

# City of Auburn, Maine

*"Maine's City of Opportunity"*

---

Office of the City Clerk

## Special Council Meeting Agenda Packet May 9, 2011

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 and Workshop

## May 9, 2011

### Agenda

#### 5:30 p.m. Workshop

- A. Discussion of acceptance of a portion of Carrier Court. (Gary Johnson – 15 min)
- B. Budget discussion continued. (Glenn Aho – 40 min)
- C. Review of the FY12 Capital Improvement Program. (Glenn Aho – 35 min)

#### 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. None

##### **II. Minutes - None**

##### **III. Reports**

###### **Mayor**

###### **City Councilors**

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

###### **City Manager**

##### **IV. Communications, Presentations and Recognitions - None**

**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*. Time limit for open sessions, by ordinance, is 45 minutes.  
Councilor's Concerns (if time allows)

##### **VI. Unfinished Business – None**

##### **VII. New Business**

05092011-01 Public Hearing on the Proposed Municipal/Education Budget FY 2011-2012.

05092011-02 Resolve adopting the School Budget for Fiscal Year 2011-2012.

05092011-03 Resolve adopting the 2011-2012 Annual Appropriation and Revenue Resolve (First Reading).

# Special City Council Meeting & Workshop

## May 9, 2011

---

**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 this agenda*

### **XI. 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 Workshop Information Sheet

## City of Auburn

**Council Workshop Date:** May 9, 2011

**Item #** A

**Author:** Gary Johnson, Assistant City Engineer

**Subject:** Acceptance of a portion of Carrier Court.

**Information:** John Murphy Homes has acquired a parcel of land (PID 184-036-002 on the attached sketch) off the westerly side of the cul-de-sac at the southwesterly end of Carrier Court. Their intent is to construct one of their homes on the property with an access driveway and needed utilities lines coming off the end of Carrier Court. We have historically considered this area as part of the accepted street and used it for snow storage, pushing past the driveway on the left and backing out to the intersection with Hector St to turnaround. Prior to the acquisition, through their agents, we worked out an arrangement where they would provide an area for us to push snow that would not interfere with their access.

They are now seeking funding through HUD to construct the project. However in providing documentation to the title attorney, we have recently discovered that the last fifty feet street, more or less, was not accepted back in 1970. This may jeopardize their ability to obtain the funding. In order to facilitate the development of this project and to clarify the status of this portion of the street, Public Works will be petitioning for acceptance at a future council meeting.

**Financial:**

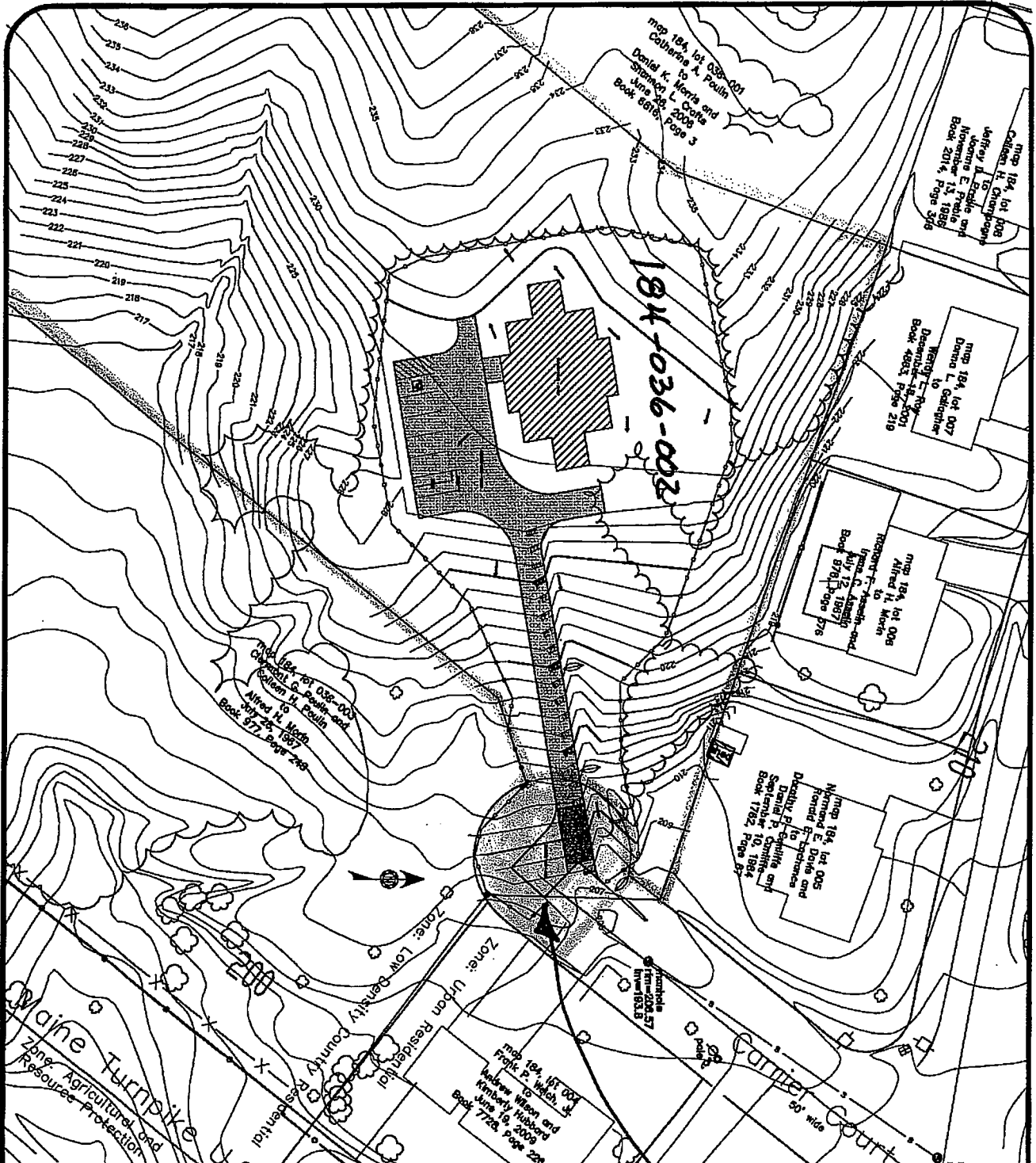
**Action Requested at this Meeting:** None

**Why?** Informational

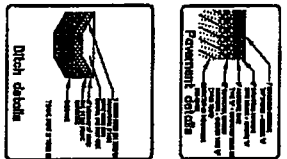
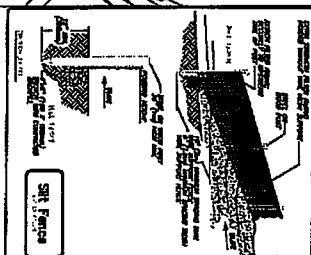
**Previous Meetings and History:** None

**Attachments:** *(in order of appearance in packet)*

- Sketch plan showing location of proposed development and portion of street at issue.



*Unaccepted  
Partition  
Carrier Court*



**General Notes**

- 1) General Notes: Information shown on this plan is for informational purposes only and does not constitute a contract. The client is responsible for providing accurate information and for obtaining all necessary permits and approvals from the appropriate authorities.
- 2) The client is responsible for providing accurate information and for obtaining all necessary permits and approvals from the appropriate authorities.
- 3) The client is responsible for providing accurate information and for obtaining all necessary permits and approvals from the appropriate authorities.
- 4) The client is responsible for providing accurate information and for obtaining all necessary permits and approvals from the appropriate authorities.
- 5) The client is responsible for providing accurate information and for obtaining all necessary permits and approvals from the appropriate authorities.
- 6) The client is responsible for providing accurate information and for obtaining all necessary permits and approvals from the appropriate authorities.
- 7) The client is responsible for providing accurate information and for obtaining all necessary permits and approvals from the appropriate authorities.
- 8) The client is responsible for providing accurate information and for obtaining all necessary permits and approvals from the appropriate authorities.
- 9) The client is responsible for providing accurate information and for obtaining all necessary permits and approvals from the appropriate authorities.
- 10) The client is responsible for providing accurate information and for obtaining all necessary permits and approvals from the appropriate authorities.

**WOODBURY HILL PROFESSIONALS**  
8 WOODBURY HILL ROAD  
AUBURN, MAINE 04210  
(603) 783-4459

**New Residence**  
79 Carrier Court  
Auburn, Maine 04210

**Murphy**  
03/03/118  
1-20'



**City Council  
Workshop Information Sheet**

**City of Auburn**

**Council Workshop Date:** May 9, 2011

**Item #** B

**Author:** Roberta L. Fogg, City Clerk

**Subject:** Budget discussion continued.

**Information:** City Manager Aho will distribute an agenda and any material necessary at the workshop.

**Financial:**

**Action Requested at this Meeting:  
Why?**

**Previous Meetings and History:**

**Attachments:** *(in order of appearance in packet)*



**City Council  
Workshop Information Sheet**

**City of Auburn**

**Council Workshop Date:** May 9, 2011

**Item #** C

**Author:** Roberta L. Fogg, City Clerk

**Subject: Review of the FY12 Capital Improvement Program.**

**Information:** City Manager Aho will review the FY12 Capital Improvement Program.

**Financial:**

**Action Requested at this Meeting:  
Why?**

**Previous Meetings and History:**

**Attachments:** *(in order of appearance in packet)*



## City Council Agenda Information Sheet

City of Auburn

**Council Meeting Date:** May 9, 2011

**Item #** 05092011-01

**Author:** Roberta L. Fogg, City Clerk

**Subject: Public Hearing on the Proposed Municipal/Education Budget FY 2011-2012.**

**Information:** In accordance with the City Charter, Section 8.5 (A.2) a public hearing has been scheduled for May 9<sup>th</sup> at 7pm (or as soon as possible thereafter).

City Manager Aho and Superintendent Morrill will each give a brief overview of the Municipal and Education Budgets for Fiscal Year 2011-2012. At the conclusion of their remarks, the Mayor will open the public hearing to hear comments from the public.

**Financial:** n/a

**Action Requested at this Meeting: No Council Action required. Mayor Seeks public comments only.**  
**Why?** This item allows for specific public comment on this subject to be entered into the public record.

**Previous Meetings and History:**

**Attachments:** *(in order of appearance in packet)*

- Public Hearing Advertisement



**CITY OF AUBURN  
PUBLIC NOTICE**

Public notice is hereby given in accordance with Article VIII, Section 8.5 of the Auburn City Charter on the proposed Municipal and Education Budgets for Fiscal Year 2011-2012.

The Public is invited to attend and provide the City Council with written and/or oral comments and ask questions concerning the City's proposed budget.

**DATE:** May 9, 2011

**TIME:** 7:00 P.M.

**PLACE:** Council Chambers, Auburn Hall, 60 Court Street

A copy of the proposed budget is available at the City Manager's Office, 60 Court Street; Auburn Public Library, 49 Spring Street; and on the city's website [www.auburnmaine.org](http://www.auburnmaine.org)

Please run in paper dated May 6<sup>th</sup>, 2011



## City Council Agenda Information Sheet

City of Auburn

**Council Meeting Date:** May 9, 2011

**Item #** 05092011-02

**Author:** Roberta L. Fogg, City Clerk

---

**Subject: Resolve adopting the School Budget for Fiscal Year 2011-2012.**

**Information:** In accordance with the City Charter, Article 8, Section 8.6, prior to the fiscal year the City Council shall adopt an annual appropriation resolve making appropriations by department, fund, services, strategy or other organizational unit and authorizing an allocation for each program or activity.

The Council set the date for the school budget validation election for May 17, 2011. In the warrant setting this date, the Council specified that the school budget would be approved on May 9<sup>th</sup>.

The Council must adopt a school budget so that absentee balloting and the election may be conducted, in accordance with state statutes.

The adopted resolve will be incorporated into the annual appropriation resolve for the City of Auburn.

---

**Financial:** n/a

---

**Action Requested at this Meeting:** Yes – Approve the resolve adopting the school budget for FY2011-12.

**Why?** It is necessary for the City Council to approve the school budget, prior to the school budget validation election, scheduled for May 17<sup>th</sup>, 2011.

---

**Previous Meetings and History:** Annual

---

**Attachments:** *(in order of appearance in packet)*

- Resolve Approving the School Budget for Fiscal Year 2011-2012.



## City Council Resolve

City of Auburn

Date: May 9, 2011  
Order # 53-05092011-02

### Title: RESOLVE APPROVING SCHOOL BUDGET FOR FISCAL YEAR 2011-2012.

Be It Resolved by the Auburn City Council that the following school budget articles be adopted and approved for fiscal year 2011-2012:

1. That \$13,447,397.00 be authorized to be expended for Regular Instruction;
2. That \$6,975,629.00 be authorized to be expended for Special Education;
3. That \$-0- be authorized to be expended for Career and Technical Education;
4. That \$672,030.00 be authorized to be expended for Other Instruction;
5. That \$3,845,330.00 be authorized to be expended for Student and Staff Support;
6. That \$770,909.00 be authorized to be expended for System Administration;
7. That \$1,223,481.00 be authorized to be expended for School Administration;
8. That \$1,144,745.00 be authorized to be expended for Transportation and Buses;
9. That \$3,365,912.00 be authorized to be expended for Facilities Maintenance;
10. That \$2,480,123.00 be authorized to be expended for Debt Service and Other Commitments;
11. That \$-0- be authorized to be expended for All Other Expenditures;
  
12. That \$31,073,210.00 be appropriated for the total cost of funding public education from Pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act and that \$13,131,138.00 be raised as the municipality's contribution to the total cost of funding public education from Pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act in accordance with the Maine Revised Statutes, Title 20-A, section 15688;

**Explanation:** *The city's contribution to the total cost of funding public education from Pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act is the amount of money determined by state law to be the minimum amount that a municipality must raise in order to receive the full amount of state dollars.*

13. That \$1,214,061.00 be raised and appropriated for the annual payments on debt service previously approved by the city's legislative body for non-state-funded school construction projects or non-state-funded portions of school construction projects, in addition to the funds appropriated as the local share of the city's contribution to the total cost of funding public education from Pre-kindergarten to grade 12;

**Explanation:** *Non-state-funded debt service is the amount of money needed for the annual payments on the city's long-term debt for major capital school construction projects that are not approved for state subsidy. The bonding of this long-term debt was previously approved by the voters or other legislative body.*

14. That \$0.00 be raised and appropriated in additional local funds for school purposes under the Maine Revised Statutes, Title 20-A, §15690;

*Explanation: The additional local funds are those locally raised funds over and above the municipality's local contribution to the total cost of funding public education from Pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act and local amounts raised for the annual payment on non-state-funded debt service that will help achieve the school department budget for education programs.*

15. That the school committee be authorized to expend \$33,925,555.00 for the fiscal year beginning July 1, 2011 and ending June 30, 2012 from the city's contribution to the total cost of funding public education from Pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act, non-state-funded school construction projects, additional local funds for school purposes under the Maine Revised Statutes, Title 20-A, section 15690, unexpended balances, tuition receipts, fund balances, state subsidy and other receipts for the support of schools;

16. That the City of Auburn appropriate \$370,112.00 for adult education and raise \$166,848.00 as the local share, with authorization to expend any additional incidental or miscellaneous receipts in the interest and for the well-being of the adult education program;

17. That the City of Auburn raise and appropriate \$39,328.00 for the services of Community Services-Crossing Guards.

18. That in addition to amounts approved in the preceding articles, the school committee be authorized to expend such other sums as may be received from federal or state grants or programs or other sources during the fiscal year for school purposes, provided that such grants, programs or other sources do not require the expenditure of other funds not previously appropriated;

**Motion for Acceptance:** Councilor

**Seconded by:** Councilor

**Vote:**

**Action by Council:** May 9, 2011

**Attest:**

\_\_\_\_\_  
Roberta L. Fogg, City Clerk



# City Council Agenda Information Sheet

City of Auburn

**Council Meeting Date:** May 9, 2011

**Item #** 05092011-03

**Author:** Roberta L. Fogg, City Clerk

**Subject:** Resolve adopting the 2011-2012 Annual Appropriation and Revenue Resolve (First Reading).

**Information:** In accordance with the City Charter, Article 8, Section 8.6, prior to the fiscal year the City Council shall adopt an annual appropriation resolve making appropriations by department, fund, services, strategy or other organizational unit and authorizing an allocation for each program or activity.

The Council has been supplied with a resolve to adopt the annual appropriations for the City of Auburn. Please note the following items are currently shown as \$TBD (To Be Determined): final figures for revenue, total aggregate appropriation and municipal budget.

This information is not available at the time the agenda was set. If the Council finalizes the budget Monday night during the budget workshop those numbers can be inserted into the resolve, and Council can choose to adopt it as the first reading at that time. If the Council is not prepared to proceed with first reading on Monday, May 9<sup>th</sup> they can table this item or Council can choose not to support the resolve at that time and it will be placed on the May 16<sup>th</sup> agenda.

The school appropriation resolve has been incorporated into this annual appropriation resolve for the City of Auburn.

Two readings are required for passage of this resolve. The second reading will be scheduled at the next available meeting after the adoption of the first reading.

**Financial:** n/a

**Action Requested at this Meeting:** Yes – Approve the resolve adopting Annual Appropriation Resolve FY2011-12 (first reading).

**Why?** It is necessary to adopt the annual appropriation resolve, this is the first reading.

**Previous Meetings and History:** Annual

**Attachments:** *(in order of appearance in packet)*

- Resolve for the 2011-2012 Annual Appropriation and Revenue.



## City Council Resolve

City of Auburn

Date: May 9, 2011  
Order # 54-05092011-03

### Title: RESOLVE 2011-2012 ANNUAL APPROPRIATION AND REVENUE

Be It Resolved by the Auburn City Council, that the following be, and hereby is the Annual Appropriation and Revenue Resolve of the City of Auburn for the fiscal year 2011-2012, which includes the amounts appropriated herein and revenues from all sources beginning July 1, 2011 and ending June 30, 2012.

The estimated aggregate amount of non-property tax revenue is \$TBD, with a municipal revenue budget of \$TBD and a School Department revenue budget of \$19,785,975.

The aggregate appropriation for the City of Auburn is \$TBD, with a municipal budget of \$TBD County budget of \$1,925,561 and a School Department budget of \$34,334,995, which received School Committee approval on April 4, 2011, and school budget approved at the May 9, 2011 Special City Council Meeting, and based upon the budget submitted to the Auburn City Council on March 14, 2011, by the City Manager, and notification was published in the Lewiston Sun Journal, a daily newspaper in the County of Androscoggin on May 6, 2011, that a public hearing would be held on May 9, 2011 at 7:00 p.m. and said hearing having been held on that date, and as amended by the City Council, the same is hereby appropriated for the fiscal year 2011-2012 beginning July 1, 2011 for the lawful expenditures of the City of Auburn and for the County of Androscoggin taxes, and said amounts are declared not to be in excess of the estimated revenue from taxation and sources other than taxation for the fiscal year of 2011-2012.

#### SCHOOL BUDGET ARTICLES

1. That \$13,447,397.00 be authorized to be expended for Regular Instruction;
2. That \$6,975,629.00 be authorized to be expended for Special Education;
3. That \$-0- be authorized to be expended for Career and Technical Education;
4. That \$672,030.00 be authorized to be expended for Other Instruction;
5. That \$3,845,330.00 be authorized to be expended for Student and Staff Support;
6. That \$770,909.00 be authorized to be expended for System Administration;
7. That \$1,223,481.00 be authorized to be expended for School Administration;
8. That \$1,144,745.00 be authorized to be expended for Transportation and Buses;
9. That \$3,365,912.00 be authorized to be expended for Facilities Maintenance;
10. That \$2,480,123.00 be authorized to be expended for Debt Service and Other Commitments;
11. That \$-0- be authorized to be expended for All Other Expenditures;

12. That \$31,073,210.00 be appropriated for the total cost of funding public education from Pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act and that \$13,131,138.00 be raised as the municipality's contribution to the total cost of funding public education from Pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act in accordance with the Maine Revised Statutes, Title 20-A, section 15688;

*Explanation: The city's contribution to the total cost of funding public education from Pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act is the amount of money determined by state law to be the minimum amount that a municipality must raise in order to receive the full amount of state dollars.*

13. That \$1,214,061.00 be raised and appropriated for the annual payments on debt service previously approved by the city's legislative body for non-state-funded school construction projects or non-state-funded portions of school construction projects, in addition to the funds appropriated as the local share of the city's contribution to the total cost of funding public education from Pre-kindergarten to grade 12;

*Explanation: Non-state-funded debt service is the amount of money needed for the annual payments on the city's long-term debt for major capital school construction projects that are not approved for state subsidy. The bonding of this long-term debt was previously approved by the voters or other legislative body.*

14. That \$0.00 be raised and appropriated in additional local funds for school purposes under the Maine Revised Statutes, Title 20-A, §15690;

*Explanation: The additional local funds are those locally raised funds over and above the municipality's local contribution to the total cost of funding public education from Pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act and local amounts raised for the annual payment on non-state-funded debt service that will help achieve the school department budget for education programs.*

15. That the school committee be authorized to expend \$33,925,555.00 for the fiscal year beginning July 1, 2011 and ending June 30, 2012 from the city's contribution to the total cost of funding public education from Pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act, non-state-funded school construction projects, additional local funds for school purposes under the Maine Revised Statutes, Title 20-A, section 15690, unexpended balances, tuition receipts, fund balances, state subsidy and other receipts for the support of schools;

16. That the City of Auburn appropriate \$370,112.00 for adult education and raise \$166,848.00 as the local share, with authorization to expend any additional incidental or miscellaneous receipts in the interest and for the well-being of the adult education program;

17. That the City of Auburn raise and appropriate \$39,328.00 for the services of Community Services-Crossing Guards.

18. That in addition to amounts approved in the preceding articles, the school committee be authorized to expend such other sums as may be received from federal or state grants or programs or other sources during the fiscal year for school purposes, provided that such grants, programs or other sources do not require the expenditure of other funds not previously appropriated;

This is the first reading.

**Motion for Acceptance:** Councilor

**Seconded by:** Councilor

**Vote:**

**Action by Council:**

**Attest:**

\_\_\_\_\_  
Roberta L. Fogg, City Clerk