



# City of Auburn, Maine

Office of the City Manager

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November 30, 2021

## Mayor and City Council –

A request was made by Councilor Lasagna and Councilor Boss to add order 31-07192021 (Strip Zoning) to the December 6, 2021, council meeting for a second reading. It was brought to my attention that the Planning Board failed to execute their full responsibility, as it pertains to order 31-07192021. In accordance with city ordinance section 2-472 Records and decisions paragraph b, the Planning Board in submitting a recommendation to the city council requires their recommendation shall include a written findings of fact and shall specify the reason or reasons for their recommendation. On November 9, 2021, the Planning Board failed to meet their obligation with a “negative” vote to order 31-07192021 with no findings of fact or reason(s).

Thus, in accordance with City Charter Section 6.4 City Manager Powers and duties to ensure all acts of the city council are faithfully executed, I am recommending the city council to direct the Planning Board to fulfill their responsibility by submitting their written findings of fact and reason for their findings to the city council at their earliest convenience.

The public hearing for Order 31-07192021 was already advertised and a request to place this on the agenda was received by two councilors. The council can proceed with voting on the second reading or direct the Planning Board to fulfill their responsibility and table this order until the information is received. See language below.

Sec. 6.4 Powers and duties.

Powers and duties of the City Manager shall be as follows:

d. See that all laws, provisions of this Charter, and acts of the City Council subject to enforcement by the City Manager or by officers subject to the City Manager’s direction and supervision are faithfully executed;

## Sec. 2-472. Record and decisions.

- (b) Every final decision of the planning board and every recommendation of the planning board to the city council shall include written findings of fact, and shall specify the reason or reasons for such decision or recommendation.