCIL, AUBURN, MAINE**  
**DATE:**

**Order #: 14-10252010-01**

**TITLE:** RESOLUTION TO AUTHORIZE SALE OF PROPERTY LOCATED AT 359 MINOT AVENUE,  
AUBURN, MAINE

**BE IT RESOLVED THAT:**

The property located at 359 Minot Avenue, Auburn, Maine, more specifically described in a deed recorded in the Androscoggin County Registry of Deeds at Book 7327, Page 82, be sold pursuant to the terms of a Purchase and Sale Agreement, dated September 8, 2010, to Bedard Medical, Inc., and;

**BE IT FURTHER RESOLVED THAT:**

Glenn Aho, Auburn City Manager, is hereby authorized to execute any and all documents required to complete the sale of the property, including, but not limited to, the Warranty Deed and other transfer documents as required.

Motion for acceptance:  
Seconded by:  
Vote:

**Action by Council: October 25, 2010**

**ATTEST:** \_\_\_\_\_  
**Roberta L. Fogg, CITY CLERK**