

**IN COUNCIL JOINT MEETING JANUARY 2, 2013 VOL. 33 PAGE 86**

Mayor LaBonte called the joint meeting with the City Council and School Committee to order at 6:05 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Councilor Shea was absent.

**I. New Business**

- 1. Order 01-01022013** Approving a joint purchasing policy between the City and School Departments.

Motion was made by Councilor Crowley and seconded by Councilor Young.

Public comments – No one from the public spoke.

Passage 6-0.

**II. Open Session** – no one from the public spoke.

- III. Executive Session** - Discussion of a personnel matter (the City Manager's evaluation), pursuant to 1 M.R.S.A. §405(6)(A) took place at the end of the workshop.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker.

Passage 6-0, 6:35. Adjournment was immediately following the Executive Session.

A True Copy.

ATTEST  
\_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

## IN COUNCIL REGULAR MEETING JANUARY 7, 2013 VOL. 33 PAGE 87

Mayor LaBonte called the meeting to order at 7:15 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Councilors LaFontaine and Shea had excused absences. All other Councilors were present.

### I. Consent Items\*

#### 1. Order 02-01072013\*

Confirming Chief Crowell's appointment of Constables without firearms for the Auburn Police Department.

Motion was made by Councilor Hayes and seconded by Councilor Gerry.  
Passage 5-0.

### II. Minutes

Motion was made by Councilor Gerry and seconded by Councilor Hayes to approve the minutes of the December 17, 2012. Passage 5-0.

### III. Reports

**Mayor's Report** – reported.

#### **Committee Reports**

- Transportation
  - Androscoggin Transportation Resource Center – Mayor LaBonté, no report.
  - Lewiston Auburn Transit – Councilor Gerry reported.
  - Airport, Railroad – Councilor Hayes reported.
  - Bike-Ped Committee – Councilor Shea, absent.
- Housing
  - Community Development Block Grant, Neighborhood Stabilization Program, Auburn Housing Authority – Councilor Gerry reported.
- Economic Development
  - L-A Economic Growth Council, Auburn Business Development Corp. – Councilor Shea, absent.
- Education
  - Auburn School Committee – Councilor Young reported.
  - Auburn Public Library – Councilor LaFontaine, absent.
  - Great Falls TV – Councilor Young reported.
- Environmental Services
  - Auburn Water District, Auburn Sewerage District – Councilor Crowley reported.
  - Mid-Maine Waste Action Corp. – Councilor Walker reported.
- Recreation

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- Recreation Advisory Board – Councilor Walker reported.
- Public Safety
  - LA 911 – Councilor Walker reported.

**City Councilors’ Reports** – Councilor Crowley reported.

**City Manager’s Report** – City Manager Deschene submitted a written report and reported on additional items.

**IV. Communications, Presentations and Recognitions - none**

**V. Open Session**

Joe Gray, Sopers Mill Road, Auburn – Commented on numerous items; the focus of a more independent Auburn, Olympia Snow Day speakers, the length of agendas and the need for more items, the expense of using a facilitator at Saturdays Goal Setting Retreat at over \$1,000, designating \$35,000 for Athletic Fields Study that he felt could be done by staff, a documentary called Hot Coffee, Joint TIF policy, and LAEGC.

Resident of Lewiston - commented on Law Enforcement Personnel and Code of Ethics.

Andrew Wordell, owner of Wordell’s Trading, 61 Mill Street – commented on numerous items; on being an Auburn business owner, on law enforcement, a stolen car found recycled at a junkyard, looking at Mom and Pop shops for economic growth, whether anyone has read the Charter of Auburn and does anyone understand it, he has enjoyed running his business for 5 years but was closing his business.

Ken Blais, Turner resident and Auburn business man – presented the City of Auburn with funds raised for the Marshall Popcorn Truck, \$875.00.

**VI. Unfinished Business**

- 1. Ordinance 07-12172012** Approving the amendment to the Business Licensing Ordinance regarding the adoption of applicable State of Maine Rules. Public hearing, second and final reading.

Motion was made by Councilor Hayes and seconded by Councilor Gerry.

Public Hearing – no one from the public spoke.

Passage 5-0.

**VII. New Business**

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- 1. Order 03-01072013** Authorizing the City Manager to execute a lease agreement between the City of Auburn and the Androscoggin Historical Society for the Knight House and the Downing Shoe Shop.

Motion was made by Councilor Hayes and seconded by Councilor Walker.

Public comment – No one from the public spoke.

Passage 5-0.

**VIII. Executive Session**

Discussion of a personnel issue (the City Manager's evaluation) with possible action to follow, pursuant to 1 M.R.S.A. §405(6)(A).

This item was discussed during the Council workshop and no action was taken.

Discussion regarding labor contracts with possible action to follow, pursuant to 1 M.R.S.A. §405(6)(D).

This item was discussed during the Council workshop and no action was taken.

- IX. Open Session** – No one from the public spoke.

- X. Future Agenda/Workshop Items** - None

- XI. Adjournment**

Motion was made by Councilor Hayes and seconded by Councilor Walker to adjourn.  
Passage 5-0, 8:10 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

## IN COUNCIL REGULAR MEETING JANUARY 22, 2013 VOL. 33 PAGE 90

Mayor LaBonte called the meeting to order at 7:03 P.M. in the Council Chambers of Auburn Hall. All Councilors were present.

The Boy Scout Troop 121 led the assembly in the salute to the flag.

### **I. Consent Items\*- None**

### **II. Minutes**

Motion was made by Councilor Hayes and seconded by Councilor LaFontaine to approve the minutes of the January 2, 2013 Special Council Meeting. Passage 7-0.

Motion was made by Councilor Young and seconded by Councilor Gerry to approve the minutes of the January 7, 2013 Council Meeting. Passage 7-0.

### **III. Reports**

**Mayor's Report** – No report.

**City Councilors' Reports** – Councilor Young reported. Councilor Crowley submitted a written report.

**City Manager's Report** – City Manager Deschene submitted a written report and reported on a few additional items.

**Finance Director, Jill Eastman** – December 2012 Monthly Report

Motion was made by Councilor Crowley and seconded by Councilor Young to accept the December 2012 Monthly Report. Passage 7-0.

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

### **V. Open Session**

Don Malpass, Scout Master of Boy Scout Troop 121 and Auburn resident, Perkins Ridge Road. He commented on the success of their Christmas tree pickup fundraiser, he thanked the community for their support and also thanked Nick Labbe from the Public Works Department for his assistance. He said they would like to do this again next year.

Andy Wordell, 61 Mill Street commented on the Rural Development Program through Community Concepts which helps local families build homes. He also reached out to the Auburn Community to volunteer to help build these homes.

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

**VII. New Business**

- 1. Resolve 01-01222013** Supporting a Passenger Transit Service linking the Municipalities of Portland, Lewiston, and Auburn.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker.

Public comment – Jeremiah Bartlett, 107 Shepley Street and City of Portland Transportation Engineer spoke in favor of the Passenger Transit Service.

Passage 7-0.

- 2. Order 04-01222013** Approving the Community Development's Curb Appeal and Small Business Programs funded with Community Development Block Grant funds as recommended by the Community Development Staff.

Motion was made by Councilor LaFontaine and seconded by Councilor Young.

Public comment – No one from the public spoke.

Passage 7-0.

- 3. Order 05-01222013** Approving the amendments to the Community Development's Spot, Residential, Good Neighbor Start-up Grant, Heating Assistance and Commercial Programs funded with Community Development Block Grant funds as recommended by the Community Development Staff.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker.

Public comment – No one from the public spoke.

Passage 7-0.

- 4. Order 06-01222013** Approving to eliminate the Community Development's Energy, Historic Preservation, Lead, Neighborhood Enhancement, Down payment Assistance, and Tree Planting Programs funded with Community Development Block Grant funds as recommended by the Community Development Staff.

Motion was made by Councilor LaFontaine and seconded by Councilor Young.

Public comment – no one from the public spoke.

Passage 7-0

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- 5. Order 07-01222013** Approving the amendments to the Guidelines of the Homebuyer, Homeowner Rehabilitation, and Security Deposit Loan Programs funded with HOME Investment Partnerships Program funds as recommended by the Community Development Staff.

Motion was made by Councilor LaFontaine and seconded by Councilor Young.

Public comment – no one from the public spoke.

Passage 7-0.

- 3. Order 08-01222013** Setting the date for the School Budget Validation Referendum Election for June 11, 2013.

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley.

Public comment – No one from the public spoke.

Passage 6-1 (Councilor Shea).

- VIII. Executive Session** - Discussion of a personnel issue (the City Manager's evaluation) with possible action to follow, pursuant to 1 M.R.S.A. §405(6)(A).

Motion was made by Councilor LaFontaine and seconded by Councilor Young.  
Passage 7-0, 7:51 P.M.

The Mayor declared Council out of Executive Session at 8:12 P.M.

Motion was made by Councilor LaFontaine and Seconded by Councilor Young to authorize the six month salary adjustment for the City Manager, for satisfactory performance, retroactive to December 18, 2012. Order 09-01222013.

Passage 7-0.

**Executive Session** – Discussion regarding the Ice Arena contract, pursuant to 1 M.R.S.A. §405(6)(C).

Motion was made by Councilor LaFontaine and seconded by Councilor Shea.  
Passage 7-0, 8:14 P.M.

The Mayor declared Council out of Executive Session at 9:19 P.M.

**Executive Session** - Discussion regarding labor contracts with possible action to follow, pursuant to 1 M.R.S.A. §405(6)(D).

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Motion was made by Councilor LaFontaine and seconded by Councilor Hayes. Passage 5-2 (Councilors Walker and Gerry were out of the room), 9:19 P.M.

The Mayor declared Council out of Executive Session at 9:28 P.M.

Motion was made by Councilor Crowley and Seconded by Councilor Walker to authorize the City Manager to execute the Collective Bargaining Agreement between the City and MAP (Maine Association of Police) Command Unit for January 1, 2013 through June 30, 2013. Order 10-01222013.

Passage 7-0.

Motion was made by Councilor Crowley and Seconded by Councilor Walker to authorize the City Manager to execute the Collective Bargaining Agreement between the City and MAP (Maine Association of Police) Police and Detective Unit for July 1, 2012 through June 30, 2013. Order 11-01222013.

Passage 7-0.

**IX. Open Session** – No one from the public spoke

**X. Future Agenda/Workshop Items** – None

**XI. Adjournment**

Motion was made by Councilor Young and seconded by Councilor LaFontaine to adjourn. Passage 7-0, 9:35 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk



**IN COUNCIL SPECIAL MEETING JANUARY 31, 2013 VOL. 33 PAGE 94**

Mayor LaBonte called the meeting to order at 6:00 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Councilor Crowley had an excused absence, Councilor LaFontaine arrived during the Executive Session, and all other Councilors were present.

**I. Executive Session** – Discussion on the Ice Arena contract, pursuant to 1 M.R.S.A §405(6)(C).

Motion was made by Councilor Hayes and seconded by Councilor Walker.  
Passage 5-0, 6:04 P.M.

The Mayor declared Council out of Executive Session at 7:14 P.M.

**II. New Business**

**1. Order 12-01312013** Approving the design and updated budget for the double sheet Ice Arena.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker.

Public comment –

Dan D’Autueil, Maine Gladiators, questioned the Ice Arena budget that was provided. Joe Gray, Sopers Mill Road, Auburn, commented on the delay in getting the Ice Arena budget information, and he had questions and comments about the budget.

Claire Barclay, 62 Winter Street, Auburn, hockey parent since 1980 and was on the Board for Auburn Youth Hockey. She commented on Ingersoll Arena and how it has supported itself and feels dual sheet Ice Arena will also support itself.

Andy Titus, Lamplighter Circle, Auburn had questions on the Ice Arena Budget.

Joe Gray, Sopers Mill Road, Auburn questioned the estimated ice time difference from the original presentation.

City Manager Deschene addressed all of the questions.

Motion was made by Councilor Shea and seconded by Councilor Walker to postpone this item to the 2/4/2013 Council meeting as Unfinished Business. Passage 6-0.

**IX. Adjournment**

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to adjourn. Passage 6-0, 7:45 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

## **IN COUNCIL REGULAR MEETING FEBRUARY 4, 2013 VOL. 33 PAGE 95**

Mayor LaBonte called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

### **I. Consent Items\* - None**

### **II. Minutes**

Motion was made by Councilor LaFontaine and seconded by Councilor Young to approve the minutes of the January 22, 2013. Passage 7-0.

### **III. Reports**

**Mayor's Report** – reported.

#### **Committee Reports**

Councilor Crowley submitted a written report and reported on additional items that were not included in her written report, Councilor Walker submitted a written report, and Councilor Hayes reported on the Airport Board.

**City Councilors' Reports** – Councilor Crowley submitted a written report.

**City Manager's Report** – City Manager Deschene submitted a written report and reported on an additional item.

### **IV. Communications, Presentations and Recognitions**

- Portrait presentation – Former Mayor John Jenkins
- Swear in and Badge pinning ceremony – Auburn Police Department
  - Patrol Officer Thomas J. Ellis
  - Patrol Officer Mitchel Morse
  - Patrol Officer John Chamberlain

Mayor LaBonté also recognized Officer Scott Laliberte who is being deployed to Afghanistan and presented Mrs. Laliberte with a bouquet of flowers on behalf of the Auburn Police Department.

- Proclamation – George E. Roy. Mr. Roy was unable to attend tonight's meeting. The presentation will be postponed until the February 19, 2013 Council meeting.

### **V. Open Session**

- Renee Cote, Dawes Avenue, Auburn spoke regarding the U.S. Constitutional Amendment on Campaign Finance. Ms. Cote submitted her written remarks to be included in the record of this meeting.
- Bob Stone, 12 Harrison Circle, Auburn spoke on the U.S. Constitutional Amendment on Campaign Finance.

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- John Turner, 46 Rubellite Lane, Auburn and the recipient of a key to both Lewiston and Auburn spoke regarding the U.S. Constitutional Amendment on Campaign Finance and the importance of corporate businesses in Auburn.

### VI. Unfinished Business

1. **Order 12-01312013** Approving the design and updated budget for the double sheet Ice Arena.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to enter into Executive Session, pursuant to 1 M.R.S.A. §405(6)(C). Passage 7-0, 7:36 P.M.

The Mayor declared Council out of Executive Session at 8:14 P.M.

Motion was made by Councilor LaFontaine and Seconded by Councilor Walker to approve Order 12-01312013.

Public Hearing – Joe Gray, Sopers Mill Road, Auburn commented that he did not understand comments made by Councilor Hayes regarding the management budget and wanted an explanation. He commented on the roads being horrible, taxes are horrible and everyone sees the Ice Arena as a money loser. We are in need of a new school and will also need a new fire station. He commented that everything but the budget on this has changed. He asked why we have not heard from LAEGC if this is an Economic Development tool. He asked for answers.

Motion was made by Councilor Shea and Seconded by Councilor Walker to amend the order by deleting “and updated budget” and changing the word “approves” to “accepts”.

Passage of the amendment 6-1 (Councilor Gerry opposed).

Passage of the order as amended 6-1 (Councilor Gerry opposed).

### VII. New Business - None

### VIII. Executive Session

**IX. Open Session** – Joe Gray, Sopers Mill Road, Auburn apologized about earlier comments made because he didn't understand what the vote was about. He also commented that he was still waiting for answers on the athletic fields, the cost of the facilitator at the meeting held a few weeks ago, he would like to know the answers to the questions the Finance Director provided to Councilor Crowley. He also asked where he could get budget information on LAEGC, ABDC, Railroad Commission, and the Airport. He would also like to know how the Chamber of Commerce is integrated.

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**X. Future Agenda/Workshop Items** – Councilor Crowley would like to talk about Councilors being able to speak on various items during meetings now that reports are being submitted in writing.

**XI. Adjournment**

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to adjourn. Passage 7-0, 8:30 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

## IN COUNCIL REGULAR MEETING FEBRUARY 19, 2013 VOL. 33 PAGE 98

Mayor LaBonte called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Councilor LaFontaine had an excused absence and all other Councilors were present.

### I. Consent Items\*

1. **Order 13-02192013\*** Accepting the transfer of Forfeiture Asset (Leon Payne).
2. **Order 14-02192013\*** Approving the Goal Setting Review notes.

Motion was made by Councilor Crowley to remove item 2 (Order 14-02192013) from the consent calendar and adding it to New Business.

Motion was made by Councilor Young and seconded by Councilor Gerry to approve consent item 1 (Order 13-02192013\*). Passage 6-0.

### II. Minutes

Motion was made by Councilor Walker and seconded by Councilor Gerry to approve the corrected minutes of the January 31, 2013 Special Council Meeting. Passage 6-0.

Motion was made by Councilor Walker and seconded by Councilor Hayes to approve the minutes of the February 4, 2013 Council Meeting. Passage 6-0.

### III. Reports

**Mayor's Report** – No report.

**City Councilors' Reports** – Councilors Crowley and Walker submitted written reports.

**City Manager's Report** – City Manager Deschene submitted a written report and reported on a few additional items.

**Finance Director, Jill Eastman** – January 2013 Monthly Finance Report

Motion was made by Councilor Crowley and seconded by Councilor Hayes to accept the January 2013 Monthly Report. Passage 6-0.

### IV. Communications, Presentations and Recognitions

- Proclamation – George E. Roy
- Recognition – Captain Chip Keene of the Auburn Fire Department and recipient of the 2013 American Red Cross Blood Services Real Heroes Award.
- Recognition – Auburn Fire Department-1<sup>st</sup> Place winners of the American Lung Association's 2013 Fight for Air Stair Climb in Boston.

**V. Open Session**

Joe Gray, Sopers Mill Road, Auburn commented on the request for a Police Department vehicle and asked why we were requesting a lighter, ashtray, and cruise control and why were we asking for a two wheel drive instead of a four wheel drive vehicle. He commented on the way the RFP's are written, and on the Police vehicle we have in Virginia that will be for approximately 3 months.

**VI. Unfinished Business – None**

**VII. New Business**

**3. Order 14-02192013** Approving the Goal Setting Review notes (removed from consent calendar).

Motion was made by Councilor Crowley and seconded by Councilor Young to accept the notes and place them on file for future reference. Passage 6-0.

**VIII. Executive Session - None**

**IX. Open Session**

No one from the public spoke.

Councilor Crowley announced that the Auburn Fire Department would be offering free blood pressure checks February 21<sup>st</sup> from 5:00 P.M. to 7:00 P.M. at any of the three Fire Stations and on February 28<sup>th</sup> from 5:00 P.M. to 7:00 P.M. at the Auburn Library. In addition to these dates and times, citizens are always welcome to stop by one of the Fire Stations to have their blood pressure checked if needed.

**X. Future Agenda/Workshop Items – None**

**XI. Adjournment**

Motion was made by Councilor Crowley and seconded by Councilor Walker to adjourn. Passage 6-0, 7:31 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

## **IN COUNCIL REGULAR MEETING MARCH 4, 2013 VOL. 33 PAGE 100**

Mayor LaBonte called the meeting to order at 7:05 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

### **I. Consent Items\* - None**

### **II. Minutes**

Motion was made by Councilor Gerry and seconded by Councilor Young to approve the minutes of the February 19, 2013 Council Meeting. Passage 7-0.

### **III. Reports**

**Mayor's Report** – No report.

**Committee Reports**-Councilors Crowley and Young submitted written reports.

**City Councilors' Reports** – Councilors Crowley and Walker submitted a written report.

**City Manager's Report** – City Manager Deschene submitted a written report and reported on a few additional items.

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

### **V. Open Session** – No one from the public spoke

### **VI. Unfinished Business** -None

### **VII. New Business**

#### **1. Order 15-03042013** Approving the consolidation to one voting place (Auburn Hall) for the June 11, 2013 School Budget Election. Public hearing.

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley.

Public hearing – No one from the public spoke.

Passage 6-1, (Councilor Walker).

### **VIII. Executive Session**

#### **IX. Open Session** – John Chandler, Whitney Street, Auburn and member of the American Lung Association spoke in favor of the proposed Tobacco Ordinance.

**IN COUNCIL REGULAR MEETING MARCH 4, 2013 VOL. 33 PAGE 101**

**X. Future Agenda/Workshop Items** – Councilor Shea would like some discussion at a future workshop on Council having staggered terms.

**XI. Adjournment**

Motion was made by Councilor LaFontaine and seconded by Councilor Shea to adjourn.  
Passage 7-0, 7:35 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk



## IN COUNCIL REGULAR MEETING MARCH 18, 2013 VOL. 33 PAGE 102

Mayor LaBonte called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Councilor Young had an excused absence and all other Councilors were present.

### I. Consent Items\*

Motion was made by Councilor LaFontaine to remove Order 18-03182013 from the consent agenda and added under New Business.

1. **Order 16-03182013\*** Appointing of Susan Clements-Dallaire as Registrar of Voters with a term expiration of December 31, 2014.
2. **Order 17-03182013\*** Accepting the transfer of Forfeiture Asset (Travis St. Pierre).
3. **Order 18-02192013\*** Appointing Board and Committee Members as nominated by the Appointment Committee.

Motion was made by Councilor Crowley and seconded by Councilor LaFontaine. Passage 6-0.

### II. Minutes

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to approve minutes of the March 4, 2013 Council Meeting. Passage 6-0.

### III. Reports

**Mayor's Report** – No report.

**City Councilors' Reports** – Councilors Crowley submitted a written report.

**City Manager's Report** – City Manager Deschene submitted a written report and reported on a few additional items.

**Finance Director, Jill Eastman** – February 2013 Monthly Finance Report

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley. Passage 6-0.

### IV. Communications, Presentations and Recognitions

- Recognition – The Central Maine Community College Women's Basketball Team

### V. Open Session

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Bruce Rioux, 85 Mary Carroll Street, Auburn spoke regarding the Water District Appointment.

**VI. Unfinished Business - None**

**VII. New Business**

- 4. Order 18-02192013** Appointing Board and Committee Members as nominated by the Appointment Committee.

Motion was made by Councilor Lafontaine and seconded by Councilor Walker to postpone this item to the April 1, 2013 meeting. Passage 5-0-1 (Councilor Hayes abstained).

- 5. Ordinance 01-03182013** Approving the proposed zoning map amendment in the Blanchard Road area (first reading).

Motion was made by Councilor Crowley and seconded by Councilor Walker to amend the zoning map for the seven lots in the area of Blanchard Road from Low Density Country Residential (LDCR) to Low Density Rural Residential (LDRR) and specifically excluding the farm pursuant to Chapter 60, Article XVII, Division 2 of the Ordinances of the City of Auburn.

Public Comment:

Robert Gagnon, 160 Stone Road, Auburn.

Ray Ouellette, 511 Merrow Road, Auburn (stated that he is also a landowner in the Blanchard Road area).

William Saucier, 145 Blanchard Road, Auburn (stated that he was the initiator of the petition).

Luis Feliciano, Blanchard Road, Auburn.

Passage 6-0.

**VIII. Open Session**

Joe Gray, Sopers Mill Road, Auburn spoke on the emergency vehicle, the police car that has been in Virginia, bringing things forward/proposals, why we are spending \$35,000 on recreation inventory, minutes to meetings should all be on line, and how the City needs to work on the 3<sup>rd</sup> objective of Citizen Engagement.

City Manager Deschene addressed most of his questions and comments and will follow up on what has not been addressed.

- IX. Executive Session** – Discussion regarding a legal matter for negotiations on an economic development issue, pursuant to 1 M.R.S.A. §405 (6)(C).

**IN COUNCIL REGULAR MEETING MARCH 18, 2013 VOL. 33 PAGE 104**

Motion by Councilor LaFontaine seconded by Councilor Gerry to enter into executive session. Passage 6-0, 7:55 P.M.

The Mayor declare Council out of executive session at 8:25 P.M.

**X. Future Agenda/Workshop Items – None**

**XI. Adjournment**

Motion was made by Councilor LaFontaine and seconded by Councilor Shea to adjourn. Passage 6-0, 8:30 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

## IN COUNCIL REGULAR MEETING APRIL 1, 2013 VOL. 33 PAGE 105

Mayor LaBonte called the meeting to order at 7:08 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Councilor LaFontaine had an excused absence, all other Councilors were present.

### I. Consent Items\*

1. **Order 19-04012013\*** Accepting the 2013 City Work Plan.
2. **Order 20-04012013\*** Appointing Steve Lunt to the Railroad Committee with a term expiration of 4/1/2013.

Motion was made by Councilor Shea and seconded by Councilor Hayes. Passage 6-0.

### II. Minutes

Motion was made by Councilor Crowley and seconded by Councilor Shea to postpone the approval of the minutes until the City Clerk is able to research a question (regarding Ordinance 01-03182013, the proposed zoning map amendment in the Blanchard Road area). Passage 6-0.

### III. Reports

**Mayor's Report** – The Mayor presented the City Council with a gift from Fire Chief Roma (a challenge coin). Mayor LaBonté also provided the Council with a few memo's, one being a letter from the Museum L/A with a request for \$42,500 for the next 3 fiscal years, and one regarding a letter received from Councilor Crowley from the LAEGC (Lewiston-Auburn Economic Growth Council).

**Committee Reports**-Councilors Crowley and Young Hayes reported.

**City Councilors' Reports** – Councilor Crowley submitted a written report.

**City Manager's Report** – City Manager Deschene submitted a written report and also mentioned a slight change to the condemnation noted on his report.

### IV. Communications, Presentations and Recognitions

- Proclamation – Donate Life Month
- State Budget Presentation by Senator John Cleveland
- Maine French Heritage Language Program in Auburn - Doris Bonneau of the Franco American Heritage Center

V. **Open Session** – Eric Brackey, New Gloucester and is participating in the Y-Not Scavenger Hunt for the Young Professionals of Lewiston and Auburn (YPLA).

### VI. Unfinished Business

**IN COUNCIL REGULAR MEETING APRIL 1, 2013 VOL. 33 PAGE 106**

**1. Ordinance 01-03182013**

Approving the proposed zoning map amendment in the Blanchard Road area (public hearing, second and final reading).

Motion by Councilor Shea and seconded by Councilor Walker to approve what was read into the record and adopted at the 3/18/2013 meeting.

Motion was made by Councilor Shea and seconded by Councilor Walker to amend that motion to include the areas listed in the ordinance;

96 Blanchard Road, Parcel ID 345-016  
120 Blanchard Road, Parcel ID 345-017  
Blanchard Road lot, Parcel ID 345-002  
170 Blanchard Road, Parcel ID 345-018  
48 Hathaway Road, Parcel ID 345-032-001  
145 Blanchard Road, Parcel ID 345-023  
117 Blanchard Road, Parcel ID 345-024  
2527 Turner Road, Parcel ID 345-025

Councilor Shea commented that earlier in the process of this zoning change the Council talked about Options A & B and some thought they were voting on Option A, which is not what was read in the motion, hence the amendment tonight.

Public hearing – no one from the public spoke  
Passage of the amendment 6-0.  
Passage of the motion as amended 6-0.

**2. Order 18-03182013**

Appointing Board and Committee Members as nominated by the Appointment Committee.

This item was taken out of order at the end of New Business.

**VII. New Business**

**3. Public Hearing – Community Development Program, FY2014.**

- Sofia Carson, also a student at Walton Elementary School commented on the Walton School playground being broken and old.
- Diana Carson, Sofia's mom spoke about the playground at Walton and would like the City to use some of the funds designated to the curb appeal project to be used to fund the Walton School playground.

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- Jane Morrison, 46 Lake Street, Auburn and also the Executive Director of Safe Voices commented on the reduction of funds given to Safe Voices. Initially when the program started the city gave \$11,000, then it went down to \$8,000 and now it is at \$3,000. They provide \$94,000 in services to Auburn and some of the smaller towns are more generous. She said she would like to see the amount increased.
- Dr. Erica Lovett Fournier, whose son is a student at Walton Elementary School. She also commented about the Walton playground and would like to see a safe place for kids to play. She also spoke about pediatric obesity and the need to help kids to be active. She said she also agrees with taking some of the funding from the Curb Appeal budget to help fund the Walton playground.
- Betsy Sawyer Manter, the Executive Director of Seniors Plus requested resources for the meals on wheels program. There are 39 people in Auburn getting meals, 16 are on a waiting list. She appreciates the funding.
- Melissa Metivier, South Witham Road, Auburn and President of the PTO at Walton. She submitted pictures of the Walton playground to the Clerk. She would like to see the city help to fund the Walton playground as well commenting that there were 320 kids at the school that this impacts.
- Joe Fournier, 68 Gill Street, Auburn also supports the Walton playground commenting that every year there is less and less here in Auburn to offer people. He would like us to move money around to help fund the Walton playground and thought we might be able to take from the Curb Appeal program funds.
- Craig Philips, Tedford Housing commented that the city funding has helped provide affordable housing for 6 adults that were homeless.
- Sharon Philbrick Bergeron, Finance Director of Head Start asked that the Public Service Budget be restored to last years.

### 4. Order 21-04012013

Approving the Charitable Organization Event Support Policy.

Motion was made by Councilor Gerry for discussion purposes only and seconded by Councilor Shea.

Motion was made by Councilor Crowley and seconded by Councilor Young to postpone this item to a future meeting. Passage 5-1 (Councilor Shea opposed).

### 5. Ordinance 02-04012013

Approving the ordinance to reincorporate four ordinances that were omitted during the re-codification of the City's Code of Ordinances adopted on February 22, 2011.

Motion was made by Councilor Shea and seconded by Councilor Gerry.  
Public comment – no one from the public spoke.  
Passage 6-0.

**6. Ordinance 03-04012013**

Approving the ordinance correcting section numbers in ordinances adopted during the pendency of the re-codification of the City's Code of Ordinances adopted on February 22, 2011.

Motion was made by Councilor Shea and seconded by Councilor Young.

Motion was made by Councilor Gerry and seconded by Councilor Hayes to postpone to a later date. Passage 5-1 (Councilor Shea opposed).

**7. Order 18-03182013**

Appointing Board and Committee Members as nominated by the Appointment Committee.

Motion by Councilor Shea and seconded by Councilor Young.

Motion by Councilor Hayes and seconded by Councilor Crowley to remove the Water District Board nominations for further reconsideration.

Passage of the amendment 4-3 (there was a tie vote with Councilors Gerry, Young, and Shea opposed, and in accordance the City Charter, Article III, Section 3.3 the Mayor voted to break the tie vote).

Public comment – no one from the public spoke, passage of the order as amended 6-0.

**VIII. Executive Session**

Motion was made by Councilor Hayes and seconded by Councilor Walker to suspend the rules and add an executive session on a personnel matter. Passage 5-1, (Councilor Shea opposed).

Motion was made by Councilor Young and seconded by Councilor Walker to enter into executive session regarding a personnel matter, pursuant to 1 M.R.S.A. §405(6)(A). Passage 5-1 (Councilor Shea opposed), 9:29 P.M.

The Mayor declared Council out of executive session at 9:42 P.M.

Discussion regarding an economic development real estate matter, pursuant to 1 M.R.S.A. §405(6)(C). This executive session was moved to a future meeting.

**IX. Open Session – No one from the public spoke.**

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**X. Future Agenda/Workshop Items - None**

**XI. Adjournment**

Motion was made by Councilor Crowley and seconded by Councilor Walker to adjourn.  
Passage 5-0 (Councilor Shea was not present for this vote), 9:46 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk



## IN COUNCIL REGULAR MEETING APRIL 16, 2013 VOL. 33 PAGE 110

Mayor LaBonte called the meeting to order at 7:04 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag and followed by a moment of silence in honor of the former Chief of Police, Richard Small who recently passed and the Boston Marathon victims. Councilor Hayes had an excused absence. All other Councilors were present.

### I. Consent Items\*

#### 1. Order 22-04162013\*

Approving a temporary sign for Park Avenue School May Fair Event.

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry.  
Passage 6-0.

### II. Minutes

Motion was made by Councilor Crowley and seconded by Councilor Walker to approve minutes of the March 18, 2013 Council Meeting. Passage 6-0.

Motion was made by Councilor Crowley and seconded by Councilor Walker to approve minutes of the April 1, 2013 Council Meeting. Passage 6-0.

### III. Reports

**Mayor's Report** – No report.

**City Councilors' Reports** – Councilor Crowley submitted a written report.

**City Manager's Report** – City Manager Deschene submitted a written report and reported on a few additional items.

**Finance Director, Jill Eastman** – March 2013 Monthly Finance Report

Motion was made by Councilor Crowley and seconded by Councilor Gerry. Passage 6-0.

### IV. Communications, Presentations and Recognitions

### V. Open Session

- Larry Pelletier, New Auburn, commented that the City departments (Public Works and the Parks & Recreation Department) were working hard cleaning up the city by street cleaning, replacing benches and all sorts of things. He commented that the reverse side of that was after those efforts are done, someone may come along behind them and litters or damages city property, or marks city property with graffiti, and he asked if we can put some teeth in the ordinances we currently have or what can be done to curb those types of actions. He also asked if we will have the river clean up we had last year, and also a

community clean up day

which took place a few years ago, and is this something we could do on an annual basis to raise awareness in the community that we want the city to be clean?

- Andy Titus, 17 Lamplighter Circle, Auburn spoke about the budget and the fund balance contributions going into FY13-14 of 1.3 million to help lower taxes and said he also heard that emergency funds or the fund balance would be used to help with the shortfall. He said he also understood that the new ice arena would include an infusion of a million or so dollars from the fund balance and he does not see how this is adding up with these large numbers. He said he was not sure when the new school will be proposed to council, and he is in favor of new school but doesn't know what will have to be paid in taxes to achieve it. He asked what is necessary to get our accreditation - what do we need to do? Is it a \$10 million dollar wing that would accomplish that which could be added on at a later date as opposed to \$60 million for new school needed all at once.

**VI. Unfinished Business**

**1. Ordinance 02-04012013**

Approving the ordinance to reincorporate four ordinances that were omitted during the re-codification of the City's Code of Ordinances adopted on February 22, 2011 (second and final reading).

Motion was made by Councilor Shea and seconded by Councilor Walker.

Public Comment – No one from the public spoke. Passage 5-1 (Councilor Gerry opposed).

**2. Ordinance 03-04012013**

Approving the ordinance correcting section numbers in ordinances adopted during the pendency of the re-codification of the City's Code of Ordinances adopted on February 22, 2011 (first reading).

Motion was made by Councilor Crowley and seconded by Councilor Walker.

Public Comment – No one from the public spoke. Passage 6-0.

**3. Order 21-04012013**

Approving the Charitable Organization Event Support Policy.

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley.

## IN COUNCIL REGULAR MEETING APRIL 16, 2013 VOL. 33 PAGE 112

Motion was made by Councilor Shea and seconded by Councilor Crowley to postpone this item to a future date to discuss during a workshop. Passage to postpone, 4-2 (Councilors Gerry and Walker opposed).

### **VII. New Business**

#### **1. Order 23-04162013**

Authorizing the Finance Director to enter into a loan agreement through the State School Revolving Renovation Fund Loan (first reading).

Motion was made by Councilor LaFontaine and seconded by Councilor Walker.

Public comment – no one from the public spoke. Motion failed 4-2, (Councilors Gerry and Crowley opposed).

Motion was made by Councilor Gerry and seconded by Councilor Shea to reconsider. Passage 5-1, (Councilor LaFontaine opposed).

Motion was made by Councilor Gerry and seconded by Councilor Crowley to postpone this item until the next meeting. Passage 5-1, (Councilor Walker opposed).

#### **2. Ordinance 04-04162013**

Approving the City Council and School Committee Compensation Ordinance (first reading).

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry.

Motion was made by Councilor Gerry and seconded by Councilor LaFontaine to amend by striking line number 3 in section 2.25 under Salaries of the Mayor and Council and to re-number. Passage 6-0.

Public comment – Francois Bussiere, 9 Winter Street, Auburn and a School Committee member – does this ordinance changing also change the charter? He said he thought it would be “double dipping” and it should also be applicable to other Mayor appointments if applicable to this seat.

Passage as amended, 6-0.

#### **3. Order 24-04162013**

Approving a temporary sign for Auburn Business Association “Citizen of the Year”.

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Motion was made by Councilor LaFontaine and seconded by Councilor Shea.

Public comment – Peter Murphy from the Auburn Business Association. He said they moved the location of this year’s banquet because they needed a larger venue. He said they would be back at Lost Valley next year.

Passage 5-1, (Councilor Walker opposed).

### 4. **Order 25-04162013**

Approving the Complete Streets Policy.

Motion was made by Councilor Shea and seconded by Councilor Gerry to adopt the Complete Streets Policy and direct the City Manager to initiate development of the appropriate supporting ordinances and designed guidelines for review and adoption no later than October 31, 2013.

Public Comment-Larry Pelletier regarding asked if there were still plans to narrow Cedar Street to the Bernard Lown Peace Bridge.

Passage 6-0.

### 5. **Order 26-04162013**

Appointing members to the Water District Board.

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry.

Public comment – no one from the public spoke.

Passage 4-2 (Councilors Crowley and Walker were opposed).

## VIII. **Open Session**

- Larry Pelletier, Second Street, Auburn – in follow up on what he spoke about earlier, there will be some great improvements on the park at the old Edward Little High School and all the more reason to enforce any ordinances.
- Roland Miller, Economic Development Director introduced Allen Menoian, the new addition to the economic development staff.

## IX. **Executive Session** – Discussion regarding a legal matter for negotiations on an economic development issue, pursuant to 1 M.R.S.A. §405 (6)(C).

Motion by Councilor LaFontaine seconded by Councilor Gerry to enter into executive session. Passage 6-0, 8:20 P.M.

The Mayor declared Council out of executive session at 8:40 P.M.

## X. **Future Agenda/Workshop Items**

- Councilor Shea – staggered terms for Councilors

- Councilor Crowley- during the joint meeting with Lewiston, would like to get some tasks done in particular economic development and merging the two city's

**XI. Adjournment**

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Motion was made by Councilor Walker and seconded by Councilor LaFontaine to adjourn. Passage 6-0, 8:45 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

## IN COUNCIL REGULAR MEETING MAY 6, 2013 VOL. 33 PAGE 115

Mayor LaBonte called the meeting to order at 7:08 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

### I. Consent Items\*

#### 1. Order 27-05062013\*

Authorizing Safe Voices to place temporary signs for its 2013 Walk to End Domestic Violence.

#### 2. Order 28-05062013\*

Setting the time to open the polls for the June 11, 2013 School Budget Validation Referendum Election for 7:00 A.M.

#### 3. Order 29-05062013\*

Appointing Howard Kroll to the Lewiston-Auburn Transit Committee with a term expiration of 1/1/2015.

#### 4. Order 30-05062013\*

Confirming Police Chief, Phil Crowell's appointments of Nicholas J. Kyllonen and Krista M. Lee as Constables with a firearm for the Auburn Police Department.

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry, passage 7-0.

### II. Minutes

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley to accept the minutes of the April 16, 2013 City Council meeting. Passage 6-0-1 (Councilor Hayes abstained because he was not present at that meeting).

### III. Reports

**Mayor's Report** – The Mayor announced that there will be a press release going out soon for an event to be held on Wednesday, May 15<sup>th</sup> at 3:30 P.M. hosted in the parking lot of Happy Days Diner. There will be a small event commemorating the 88<sup>th</sup> anniversary of the great New Auburn fire in an effort to raise awareness on fire prevention efforts. This is something that they've been working on over the past few weeks and in light of the events that have happened in Lewiston it is still an opportunity to raise awareness and to show support for Lewiston.

**Committee Reports**-Councilor Crowley submitted a written report.

**City Councilors' Reports** – Councilor Crowley submitted a written report.

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**City Manager's Report** – City Manager Deschene submitted a written report which also included staff reports which will be included on a monthly basis. He also reported on the Oak Hill Cemetery entrances that are going to be repaired.

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

### V. **Open Session**

- Hillary Dow, 126 Whitney Street, Auburn spoke in support of L/A Arts.
- Jodd Bowles, 239 Lake Street, Auburn spoke in support of keeping the Resource Officers in the school system.
- William Cox, 22 Vine Street, Auburn spoke in support of L/A Arts.
- Bill Horton, 401 Turner Street, Auburn and also the Ward 1 School Committee member who thanked Councilors Gerry and Crowley for attending the PTO meeting at Washburn School which included staff, parents, and school administration. It was a good sharing of information.
- Andy Titus, 17 Lamplighter Circle, Auburn spoke regarding inflation rate compared to property taxes and people cannot afford to live in the city with a 9-10% tax increase and he urged Council to look at ways to cut while looking at the budget and what we can do to be more efficient.
- Al Lepine, Riverside Drive, Auburn. He lives by Oak Hill Cemetery and commented on the crypt next to his property that is falling down and is a safety hazard but there appears to be no money to tear it down. He would like something done about this building.

### VI. **Unfinished Business**

#### 1. **Ordinance 03-04012013**

Approving the ordinance correcting section numbers in ordinances adopted during the pendency of the re-codification of the City's Code of Ordinances adopted on February 22, 2011 (second and final reading).

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley.

Public comment – no one from the public spoke.

Passage 7-0.

#### 2. **Order 23-04162013**

Authorizing the Finance Director to enter into a loan agreement through the State School Revolving Renovation Fund Loan (public hearing and first reading).

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Motion was made by Councilor LaFontaine and seconded by Councilor Crowley.

Public comment – no one from the public spoke.

Passage 7-0.

**3. Ordinance 04-04162013**

Approving the City Council and School Committee Compensation Ordinance (Second and final reading).

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry.

Public comment – no one from the public spoke.

Motion was made by Councilor Crowley and seconded by Councilor Walker to amend the motion by striking the language under sec. 2-382 (2) and replacing with “The Mayor and or his/her designee is a full member of the School committee and therefore is entitled to compensation as any other member”.

Public comment on the amendment – no one from the public spoke.

Passage of the amendment 6-1 (Councilor LaFontaine).

Passage of the order as amended, 7-0.

**VII. New Business**

**1. Order 31-05062013**

Approving the Mid Maine Waste Action Corporation (MMWAC) waste handling agreement change.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes.

Public comment – no one from the public spoke.

Passage 7-0.

**2. Order 32-05062013**

Authorizing the City Manager to sign the Auburn-Lewiston Consortium Mutual Co-operation Agreement to extend the consortium between the City of Auburn and City of Lewiston under the HOME Investment Partnerships Program for a three-year period.



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Motion was made by Councilor LaFontaine and seconded by Councilor Crowley.

Public comment – no one from the public spoke.

Passage 7-0.

**3. Order 33-05062013**

Authorize the use of overlay in the amount of \$228,055 and Emergency Reserve, that otherwise would pass to undesignated general fund balance, in the amount of \$300,000 to reduce the tax commitment shortfall.

Motion was made by Councilor Shea and seconded by Councilor Gerry to postpone to a later date to be determined. Passage 7-0.

**4. Order 34-05062013**

Amend Order 95-11192012 to add language to authorize the City Manager to sign all documents and agreements on behalf of the City of Auburn in regards to the construction of a transit station in downtown Auburn.

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry.

Public comment:

- Kevin Morrisette, 223 Lisbon Street, Lewiston and the treasurer of Grow L/A spoke in support of the transit station.
- Hillary Dow, 126 Whitney Street, Auburn spoke in support of the transit station.

Passage 7-0.

**5. Resolve 02-05062013**

Expressing Support for the Initiative to Evaluate and Improve the Joint Economic Development Efforts of the Cities of Lewiston and Auburn.

Motion was made by Councilor LaFontaine and seconded by Councilor Shea.

Public comment:

- Al Lepine, Riverside Drive, Auburn – wondered how Council could approve a plan without knowing what it is going to do and without knowing what they are committing to.
- Hillary Dow, 126 Whitney Street, Auburn, stated that it is her understanding that what they are agreeing to is having a set structure of accountability. Said she thinks it is important that to have extremely

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knowledgeable and influential business leaders from the community be part of the conversation on the direction of economic development in Lewiston and Auburn.

- Andy Titus, 17 Lamplighter Circle, Auburn spoke about economic development and what was brought up earlier in the workshop regarding an increased cost for police protection in the retail zone which is considered economic development and would end up costing more than what was expected. He said it would be nice to have public hearing on what public thinks economic development is and what the goals are and what the public thinks should happen to get there. He said he does not think it means increased taxes.

Motion was made by Councilor Walker and seconded by Councilor Shea to amend the resolve by striking from the FY14 draft budget the Growth Council funding discussion.

Motion on the amendment failed, 2-4-1 (Councilors Shea, Hayes, LaFontaine, and Young opposed and Councilor Crowley abstaining).

Passage of the resolve, 6-1 (Councilor Walker opposed).

### VIII. Open Session

- Jane Thibodeau, 256 Beech Hill Road, Auburn spoke in support of the School Budget and would like to see what cuts can be made on the City side and moved over to the education side.
- Michele Bretton, 1841 Hotel Road spoke in support of the School Budget.
- Mike Ouellette, West Auburn Road spoke in opposition of the School Budget feels we should be using our minds, consolidate cities and spending money wisely.
- Arlene Bowles, 239 Lake Street spoke in support of the school budget and about the importance of a good education system.
- Andy Titus, 17 Lamplighter Circle said he feels the Auburn School system is fantastic and it is the people that make it so, not the brick and mortar. He said it scares him to hear people say we need to sink more money into the school system. He said he is aware there are challenges but it doesn't mean throwing out big increases every year.
- Laurie Tannenbaum, 36 Lake Street, Auburn and School Committee member. Agrees Auburn has a great educational system, great teachers who do great things with the kids but they are functioning on a minimal budget. She also talked about EPS (Essential Programs and Services) that went into place in 2005.

### IX. Executive Session

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry

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to enter into executive session regarding labor negotiations, pursuant to 1 M.R.S.A. §405(6)(D). Passage 7-0, 8:29 P.M.

The Mayor declared Council out of executive session at 8:43 P.M.

**X. Future Agenda/Workshop Items - None**

**XI. Adjournment**

Motion was made by Councilor LaFontaine and seconded by Councilor Young to adjourn. Passage 7-0. 8:44 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

## IN COUNCIL SPECIAL JOINT MEETING MAY 13, 2013 VOL. 33 PAGE 121

Mayor LaBonte called the joint meeting with the City Council and School Committee to order at 7:02 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present, Bonnie Hayes from the School Committee was absent, all other School Committee members were present.

**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.

**1. Resolve 03-05132013\***

Opposing provisions included in the State budget.

Motion was made by Councilor Hayes and seconded by Councilor Gerry.  
Passage 6-0-1 (Councilor Crowley was out of the room during this vote).

## II. New Business

**1. Public Hearing - School and City Capital Improvement Project's (CIP's).**

Mike Ouellette, Auburn resident – spoke regarding the upcoming budget for school, and the new high school that is being discussed, and the potential mill rate increase and he said if taxes go up it may force him to have to move. He said he loves his home, he works hard and wants to keep it but this would force him to leave. He believes we can do better than this stating the big emphasis should be in pre-k. He said he feels that consolidating the high school will save money.

Pat, librarian at one of the schools talked about accreditation and feels the High School may lose their accreditation in 2015 and stated that the probation will not last forever. She talked about a funding committee which is a subset of the building committee and there are plans to address the current debt service, partnerships, grants, fundraising and going to the legislature to talk about freezing the list so they stay at #16. When the school came in at #44 the round before this, legislature funded 20 schools, now they are funding only 5. She said there is concern statewide about the process of funding schools. There is legislation that needs to be done however it may not be on time.

Jodd Bowles, 239 Lake Street, he spoke that there has never been enough money to go to the schools ever since he's been around. He said it has gotten to a point that the high school is in horrendous condition. Schools have been neglected for so long, if we lose the accreditation, no one will want to come here. He commented that we have to figure out a way to balance this.

Andy Titus, 17 Lamplighter Circle said he would like to see a system in place to monitor and maintain buildings, he sees years of things not being taken care of and he does not like to see items bonded if they do not need to be. He commented that if there are any capital improvements, to look through them to make sure we are not bonding a paint job.

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Bill, Park Avnue, Auburn commented that the City needs to plan for its future. He asked what does Auburn have? A tax increase is about equal to 2 dinners at Longhorn. Their parking lot is full and people seem to afford that. He also commented that the condition of the building you work in effects performance and the same can be said about students. He also encouraged Council to think about the impact this will have now and in the future of the city.

Arlene Bowles 239 Lake Street, said she was concerned about lack of communication on collaboration, there seems to be a divide between council and school committee, and she keeps hearing that those things are not being done when they are. She said in her opinion we need to do something with these schools. The school system seems to be struggling to provide play areas and curriculum that one would expect. She also commented that something needs to be in place so maintenance is part of the budget.

**2. Order 35-05132013**

Adopting the 2013-2014 Capital Improvement Program (CIP) Bond Projects.

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley to move the two CIP orders to next week's meeting (May 20, 2013).

Public comment – no one from the public spoke.

Passage 4-3 (Councilors Shea, Gerry, and Walker opposed).

**3. Order 36-05132013**

Adopting the 2013-2014 Capital Improvement Program (CIP2) Other Funding Projects.

**III. Adjournment**

Motion was made by Councilor LaFontaine and seconded by Councilor Young to adjourn. Passage 7-0, 7:30 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

## IN COUNCIL REGULAR MEETING MAY 20, 2013 VOL. 33 PAGE 123

Mayor LaBonte called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

### I. Consent Items\*

#### 1. Order 37-05202013\*

Approving temporary signs for Great Falls Model Rail Road Club (GFMRRRC).

#### 2. Order 38-05202013\*

Approving the Assistance to Firefighters Grant (AFG).

#### 3. Order 39-05202013\*

Authorize the City Manager to execute any and all documents necessary for the property conveyance to and from R&K Properties, LLC (Rolly's Diner).

Motion was made by Councilor Shea and seconded by Councilor Hayes.  
Passage 7-0.

### II. Minutes

Motion was made by Councilor Shea and seconded by Councilor Crowley to approve minutes of the May 6, 2013 Council Meeting. Passage 7-0.

Motion was made by Councilor Shea and seconded by Councilor Walker to approve minutes of the May 13, 2013 Special Council Meeting (Joint City Council and School Committee). Passage 7-0.

### III. Reports

**Mayor's Report** – No report.

**City Councilors' Reports** – Councilor Crowley submitted a written report and also noted that there is going to be a Memorial Day service at Oak Hill Cemetery on Monday, May 27<sup>th</sup> at noon.

**City Manager's Report** – City Manager Deschene submitted a written report.

**Finance Director, Jill Eastman** – April 2013 Monthly Finance Report

Motion was made by Councilor Gerry and seconded by Councilor Young. Passage 7-0.

### IV. Communications, Presentations and Recognitions

- Proclamation - Click It or Ticket
- Proclamation – Maine Arbor Week

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- Proclamation - National Public Works week
- Proclamation – Mike Cohen, Auburn Public Works Department Employee
- Auburn Middle School Odyssey of the Mind Team

### V. Open Session

- Joe Mailey, Webster Street, Auburn, spoke about abandoned buildings in his neighborhood. He also commented that if a new high school is built, he hopes it is not built with education in mind and not aesthetics. He would like to see one that is built to last.

### VI. Unfinished Business

#### 1. Order 23-04162013

Authorizing the Finance Director to enter into a loan agreement through the State School Revolving Renovation Fund Loan (second and final reading).

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley.

Public Comment – No one from the public spoke.

Passage 7-0

#### 2. Order 35-05132013

Adopting the 2013-2014 Capital Improvement Program (CIP) Bond Projects.

#### 3. Order 36-05132013

Adopting the 2013-2014 Capital Improvement Program (CIP2) Other Funding Projects.

Motion was made by Councilor Shea and Seconded by Councilor Crowley to table the two CIP items (Orders 35-05132013 and 36-05132013) later in the meeting, after the public hearing but before the budget discussion.

Passage 7-0.

### VII. New Business

#### 4. Public Hearing - School and City Budgets for Fiscal Year 2014.

- Diana Carson and Eric Carson of 110 Jacques Road, Auburn spoke in support of the school budget and the I-Pad Program.
- Jason Rudlan, Lewiston resident and Edward Little High School graduate talked about education, private schools and charter schools vs. public schools and stated
- that he would like to leave the school budget up to the School Committee and the

## IN COUNCIL REGULAR MEETING MAY 20, 2013 VOL. 33 PAGE 125

- voters.
- Levi Gervais, 46 Fourth Street, Auburn spoke in support of the school budget, and would like the underfunding to stop and get education back on track.
  - Jaime Thibodeau, Beech Hill Road, Auburn spoke in favor of the school budget, and stated that she does not feel that education should be shorted, she thanked those who attended the listening sessions and she said she would like to see a way to cut from the city side of the budget by looking at little things like cell phones, leaving vehicles parked rather than taking them home, and by discontinuing dry cleaning.
  - Chuck Levine, 86 Orchard Street, said he was not asking to support the school budget but would like the school committee members to be recognized for their work on this and would like to see this budget on the ballot.
  - Brian Dimitri, 8 Fern Street, Auburn supports the school budget and agreed with the previous speaker; leave it up to the voters.
  - Denise Burke of Poland, Maine and part of Washburn Pride along with her sister, niece, grand niece and friend who grew up in New Auburn commented that she grew up in a community that allowed them to be friends since 1963, her sister was the first class to graduate from the New Edward Little High School. She said she graduated from ELHS 37 years ago. She is asking Auburn residents to meet the June 11 deadline and vote in support of the school so her grandniece can be a proud ELHS graduate of 2026.
  - Ms. Hussein, 34 Harvest Hill Lane commented that she supports the school budget. She is a parent and also provides services to refugee kids and said there are limited resources and there is a need for dedicated staff so refugee children can get the best education they can.
  - Melissa Metivier, 860 South Witham Road, Auburn supports the budget as it stands and hopes to leave it up to the voters.
  - Guri Ali, 11 Granite Street said he came to this country in 2005, lived in Lewiston for 6 months and was hired as an Ed Tech. He commented that Lewiston is connected to providing cultural services in schools. He said in Auburn, 1% of refugee children make it to college because no one is connecting parents to the schools. He wanted to request support for the school budget especially cultural issues.
  - Mauri Dufour, 114 Sunderland Drive, Auburn is in support of the school budget and is willing to pay more in taxes to know kids will be getting a better education and continue to receive the same programs they now have.
  - Mike Dunn, 453 Riverside Drive and an Auburn educator for over 28 years supports the school budget, would like to see Auburn be the best they can be, and he and his colleagues would like to see the school budget pass.
  - Cynthia Jalbert, 11 Shepley Street, said she grew up in Auburn then moved away for a while but decided to come back because of the school system. She said now she is a little disappointed about that. She said although the school budget is not perfect she would like to see it go before the voters.
  - Stacy Fournier, Cherry Vale Circle spoke in support of the school budget stating



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she was an ELHS graduate and she moved back to Maine from Massachusetts to raise her kids here and she would like the budget to go to the voters.

- Jeff Whitman, 15 Parkwood Drive, Auburn spoke in support of the school budget and the I-Pad program. He would like the people to decide and said he would be willing to pay more to keep education at a higher level.
- Sharon Wood, 237 West Auburn Road, said she chose to move to Auburn several years ago because of the school system and because she knew the education system would play a key role in the sale of her home. She also commented that education was not one of the goals/priorities named by Council. She asked that they support the school committee and move the budget along.
- Chris Carson, 110 Jacques Road, Auburn supports the budget and would like it to go to the voters.
- Stephanie Merritt, Fern Street, and also a teacher in Auburn said she has lived in Auburn for 3 ½ years and was advised by several people not to move here because of high taxes. She said she would like to leave the school budget up to the voters.
- Tony Harrington, 52 Western Prom, supports the City Managers Municipal Budget as proposed.
- Ron Potvin, 82 Northern Avenue, former Councilor and School Committee Member said City Manager Deschene did a nice job on the budget presentations and held the city side accountable to the 1.7%. He questioned how can we allow a section of the city to grow disproportionately compared to the other side. He said the State has increased the subsidy to the school but it still isn't enough and they are going to the tax payers to ask for more. He said the property owners in Auburn will stand united to keep the school department at the 1.7% which Council was able to do on the City side.
- Andy Titus, 17 Lamplighter Circle, said we need to prioritize education but cannot do it on the back of the taxpayers and he finds the problem is where the money is being spent. It is not how much we are spending but how we are spending it. He commented on how we need to maintain our buildings and include maintenance in the budget.
- Vicki Ward, Jackson Hill Road, Auburn said she is concerned about the budget and a substantial tax increase it will cause. This will be a hardship and people will not be able to afford to live here. She would like Council to look at the budget and be critical on where money is being spent. She also commented that whether you are for or against the school budget, know that your vote matters.
- Resident, South Maine Street, Auburn commented that it was nice hearing both sides of the issue. She went on to say this is a difficult time because of the economy, people are unemployed or afraid they will lose their jobs. She likes to have well educated children but if we continue to increase everything, when will it stop. She thought maybe more trips to the Library would help with education.
- Tanya Vanasse, 148 Summer Street commented that in keeping with the mandate of the 1.7% of the budget, 38% of the tax money goes toward education and the remaining 62% goes toward the city side so 1.7% of the School budget is not equal to that of the City budget and the school will continue to fall behind. She

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- said that something has to change the pattern we are going in. She said she was going to email her city representative with the remainder of her comments.
- Walt Reed, 173 Third Street said he was not sure if he was for or against the school budget and said that people should do more research. He commented on the ornate street lights in Auburn and the continued maintenance on them. He said when doing beautification, we need to maintain beautification and think beyond the initial investment but also the ongoing costs.
  - Joe Mailey, Webster Street said he was neither for nor against at this time and needs to find out more information. He said it was the responsibility of every councilor and the mayor and manager to fight the State of Maine for those state funds that belong here. He said he thinks the school system should start having neighborhood educational programs with the citizens of auburn so when the budget comes up, the citizens understand.
  - Robin Fleck, English language Coordinator wanted to clarify something that was said earlier. She said of students in the English language learning program who has completed 3 or more years, 90% of them have gone on to post secondary education. Some have been offered scholarships out of state and some refugee families are timid about sending their children that far away without knowing anyone.
  - Alfreda Fournier, Davis Avenue, Auburn said she comes from a small mill town (Jay-Livermore area) and they are having a hard time and are struggling. One of her friends who builds homes said that in all the homes he built in the last 10 years, he has not sold one in Auburn. She commented that we have to be realistic and if we do not take care of issues it will be difficult to recoup what we've lost in a previous budget. She went on to say we need to attract people here. Some folks think that because the public is not visible in attendance at meetings that they do not care, but they do. She sometimes cannot make it to the meetings but watches on TV. She wanted to commend the Council and school Committee for the attending the listening sessions. She said it speaks volumes regarding communication and helps to dispel rumors that are not accurate.

Items that were tabled under unfinished business (Orders 35-05132013 and 36-05132013).

**5. Order 35-05132013**

Adopting the 2013-2014 Capital Improvement Program (CIP) Bond Projects.

Motion by Councilor LaFontaine and seconded by Councilor Shea.

Motion by Councilor Crowley and seconded by Councilor Walker to amend (amendment A) by;

Removing all items with a useful life of less than 10 years, removing all routine maintenance items from the CIP and move under Operations, remove all vehicle purchases in both the CIP and Operational budget for a 1 year period, to reinstate a policy where all vehicles that are not in use be

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garaged in Auburn, and not to approve the CIP until the enterprise accounts for Ingersoll Arena and the new Dual Sheet Arena are included in the overall budget for the public to view.

Motion was made by Councilor Shea and seconded by Councilor Gerry to postpone the entire motion, including amendment A until the June 3<sup>rd</sup> meeting.

Passage 6-1 (Councilor Young opposed).

**6. Order 36-05132013**

Adopting the 2013-2014 Capital Improvement Program (CIP2) Other Funding Projects.

Motion by Councilor LaFontaine and seconded by Councilor Hayes.

Motion by Councilor LaFontaine and seconded by Councilor Shea to amend (amendment A) to remove the Pettengill Playground items and Festival Plaza Canopy replacement for at least 1 year.

Motion by Councilor Hayes and seconded by Councilor Crowley to postpone this along with amendment A until the June 3<sup>rd</sup> meeting. Passage 5-2 (Councilors Young and Gerry opposed).

**7. Order 40-05202013**

Adopting the School Budget for Fiscal Year 2014.

Motion by Councilor Shea and seconded by Councilor LaFontaine,

Motion by Councilor Crowley to change the words “adopts and approves” to “accepts” – the Mayor called this motion out of order as the language is appropriate as to State law.

Passage of the original motion, 5-2 (Councilors Crowley and Gerry opposed).

**8. Resolve 03-05202013**

Adopting the City Budget for Fiscal Year 2014.

Motion by Councilor Shea and Seconded by Councilor LaFontaine.

Motion was made by Councilor Walker and seconded by Councilor Gerry to amend (amendment A) that the City Manager shall propose and have established by the Auburn City Council a contract with LAEGC for services to be provided to the City of Auburn for economic development to occur within 5 months of the fiscal year with the consequence being the elimination of funding. Passage 5-1-1 (Councilor Young opposed and Councilor Hayes abstained).

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Motion was made by Councilor Crowley and seconded by Councilor LaFontaine to amend (amendment B) to reduce the municipal side of the budget by 1.7 million dollars, to apply a 1.7% expenditure increase to all municipal departments and to allocate \$18,000 for LA Arts to be used in support of programming in Auburn. Motion failed 3-4 (Councilors Shea, Young, LaFontaine, and Hayes opposed).

Motion was made by Councilor Shea and seconded by Councilor Crowley to amend (amendment C) to direct staff to align all work planning and policies of the city and partnering agencies (including LATC, AVCOG, and ATRC) to ensure that any plans for passenger rail involves locating in Auburn's downtown as a priority over any previous or alternative locations. Passage 6-1 (Councilor Hayes opposed).

Motion was made by Councilor Walker and seconded by Councilor Gerry to amend (amendment D) with respects the PAL Center (pursuant to section 8.4 of the City Charter article 8 subsection A) that the detailed goals and expenditures with respect to the PAL center as a program of the City of Auburn. Passage 7-0.

Motion was made by Councilor Shea and seconded by Councilor Lafontaine to amend (amendment E) that the municipal beach not be opened to public swimming until there is one full month of clean water tests. Passage 7-0.

Motion by Councilor Crowley and seconded by Councilor Hayes to amend (amendment F) that in lieu of providing cell phones and smart phones under a city contract that employees be offered \$25 per month stipend.

Motion by Councilor Crowley and seconded by Councilor Walker to postpone the debate on this amendment and the full budget Resolve to the June 3, 2013 meeting. Passage 7-0

### 9. Order 41-05202013

Acceptance of Weaver Street.

Motion by Councilor LaFontaine and seconded by Councilor Young.

Public Comment – No one from the public spoke.

Passage 6-1 (Councilor Crowley opposed).

### VIII. Open Session

- Andy Titus, 17 Lamplighter Circle spoke regarding the Emergency Management Service and transporting of patients and suggested that before having a study done, look at the research that has been done in the past. A lot of the work has already been done. He said he did not think it was a good idea.

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- Ron Potvin, 82 Northern Avenue, said because of the school referendum last year he feels the city owes the other side fair publication and notification as to what the date, where it is and what it is.
- Joe Gray, Sopers Mill Road, said he agreed with the comments from Mr. Potvin and commented that the Cumberland/Falmouth area posts signs and also asks people to bring food for a food pantry. He also thanked Deputy Chief Moen who stopped someone who was weaving in and out of traffic. He also thanked the Council for doing their job in getting into the “nitty gritty” of the budget.

**IX. Executive Session**

**X. Future Agenda/Workshop Items**

- Councilor LaFontaine – create a 1 paragraph message on voting, a neutral statement for people to post on Facebook and be consistent with the message.
- Councilor Gerry- suggested making up signs to post for the election.
- Councilor Crowley – suggested asking businesses in engaging in getting out the vote.
- Councilor Gerry – workshop on the budget.

**XI. Adjournment**

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry to adjourn.  
Passage 7-0, 9:55 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

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Councilor Deschene called the meeting to order at 5:00 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Mayor LaBonté and Councilor Crowley had excused absences. All other Councilors were present.

A motion was made by Councilor Hayes and seconded by Councilor LaFontaine to nominate Councilor Shea as Mayor Pro Tempore. There were no other nominations.

**I. New Business**

**1. Order 42-05232013**

Granting an access easement across public land (15 Broad Street).

Motion was made by Councilor LaFontaine and seconded by Councilor Young. Passage 6-0 (Councilor Crowley absent).

**III. Adjournment**

Motion by Councilor LaFontaine and seconded by Councilor Young. Passage 6-0 (Councilor Crowley absent), 5:20 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

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Mayor LaBonte called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present, however Councilor Young had to leave the meeting (excused) just before the City Budget Resolve discussion (Resolve 03-05202013).

### I. Consent Items\*

#### 1. Order 43-06032013\*

Approving the Special Event and Charitable funding requests for the 2013 Liberty Festival.

Motion was made by Councilor Lafontaine and seconded by Councilor Young. Passage 6-1 (Councilor Crowley opposed).

### II. Minutes

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry to accept the minutes of the May 20, 2013 City Council meeting. Passage 7-0.

### III. Reports

**Mayor's Report** – The Mayor read a written statement he prepared in order to weigh in on what he called fragmented public policy making, numerous committees funded by tax payers but not accountable to them. He went on to say that after watching the movement of some individuals after Councils action a few weeks ago, he thought it was appropriate as Mayor to outline some concerns and partial information that was being discussed publicly and wanted to set the record straight regarding Councils decision regarding the downtown passenger rail service. A copy of the statement is on file in the Clerk's office.

**City Committee Reports** – Councilor Crowley and Councilor Walker submitted a written report.

**Councilor Reports**-Councilor Walker reported on a Flag Day celebration to take place at the Veteran's Memorial in Mt. Auburn Cemetery on Friday, June 14<sup>th</sup>. It is being presented by the City and Veteran groups including American Legion Post 153. All organizations Scouts, Fraternal Clubs, Color Guard, Honor Guard and Flag Bearers are invited to show their colors. Councilor Crowley submitted a written report.

**City Manager's Report** – City Manager Deschene submitted a written report and stated that a correction was made and would be corrected on the web. He also reported on the status of the search for an Ice Arena Manager. An announcement would be coming soon. Also as requested by Councilor Hayes, he offered an explanation on the establishment of the transportation committee.

### IV. Communications, Presentations and Recognitions – None

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Item number 4 on the agenda under New Business was taken out of order (Hearing on a dangerous building at 9 Gamage Avenue).

1. Hearing regarding a Dangerous Building at 9 Gamage Avenue, Auburn Maine, pursuant to Title 17 M.R.S.A § 2851, et seq.

2. **Order 44-06032013**

Adopting the findings of fact, conclusions of law, and order of demolition for 9 Gamage Avenue.

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley. Passage 7-0.

### V. **Open Session**

- Gerry Berube, president of the Lewiston-Auburn Railroad Co. stated that the letter the Mayor mentioned in his earlier statement did not come from Lucien Gosselin but from the LA Railroad Board. He briefly went over the history of the LA Railroad Co.
- Richard Trafton, one of the newest members of the LA Railroad Company said he said that he shares Mayor LaBonté's concerns on speaking with one voice however he was also concerned about the method adopted at the last Council Meeting and feels it will be used as ammunition. He said he supports the passenger rail in downtown Auburn and Lewiston and he also talked about the comprehensive plan. He said he thinks we can get there but doesn't think we are using the right planning process.
- Jeremiah Bartlett, 107 Shepley Street, said he is a resident of Auburn and has a transportation background and has a different view of how the comprehensive plan turned out. He said there is no sense putting the passenger rail at the airport first. He does not think it is effective, it would be expensive and costly. He also doesn't think it would satisfy title 6 of the Civil Rights Act. He said that a downtown rail would be a statement to invest in our downtown. He urged the Council to make this their top priority.
- Cynthia Jalbert, 11 Shepley Street gave kudos to the Kiwanis Club for hosting their pancake breakfast. She said she would also like to see the railway come to the downtown area and there is a need to bring more things in the downtown area. Next year she would like to see the solid waste recycling committee come back around. She also commented on Lewiston and CMMC for tearing down St. Josephs to build a parking lot.
- Larry Pelletier, Second Street, Auburn, attended the installation of the new pumper truck at the New Auburn Fire Station. He said the truck was dedicated to Captain Millett, a fallen firefighter.
- Michael Koch, 46 Gould Road, talked about the Downeaster versus the commuter train and said he was looking for clarity. He said he would like train service downtown if it is the Downeaster.
- Ed Plourde, Chair of the Airport had a question about process and what happened at the last meeting and were there stake holders involved in that process.



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- Adam Lee, Main Street said he lives and works in downtown area for the past five years. He walks to work every day. He appreciates and respects the people who spoke in favor of the locating the rail at the airport but said he thinks it is shortsighted and it avoids the possibility we have of advancing the work that has been done in the past 5 years in the downtown area. He moved to Maine because he fell in love with the downtown Auburn area.
- Christine Holden, Lewiston resident said she really likes mass transport and believes that economic development in our community is important. She said we need to think about the fact that a great variety of people need transport. She suggested that we go for what we want but have a back-up plan, be flexible, be inventive and do not draw a line in the sand.
- Dan Herrick, 470 Hatch Road, thanked Councilor Gerry for asking the questions about 9 Gamage Avenue on where the cost goes. He also talked about improvements in the New Auburn area and the new apartment building stating it looks good but who would want to live there with the headlights that come down Academy Street. He talked about an article he read in the Sun Journal on tax liens and foreclosures and wondered if anyone knew what was happening and why we are sending out less tax liens. He commented on a few concerns with the Mayor on his interaction with a Councilor at a previous meeting as well as the portrait presentations with former Mayor's (John Jenkins, John Cleveland and Dick Gleason) and whether or not they were given an opportunity to speak during the presentations. He also said he commented on a concern he had regarding setting up a meeting with the City Manager.
- Tammy Greishaber, 40 Lisbon Street Lewiston, former resident of Auburn. She said she thought the two cities should become one a long time ago and any decisions on one side of the river have an impact on the other side of the river. It has been a long time since there has been any vision implemented on either side of the river. The last was Lee Young and the plan that brought us the River Walk and Festival Plaza. There hasn't been any since then. The Comprehensive Plan on both sides of the river has been pretty much the same way. Plans change and they should be flexible. The next two visionary plans that have come up in the last 6 months was LA Grows idea on Mill 5 but the group has not gotten any support and guidance on this project. The second most recent visionary plan for Auburn is to put the transit service in the downtown area. She thinks it is a wonderful idea.
- Joe Mailey, Webster Street, Auburn said he is neither for nor against the rail but did not think there was enough culture here to attract people from Portland. He said they have to have something here for people to come.
- Priscilla Miller, 211 Summer Street, commented on the train and wondered if anyone thought of the congestion of having that in town. She also commented on the train whistle and said Brunswick residents are complaining about the train whistles. She said Council should think of essentials and the Ice Rink is not essential. She said to look at County Government versus City Government and do we need to be giving them money.
- Chip Morrison, 46 Lake Street, Auburn commented that there are many cultural activities in our community. He also gave formal testimony (a written copy of the testimony is on

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file in the Clerk's Office) as president of the Chamber with over 1375 members. He talked about the budget amendment about the rail two weeks ago. Wordings of resolutions are important. People look at them. His plea was please be flexible if you can, don't shut something off to make a point when you can keep all of your options open.

### VI. Unfinished Business

#### 3. Order 35-05132013

Adopting the 2013-2014 Capital Improvement Program (CIP) Bond Projects.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to approve the order as postponed from the 5/20/2013 meeting which included the amendments proposed by Councilor Crowley; To remove all items with a useful life of less than 10 years, removing all routine maintenance items from the CIP and placing them under Operations, remove all vehicle purchases in both the CIP and Operational budgets for a 1 year period, to reinstate a policy where all vehicles that are not in use be garaged in Auburn, and not to approve the CIP until the enterprise accounts for Ingersoll Arena and the new Dual Sheet Arena are included in the overall budget for the public to view. Motion failed 3-4 (Councilors Hayes, LaFontaine, Shea, and Young opposed).

Motion was made by Councilor Walker and seconded by Councilor Crowley to amend to remove the Engineering Major Drainage Project from the CIP Budget. Motion failed 3-4 (Councilors Gerry, Hayes, LaFontaine, and Shea opposed).

Motion was made by Councilor Walker and seconded by Councilor Crowley to remove the Engineering Retaining Wall project from the CIP Budget. Passage 5-2 (Councilors Gerry and LaFontaine opposed).

Motion was made by Councilor Walker and seconded by Councilor Crowley to remove the Engineering Bridge repairs from the CIP Budget. Motion failed 2-5 (Councilors Shea, Young, LaFontaine, Hayes, and Gerry opposed).

Motion was made by Councilor Walker and seconded by Councilor Crowley to remove ICT call recording from the CIP Budget. Passage 6-1 (Councilor LaFontaine opposed).

Motion was made by Councilor Walker and seconded by Councilor Crowley to remove the ICT Network Security from the CIP Budget. Motion failed 3-4 (Councilors Gerry, Hayes, Young, and Shea opposed).

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Motion was made by Councilor Walker and seconded by Councilor Crowley to remove from Parking Facilities the Mechanics Row Garage maintenance from the CIP Budget. Passage 5-2 (Councilors Gerry and LaFontaine opposed).

Motion was made by Councilor Walker and seconded by Councilor Crowley to remove the Parks & Recreation tractor from the CIP Budget. Passage 5-2 (Councilors Hayes and LaFontaine opposed).

Motion was made by Councilor Walker and seconded by Councilor Crowley to remove the Parks & Recreation Holder Tractor from the CIP Budget. Motion failed 2-4 (Councilors Gerry, Hayes, Shea, and LaFontaine opposed).

Motion was made by Councilor Walker and seconded by Councilor Crowley to remove the Parks & Recreation underground tank removal from the CIP Budget. Passage 7-0.

Motion was made by Councilor Walker and seconded by Councilor Crowley to remove from Planning the Municipal Street Light Purchase from the CIP Budget. Motion failed 3-4 (Councilors Crowley, Hayes, Lafontaine, and Shea opposed).

Motion was made by Councilor Walker and seconded by Councilor Crowley to remove from Planning the Traffic Signal Pole Replacement from the CIP Budget. Motion failed 3-4 (Councilors LaFontaine, Shea, Gerry, and Hayes opposed).

Motion was made by Councilor Walker and seconded by Councilor Crowley to remove from Public Works the Heavy Equipment dump trucks from the CIP Budget. Motion failed 3-4 (Councilors Gerry, LaFontaine, Young, and Shea opposed).

Motion was made by Councilor Walker and seconded by Councilor Crowley to remove from Planning the Traffic Signal Controller Upgrades from the CIP Budget. Passage 4-3 (Councilors Gerry, Hayes, and Shea opposed).

Motion was made by Councilor Walker and seconded by Councilor Crowley to remove from Public Works the street sweeper from the CIP Budget. Passage 7-0.

Motion was made by Councilor Walker and seconded by Councilor Crowley to remove from Public Works vehicles from the CIP Budget.

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Motion failed 3-4 (Councilors Gerry, Hayes, LaFontaine, and Shea opposed).

Motion was made by Councilor Walker and seconded by Councilor Crowley to remove from Public Works floor sweeper/scrubber from the CIP Budget. Passage 7-0.

Motion was made by Councilor Crowley and seconded by Councilor Walker that the total CIP Budget for FY14 not exceed 12% of expenditures. Passage 5-2 (Councilors Hayes and LaFontaine opposed).

Motion was made by Councilor Crowley and seconded by Councilor Walker that no CIP dollars for FY14 be spent on an item that has a useful life of less than 10 years. The Mayor declared the motion to be out of order because it would be a vote to reconsider two of Councilor Walkers amendments, in which Councilor Crowley voted in the affirmative.

Motion was made by Councilor Crowley and seconded by Councilor Walker to amend by removing the library building improvements and using downtown TIF dollars instead. Point of information by the City Manager, that is not an allowed use of downtown TIF dollars.

Motion by Councilor Crowley and seconded by Councilor Walker for the City to reaffirm Council policy that no Auburn owned vehicles will be garaged outside of Auburn when not in city service. The policy is in place to manage vehicle cost and to preserve the resource for city business. Passage 4-3 (Councilors Hayes, LaFontaine, and Shea opposed).

Motion was made by Councilor Walker and seconded by Councilor LaFontaine to reconsider the amendment to remove from ICT the Call Recording. Passage 7-0.

Passage on order as amended, 5-2 (Councilors Gerry and Crowley opposed).

**4. Order 36-05132013**

Adopting the 2013-2014 Capital Improvement Program (CIP2) Other Funding Projects.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to approve the order as postponed from the 5/20/2013 meeting which included the amendment proposed by Councilor LaFontaine to remove the Pettengill Playground items and Festival Plaza Canopy replacement for at least 1 year. Passage 6-1 (Councilor Shea opposed).

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Motion was made by Councilor Crowley and seconded by Councilor Walker to amend that the ICT website site second phase from the CIP2 budget be approved, but the project be outsourced and not done by staff unless it can be completed for less money than the \$20,000 and implemented by January 1, 2014. Motion failed 2-5 (Councilors Gerry, Hayes, LaFontaine, Young, and Shea opposed).

Motion by Councilor Crowley and seconded by Councilor Gerry to amend that the Parks & Recreation Department be allocated \$38,000 to repair and replace playground equipment city wide. Passage 7-0.

Motion was made by Councilor Crowley and seconded by Councilor Walker to amend by allocating up to \$20,000 to place flags at Festival Plaza. Passage 4-3 (Councilors Hayes, LaFontaine, and Shea opposed).

Motion was made by Councilor Crowley and seconded by Councilor Walker to amend that the Public Works request for Oak Hill Cemetery building improvements from the CIP2 budget be changed to make necessary repairs to cemeteries and not limited to Oak Hill. Passage 4-2-1 (Councilors LaFontaine and Hayes opposed, Councilor Shea abstained).

Motion was made by Councilor Crowley and seconded by Councilor Walker to amend by removing the Parks & Recreation Department turf machine from the CIP2 budget. Passage 4-3 (Councilors Gerry, Hayes, LaFontaine opposed).

Motion was made by Councilor Crowley and seconded by Councilor Walker to amend by removing the amount the Planning Department wants for the Comprehensive Plan Property Acquisition Program from the CIP2 budget. Passage 6-1 (Councilor LaFontaine opposed).

Motion was made by Councilor Crowley and seconded by Councilor Walker to amend by removing the Police Mobile Radio replacement from the CIP2 budget (and move to operations). Passage 4-3 (Councilors Gerry, Hayes, and LaFontaine opposed).

Motion was made by Councilor Crowley and seconded by Councilor Walker to amend by removing the Public Works trench box from the CIP2 budget. Motion failed 2-5 (Councilors Gerry, Hayes, LaFontaine, Young, and Shea opposed).

Motion was made by Councilor Crowley and seconded by Councilor Walker to amend by using \$85,000 unallocated bond funds to address

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Hasty Community Center's safety issue (removal of asbestos). Passage 6-0-1 (Councilor Hayes abstained).

Motion was made by Councilor Crowley and seconded by Councilor Gerry to amend by using downtown TIF monies to buy walk behind mowers if they are to be used in the downtown parks and be available for cemetery work. After some discussion as to whether TIF monies could be used for this, Councilors Crowley and Gerry withdrew the motion and second until there is further clarification.

Motion was made by Councilor Crowley and seconded by Councilor Gerry to amend that the portion of unallocated bond proceeds to pay off the Ingersoll Arena debt be held in reserve. Passage 5-2 (Councilors Gerry and Hayes opposed).

Motion was made by Councilor Walker and seconded by Councilor Gerry to amend by adding the Hasty Community Center kitchen upgrade to the CIP2 budget (\$3,500 out of unallocated bond proceeds). Passage 7-0.

Motion was made by Councilor Walker and seconded by Councilor Gerry to amend by adding the Hasty Community Center window replacement to the CIP2 budget (\$46,000 from unallocated bond proceeds). Passage 5-1-1 (Councilor Hayes opposed and Councilor Shea abstained).

Motion by Councilor LaFontaine and seconded by Councilor Hayes to reconsider the Hasty Community Center upgrades (\$134,500). Passage to reconsider 4-3 (Councilors Gerry, Crowley, and Walker opposed).

Passage on the reconsideration in support of the \$134,500 investment in upgrades to the Hasty Community Center, 4-3 (Councilors Hayes, LaFontaine, and Young opposed).

Public comment – no one from the public spoke.

Passage of the order as amended, 7-0.

**5. Resolve 03-05202013**

Adopting the City Budget for Fiscal Year 2014 (first reading).

The Mayor clarified that the amended language that was adopted from the May 20, 2013 meeting was to be added to the Resolve (that the City Manager shall propose and have established by the Auburn City Council a contract with LAEGC for services to be provided to the City of Auburn

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for economic development to occur within 5 months of the fiscal year with the consequence being the elimination of funding).

Motion was made by Councilor Lafontaine and seconded by Councilor Shea to remove the Budget Resolve off the table as it was postponed from the 5/20/2013 meeting. Passage 5-0-1 (Councilor Crowley abstained).

The motion that was left on the table from the 5/20/2013 meeting was a motion by Councilor Crowley and seconded by Councilor Hayes to amend by offering in lieu of providing cell phones and smart phones under a city contract that employees be offered a \$25 per month stipend. Motion failed 3-4 (Councilors Gerry, LaFontaine, and Shea opposed, and the Mayor voted in opposition breaking the tie vote).

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to reconsider what was labeled as amendment (C) from the 5/20/2013 meeting on the downtown rail. Motion failed 2-4 (Councilors Gerry, Crowley, Walker, and Shea opposed).

Motion was made by Councilor LaFontaine and seconded by Crowley to add a \$20,000 line in the budget for L-A Arts, \$10,000 of which would support the arts and culture in L-A and another \$10,000 in match by the City of Auburn only if they were awarded the Creative Community Economic Development Grant.

Motion was made by Councilor Shea and seconded by Councilor Gerry to amend the amendment to fund the Creative Community Economic Development Grant and strike the \$10,000 to support the arts and culture in L-A. Passage 6-0.

Passage of the amendment as amended, 6-0.

Motion was made by Councilor Crowley and seconded by Councilor LaFontaine to postpone the budget resolve discussion to a Special Meeting on June 10, 2013, motioned failed 3-4 (Councilors Gerry, Walker and Shea opposed and the Mayor voted in opposition breaking the tie vote).

Motion by Councilor Crowley and seconded by Councilor Walker to amend the resolve to hold all the departmental budgets that are above the 1.7% expenditure increase reduce their budget to a 1.7% expenditure increase. Motion failed 3-4 (Councilors Hayes, LaFontaine and Shea opposed and the Mayor voted in opposition breaking the tie vote).

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Motion by Councilor Crowley to limit the FY14 budget so the mill rate would not exceed 20.41 per thousand which is a 4.91 % over last year's mill rate. Motion failed for lack of a second.

Motion by Councilor Walker and seconded by Councilor Crowley to set the mill rate be set at 19.59. Motion failed 3-4 (Councilors Hayes, LaFontaine, and Shea opposed and the Mayor voted in opposition breaking the tie vote).

Motion by Councilor Crowley and seconded by Councilor Gerry to cut \$5,000 from the debt service account since there was no explanation of services. Passage 5-1 (Councilor LaFontaine opposed).

Motion was made by Councilor Crowley and seconded by Councilor Hayes to postpone the budget resolve as it stands to a special meeting on June 10. Motion failed 3-4 (Councilors LaFontaine, Walker, and Shea opposed and the Mayor voted in opposition breaking the tie vote).

Motion was made by Councilor Walker and seconded by Councilor Crowley to consolidate the Parks and Recreation Department under Public Works Department. Motion failed 1-5 (Councilors Gerry, Crowley, Hayes, LaFontaine, and Shea opposed).

Public comment – no one from the public spoke.

Passage to approve the first reading, 4-3 (Councilor Gerry, Crowley and Hayes were opposed and the Mayor voted in support breaking the tie vote).

### **VII. New Business**

Motion by Councilor LaFontaine and seconded by Councilor Crowley to postpone the remainder of items on the agenda until the June 17, 2013 meeting. Passage 4-2 (Councilors Hayes and Shea opposed).

#### **6. Ordinance 05-06032013**

Approving the newly proposed Flea Market license fee schedule (first reading).

#### **7. Ordinance 06-06032013**

Approving the newly proposed Peddlers license fee schedule (first reading).

#### **8. Resolve 04-06032013**



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Supporting the Emergency Medical Services.

**9. Ordinance 07-06032013**

Approving the proposed ordinance amendment on alcoholic beverages at Mass Gatherings (first, second, and final readings).

**10. Ordinance 08-06032013**

Approving the proposed Forestry Board Ordinance (first reading).

**VIII. Executive Session**

- Discussion on Labor Negotiations (proposed MSEA contract) , pursuant to 1 M.R.S.A. §405(6)(D)

**VIII. Open Session**

- Joe Gray, Sopers Mill Road commented on Mr. Morrison who spoke earlier about the rail service, and how it has been in progress for two or more decades, it is time that something gets done. He said even if you disagree about the location, the fact that there is an objective and we are moving forward, that is a good sign.

**IX. Future Agenda/Workshop Items – None**

**X. Adjournment**

Motion was made by Councilor Crowley and seconded by Councilor LaFontaine to adjourn. Passage 6-0. 11:01 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

## IN COUNCIL REGULAR MEETING JUNE 17, 2013 VOL. 33 PAGE 143

Mayor LaBonte called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

### I. **Consent Items\*** - None

### II. **Minutes**

Motion was made by Councilor Lafontaine and seconded by Councilor Gerry to approve minutes of the May 23, 2013 Special City Council Meeting. Passage 6-0-1 (Councilor Crowley abstained because she had an excused absence from the May 23, 2013 meeting).

### III. **Reports**

**Mayor's Report** – No report.

**City Councilors' Reports** – Councilor Crowley submitted a written report, Councilor LaFontaine reported that the Library Director, Lynn Lockwood was retiring and the new Library Directory, Mamie Ney will be starting the last week of June. Councilor Young reported by thanking City staff (the Public Works Department) for fixing the railroad crossing in Danville.

**City Manager's Report** – City Manager Deschene submitted a written report and made a correction to a comment he made about the number of full time fire stations in South Portland. There are 3 full time stations.

**Finance Director, Jill Eastman** – May 2013 Monthly Finance Report

Motion was made by Councilor Gerry and seconded by Councilor LaFontaine. Passage 6-1, (Councilor Walker opposed).

### IV. **Communications, Presentations and Recognitions**

- First Citizens Fire Academy – Recognition postponed until July.
- Letter from Dara Reimers, Owner of The Bread Shack, LLC
- Petition to Consolidate the City of Auburn with the City of Lewiston

### V. **Open Session**

- Ron Potvin, 82 Northern Avenue, talked about a recent recall effort and the vagueness of our City Charter. He recommended that we look into amending it.
- Dan Herrick, 470 Hatch Road, apologized to the Mayor for his comment at the last Council meeting on not allowing the former Mayors to speak at their portrait presentations and said the information he was given was incorrect.

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**VI. Unfinished Business**

Motion was made by Councilor Crowley and seconded by Councilor Hayes to postpone items 1, 2, and 4 until the July 15<sup>th</sup> meeting. Passage 6-1, (Councilor Gerry opposed).

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley to postpone items 3 and 5 until the July 15<sup>th</sup> meeting. Passage 4-3, (Councilors Walker, Shea, and Gerry opposed).

1. **Ordinance 05-06032013** - Postponed to 7/15/2013  
Approving the newly proposed Flea Market license fee schedule (first reading).
2. **Ordinance 06-06032013** - Postponed to 7/15/2013  
Approving the newly proposed Peddlers license fee schedule (first reading).
3. **Resolve 04-06032013** - Postponed to 7/15/2013  
Supporting the Emergency Medical Services.
4. **Ordinance 07-06032013** - Postponed to 7/15/2013  
Approving the proposed ordinance amendment on alcoholic beverages at Mass Gatherings (first, second, and final readings).
5. **Ordinance 08-06032013** - Postponed to 7/15/2013  
Approving the proposed Forestry Board Ordinance (first reading).
6. **Resolve 03-05202013**  
Adopting the City Budget for Fiscal Year 2014 (second and final reading).

Motion by Councilor LaFontaine and seconded by Councilor Young.

Motion by Councilor LaFontaine and seconded by Councilor Young to amend by adding language that the City Manager is authorized to enter into contract negotiations with Pine Tree Waste for automated solid waste and recycling collection to begin July 1, 2014. Passage 7-0.

Motion by Councilor LaFontaine and seconded by Councilor Young to amend by setting a budget mil rate of 20.40. Motion failed 3-4 (Councilors Shea, Gerry, Crowley, and Hayes opposed).

Motion by Councilor Shea and seconded by Councilor Hayes to amend by setting a budget mil rate of 20.66. Passage 5-2 (Councilors Gerry and Crowley opposed).

Public comment –

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- Ron Potvin, 82 Northern Avenue, raised a concern regards to Councilor Crowley setting a percentage for education and to do that before the people vote and pass in the referendum that may end up less than that 42% percent. If the referendum does not support it, what happens there? If the referendum process continues and the school budget is cut significantly, does it reduce the need to have to further reduce the amount cut from city services?
- Joe Mailey, 82 Webster Street, thanked Councilor Crowley for her earlier statement because he also believes that every single penny the city will not receive from the state, we should cut in services. He said he cannot afford to pay more taxes. He commented that some folks do not mind paying that tax shift just to prove a point and the only way to see an impact is to cut services. He is also concerned about privatizing school bus drivers.
- Arlene Bowles, 239 Lake Street commented that she is appalled that a city that is one of the largest population centers in the State of Maine has a high school that is teetering on the point of losing its accreditation. She suggested Council look on the web at the New England Association for schools and colleges which has a lot of good information on accreditation. For Auburn to lose accreditation for the high school would be unjust to the citizens of this community. She also commented that words should be carefully chosen and used positively. She said words used during the workshop were upsetting to her because of some of the words and comments she thought expressed an attitude toward the school department which could be translated to mean an attitude toward education.
- Priscilla Miller, 211 Summer Street, urged Council to focus on essentials. She asked where the money was going if it wasn't going to the school department, fire department, or police department. She asked why Auburn was so far out of line from what everyone else is doing? She said you cannot expect tax payers who have to go without to pay for everyone else stating some people have no insurance and she has heard that the employees of the school department have 100% coverage and their families have 85% coverage. She said you cannot expect people with no insurance or poor insurance to pay deluxe for the people who work for them. The citizens want to know where the money is going.
- Dave Burke, 38 Harmons Corner Road thanked the Council for their service and for listening to everyone. He urged them to pass scenario 5 although he would prefer scenario 8 or 9 with a higher mil rate because making cuts he will probably run into more auto repairs because the roads are not being worked on and making cuts are deferring maintenance and you pay more in the long run. He used the parking garage as an example. He asked Council to be careful shifting costs to next year or the year after that. He said making cuts could

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have a negative impact. Cuts to the Fire Department could cause insurance rates to go up. Cutting Parks and Recreation programs could impact kids, possibly with them getting into trouble, breaking into cars for example. He said housing prices may drop. He said it is a tough thing to balance but please keep both sides in mind.

- Andy Titus, 17 Lamplighter Circle said he was confused about the shortfall this year being added to next year because of the misguided mil rate. He suggested spending more time through the year to get things more in line. He would like to see Council be more proactive in looking at the different departments and how things are being spent without micro managing. He would like to see the budget process begin in July for the next year in terms of what is in each budget and how we can spend more efficiently.

Motion by Councilor Gerry and seconded by Councilor Crowley to postpone the budget as it stands until the June 24, 2013 special meeting. Passage 7-0.

**VII. New Business**

**7. Order 45-06172013**

Approving the Post Issuance Compliance and Monitoring Policy for Tax Exempt Obligations.

Motion was made by Councilor Crowley and seconded by Councilor LaFontaine.

Public comment – no one from the public spoke.

Passage 7-0.

**8. Ordinance 09-06172013**

Approving the Flood Ordinance and Map Updates for 2013 National Flood Insurance Program (NFIP) Requirements (public hearing and first reading).

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley.

Public comment – Jodd Bowles, 239 Lake Street commented that his sister lost her home to a flood a few years ago in New York State which was not in a flood zone. She did not have flood insurance. They rebuilt and the value of the home has decreased.

Passage 6-1 (Councilor Walker opposed).

**9. Order 46-06172013**

**IN COUNCIL REGULAR MEETING JUNE 17, 2013 VOL. 33 PAGE 147**

Authorizing the City Manager to initiate a new 2 year agreement and to sign all necessary documents with Lewiston-Auburn Canoe and Kayaks and to reevaluate for a possible proposal process.

Motion was made by Councilor LaFontaine and seconded by Councilor Shea.

Public comment –

- Larry Pelletier, 129 Second Street said he did not see a problem with passing this. He said they've come to the city with something to offer, we are trying to promote the river, they've done a terrific job, let them do it.
- Jodd Bowles, 239 Lake Street said he feels the same way as the previous speaker. They purchased new boats, they hire Maine Guides with a skill set usually working the stands, and have invested a lot into this. He said he feels this is a recreational opportunity and a positive thing.
- Darren Deschene, 6 Fairmount Avenue and the operations manager of Lewiston Auburn Canoe and Kayak. He said there really are no other vendors with interest at this point (that he is aware of) and they are acting as the guinea pig and feels fortunate that they are. When they are able to demonstrate success on the river, others will want to follow but they need to be given the opportunity to do that.

Passage 5-1-1 (Councilor Crowley opposed, Councilor Walker abstained).

**10. Order 47-06172013**

Approving the Special Amusement Permit for Eddy's Drive-in Diner, dba The Village Inn.

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry.

Public comment – no one from the public spoke.

Passage 7-0.

**VIII. Open Session – No one from the public spoke**

**IX. Executive Session – Discussion on Labor Negotiations (the proposed MSEA contract). Pursuant to 1 M.R.S.A. §405(6)(D), with possible action to follow.**

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry. Passage 6-0-1 (Councilor Walker abstained) 8:34 P.M.

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The Mayor declared Council out of executive session at 9:04 P.M.

Motion was made by Councilor Gerry and seconded by Councilor Crowley “to authorize the City Manager to provide as budgeted in the current Fiscal Year 2% wage adjustments for the members of the new MSEA union subsequent to their anniversary date and that staff are further directed to continue labor negotiations.” This is Order 48-06172013. Passage 6-0-1 (Councilor Walker abstained).

**X. Future Agenda/Workshop Items - None**

**XI. Adjournment**

Motion was made by Councilor LaFontaine and seconded by Councilor Young to adjourn. Passage 7-0, 9:10 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

## IN COUNCIL REGULAR MEETING JUNE 24, 2013 VOL. 33 PAGE 149

Mayor LaBonte called the meeting to order at 7:11 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Councilor Young had an excused absence. All other Councilors were present.

### **I. Minutes**

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to accept the amended minutes of the June 3, 2013 Regular Council Meeting. Passage 6-0.

### **II. Unfinished Business**

#### **1. Resolve 03-05202013**

Adopting the City Budget for Fiscal Year 2014 (second and final reading).

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to remove from the table this agenda item which was postponed on June 17, 2013 until today's meeting. Passage 6-0.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to amend the budget to reflect the memo provided by Finance Director, Jill Eastman.

Motion was made by Councilor Gerry and seconded by Councilor Crowley to amend by reinstating the \$4,410 cut from the City Clerk's budget for polling places and off setting that amount by reducing the legal budget by \$4,410.

Motion was made by Councilor Hayes and seconded by Councilor Crowley to amend by funding five polling places for the November 2013 election and one for the June 2013 election and to change the reduction in the City Clerk budget in the amount of \$2,205 funding that by increasing the banner fee. Motion failed, 5-4 (Councilors Gerry, LaFontaine, Walker, and Shea opposed).

Motion on the original amendment made by Councilor Gerry failed 2-4 (Councilors Crowley, Hayes, LaFontaine, and Shea opposed).

Motion was made by Councilor Crowley and seconded by Councilor LaFontaine to amend by funding five polling places in November and one in June replacing \$2,205 of the cut in the City Clerk polling budget with the difference to be made up in the mil rate. Passage 4-2 (Councilors Gerry and Walker opposed).



**IN COUNCIL REGULAR MEETING JUNE 24, 2013 VOL. 33 PAGE 150**

Motion was made by Councilor Crowley and seconded by Councilor Walker to amend by cutting the budget by \$105,000 by removing vehicle purchases from the Police Department budget. Motion failed 3-4 (Councilors Hayes, LaFontaine, and Shea opposed, and the Mayor voted in opposition breaking the tie vote).

Public comment – no one from the public spoke.

Motion by Councilor LaFontaine and seconded by Councilor Hayes to add to the budget resolve that the City Council under the authority under the City Charter of the City of Auburn will set the School Department maximum tax commitment based upon the school budget to be adopted July 1, 2013 by the City Council. Passage 4-0-2 (Councilors Shea and Gerry abstaining).

Motion by Councilor Crowley and seconded by Councilor Walker to add that the \$3,293 for expenditures for the PAL Center be the maximum contribution of the City of Auburn whether it be a cash or in kind until a full detailed accounting is made. Motion failed 2-4 (Councilors Gerry, Hayes, LaFontaine, and Shea opposed).

Motion by Councilor Walker and seconded by Councilor Crowley by amending by putting in place a directive that an operations budget for Police Department vehicles be put together and be provided to the Council no later than July 31<sup>st</sup>. Passage 4-2 (Councilor Hayes and LaFontaine opposed).

Passage of the budget for FY2014, 4-2 (Councilors Gerry and Crowley opposed).

**III. Adjournment**

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley. Passage 6-0, 8:07 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

## IN COUNCIL REGULAR MEETING JULY 1, 2013 VOL. 33 PAGE 151

Mayor LaBonte called the meeting to order at 7:08 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present. Councilor Young was excused after New Business was finished.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to suspend the rules to add a resolve under new business with respect to supplemental appropriations and expenditure transfers for the FY14 budget. Passage 5-2 (Councilors Crowley and Walker opposed), this item will be added as item #5 under New Business.

### I. Consent Items\*

#### 1. Order 48-07012013\*

Accepting the transfer of Forfeiture Asset (Dylan Boisvert).

Motion was made by Councilor Hayes and seconded by Councilor Crowley.  
Passage 7-0.

#### 2. Order 49-07012013\*

Approving the Special Event request for the 2013 Great Falls Balloon Festival.

This item was pulled from the agenda.

### II. Minutes

Motion was made by Councilor Crowley and seconded by Councilor LaFontaine to accept the minutes of the June 17, 2013 City Council meeting.  
Passage 7-0.

### III. Reports

**Mayor's Report** – After the City Council in its budget discussion last week set a directive advocating for a downtown passenger rail, the Mayor expressed his disappointment when he attended an AVCOG meeting to see on their list of priorities for investments for the ATRC region the design of an intermodal facility at the Auburn Municipal Airport as well as endorsing a move to Montreal through Auburn and Bethel with the Spring Street downtown passenger rail listed as a third bullet item. After speaking up, they tabled that action until their next meeting at which time they were going to craft language to replace it.

**City Committee Reports** – Councilor Crowley and Councilor Walker submitted written reports.

**Councilor Reports-** Councilor Gerry announced that with her move to her new home, she has had some phone issues and has not had access to her emails, Councilor Hayes

## IN COUNCIL REGULAR MEETING JULY 1, 2013 VOL. 33 PAGE 152

commented on the Mayor's comment in respect to the passenger rail and would like to review in the future, and Councilor Crowley invited Auburn residents to attend a patriotic music concert by the Auburn Community Band. She is inviting everyone to show up and have a picnic with her, she will be providing treats. The concert is on July 3, 2013. If it rains it will be moved to the Hilton Garden Inn.

**City Manager's Report** – City Manager Deschene submitted a written report and also welcomed Josh MacDonald, the new Manager of the dual sheet ice arena. Today was his first day of employment with the City.

### IV. Communications, Presentations and Recognitions

- Swearing in Ceremony - Officer Tyler Ham and K-9 Rocky - Badge Pinning
- Proclamation - Ken Blais, owner of Rolly's Diner and the City of Auburn's 2013 Spirit of America Tribute recipient. Mr. Blais was unavailable so this recognition will be postponed until July 15, 2013.

### V. Open Session

Steve Martelli, 41 Broad Street – On June 20<sup>th</sup> the Androscoggin Land Trust had over 400 volunteers from Tambrands helped picking up trash, cleaning up and making repairs around Bonney Park and the River Walk. He wanted to thank the volunteers. He also announced a new pizza place that has opened in New Auburn called Kelvi's Pizza.

### VI. Unfinished Business

#### 1. Ordinance 09-06172013

Approving the Flood Ordinance and Map Updates for 2013 National Flood Insurance Program (NFIP) Requirements (second and final reading).

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley.

Public comment – no one from the public spoke.

Passage 6-1 (Councilor Walker opposed).

### VII. New Business

#### 2. Order 50-07012013

Approving the 2013 Action Plan of the Community Development Block Grant Program and HOME Investment Partnerships Program.

Motion was made by Councilor LaFontaine and seconded by Councilor Shea.

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Public comment – Renee Simonitis, 9 Oak Street, Auburn and also serves on the Citizen Advisory Committee, commented that she has benefited from those funds and is now volunteering her time and as a committee member and a citizen, she supports the CDBG staff and their recommendations.

Passage 6-1 (Councilor Crowley opposed).

### 3. Order 51-07012013

Adopting the School Budget for Fiscal Year 2014.

Motion was made by Councilor Shea and seconded by Councilor LaFontaine.

Public comment –

Tom Kendall, 221 Stevens Mill Road and the Chair of the School Committee talked about the budget that has been brought forth.

Rob Kilgore, 36 Newbury Street – school issues are closer to the front of his mind now that he and his wife are expecting their first child and if the city would like to keep young professionals to stay here in Auburn they will need good schools to send their children to. If Council sets the tone by leading the citizens, the public will respond to it.

Dan Herrick, Hatch Hill Road said it boggles his mind that when the School Committee first came forward, Council did not say do something different when it was obvious the city couldn't afford that budget. He does not think this budget will get approved if it goes to the voters. He believes the School Committee and the School Department can do better than what they've done. He said it is time to start cutting from above and they need to cut back on administration.

Jaime Thibodeau, Beech Hill Road, hearing from people that the budgets presented are not acceptable, at what point is it considered acceptable to put funding toward education. Education is underfunded year after year, where is the money going. At what point do we fix it. Regarding cutting teacher's salaries and administration, are we going to get more community volunteers to step up? How will the kids get what they need if we continue to cut?

Councilor Hayes made a motion to move the question. Motion failed 3-4 (Councilors Gerry, Crowley, Walker, and Shea opposed).

Motion was made by Councilor Walker and seconded by Councilor Gerry to set a 2.99% tax increase. Motion failed 1-6 (Councilors Gerry, Crowley, Hayes, LaFontaine, Young, and Shea opposed).

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Motion was made by Councilor Gerry to take a minimum of \$150,000 out of the School Departments Fund Balance. Mayor LaBonté called the motion out of order.

Motion was made by Councilor Young to move the question. Passage 5-2 (Councilors Gerry and Walker opposed).

Passage of the original motion 5-2 (Councilors Gerry and Walker opposed).

### 4. Order 52-07012013

Setting the date (July 23, 2013) and location (Auburn Hall) for the School Budget Validation Referendum.

Motion was made by Councilor LaFontaine and seconded by Councilor Young. Passage 6-1 (Councilor Gerry opposed).

### 5. Resolve 05-07012013 – item added to the agenda

Motion was made by Councilor LaFontaine and seconded by Councilor Young to make a supplemental appropriation in the amount of \$110,000, to account for an increase in the State Revenue Sharing, per revised estimates received from the State. An appropriation of \$20,000 from the Police Outside Jobs special revenue account and a transfer in expenditure, per Charter Section 8.7 D of \$35,000 from Police cruisers. The expenditures authorized will be; \$120,000 for Fire Department overtime, \$25,000 for Public Works Curbside Recycling, \$20,000 for Special Events.

Public comment –

Larry Pelletier, 129 Second Street said he lives in New Auburn and the 9-1-1 response has been heartfelt and he feels that Auburn's Fire Department is the best in the State and possibly in the North East. He said he does not want to see cuts to the Fire Department.

Mary Sylvester, 208 Maple Hill Road, talked about the importance of maintaining the current curbside recycling program. She said replacing the current program with a new program could put recycling in jeopardy. She encouraged Council to retain the \$25,000 for recycling.

Andy Titus, Lamplighter Circle said we will be looking at this same problem next year, some micro management or information going forward is necessary. Don't throw out "scare tactics". It is not fair and doesn't solve anything. Fund essential services and legal requirements of the City and then look at what the residents really want from the City. Listen to the public.

Gary Simard, Cook Street, Auburn and has 35 years of Fire Service experience. He talked about fire service and what could happen if Engine 2 was taken out of

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service. He talked about multi unit fires and said New Auburn has the oldest buildings in the City, many of which have no sprinkler systems. Taking Engine 2 out of service would be unfair to the residents of New Auburn and Danville.

John Sullivan, 71 Mary Carroll Street, finds it ironic to hear we are sitting here talking about closing a fire station in New Auburn just after the 80<sup>th</sup> anniversary of the New Auburn fire. He said he feels we need good basic services – Police, Fire, and School Departments and he urged Council not to cut Fire Department services.

Camille Parish, 42 Lake Street spoke about curbside recycling. We should be focused on reduction of garbage and not a reduction of recycling. The amount of garbage we take to MMWAC causes an increased cost and we are creating some hazardous waste in the process. The market for recycling has increased. She suggests that we should be reinstating recycling. If not, she encouraged Council to put a drop off location at every school which would also encourage the schools to incorporate recycling education.

Joe Gray, Sopers Mill Road wanted to point out a few things. Councilor Shea said he did not want to have one day without brownouts but today was day one and the world didn't end. He said a tower truck is not essential to Auburn but the three pump trucks are a little bit essential. He talked about staffing and response time. We need to fund the fire department but the fire department has to be responsible to the public as well.

Michael Farrell, Beaver Road said what he sees is a bunch of election face. All Council has done is to acknowledge problems and put them off. Everything they do has consequence. School resource officer program can be billed out of CDBG money rather than build retaining walls and things like that. He said the City needs a union negotiator and went on to say that negotiating has been done too long in house. He said our overtime bill is killing the City and the 24 hour shifts includes rack time which is paying people to sleep and be on standby. That is not a service for anyone. We should have round the clock coverage if it means two 12 hour shifts or three 8 hour shifts, there is savings there. He asked Council to explore a partnership with United Ambulance and Engine 2.

Dan Herrick, Hatch Road said he wanted to commend Council for going through what they have gone through. He believes numbers in the newspaper on recycling was off. We cannot stop recycling because people may not pick it back up. He would like Council to put it back in. He said he is getting more calls now that when he was a Councilor about scare tactics and it has to stop. He asked how many police officers really work the Liberty Festival. He thinks we should keep the special events going. It is what the public wants. Someone needs to start looking at what is happening in this City. Start looking into each department, deeply and look for cuts and efficiencies.

## IN COUNCIL REGULAR MEETING JULY 1, 2013 VOL. 33 PAGE 156

Mell Hamlyn, 14 Beech Street and the coordinator of the Great Falls Balloon Festival wanted to address the issue that came up earlier about fundraising and they do sponsorship drives and fundraising events in the community and raise approximately \$35,000 to \$40,000 a year from businesses to sponsor the festival. That along with other fees they have to charge as well as selling balloon rides which they receive a portion of the proceeds.

Phil Crowell, Chief of Police wanted to clarify a few things. The City has 20 less faces of employees through reductions that have taken place and the remaining employees are carrying the workload as a result of those reductions. There are 9 officers needed for the Liberty Festival to keep things safe. He responded to a comment made about municipal spending and School reduction and municipal regarding tax payers and the tax rate that is going to the school is flat however spending hasn't changed. New revenue coming from the State has funded the school department to be able to increase their budget but the Municipal side has been holding their own and making cuts and maybe this is not being communicated well. He talked about police cruisers and are doing their best to keep reduce costs. Managers are trying to do their best.

Jaime Thibodeau, Beech Hill Road said we need to look at the budget as soon as tomorrow for next year. She said she hears so much division with management of the City. She talked about "scare tactics" and asked how do we get to a place where we are working together as a city and looking at the same budget and going back to basics to what the city needs.

Mike Scott, 549 South Witham Road. He said his friends wondered why he wanted to move to Auburn from Sabattus years ago knowing that Auburn taxes were higher. He said he did so because he feels that he gets something for his money – services. He said he would move back to Sabattus if he did not want the services Auburn provides.

Motion was made by Councilor Shea and seconded by Councilor Crowley to amend by striking the \$20,000 for Special Events. Motion failed 3-4 (Councilors Shea, Hayes, LaFontaine, and Young opposed).

Motion was made by Councilor Shea and seconded by Councilor Hayes to amend by striking the \$25,000 for Recycling. Motion failed 1-6 (Councilors Gerry, Crowley, LaFontaine, Young, Walker, and Shea opposed).

Motion was made by Councilor Crowley and seconded by Councilor Walker to amend by moving the \$120,000 for Fire Fighters overtime to Fire Fighters Safety. Motion failed 3-4 (Councilors Shea, Hayes, LaFontaine, and Young opposed).

Motion was made by Councilor Gerry to amend by taking \$12,000 from the \$20,000 for Special Events and go towards waiving fees for non-profit food service licensing. Motion failed because no one seconded the motion.

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Passage of original motion 5-2 (Councilors Crowley and Walker opposed).

**VIII. Open Session**

Joe Gray, Sopers Mill Road – asked about the Forestry Board cutting trees behind Edward Little High School and they are keeping the trees as payment to cut the trees. He asked who authorized this.

**IX. Executive Session**

- Discussion on a personnel issue (City Manager review), pursuant to 1 M.R.S.A. §405(6)(A).  
Motion by Councilor LaFontaine and seconded by Councilor Hayes, passage 6-0 (Councilor Young not present), 9:47 P.M. The Mayor declared Council out of Executive Session at 9:58 P.M.
- Discussion on a legal matter, pursuant to 1 M.R.S.A. §405(6)(E).  
Motion by Councilor LaFontaine and seconded by Councilor Crowley, passage 4-0 (Councilors Young, Gerry, and Shea were not present), 9:59 P.M. The Mayor declared Council out of Executive Session at 10:12 P.M.
- Discussion on a real estate matter, pursuant to 1 M.R.S.A. §405(6)(C).  
Motion by Councilor LaFontaine and seconded by Councilor Walker, passage 4-0 (Councilors Young, Gerry, and Shea not present), 10:13 P.M. The Mayor declared Council out of Executive Session at 10:22 P.M.

**X. Future Agenda/Workshop Items – None**

**XI. Adjournment**

Motion was made by Councilor Crowley and seconded by Councilor Walker to adjourn. Passage 6-0. 10:23 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk



## IN COUNCIL REGULAR MEETING JULY 15, 2013 VOL. 33 PAGE 158

Mayor LaBonte called the meeting to order at 7:08 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

### I. Consent Items\*

#### 1. Order 53-07152013\*

Approving the Special Event and in kind services request for the 2013 Dempsey Challenge.

#### 2. Order 54-07152013\*

Approving the Special Event and in kind services request for the 2013 Great Falls Balloon Festival.

#### 3. Order 55-07152013\*

Setting the time to open the polls for the July 23, 2013 School Budget Validation Referendum Election for 7:00 A.M.

#### 4. Order 56-07152013\*

Authorizing the City Manager and Mayor Jonathan P. LaBonté to be representatives for negotiations regarding the contract between Auburn and the City Lewiston for water rights from the Androscoggin River into the canal system and extending the authorization to any necessary ancillary agreements, permits, or contracts relating to the Lewiston Falls Hydro Project.

There was a request from Councilors Walker and Crowley to remove items 1 and 2 from the Consent Agenda and placed under New Business as the first two items.

Motion was made by Councilor Crowley and seconded by Councilor LaFontaine to accept the remaining consent items. Passage 7-0.

### II. Minutes

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to approve minutes of the June 24, 2013 Special Council Meeting. Passage 7-0.

The Mayor requested that item number 6 under New Business be taken out of order. There were no objections from Council.

Hearing on the appeal of the denial of a business license for B.A.M.B.I.N.O.S (owner Crystal Palmer) pursuant to section 24-37 (b) of our Code of Ordinances.

**Order 57-07152013 (item number 6 under New Business on the agenda taken out of order)**

## IN COUNCIL REGULAR MEETING JULY 15, 2013 VOL. 33 PAGE 159

Upholding/overturning the City Clerk's denial of B.A.M.B.I.N.O.S's (owner Crystal Palmer) application for a Second Hand Dealer permit. *Council may enter into Executive Session, to discuss the content of examinations administered by the City for licensing purposes, pursuant to 1 M.R.S.A. §405(G).*

Motion by Councilor LaFontaine and seconded by Councilor Walker to enter into executive session. Passage 7-0, 7:12 P.M.

The Mayor declared Council out of Executive Session at 9:12 P.M.

Motion was made by Councilor Crowley and seconded by Councilor Gerry to uphold the City Clerk's denial of B.A.M.B.I.N.O.S's (owner Crystal Palmer) application for a Second Hand Dealer permit. Passage 4-3, (Councilors LaFontaine, Walker, and Shea opposed).

### III. Reports

**Mayor's Report** – No report.

**City Councilors' Reports** – Councilor Crowley submitted a written report.

**City Manager's Report** – City Manager Deschene submitted a written report.

**Finance Director, Jill Eastman** – June 2013 Monthly Finance Report

Motion was made by Councilor Crowley and seconded by Councilor Young. Passage 7-0.

### IV. Communications, Presentations and Recognitions

- First Citizens Fire Academy
- Proclamation – Ken Blais – to be presented at the August 5, 2013 Meeting.
- Proclamation – Parks and Recreation Month

V. **Open Session** – No one from the public spoke

### VI. Unfinished Business

#### 1. Ordinance 05-06032013

Approving the newly proposed Flea Market license fee schedule (first reading).

Motion was made by Councilor Crowley and seconded by Councilor Hayes to postpone until the second meeting in August. Passage 5-1-1 (Councilor Gerry opposed, Councilor Shea abstained).

**IN COUNCIL REGULAR MEETING JULY 15, 2013 VOL. 33 PAGE 160**

**2. Ordinance 06-06032013**

Approving the newly proposed Peddlers license fee schedule (first reading).

Motion was made by Councilor Crowley and seconded by Councilor Hayes to postpone until the second meeting in August. Passage 5-1-1 (Councilor Gerry opposed, Councilor Shea abstained).

**3. Resolve 04-06032013**

Supporting the Emergency Medical Services.

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley.

Public comment – no one from the public spoke

Passage 6-1 (Councilor Hayes opposed).

**4. Ordinance 07-06032013**

Approving the proposed ordinance amendment on alcoholic beverages at Mass Gatherings (first reading).

Public comment – no one from the public spoke

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes. Passage 6-1 (Councilor Crowley opposed).

**5. Ordinance 08-06032013**

Approving the proposed Forestry Board Ordinance (first reading).  
*The City Manager recommends postponing this item to allow time for staff to review further.*

Motion by Councilor LaFontaine and seconded by Councilor Young to postpone this item indefinitely. Passage 4-2-1 (Councilors Crowley and Hayes opposed, Councilor Shea was out of the room).

**VII. New Business**

Hearing on the appeal of the denial of a business license for B.A.M.B.I.N.O.S (owner Crystal Palmer) pursuant to section 24-37 (b) of our Code of Ordinances.

**Order 57-07152013 - This item was taken out of order after the approval of the minutes.**

Upholding/overturning the City Clerk's denial of B.A.M.B.I.N.O.S's (owner Crystal Palmer) application for a Second Hand Dealer permit.

**IN COUNCIL REGULAR MEETING JULY 15, 2013 VOL. 33 PAGE 161**

*Council may enter into Executive Session, to discuss the content of examinations administered by the City for licensing purposes, pursuant to 1 M.R.S.A. §405(G).*

**Order 53-07152013 – This item was removed from the Consent Agenda**

Approving the Special Event and in kind services request for the 2013 Dempsey Challenge.

Motion was made by Councilor LaFontaine and seconded by Councilor Young. Passage 5-1-1 (Councilor Crowley opposed and Councilor Shea was out of the room).

**Order 54-07152013 - This item was removed from the Consent Agenda**

Approving the Special Event and in kind services request for the 2013 Great Falls Balloon Festival.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes. Passage 5-1-1 (Councilor Crowley opposed and Councilor Shea was out of the room).

**Order 58-07152013**

Approving the proposed changes to Building Permit fee schedule.

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley.

Public comment – no one from the public spoke.

Passage 6-0-1 (Councilor Shea was out of the room).

**Resolve 06-07152013**

Authorizing the application for and acceptance of a grant from the Northern Border Regional Commission.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker.

Public comment – No one from the public spoke.

Passage 6-0-1 (Councilor Shea was out of the room).

**VIII. Open Session – No one from the public spoke**

**IN COUNCIL REGULAR MEETING JULY 15, 2013 VOL. 33 PAGE 162**

- IX. Executive Session** – Discussion on a personnel issue (City Manager review) pursuant to 1 M.R.S.A. §405(6)(A). This item was postponed to a Special Meeting to be held Monday, July 22, 2013 at 5:30 A.M.
- X. Future Agenda/Workshop Items** – Future agenda items will be submitted with a new request form give to Council.
- XI. Adjournment**

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to adjourn. Passage 6-0-1 (Councilor Shea was out of the room), 10:05 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Alison Pepin, Deputy City Clerk

## IN COUNCIL REGULAR MEETING AUGUST 5, 2013 VOL. 33 PAGE 163

Mayor LaBonte called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Councilor Hayes and Councilor Young both had excused absences. All other Councilors were present.

### I. Consent Items\*

#### 1. Order 59-08052013\*

Casting votes for the Maine Municipal Association's Vice President and Executive Committee Members.

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry. Passage 5-0.

### II. Minutes

#### ▪ July 1, 2013 Regular Council Meeting

Motion was made by Councilor LaFontaine and seconded by Councilor Walker. Passage 5-0.

#### ▪ July 15, 2013 Regular Council Meeting

Motion was made by Councilor Walker and seconded by Councilor LaFontaine. Passage 5-0.

### III. Reports

**Mayor's Report** – reported

**City Committee Reports** – Councilor Crowley submitted written reports. She also wanted to make a clarification on her Water District report.

**Councilor Reports-** Councilor Crowley submitted a written report and also reported on a few additional items. Councilor Walker reported.

**City Manager's Report** – City Manager Deschene submitted a written report and also reported on a few additional items.

### IV. Communications, Presentations and Recognitions

- Proclamation - Ken Blais, owner of Rolly's Diner and the City of Auburn's 2013 Spirit of America Tribute recipient.

### V. Open Session

No one from the public spoke.

**VI. Unfinished Business**

**1. Ordinance 07-06032013**

Approving the proposed ordinance amendment on alcoholic beverages at Mass Gatherings (second and final reading).

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry.

Public comment – no one from the public spoke.

Motion failed 3-2 (Councilor Crowley and Gerry opposed). This item requires at least 4 affirmative votes.

**VII. New Business**

**1. Order 60-08052013**

Adopting the School Budget for Fiscal Year 2014.

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley.

Public comment – Joe Gray, Sopers Mill Road.

Passage 4-1 (Councilor Gerry opposed).

**2. Order 61-08052013**

Setting the date (August 20, 2013) and location (Auburn Hall) and the time the polls will open (7:00 A.M.) for the School Budget Validation Referendum Election.

Motion was made by Councilor Crowley and seconded by Councilor Gerry.  
Passage 5-0.

**3. Order 62-08052013**

Establishing the property tax payment due dates and to establish the property tax delinquency and overpayment interest rates for Fiscal Year 2012-2013.

Motion was made by Councilor Crowley and seconded by Councilor Walker.

Public comment – Jamie Thibodeau, Beech Hill Road and Joe Gray, Sopers Mill Road.

Passage 4-1 (Councilor Gerry opposed).

**2. Order 63-08052013**

Establishing a Public Services Department including Public Works, Parks and Recreation, and Engineering within current approved budgets.

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley.

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley to amend by adding language that the Manager will report back to the Council within 90 days a recommendation which shows the reporting structure of the Recreation supervisor.

Passage of the amendment, 5-0.

Public comment – no one from the public spoke.

Motion was made by Councilor Gerry to table this item, no second and the motion failed.

Passage of the order as amended, 4-1 (Councilor Gerry opposed).

**3. Order 64-08052013**

Approving changes to the Community Development Program amendment.

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry to postpone this item. Motion failed 3-2 (Councilors Walker and Shea opposed). After discussion on the item a motion was made by Councilor LaFontaine and seconded by Councilor Gerry to postpone until 8/19/2013. Passage 5-0.

**VIII. Open Session** – no one from the public spoke

**IX. Executive Session**

- Discussion on a Poverty Abatement, pursuant to 36 M.R.S.A. Sec. 841 (2) with possible action to follow.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to enter into executive session. Passage 4-1 (Councilor Crowley abstained), 8:28 P.M.

The Mayor declared Council out of Executive Session at 8:37 P.M.

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley to deny the abatement. Passage 5-0.



**IN COUNCIL REGULAR MEETING AUGUST 5, 2013 VOL. 33 PAGE 166**

**XI. Adjournment**

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley to adjourn. Passage 5-0. 8:38 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

## IN COUNCIL REGULAR MEETING AUGUST 19, 2013 VOL. 33 PAGE 167

Mayor LaBonte called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

### I. Consent Items\*

#### 1. Order 66-08192013\*

Confirming Police Chief, Phil Crowell's appointments of Katherine D. Avery, Joseph M. Correia and Joseph T. Miville as Constables with a firearm for the Auburn Police Department.

Motion by Councilor LaFontaine and seconded by Councilor Crowley. Passage 7-0.

#### 2. Order 67-08192013\*

Approving the list of equipment to be auctioned off.

Councilor Gerry asked that item #2 be removed from the Consent Agenda and placed under New Business. The Mayor stated that it would appear as the first item under New Business.

### II. Minutes

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry to approve minutes of the August 5, 2013 Regular Council Meeting. Passage 6-0-1 (Councilor Hayes abstained because he was absent from that meeting).

Motion was made by Councilor Crowley and seconded by Councilor LaFontaine to approve the amendment to the previously adopted minutes of the 4/16/2013 City Council Meeting as presented. Passage 7-0.

### III. Reports

**Mayor's Report** – the Mayor reported and submitted his written report to be placed on file.

**City Councilors' Reports** – Councilors Crowley and Young submitted written reports and Councilor Crowley reported on a few additional items.

**City Manager's Report** – City Manager Deschene reported on a few items. He will be submitting a written report to Council on a weekly basis.

**Finance Director, Jill Eastman** – the July Finance report will be on the September 3, 2013 agenda. The Finance Department received an award for achieving Excellence in Financial Reporting for the 20<sup>th</sup> consecutive year.

**IN COUNCIL REGULAR MEETING AUGUST 19, 2013 VOL. 33 PAGE 168**

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

**V. Open Session – Tim Doughty-75 Cherry Vale Circle, Joe Gray-Sopers Mill Road**

**VI. Unfinished Business**

**1. Ordinance 05-06032013**

Approving the newly proposed Flea Market license fee schedule (first reading).

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes.

Public comment – no one from the public spoke

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to postpone to a date to be determined. Passage 7-0.

**2. Ordinance 06-06032013**

Approving the newly proposed Peddlers license fee schedule (first reading).

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley to postpone to a date to be determined. Passage 7-0.

**3. Order 64-08052013**

Approving the Community Development Program amendment.

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry.

Public comment – no one from the public spoke.

Passage 5-2 (Councilors Crowley and Walker opposed).

**VII. New Business**

**Order 67-08192013 – This item was removed from the Consent Agenda**

Approving the list of equipment to be auctioned off.

Motion was made by Councilor Young and seconded by Councilor Hayes.

**IN COUNCIL REGULAR MEETING AUGUST 19, 2013 VOL. 33 PAGE 169**

Public Comment – Joe Gray - Sopers Mill Road, Andy Titus - 17 Lamplighter Circle.

Motion failed 2-5 (Councilors LaFontaine, Walker, Shea, Gerry, and Crowley opposed. This item will be on the Workshop Agenda of 9/3/2013.

**4. Order 68-08192013**

Approving the Liquor License and Special Amusement Permit for Maine Billiards League d/b/a Legends Sports Bar and Grill located at 128 Center Street.

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry to approve pending approval from all departments (waiting for the certificate of occupancy).

Public comment – Dan Small, owner of Legends Sports Bar and Grill.

Passage 7-0

**5. Order 69-08192013**

Authorizing the issuance and sale of the City's general obligation bonds in the amount of \$5,900,000. Public hearing and first reading.

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry.

Motion was made by Councilor Crowley and seconded by Councilor Walker to amend by removing any items that did not receive 5 affirmative votes during the CIP process; Engineering Major Drainage, ICT Network Security, Parks & Recreation Holder Tractor, Planning and Code Municipal Street Light Purchase, Planning and Code Traffic Signal Pole Replacement, Public Works Heavy Equipment-Dump Trucks, and Public Works Vehicles reducing the bonds by \$1,383,736.00. Motion failed 3-4 (Councilors Gerry, Hayes, LaFontaine, and Young opposed).

Public comment – Andy Titus, 17 Lamplighter Circle.

Passage of order 5-2 (Councilors Walker and Crowley opposed).

**6. Ordinance 10-08192013**

Approving the proposed ordinance on the regulation of Synthetic drugs (first reading).

Motion was made by Councilor LaFontaine and seconded by Councilor Walker.

**IN COUNCIL REGULAR MEETING AUGUST 19, 2013 VOL. 33 PAGE 170**

Public comment – no one from the public spoke.

Passage 5-2 (Councilors Shea and Crowley opposed).

**VIII. Open Session – Joe Gray, Sopers Mill Road**

**IX. Executive Session –**

Discussion regarding a personnel matter, pursuant to 1 M.R.S.A. §405(6)(A). Motion was made by Councilor LaFontaine and seconded by Councilor Gerry. Passage 7-0, 8:41 P.M.

The Mayor declared Council out of executive session at 8:58 P.M.

Discussion regarding labor negotiations, pursuant to 1 M.R.S.A. §405(6)(D). Motion was made by Councilor LaFontaine and seconded by Councilor Shea. Passage 5-0 (Councilors Crowley and Hayes were not in the room), 9:00 P.M.

The Mayor declared Council out of executive session at 10:09 P.M.

**X. Adjournment**

Motion was made by Councilor Walker seconded by Councilor LaFontaine to adjourn. Passage 5-0-2 (Councilors Young Shea were out of the room), 10:10 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

## IN COUNCIL REGULAR MEETING SEPTEMBER 3, 2013 VOL. 33 PAGE 171

Mayor LaBonte called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

A motion was made by Councilor LaFontaine and seconded by Councilor Gerry to add to the agenda a request from the Holy Trinity Greek Orthodox Church to place temporary signs for the Greek festival as item #6 under New Business, and to add as #7 under New Business authorization to auction off City surplus property. Passage 6-1 (Councilor Crowley opposed).

### I. Consent Items\* - None

### II. Minutes

- August 19, 2013 Regular Council Meeting

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry to approve the minutes of the August 19, 2013 Council Meeting. Passage 7-0.

### III. Reports

**Mayor's Report** – the Mayor reported

#### Committee Reports

- **Transportation**
  - **Androscoggin Transportation Resource Center** – Mayor LaBonte reported
  - **Lewiston Auburn Transit** – no report
  - **Airport, Railroad** – no report
  - **Bike-Ped Committee** – no report
- **Housing**
  - **Community Development Block Grant, Neighborhood Stabilization Program, Auburn Housing Authority** – Councilor Gerry reported on the Neighborhood Stabilization Program
- **Economic Development**
  - **L-A Economic Growth Council, Auburn Business Development Corporation** – Mayor LaBonté reported
- **Education**
  - **Auburn School Committee** – Councilor Young reported
  - **Auburn Public Library** – Councilor LaFontaine reported
  - **Great Falls TV** – no report
- **Environmental Services**
  - **Auburn Water District, Auburn Sewerage District** – Councilor Crowley reported
  - **Mid-Maine Waste Action Corp.** – no report
- **Recreation**
  - **Recreation Advisory Board** – Mayor LaBonté reported
- **Public Safety**
  - **LA 911** – Councilor Walker reported

**City Councilors' Reports** – Councilor Hayes reported and Councilor Crowley submitted a written report

**Finance Director, Jill Eastman** – July Finance Report

Motion was made by Councilor Young and seconded by Councilor LaFontaine to accept and place on file the July finance report. Passage 7-0.

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

**V. Open Session**

Andy Titus, 17 Lamplighter Circle  
Dan Herrick, 470 Hatch Road  
Joe Gray, Sopers Mill Road

**VI. Unfinished Business**

**1. Order 69-08192013**

Authorizing the issuance and sale of the City's general obligation bonds in the amount of \$5,900,000 (second reading).

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry.

Motion was made by Councilor Walker and seconded by Councilor Crowley to amend by striking Engineering's Major Drainage for \$60,000. Motion failed 3-4 (Councilors Gerry, Hayes, LaFontaine, and Shea opposed).

Motion was made by Councilor Walker and seconded by Councilor Crowley to amend by striking ICT's Network Security for \$40,000. Passage 4-3, (Councilors Hayes, LaFontaine, and Young opposed).

Motion was made by Councilor Walker and seconded by Councilor Crowley to amend by striking the Parks and Recreation's Holder Tractor for \$165,000. Motion failed 3-4 (Councilors Gerry, Hayes, LaFontaine, and Shea opposed).

Motion was made by Councilor Walker and seconded by Councilor Crowley to amend by striking Planning & Code's Municipal Street Light Purchase for \$750,000. Motion failed 2-4-1 (Councilors Gerry, Hayes, LaFontaine, and Young opposed and Councilor Shea abstained).

**IN COUNCIL REGULAR MEETING SEPTEMBER 3, 2013 VOL. 33 PAGE 173**

Motion was made by Councilor Walker and seconded by Councilor Crowley to amend by striking Planning & Code's Traffic Signal Pole Replacement for \$10,736. Passage 4-3 (Councilors Shea, LaFontaine, and Hayes opposed).

Motion was made by Councilor Walker and seconded by Councilor Crowley to amend by striking Public Works Heavy Equipment-Dump Trucks for \$320,000. Motion failed 3-4 (Councilors Gerry, Hayes, LaFontaine, and Young opposed).

Motion was made by Councilor Walker and seconded by Councilor Crowley to amend by striking Public Works Vehicles for \$38,000. Passage 4-3, (Councilors Gerry, LaFontaine, and Young opposed).

Passage of the order as amended, 7-0.

**2. Ordinance 10-08192013**

Approving the proposed ordinance on the regulation of Synthetic drugs (second reading).

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes.

Public comment – no one from the public spoke.

Passage 5-2 (Councilors Shea and Crowley opposed).

**VII. New Business**

**3. Order 70-09032013**

Authorizing the Community Development Director to submit a request for an exemption to the Department of Housing and Urban Development regulations of the Community Development Block grant program on behalf of Councilor Leroy Walker.

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry.

Public comment – no one from the public spoke.

Passage 6-0-1 (Councilor Walker abstained).

**4. Order 71-09032013**

Adopting the Analysis of the Impediments to Fair Housing Choice as recommended by the Community Development Staff.

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry.



Public comment – no one from the public spoke.

Passage 6-1 (Councilor Crowley opposed).

**5. Order 72-09032013**

Casting votes for members of the Androscoggin County Budget Committee. Council may enter into Executive Session, pursuant to 1 M.R.S.A. Section 405(6)(A).

Motion was made by Councilor Crowley and seconded by Councilor Walker to vote as follows;  
District 5, Tizz Crowley and Andrew Titus;  
District 6, Stanwood Gray and Robert Hayes.

Passage 7-0.

**6. Order 74-09032013**

Approving the request from the Holy Trinity Greek Orthodox Church to place temporary signs advertising the Greek Festival.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker approving the temporary sign placement for 2013, 2014, 2015, 2016, and 2017.

Passage 7-0.

**7. Order 75-09032013**

Authorizing the Finance Director to move forward with the auction of City surplus property.

Motion was made by Councilor Lafontaine and seconded by Councilor Hayes.

Public comment – Andy Titus, 17 Lamplighter Circle, and Joe Gray, Sopers Mill Road.

Passage 4-3 (Councilors Gerry, Crowley, and Walker opposed).

**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*.

**IX. Executive Session**

Discussion on a Poverty Abatement, pursuant to 36 M.R.S.A. Sec. 841 (2) with possible action to follow.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to enter into Executive Session. Passage 7-0, 8:48 P.M.

The Mayor declared Council out of Executive Session at 8:58 P.M.

**IN COUNCIL REGULAR MEETING SEPTEMBER 3, 2013 VOL. 33 PAGE 175**

Motion was made by Councilor Shea and seconded by Councilor Crowley to deny the Poverty Abatement. Passage 6-0-1 (Councilor LaFontaine abstained).

**X. Adjournment**

Motion was made by Councilor Walker and seconded by Councilor LaFontaine to adjourn. Passage 7-0, 8:59 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

## IN COUNCIL REGULAR MEETING SEPTEMBER 16, 2013 VOL. 33 PAGE 176

City Manager, Clint Deschene called the meeting to order at 7:05 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Mayor LaBonté and Councilors LaFontaine and Hayes had excused absences. All other Councilors were present.

**Mayor Pro Tempore** – Motion was made by Councilor Walker and seconded by Councilor Crowley to elect Councilor Gerry to serve as Mayor Pro Tempore.

Another motion was made by Councilor Young and seconded by Councilor Gerry to elect Councilor Shea to serve as Mayor Pro Tempore. Motion failed, 2-2-1 (Councilors Walker and Crowley opposed, Councilor Gerry abstained).

Original motion failed, 2-2-1 (Councilors Shea and Young opposed, Councilor Gerry abstained).

Councilor Shea withdrew his name, passage to elect Councilor Gerry as Mayor Pro Tempore 5-0.

### **I. Consent Items\***

#### **1. Order 76-09162013**

Setting the time to open the polls for the November 5, 2013 election for 7:00 A.M.

Motion by Councilor Walker and seconded by Councilor Crowley. Passage 5-0.

### **II. Minutes**

Motion was made by Councilor Crowley and seconded by Councilor Walker to postpone the minutes of the September 3, 2013 regular Council Meeting until 10/7/2013 when the corrected minutes can be presented. Passage 5-0.

### **III. Reports**

**Mayor's Report** – None

**City Councilors' Reports** – Councilors Crowley submitted a written report.

**Finance Director, Jill Eastman** – August 2013 Monthly Finance Report

Motion was made by Councilor Gerry and seconded by Councilor Crowley to accept and place on file the August finance report. Passage 5-0.

### **IV. Communications, Presentations and Recognitions**

- Proclamation – Fire Officer Cadet Pawel Gatarczyk

### **V. Open Session**

**IN COUNCIL REGULAR MEETING SEPTEMBER 16, 2013 VOL. 33 PAGE 177**

- Larry Pelletier, New Auburn talked about trash and littering issues. There is a lot of trash at Bonney Park. He also commented on the Park Watch program that was supposed to address some of these concerns and has yet to be started.
- Connie Mercier, 21 Fourth Street expressed her concerns over the loud noise at the Fire House Grill last week.

**VI. Unfinished Business - None**

**VII. New Business**

**1. Ordinance 11-09162013**

Amending the Code of Ordinances Chapter 52, Article 5, Stopping, Standing and Parking, Division I Generally Sec. 52-181 Parking in City owned-lots. First reading.

Motion was made by Councilor Crowley and seconded by Councilor Walker.

Public comment – no one from the public spoke.

Passage 5-0.

**2. Order 77-09162013**

Adopting the addendum to the City of Auburn's Joint Purchasing and Procurement Policy that was adopted by City Council on January 2, 2013.

Motion was made by Councilor Crowley and seconded by Councilor Walker to add to the order that the School Department must also offer their items to other City departments first.

Public comment – no one from the public spoke.

Motion was made by Councilor Shea and seconded by Councilor Crowley to postpone to the earliest possible time. Passage 4-1 (Councilor Walker opposed).

**3. Order 78-09162013**

Appointing Charles Morrison to the L/A Cable TV Advisory Board with a term expiration of January 1, 2015 as nominated by the Appointment Committee. Council may enter into executive session, pursuant to 1 M.R.S.A. §405(6)(A).

**IN COUNCIL REGULAR MEETING SEPTEMBER 16, 2013 VOL. 33 PAGE 178**

Motion was made by Councilor Shea and seconded by Councilor Crowley to postpone all appointments (items 3 through 7) until the October 7, 2013 meeting. Passage 4-1 (Councilor Young opposed).

**4. Order 79-09162013**

Appointing Michael Dixon to the Zoning Board of Appeals as a full member with a term expiration of October 1, 2016 as nominated by the Appointment Committee. Council may enter into executive session, pursuant to 1 M.R.S.A. §405(6)(A).

Motion was made by Councilor Shea and seconded by Councilor Crowley to postpone all appointments (items 3 through 7) until the October 7, 2013 meeting. Passage 4-1 (Councilor Young opposed).

**5. Order 80-09162013**

Appointing Judith Webber to the Auburn Housing Authority with a term expiration of October 1, 2018 as nominated by the Appointment Committee. Council may enter into executive session, pursuant to 1 M.R.S.A. §405(6)(A).

Motion was made by Councilor Shea and seconded by Councilor Crowley to postpone all appointments (items 3 through 7) until the October 7, 2013 meeting. Passage 4-1 (Councilor Young opposed).

**6. Order 81-09162013**

Appointing Robert Bowyer to the Planning Board with a term expiration of January 1, 2016 as nominated by the Appointment Committee. Council may enter into executive session, pursuant to 1 M.R.S.A. §405(6)(A).

Motion was made by Councilor Shea and seconded by Councilor Crowley to postpone all appointments (items 3 through 7) until the October 7, 2013 meeting. Passage 4-1 (Councilor Young opposed).

**7. Order 82-09162013**

Appointing Ann Parker to the Community Development Block Grant (CDBG) Loan Committee with a term expiration of October 1, 2016 as nominated by the Appointment Committee. Council may enter into executive session, pursuant to 1 M.R.S.A. §405(6)(A).

Motion was made by Councilor Shea and seconded by Councilor Crowley to postpone all appointments (items 3 through 7) until the October 7, 2013 meeting. Passage 4-1 (Councilor Young opposed).

**VIII. Open Session**

**IN COUNCIL REGULAR MEETING SEPTEMBER 16, 2013 VOL. 33 PAGE 179**

Motion was made by Councilor Crowley and seconded by Councilor Walker to take out of order the Open Session and place before the Executive Session. Passage 5-0.

No one from the public spoke.

**IX. Executive Session**

- Discussion or consideration of an economic development matter, pursuant to 1 M.R.S.A. §405(6)(C).

Motion was made by Councilor Crowley and seconded by Councilor Walker. Passage 5-0, 7:46 P.M.

Motion was made by Councilor Gerry and seconded by Councilor Walker to move out of executive session. Passage 4-0 (Councilor Shea was not present for this vote), 8:01 P.M.

**X. Adjournment**

Motion was made by Councilor Young seconded by Councilor Crowley to adjourn. Passage 4-0 (Councilors Shea was not present for this vote), 08:03 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

**IN COUNCIL SPECIAL MEETING SEPTEMBER 30, 2013 VOL. 33 PAGE 180**

Mayor LaBonte called the meeting to order at 5:30 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Councilor Shea had an excused absence. Councilor Hayes arrived at 5:33 P.M. and Councilor Young had to leave at 6:15 P.M.

**I. Executive Session**

- Discussion regarding contemplated litigation, pursuant to 1 M.R.S.A. §405(6)(E).

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to enter into executive session. Passage 5-0 (Councilors Shea and Hayes absent), 5:32 P.M.

Council was declared out of executive session at 6:18 P.M.

- Discussion regarding labor negotiations, pursuant to 1 M.R.S.A. §405(6)(D).

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to enter into executive session. Passage 4-0 (Councilor Shea and Young absent and Councilor Crowley was out of the room during this vote), 6:18 P.M.

Council was declared out of executive session at 7:00 P.M.

- Discussion of a personnel issue (the City Manager Review), pursuant to 1 M.R.S.A. §405(6)(A).

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to enter into executive session. Passage 4-0-1 (Councilor Shea and Young absent and Councilor Walker abstained), 7:00 P.M.

Council was declared out of executive session at 7:49 P.M.

**II. Adjournment**

Motion was made by Councilor Walker and seconded by Councilor LaFontaine to adjourn. Passage 5-0, 7:49 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Howard Kroll, Assistant City Manager

## IN COUNCIL SPECIAL MEETING OCTOBER 7, 2013 VOL. 33 PAGE 181

Mayor LaBonte called the meeting to order at 7:10 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Councilor Crowley had an excused absence. All other Councilors were present.

### I. Consent Items\* - None

### II. Minutes

- September 3, 2013 Regular Council Meeting
- September 16, 2013 Regular Council Meeting
- September 30, 2013 Special Council Meeting

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to approve the minutes of September 3<sup>rd</sup>, September 16<sup>th</sup>, and September 30<sup>th</sup>, 2013. Passage 6-0.

### III. Reports

**Mayor's Report** – reported

**City Committee Reports** – Councilor Young reported on Great falls TV.

**Councilor Reports-** Councilor Crowley submitted a written report.

### IV. Communications, Presentations and Recognitions

- Recognition of *The Auburn Running Club*, for winning the State meet for the 2013 Auburn Parks and Recreation Summer Track and Field Program
- Breast Cancer Awareness Month
- Domestic Violence Month

### V. Open Session

No one from the public spoke.

### VI. Unfinished Business

#### 1. Ordinance 11-09162013

Amending the Code of Ordinances Chapter 52, Article 5, Stopping, Standing and Parking, Division I Generally Sec. 52-181 Parking in City owned-lots. Second reading.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes.

Public comment – no one from the public spoke.



## IN COUNCIL SPECIAL MEETING OCTOBER 7, 2013 VOL. 33 PAGE 182

\*Passage 5-1 (Councilor Walker abstained).

### 2. Order 78-09162013

Appointing Charles Morrison to the L/A Cable TV Advisory Board with a term expiration of January 1, 2015 as nominated by the Appointment Committee.

Motion was made by Councilor LaFontaine and seconded by Councilor Young.  
Passage 6-0.

### 3. Order 79-09162013

Appointing Michael Dixon to the Zoning Board of Appeals as a full member with a term expiration of October 1, 2016 as nominated by the Appointment Committee.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker.  
Passage 6-0.

### 4. Order 80-09162013

Appointing Judith Webber to the Auburn Housing Authority with a term expiration of October 1, 2018 as nominated by the Appointment Committee.

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry.  
Passage 6-0.

### 5. Order 81-09162013

Appointing Robert Bowyer to the Planning Board with a term expiration of January 1, 2016 as nominated by the Appointment Committee.

Motion was made by Councilor LaFontaine and seconded by Councilor Young.  
Passage 6-0.

### 6. Order 82-09162013

Appointing Ann Parker to the Community Development Block Grant (CDBG) Loan Committee with a term expiration of October 1, 2016 as nominated by the Appointment Committee.

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry.  
Passage 6-0.

## VII. New Business

### 7. Order 83-10072013

Authorizing the City Manager to use funds in the amount up to \$50,000 from an inactive special revenue account to fund ICT's Network Security and Planning and Permitting's Traffic Pole projects with any unused funds being transferred to the general fund account.

**IN COUNCIL SPECIAL MEETING OCTOBER 7, 2013 VOL. 33 PAGE 183**

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes.

Motion was made by Councilor Walker and seconded by Councilor Gerry to amend the order to now read; "ORDERED that the City Council hereby authorizes the City Manager to use funds in the amount of \$61,000 from an inactive special revenue account to fund ICT's Network Security project and Planning and Permitting's Traffic Pole projects with any unused funds being transferred to the facilities CIP for FY 13/14.

Passage of the amendment, 6-0.

Public comment – Joe Gray, Sopers Mill Road.

Passage of the order as amended, 6-0.

**8. Order 84-10072013A and Order 84-10072013B**

Approving the reallocation and prioritization of FY14 CIP funds related to City Buildings.

Motion by Councilor LaFontaine and seconded by Councilor Walker (Order 84-10072013B).

Public comment – no one from the public spoke.

Passage 6-0.

Motion by Councilor LaFontaine and seconded by Councilor Young (Order 84-10072013A).

Public comment – no one from the public spoke.

Passage 6-0.

**9. Ordinance 12-10072013**

Adopting the General Assistance overall maximums. First reading.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker.

Public comment – no one from the public spoke.

\*Passage 6-0.

**10. Ordinance 13-10072013**

Adopting the General Assistance Ordinance. First reading.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker.

Public comment – no one from the public spoke.

\*Passage 6-0.

**11. Order 85-10072013**

Approving the renewal of an Auto Graveyard/Junkyard permit for Bucks Auto - Public hearing.

## IN COUNCIL SPECIAL MEETING OCTOBER 7, 2013 VOL. 33 PAGE 184

Motion was made by Councilor LaFontaine and seconded by Councilor Walker.  
Public Hearing – no one from the public spoke.  
Passage 6-0.

### 12. Order 86-10072013

Approving the renewal of an Auto Graveyard/Junkyard permit for Morris Auto Parts – Public hearing.

Motion was made by Councilor Young and seconded by Councilor LaFontaine to postpone this item and public hearing until November 4, 2013. Passage 6-0.

### 13. Order 87-10072013

Approving the renewal of an Auto Graveyard/Junkyard permit for M & P Auto Parts – Public hearing.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker.  
Public Hearing – no one from the public spoke.  
Passage 6-0.

### 14. Order 88-10072013

Approving the renewal of an Auto Graveyard/Junkyard permit for Randy's Auto Parts-Public hearing.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker.  
Public Hearing – no one from the public spoke.  
Passage 6-0.

### 15. Order 89-10072013

Approving the renewal of an Auto Graveyard/Junkyard permit for Isadore T. Miller, Division of Schnitzer NE – Public hearing.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker.  
Public Hearing – no one from the public spoke.  
Passage 6-0.

### 16. Order 90-10072013

Approving the renewal of an Auto Graveyard/Junkyard permit for Prolerized New England Company, LLC (formerly known as Maine Metal Recycling) – Public hearing.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker.  
Public Hearing – no one from the public spoke.  
Passage 6-0.

## VIII. Executive Session

## IN COUNCIL SPECIAL MEETING OCTOBER 7, 2013 VOL. 33 PAGE 185

- Discussion regarding contemplated litigation, pursuant to 1 M.R.S.A. §405(6)(E) with possible action to follow.

Motion was made by Councilor LaFontaine and seconded by Councilor Shea to enter into executive session. Passage 5-1 (Councilor Gerry opposed), 7:52 P.M.

The Mayor declared Council out of executive session at 8:06 P.M.

Motion was made by Councilor LaFontaine and seconded by Councilor Shea for passage of Resolve 07-10072013 calling upon the Lewiston-Auburn Transportation Committee to call upon the Maine Department of Transportation to assist actively in monitoring the performance of the contract between the Lewiston-Auburn Transportation Committee and Western Maine Transportation Systems, Inc., for the Citylink bus service to assure that existing violations of maintenance and safety standards are promptly cured and that there is effective oversight of the Citylink system in the future. Passage 5-1 (Councilor Gerry opposed).

- Discussion of a personnel issue (the City Manager's Review), pursuant to 1 M.R.S.A. §405(6)(A) with possible action to follow.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to enter into executive session. Passage 4-2 (Councilor Gerry and Walker abstained), 8:15 P.M.

The Mayor declared Council out of executive session at 8:41 P.M.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to authorize a \$2,000 wage adjustment for the City Manager pursuant to the employment contract of the City Manager. Passage 4-2 (Councilors Walker and Gerry opposed). This becomes Order 91-10072013.

- Discussion regarding an Economic Development matter, pursuant to 1 M.R.S.A. §405(6)(C) with possible action to follow.

This matter was discussed and resolved in executive session during the workshop.

### **IX. Open Session** – no one from the public spoke

\* Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to suspend the rules and confirm the votes originally taken by a show of hands of items #1. Ordinance 11-09162013, #9. Ordinance 12-10072013, and #10. Ordinance 13-10072013 with a roll call vote in accordance to the City Charter.

### **X. Adjournment**

**IN COUNCIL SPECIAL MEETING OCTOBER 7, 2013 VOL. 33 PAGE 186**

Motion was made by Councilor LaFontaine and seconded by Councilor Shea to adjourn.  
Passage 6-0. 8:50 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

## IN COUNCIL SPECIAL MEETING OCTOBER 21, 2013 VOL. 33 PAGE 187

Mayor LaBonte called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Councilors Young and Shea had excused absences. All other Councilors were present.

### I. Consent Items\*

#### 1. Order 92-10212013\*

Appointment of Wardens and Ward Clerks for the November 5, 2013 Election.

#### 2. Order 93-10212013\*

Authorizing the City Manager to transfer funds from Auburn's salary account (sick leave donations) to 9-1-1's salary account.

#### 3. Order 94-10212013\*

Approving the request for temporary sign placement for the Auburn Ski Association.

#### 4. Order 95-10212013\*

Approving the request for temporary sign placement for the St. Dom's Academy.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to approve the consent items. Passage 5-0.

### II. Minutes

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to approve the minutes of October 7, 2013. Passage 4-0-1 (Councilor Crowley abstained from voting because she was not present at the October 7, 2013 meeting).

### III. Reports

#### Mayor's Report

**City Councilors' Reports** – Councilors Gerry and Walker reported. Councilor Crowley submitted a written report and reported on an additional item.

**Finance Director, Jill Eastman** – September 2013 Monthly Finance Report

Motion was made by Councilor Gerry and seconded by Councilor LaFontaine to accept and place on file the September 2013 finance report. Passage 5-0.

### IV. Communications, Presentations and Recognitions

- Portrait presentation – Former Mayor Normand Guay

**IN COUNCIL SPECIAL MEETING OCTOBER 21, 2013 VOL. 33 PAGE 188**

- Proclamation – Recognizing Chief of Police, Phil Crowell for being elected President of the Maine Chiefs of Police Association.

*This item is to be postponed until the meeting of November 4, 2013.*

Mayor LaBonté proclaimed Thursday, October 24, 2013 as “Food Day in Auburn”

**V. Open Session - Joe Gray, Sopers Mill Road – Ingersoll Arena and Matrix report**

**VI. Unfinished Business**

**1. Order 77-09162013**

Adopting the addendum to the City of Auburn’s Joint Purchasing and Procurement Policy that was adopted by City Council on January 2, 2013.

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley to adopt the addendum to the City of Auburn’s Joint Purchasing and Procurement Policy that was adopted by City Council on January 2, 2013.

Public comment – No one from the public spoke.

Passage 5-0.

**2. Ordinance 12-10072013**

Adopting the General Assistance overall maximums. Second reading.

Motion by Councilor LaFontaine and seconded by Councilor Crowley to adopt the General Assistance overall maximums.

Motion by Councilor LaFontaine and seconded by Councilor Crowley to amend by including State changes to the Appendices B-Food Maximum.

Passage of amendment, 5-0.

Public comment – No one from the public spoke.

Passage of the ordinance as amended, 5-0 (roll call vote Councilors Shea and Young absent).

**3. Ordinance 13-10072013**

Adopting the General Assistance Ordinance. Second reading.

Motion by Councilor LaFontaine and seconded by Councilor Walker to adopt the General Assistance Ordinance.

**IN COUNCIL SPECIAL MEETING OCTOBER 21, 2013 VOL. 33 PAGE 189**

Public comment – No one from the public spoke.

Passage, 5-0 (roll call vote Councilors Shea and Young absent).

**VII. New Business – No new business**

**VIII. Executive Session**

Motion was made by Councilor Walker and seconded by Councilor LaFontaine to suspend the rules to add an executive session and add an item to the agenda. Passage 4-1 (Councilor Crowley opposed).

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to enter into executive session. Passage 4-1 (Councilor Crowley opposed), 7:51 P.M.

The Mayor declared Council out of executive session at 7:59 P.M.

A motion was made by Councilor LaFontaine and seconded by Councilor Walker that the City Council authorizes the City Manager to enter into negotiations to purchase property at 88 Newbury Street, Auburn, Maine to improve public river access and long term connectivity of recreational assets along the Little and Big Androscoggin Rivers. This is Order 96-10212013. Passage 4-1 (Councilor Crowley opposed).

**IX. Open Session – No one from the public spoke**

**X. Adjournment**

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to adjourn. Passage 5-0, 8:01 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk



## **IN COUNCIL SPECIAL MEETING NOVEMBER 4, 2013 VOL. 33 PAGE 190**

Mayor LaBonte called the meeting to order at 7:08 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

### **I. Consent Items\***

#### **1. Order 97-11042013\***

Appointment of Warden and Ward Clerk for the November 5, 2013 Election.

#### **2. Order 98-11042013\***

Confirming Chief Crowell's appointment of Katherine D. Avery, Joseph M. Correia and Joseph T. Miville as Constables with a firearm for the Auburn Police Department.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to approve the consent items. Passage 7-0.

### **II. Minutes**

- October 21, 2013 Regular Council Meeting

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry. After some Council discussion, both Councilors withdrew their motion and postponed this item to the 11/18/2013 meeting.

### **III. Reports**

**Mayor's Report** – reported

**City Manager's Report** – reported

**City Committee Reports** – Councilor Crowley submitted written reports.

**Councilor Reports**- Councilor Crowley reported.

### **IV. Communications, Presentations and Recognitions**

- Proclamation – Recognizing Chief of Police, Phil Crowell for being elected President of the Maine Chiefs of Police Association.
- 2013 Auburn Book Project Winner – Oliver Hall

### **V. Open Session** - No one from the public spoke.

### **VI. Unfinished Business**

#### **1. Order 86-10072013**

**IN COUNCIL SPECIAL MEETING NOVEMBER 4, 2013 VOL. 33 PAGE 191**

Approving the renewal of an Auto Graveyard/Junkyard permit for Morris Auto Parts – Public hearing.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to postpone this item until December 16, 2013 per staff recommendation. Passage 7-0.

**VII. New Business**

**1. Ordinance 14-11042013**

Adopting an amendment to the Business licensing Code of Ordinances to include the definition of Garage Sales. First reading.

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley to adopt the amendment to the business licensing Code of Ordinances to include the definition of Garage Sales.

Public comment – Andy Titus, Lamplighter Circle.

Passage of first reading 7-0 (roll call vote).

**VIII. Open Session – No one from the public spoke**

**IX. Executive Session**

- MSEA labor negotiations discussion, pursuant to 1 M.R.S.A. §405(6)(D). Motion was made by Councilor LaFontaine and seconded by Councilor Walker to enter into executive session. Passage 7-0, 7:59 P.M.

The Mayor declared Council out of executive session at 8:36 P.M.

- Labor negotiations update (Fire, MAP Patrol, MAP Command), pursuant to 1 M.R.S.A. §405(6)(D). Motion was made by Councilor Shea and seconded by Councilor Walker to enter into executive session (Councilors Gerry and LaFontaine were not in the room). Passage 5-0, 8:37 P.M.

The Mayor declared Council out of executive session at 9:30 P.M.

*Council continued workshop discussions (on Lewiston/Auburn Transit Committee and the Re-purposing of Ingersoll Arena).*

**X. Adjournment**

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to adjourn. Passage 7-0. 9:39 P.M.

**IN COUNCIL SPECIAL MEETING NOVEMBER 4, 2013 VOL. 33 PAGE 192**

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

**JOINT MEETING WITH LEWISTON NOVEMBER 12, 2013 VOL. 33 PAGE 193**

Mayor MacDonald called the meeting to order at 6:00 P.M. in Council Chambers of Lewiston City Hall and led the assembly in the salute to the flag and a moment of silence. Councilor Desjardins of Lewiston and Councilor Shea of Auburn both had excused absences. All other Lewiston and Auburn Councilors were present.

Discussion on the following;

1. Review of LATC Bus Purchasing and Maintenance History – Operational Impacts
2. Review of Halsey King Associates Report
3. Update on Status of Western Maine Transportation Improvements/Compliance Efforts
4. Proposed Resolve to Re-Purpose LATC Capital Reserve Funding
5. Joint Council discussion to expand the scope of services for the LATC route study to include an organizational study
6. Updates on Portland-Lewiston-Auburn Joint Resolve

Resolve 08-11122013

Authorizing the re-purposing of the Lewiston-Auburn Transit Committee (LATC) Capital Reserve Funding.

Motion was made by Lewiston Councilor Butler and seconded by Auburn Councilor LaFontaine.

Passage 6-0 Lewiston (Councilor Desjardins absent) and passage 6-0 Auburn (Councilor Shea absent). Roll call votes were taken.

Adjournment at 7:08 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

## **IN COUNCIL REGULAR MEETING NOVEMBER 18, 2013 VOL. 33 PAGE 194**

Mayor LaBonte called the meeting to order at 7:10 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

### **I. Consent Items\* - None**

### **II. Minutes**

- October 21, 2013 Regular Council Meeting
- November 4, 2013 Regular Council Meeting

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to approve the minutes of October 21, 2013 and November 4, 2013 as presented. Passage 7-0.

### **III. Reports**

#### **Mayor's Report - reported**

**City Councilors** – Councilors LaFontaine and Young reported. Councilor Crowley submitted a written report and reported on additional items.

**City Manager's Report** – Public Services update – reported on additional items.

**Finance Director, Jill Eastman** – October 2013 Monthly Finance Report

Motion was made by Councilor Young and seconded by Councilor LaFontaine to accept and place on file the October 2013 finance report. Passage 7-0.

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

### **V. Open Session** – Larry Pelletier of New Auburn on the status of the Park Watch Program.

### **VI. Unfinished Business**

#### **1. Ordinance 14-11042013**

Adopting an amendment to the Business licensing Code of Ordinances to include the definition of Garage Sales. Second reading.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to adopt the amendment to the Business licensing Code of Ordinances to include the definition of Garage Sales.

Public comment – No one from the public spoke.

Passage 7-0 (roll call vote).

### **VII. New Business**

#### **1. Order 99-11182013**

## IN COUNCIL REGULAR MEETING NOVEMBER 18, 2013 VOL. 33 PAGE 195

Authorizing the City Manager to purchase property at 88 Newbury Street for a purchase price of \$38,900 plus reasonable closing costs funded from Downtown TIF District #10.

Motion was made by Councilor Lafontaine and seconded by Councilor Walker to authorize the City Manager to purchase property at 88 Newbury Street for a purchase price of \$38,900 plus reasonable closing costs funded from Downtown TIF District #10.

Public comment - no one from the public spoke.

Passage 7-0.

### 2. Order 100-11182013

Authorizing the City Manager to execute the collective bargaining agreement with MSEA Local 1989.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to authorize the City Manager to execute the collective bargaining agreement with MSEA Local 1989.

Public comment - no one from the public spoke.

Passage 6-1 (Councilor Crowley opposed).

## VIII. Executive Session

- Lewiston/Auburn Economic Growth Council (LAEGC) – Executive Session for consultation with City Attorney, pursuant to 1 M.R.S.A. §405(6)(E).

Motion was made by Councilor Lafontaine and seconded by Councilor Walker to enter into executive session. Passage 6-1 (Councilor Crowley opposed), 7:38 P.M.  
The Mayor declared Council out of executive session at 8:56 P.M.

- Poverty Abatement discussion, pursuant to 36 M.R.S.A. Sec. 841(2) with possible action to follow.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to enter into executive session. Passage 7-0, 8:59 P.M.  
The Mayor declared Council out of executive session at 9:08 P.M.

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley to deny the poverty abatement for case # 1478 (Order #101-11-182013). Passage 5-2 (Councilors Gerry and Walker opposed).

**IN COUNCIL REGULAR MEETING NOVEMBER 18, 2013 VOL. 33 PAGE 196**

- Labor negotiations update (Fire, MAP Patrol, MAP Command) pursuant to 1 M.R.S.A. §405(6)(D).

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to enter into executive session. Passage 7-0, 9:10 P.M.

The Mayor declared Council out of executive session at 9:40 P.M.

**IX. Open Session – No one from the public spoke**

**X. Adjournment**

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to adjourn. Passage 7-0, 9:41 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

## IN COUNCIL SPECIAL MEETING DECEMBER 2, 2013 VOL. 33 PAGE 197

Mayor LaBonte called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

### I. Consent Items\*

1. **Order 102-12022013\***  
Appointment of Wardens and Ward Clerks for December 2013 through December 2015.
2. **Order 103-12022013\***  
Accepting the transfer of Forfeiture Asset (Kourtney Francoeur).
3. **Order 104-12022013\***  
Accepting the transfer of Forfeiture Asset (Ashley Gleason).
4. **Order 105-12022013\***  
Accepting the transfer of Forfeiture Asset (Erick Estrada).

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to approve the consent items. Passage 7-0.

### II. Minutes

- November 12, 2013 Joint Council Meeting
- November 18, 2013 Regular Council Meeting

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to approve the minutes of November 12 and November 18, 2013. Passage 7-0.

### III. Reports

**Mayor's Report** – reported

**City Manager's Report** – reported

**City Committee Reports** – Councilor Crowley submitted written reports.

**Councilor Reports-** Councilor Crowley submitted a written report and reported on additional items. Councilor Gerry also reported.

### IV. Communications, Presentations and Recognitions

- Presentation – John Storer on Water Rate Increase
- Recognition – Councilor Shea was recognized for his two years of service as City Councilor.



**IN COUNCIL SPECIAL MEETING DECEMBER 2, 2013 VOL. 33 PAGE 198**

**V. Open Session** - No one from the public spoke.

**VI. Unfinished Business** - None

**VII. New Business**

**1. Order 106-12022013**

Approving the order to extend funding to the Lewiston Auburn Economic Growth Council through June 30, 2014 and also accepting the revised scope of services as noted in the proposed order.

Motion was made by Councilor LaFontaine and seconded by Councilor Young to approve Order 106-12022013.

Public comment: Dan Herrick-470 Hatch Road, Joe Gray-Sopers Mill Road.

Passage 4-3 (Councilors Walker, Shea, and Crowley opposed). A roll call vote was taken.

**2. Order 107-12022013**

Amending the downtown TIF district 10 (Public hearing).

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes.

Public hearing: Roland Miller, Economic Development Director.

Passage 6-1 (Councilor Gerry opposed). A roll call vote was taken.

**3. Order 108-12022013**

Amending the Auburn Mall TIF district 14 (Public hearing).

Motion was made by Councilor LaFontaine and seconded by Councilor Young.

Public hearing: Dan Herrick, 470 Hatch Road

Motion was made by Councilor LaFontaine and seconded by Councilor Young to postpone this item to a date to be determined.

Passage 6-1 (Councilor Walker opposed).

**4. Order 109-12022013**

Adopting the new Ice Arena TIF district 18 (Public hearing).

**IN COUNCIL SPECIAL MEETING DECEMBER 2, 2013 VOL. 33 PAGE 199**

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley to postpone this item to a date to be determined.

Passage 6-1 (Councilor Walker opposed).

**5. Order 110-12022013**

Authorizing the City Manager to amend the lease with Slapshot, LLC.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to approve Order 110-12022013 as presented.

Public hearing: Roland Miller - Economic Development Director,  
Joe Gray - Sopers Mill Road

Passage 6-1 (Councilor Gerry opposed).

**VIII. Executive Session**

A. Executive Session, MAP Police Patrol pursuant to 1 M.R.S.A. §405(6)(D) – No action required. *This item did not have to be addressed.*

**IX. Open Session**

Joe Gray, Sopers Mill Road  
Dan Herrick, Hatch Road

**X. Adjournment**

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to adjourn. Passage 7-0. 9:10 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk

## IN COUNCIL REGULAR MEETING DECEMBER 16, 2013 VOL. 33 PAGE 200

Mayor LaBonte called the meeting to order at 7:13 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

### I. Consent Items\*

1. **Order 112-12162013\***  
Accepting the transfer of Forfeiture Asset (Philip Moser).
2. **Order 113-12162013\***  
Confirming Police Chief, Phil Crowell's appointment of David K. Brown, II as Constable with a firearm for the Auburn Police Department.
3. **Order 114-12162013\***  
Approving the 180 day moratorium on tree harvesting.  
  
Motion was made by Councilor Hayes and seconded by Councilor Walker to approve the consent items. Passage 7-0.

### II. Minutes

- December 2, 2013 Regular Council Meeting  
  
Motion was made by Councilor LaFontaine and seconded by Councilor Walker to approve the minutes of December 2, 2013. Passage 7-0.

### III. Reports

**Mayor's Report** – The Mayor welcomed Councilor Lee.

**City Councilors** – Councilors Hayes and Crowley submitted written reports. Councilors Young and Gerry reported, and Councilor Crowley reported on a few additional items.

**City Manager's Report** – Railroad Board Meeting update.

**Finance Director, Jill Eastman** – November 2013 Monthly Finance Report

Motion was made by Councilor Crowley and seconded by Councilor Gerry to accept and place on file the November 2013 finance report. Passage 7-0.

### IV. Communications, Presentations and Recognitions

- Mary Sylvester – Community Conversations Review
- Audit Presentation – Casey Leonard of Runyon Kersteen Ouellette
- Matrix updates – Frank Roma

## IN COUNCIL REGULAR MEETING DECEMBER 16, 2013 VOL. 33 PAGE 201

V. **Open Session** – Andy Titus-17 Lamplighter Circle, Joe Gray-Sopers Mill Road, and Don St. Germaine all spoke.

### VI. **Unfinished Business**

1. **Order 86-10072013**

Approving the renewal of an Auto Graveyard/Junkyard permit for Morris Auto Parts (Public hearing).

Motion was made by Councilor Gerry and seconded by Councilor LaFontaine.

Public hearing – Don St. Germaine, owner of Morris Auto Parts.

Motion was made by Councilor Crowley and seconded by Councilor LaFontaine to amend by replacing the order with an order to deny the annual renewal request based on the findings of fact and conclusions (included in the amended order).

Public comment – Joe Gray-Sopers Mill Road

Passage on amendment, 7-0 (a roll call vote was taken). Passage on Order 86-10072013 as amended and with the attached findings of fact and conclusions, 7-0.

2. **Order 108-12022013**

Amending the Auburn Mall TIF district 14 (Public hearing).

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to amend the Auburn Mall TIF district 14.

The Mayor re-opened the public hearing (was continued from the 12/2/2013 Council meeting). Andy Titus-17 Lamplighter Circle and Joe Gray-Sopers Mill Road spoke.

Passage 5-2 (Councilors Crowley and Gerry opposed). A roll call vote was taken.

3. **Order 109-12022013**

Adopting the new Ice Arena TIF district 18 (Public hearing).

Motion was made by Councilor LaFontaine and seconded by Councilor Lee to adopt the new Ice Arena TIF district 18.

## IN COUNCIL REGULAR MEETING DECEMBER 16, 2013 VOL. 33 PAGE 202

The Mayor opened the Public hearing (was continued from the 12/2/2013 Council meeting). Andy Titus-17 Lamplighter Circle spoke.

Motion was made by Councilor Hayes and seconded by Councilor Gerry to amend the attached document referenced in the order by editing table 1 on page 4 (Captured Assessed Value) from;  
1-5 years 100% 6-10 years 75% 11-15 years 50% 16-20 years 25%  
to; 1-5 years 80% 6-10 years 70% 11-15 years 60% 16-20 years 40%

Motion on the amendment failed, 3-4 (Councilors Young, LaFontaine, Lee, and Walker opposed). A roll call vote was taken.

Passage of Order 109-12022013, 5-2 (Councilors Crowley and Gerry opposed). A roll call vote was taken.

### VII. New Business

4. **Order 115-12162013**

Accepting the FY 2013 Comprehensive Annual Financial Report.

Motion by Councilor LaFontaine and seconded by Councilor Young.  
Passage 5-1-1 (Councilor Gerry opposed and Councilor Crowley abstained).

5. **Order 116-12162013**

Authorizing the City Manager to execute the collective bargaining agreement with the MAP Command Unit.

Motion by Councilor LaFontaine and seconded by Councilor Lee.

Public comment – Joe Gray, Sopers Mill Road

Passage 4-3 (Councilors Gerry, Crowley, and Walker opposed). A roll call vote was taken.

6. **Order 117-12162013**

Authorizing the City Manager to execute the collective bargaining agreement with I.A.F.F. (International Association of Firefighters) Local 797.

*No action was needed on this item.*

### VIII. Open Session – No one from the public spoke

**IN COUNCIL REGULAR MEETING DECEMBER 16, 2013 VOL. 33 PAGE 203**

**IX. Executive Session**

- Discussion regarding labor negotiations (MAP Patrol) pursuant to 1 M.R.S.A. §405(6)(D).

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry to enter into executive session. Passage 6-1 (Councilor Young opposed). Time 10:03 P.M.

The Mayor declared Council out of Executive Session at 10:25 P.M.

**X. Adjournment**

Motion was made by Councilor LaFontaine and seconded by Councilor Lee to adjourn. Passage 4-0 (Councilors Young, Gerry, and Hayes were not in the room during the vote), 10:27 P.M.

A True Copy.

ATTEST \_\_\_\_\_  
Susan Clements-Dallaire, City Clerk