

**City Council Workshop & Meeting
Agenda
August 7, 2023
Auburn Hall, Council Chambers**

5:30 P.M. City Council Workshop

- A. PAL Center Update – John Blais & Derek Boulanger
- B. New Housing Starts and Projections T-4.2B and Beyond – Eric Cousens
- C. Public Safety Building – Woodard & Curran
- D. Executive Session – Economic development, pursuant to 1 M.R.S.A. §405(6)(C) which premature disclosure would prejudice the competitive or bargaining position of the City.
- E. Executive Session – Labor contract, pursuant to 1 M.R.S.A. §405(6)(D) with possible action to follow under New Business.

7:00 P.M. City Council Meeting - Roll call votes will begin with Councilor Walker

Pledge of Allegiance

- I. **Consent Items** – All items with an asterisk (*) are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council member or a citizen requests, in which event, the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.
 - 1. **Order 99-08072023***
Confirming Chief Moen’s appointment of constables with firearms and arrest powers for the Auburn Police Department.
 - 2. **Order 100-08072023***
Confirming Chief Moen’s appointment of Cameron Mason as constable, without firearm, for the Auburn Police Department.
 - 3. **Order 101-08072023***
Casting the voting ballot for the 2024 Maine Municipal Association’s Vice President and Executive Committee Members as nominated by the MMA Nominating Committee.
 - 4. **Order 102-08072023***
Confirming Mayor Levesque’s appointment of Andy Titus as full member of the Ethics Panel with a term expiration of 11/1/2025.
 - 5. **Order 103-08072023***
Authorizing the Mayor to execute the Edward Byrne Justice Assistance Grant Program FY2023 Local Solicitation-Certifications and Assurances by the Chief Executive of the Applicant Government document to be submitted with the grant application.

II. Minutes

- June 20, 2023, Regular City Council Meeting
- July 10, 2023, Special City Council Meeting

III. Communications, Presentations and Recognitions

- Presentation – Project Support You (PSY) Update
- Communication – Business License Denial - Medical Marijuana Cultivation Facility for Marc Fishman
- Communication – Aquatic Center in Auburn (Mayor Jason Levesque)
- Communication – Naming of City Facilities and Infrastructure (Mayor Jason Levesque)
- Council Communications (about and to the community)

IV. Open Session – *Members of the public are invited to speak to the Council about any issue directly related to City business or any item that does not appear on the agenda.*

V. Unfinished Business - None

VI. New Business

1. Order 104-08072023

Approving the Mass Gathering application for the Auburn Blues & Brews event to be held on Saturday, September 9, 2023. Public hearing and vote.

2. Order 105-08072023

Allocating funds (\$50,000) from the American Rescue Plan Act (ARPA) for the Auburn Victory Gardens Program.

3. Order 106-08072023

Adopting the School Maintenance Labor Contract.

4. Order107-08072023

Authorizing the Auburn-Lewiston Municipal Airport Board of Directors to designate and sell surplus personal property.

5. Order108-08072023

Amending the loan between the City's General Fund and the Auburn-Lewiston Municipal Airport to extend the maturity from FY2034 to FY2036.

6. Order 109-08072023

Approving the liquor license for Gippers (new ownership). Public hearing and vote.

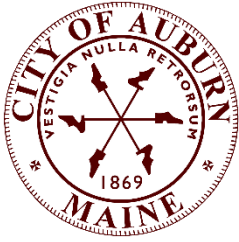
VII. Open Session - *Members of the public are invited to speak to the Council about any issue directly related to City business or any item that does not appear on the agenda*

VIII. Reports (from sub-committees to Council)

- a. Mayor's Report
- b. City Councilors' Reports
- c. City Manager Report

IX. Executive Sessions - Economic development, pursuant to 1 M.R.S.A. §405(6)(C) which premature disclosure would prejudice the competitive or bargaining position of the City.

X. Adjournment



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: Workshop, August 7th, 2023

Author: John Blais

Subject: PAL Update/Order discontinuance of 250+/- Chestnut Street as a city street/LWCF Land Swap

Information: Schematic Design/PAL Update (14,258 SF) by Austin Smith from Simons Architects and Megan McDevitt from Woodard and Curran.

City Staff is requesting the city to discontinue 250' +/- of Chestnut Street/Public Way, as a City Street, to provide a more robust site plan that puts youth safety playing outdoors at the pinnacle for total development of the new PAL Center (Updates Attached). The discontinuance of the "town way" will follow the Title 23, Part 3, Chapter 304 §3026-A, 1-6 as required and applies. Chestnut street was recorded as a named street in Council Records 11-350 (9/10/1923) & 11-485 (2/16/1925).

The street has been designed to be discontinued to create pedestrian connectivity for Union Street Gully Park that will link 6.1 acres of the upper section to the 2.7 acres of the lower section without vehicular traffic for greater safety and more flexibility for the total buildout of the PAL building and the associated features surrounding the site development.

Other associated tasks include providing continuance of public utilities as Title 23, Part 3, Chapter 304 §3026-A, (6) and identifying a portion (s) of that land to be converted to Land and Water Conservation Fund (LWCF) Property or out of LWCF property.

City Budgetary Impacts: Survey and Yellow Book Appraisal work. \$15,000

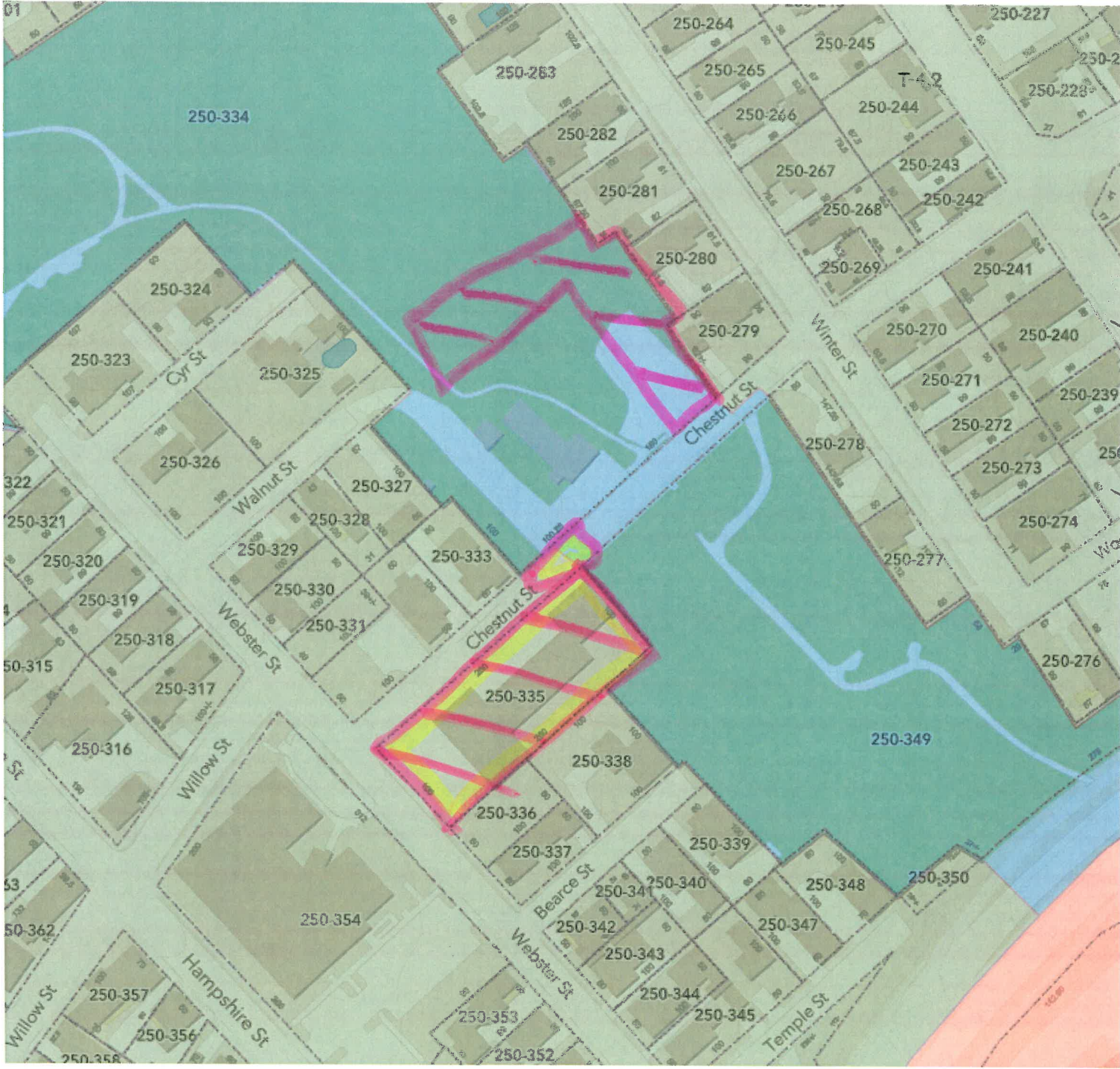
Staff Recommended Action: Move the request through public notice, and city council approval to accept the discontinuance a section (250' +/-)of Chestnut Street upon positive recommendation by City of Auburn Planning Board. Move PAL design to Design Development and move the LWCF swap forward.

Previous Meetings and History: N/A

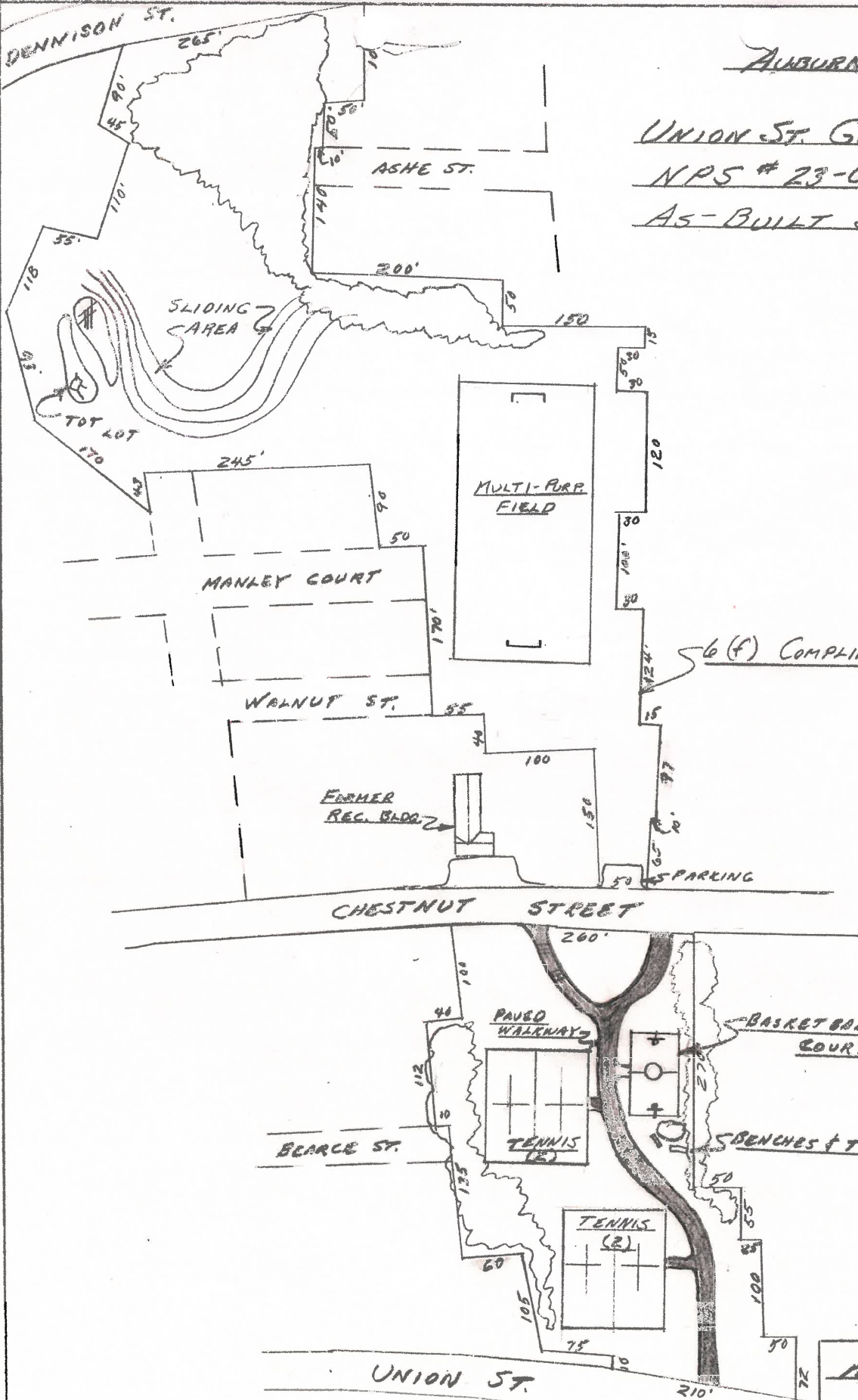
City Manager Comments:

I concur with the recommendation. Signature:

Attachments: Site plan



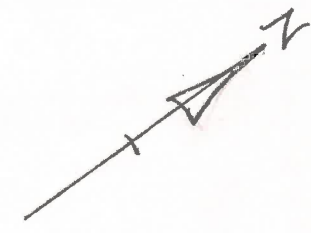
PAL/Union Bully ST. PARK LWF SWAP



AUBURN

UNION ST. GULLY PARK
NPS # 23-00308
AS-BUILT SITE PLAN

6 (f) COMPLIANCE LIMITS

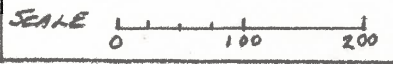


23-00308

ME. DEP. PARKS & REC.

BY JWP

7-19-82





City of Auburn, Maine

Office of the City Manager

60 Court Street | Auburn, Maine 04210

www.auburnmaine.gov | 207.333.6601

June 11, 2021

Department of Agriculture, Conservation, and Forestry – ATTN: Mr. Doug Beck
Bureau of Parks and Lands, Grants and Community Recreation Program
54 Independence Drive - 124 State House Station
Augusta, ME 04333-0124

Dear Doug,

Please find this letter as the City of Auburn's official correspondence on the **Site Feature Update** for the **Union Street 'Gully' Park Project**. We continue to work on completing items laid out in our Project Compliance Remediation Plan and Timeline.

Please reach out if you have any concerns or questions. We appreciate your continued effort to work with City staff throughout this process.

Best regards,

A handwritten signature in black ink that reads "Phil L. Crowell Jr." in a cursive script.

Phil Crowell
City Manager

Site Feature Update
June 11, 2021
City of Auburn

This document serves as the official notification to the State of Maine of the **Site Feature Update** for the following LWCF Project;

Political Subdivision: **City of Auburn**

Project Title: **Auburn-Union St., Gully Park**

Project Number: **NPS 23-00308**

Originally funded LWCF Project 6-14-1976 to 12-31-1978:

One (1) multi-use, multi-season recreational area on City owned Land located between Union Street and Dennison Street in Auburn. The city recognizes the Park as Gully Park. 1200 SF recreation building addition (not built-due to limited funding), four (4) lighted tennis courts, a combination play area /skating rink, one (1) ballfield (wood backstop only), one (1) playlot, one (1) volleyball area, jogging path, utilities and appurtenances and equipment.

Site Current Conditions:

The multi-use, multi-season recreational area (slightly enlarged), combination play area (sledding and tot lot area), recreation building remains the same from the original site plan. In 2013, the City of Auburn converted the area consisting of four (4) lighted tennis courts and volleyball area into three (3) paved, lined and lighted Basketball Courts as Tennis was no longer popular and the demand for more outdoor basketball courts grew. The Volleyball court was converted into a playground to supply the need for more play space in that south end of the park. The 'court' area continues to support a jogging path that continue to connect walkability from the Union St by-pass to Dennison St. at the southeast portion of the lot. The original 'Tot Lot' area has been relocated near the multi-use field and recreation building. The ballfield (wood backstop) was removed to meet the demand of the growing sport of soccer as the field was slightly expanded to meet regulation size for organized youth soccer at the multi-purpose field. The land, utilities and supporting infrastructure remain the same as originally approved under the original LWCF Project.

Future Plan:

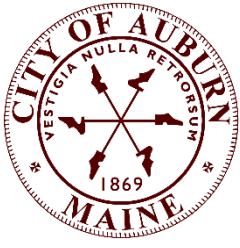
Currently the City is working towards installing two Futsal Courts in the court area where there is a playground (former Volleyball court area). Futsal Courts are mini soccer fields on a paved surface that utilizes a smaller weighted ball and focuses on footwork development on a smaller court. Installing Futsal Courts would satisfy the increase in demand for soccer related activities. With a larger New Mainer population in the neighborhood, the New Mainers are accustomed to playing soccer in their native lands and thus seek areas in which they can continue to play soccer. In addition, youth soccer has 3M strong country wide and has shown population growth in Maine over the last 10 Years. The playground that is in this proposed Futsal location will be moved to existing playground to expand the

playground footprint on the north end of the park. In addition, the city working on acquiring another parcel of land for a park, if successful the city will request to move it to the new location.

City has secured all funding needed to move forward with the installation of the Futsal Courts and is seeking review and approval from the State of Maine. If approved, this project would be scheduled for July/August 2021 installation and an unveiling by September 2021.

Other Notes for this Site:

The city has made improvements to the parking areas by the recreation building (city funds) and are exploring options to expanding the recreation building, both are NOT within the LWCF project boundary, but support and enhance users of the park.



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: August 7, 2023

Author: Eric J. Cousens, Director of Planning and Permitting

Subject: New Housing Starts and Projections T4.2B and Beyond

Information: Review new housing picked up this tax year, permits since then and projections. Staff will give an overview of mapped new housing that was added to the tax base for FY 2024, review permits issued late 2023-current that will likely be added for next fiscal year and

City Budgetary Impacts:

Staff Recommended Action: Discussion

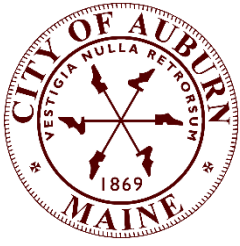
Previous Meetings and History: None

City Manager Comments:

Phillip Crowell Jr.

I concur with the recommendation. Signature:

Attachments:



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: August 7, 2023

Author: Brian Wood, Assistant City Manager

Subject: Proposed Combined Public Safety Facility

Information:

In April, 2011, the Auburn Police Department moved from its One Minot Avenue location to Auburn Hall. This move, necessitated by costly unhealthy and structural conditions that needed remediation, was intended to be a temporary solution. A window of 5 years was set to begin the phases of planning, construction and move to a new police department facility.

During this time and since, the fire department has been challenged with employee health and safety issues. Workforce diversity accommodations are a basic human rights issue. Separate sleeping quarters and bathroom facilities need to be gender neutral. On August 2, 2021, a public safety facility study was completed and presented to City Council with a recommendation that a public safety facility be built to house both departments.

A Public Safety Committee Ad-Hoc Committee was formed following City Council's resolve on September 6, 2021, to review options, secure cost estimates, and make recommendations. A Final committee report was presented to City Council on September 6, 2022. In February, 2023, the City of Auburn was awarded \$2,500,000. in Congressionally Directed Spending (CDS) funds to be used towards the construction of a new public safety building.

Currently, space and health needs for both departments are not being met. It is not in the best interest of the residents and business communities of the City of Auburn to do nothing. It is the recommendation of the Ad-Hoc Committee and public safety staffs to move forward with the design and construction of a shared public safety facility to be located at 550 Minot Avenue.

City Budgetary Impacts: To be determined.

Staff Recommended Action: Discussion.

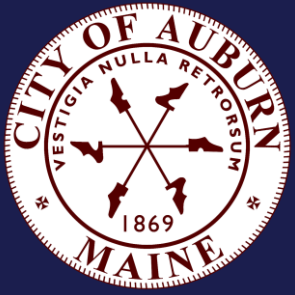
Previous Meetings and History: August 2, 2021, September 6, 2022

City Manager Comments:

I concur with the recommendation. Signature:

Attachments:

- Auburn Public Safety Facilities presentation August 7, 2023



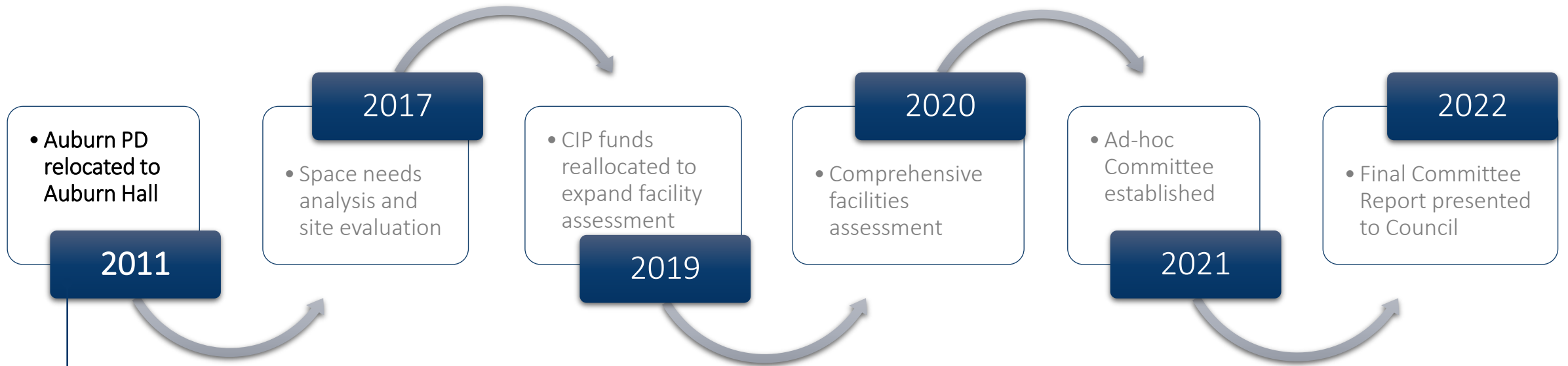
AUBURN PUBLIC SAFETY FACILITIES



AUGUST 7, 2023

TIMELINE: HOW WE GOT HERE

TIMELINE



- Auburn PD relocated to Auburn Hall

2011

2017

- Space needs analysis and site evaluation

- CIP funds reallocated to expand facility assessment

2019

2020

- Comprehensive facilities assessment

- Ad-hoc Committee established

2021

2022

- Final Committee Report presented to Council

- Auburn Police Department **relocated to Auburn Hall** as a “temporary solution” due to space needs and costly repairs and upgrades required, as a cost saving measure for the city.

“TEMPORARY SOLUTION” CHALLENGES | POLICE DEPARTMENT

OPERATIONAL CHALLENGES

- › Short-term solution now going on 12+ years.
- › Poor layout for operations and customer service
 - › Departments on separate building floors (1st and 3rd), with City Staff in-between (2nd)
 - › Separation makes communications and teamwork challenging
- › Inadequate space for current essential needs and future growth:
 - › Training rooms
 - › Locker rooms
 - › Shower areas
 - › Secured storage



Locker Room



Small Training Area

“TEMPORARY SOLUTION” CHALLENGES | POLICE DEPARTMENT

OPERATIONAL CHALLENGES

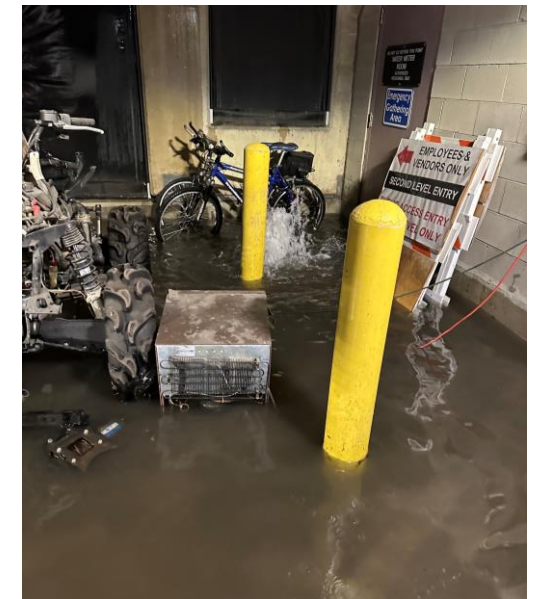
- › No available space or feasible configuration to provide critical detainee processing needs including:
 - › Sally Port
 - › Booking area
 - › Holding area
 - › Prisoner processing area

Lack of on-site needs require staff to transport detainees and prisoners to facilities outside the city; inefficient use of time and resources

- › Inadequate Evidence Room & Vehicle Impound location
 - › Recent storm event flooded Impound & Evidence Room

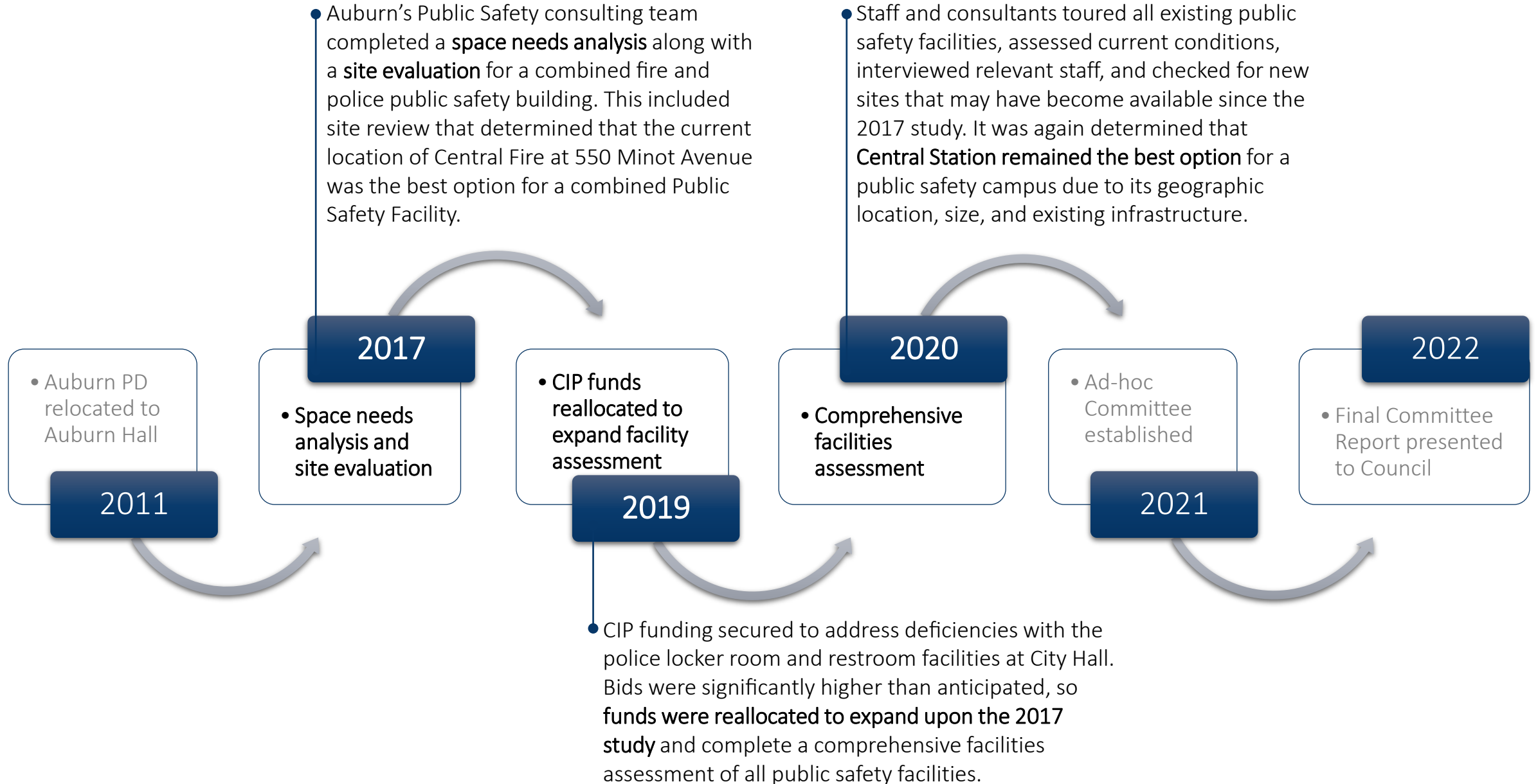


Evidence Lockers & Storage



Flooding in front of Evidence Storage Room and Impound

TIMELINE



CENTRAL STATION CHALLENGES | FIRE DEPARTMENT

OPERATIONAL CHALLENGES

- › Apparatus floor cannot support tower truck
 - › Tower truck should be in the district where it best services the community.
- › Training room is insufficient for conducting department trainings
 - › Currently doubles as fitness space
- › Patient Care Reporting should be conducted confidentially
 - › Current reporting space shared with the only conference room in the facility



Shared Training and Fitness Space



Shared Confidential Reporting and Conference Space

CENTRAL STATION CHALLENGES | FIRE DEPARTMENT

OPERATIONAL CHALLENGES

- › Sleeping and showering areas do not provide reasonable privacy for a diverse workforce



Lack of privacy in showering areas



Lack of privacy in sleeping areas

CENTRAL STATION CHALLENGES | FIRE DEPARTMENT

SAFETY CONCERNS

- › Two leading causes of firefighter death are **Cancer** and **Cardiovascular Disease**. The current building does not include adequate:
 - › *Gear Storage* - isolating staff from contaminated gear and isolating gear from diesel exhaust
 - › *Separation of Living Spaces* - isolating staff and living spaces from carcinogens and diesel exhaust fumes.
 - › *Gear Cleaning Spaces* – for removing carcinogens from gear and equipment
 - › *Employee Decontamination Spaces* – which quickly remove carcinogens from firefighter's bodies.
 - › *Dedicated Fitness/Workout Space* - encourages fitness and improved cardiovascular health



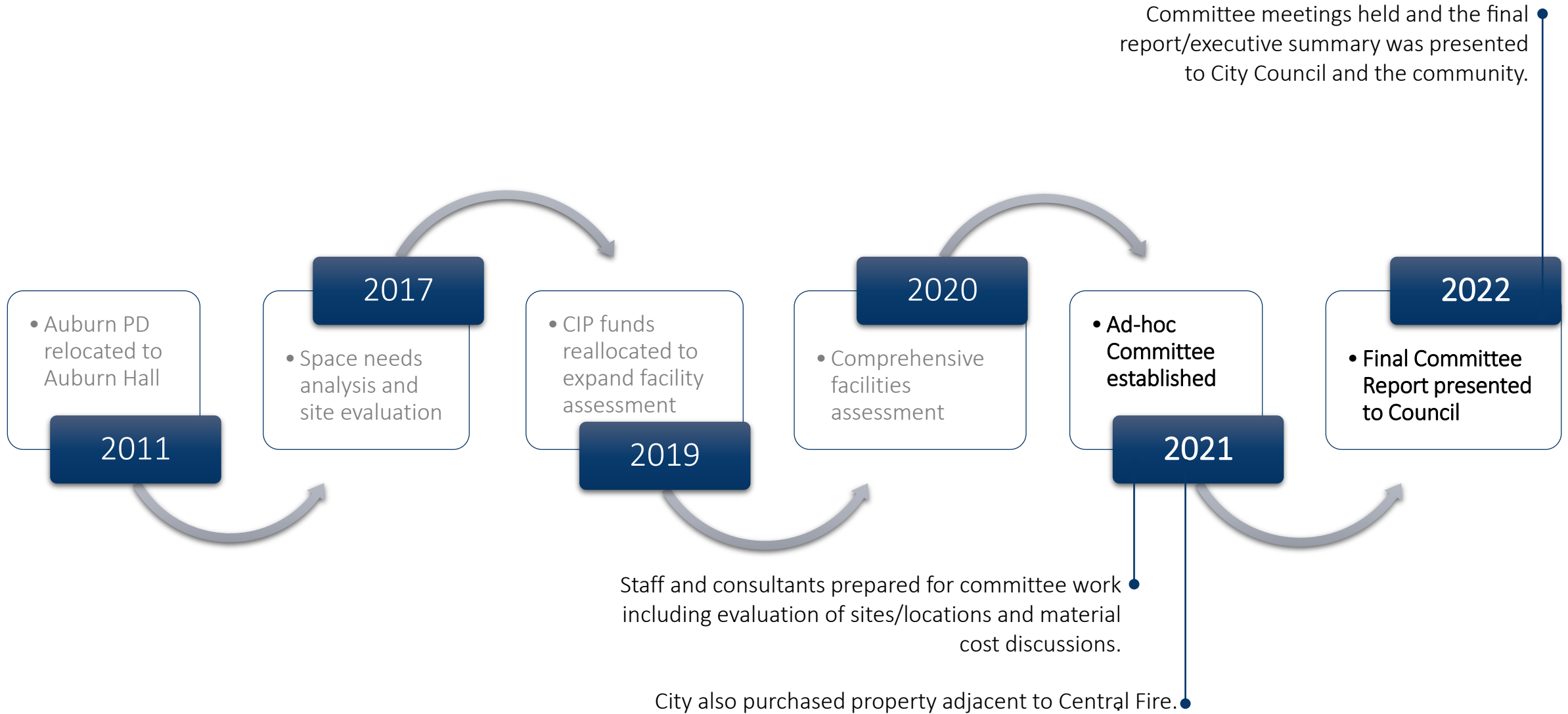
Gear storage adjacent to diesel exhaust



Inadequate Decontamination Facilities:

- Gear Decon in the basement
- Laundry on the first floor
- Showers on the third floor

TIMELINE



AD-HOC PUBLIC SAFETY BUILDING COMMITTEE

On September 7, 2021, the Auburn City Council voted to create the Ad-Hoc Public Safety Building Committee to work with staff and qualified consultants to advise the City Manager and City Council on the preferred design and probable cost estimates for a combined Police and Fire Public Safety Building.

Committee Members

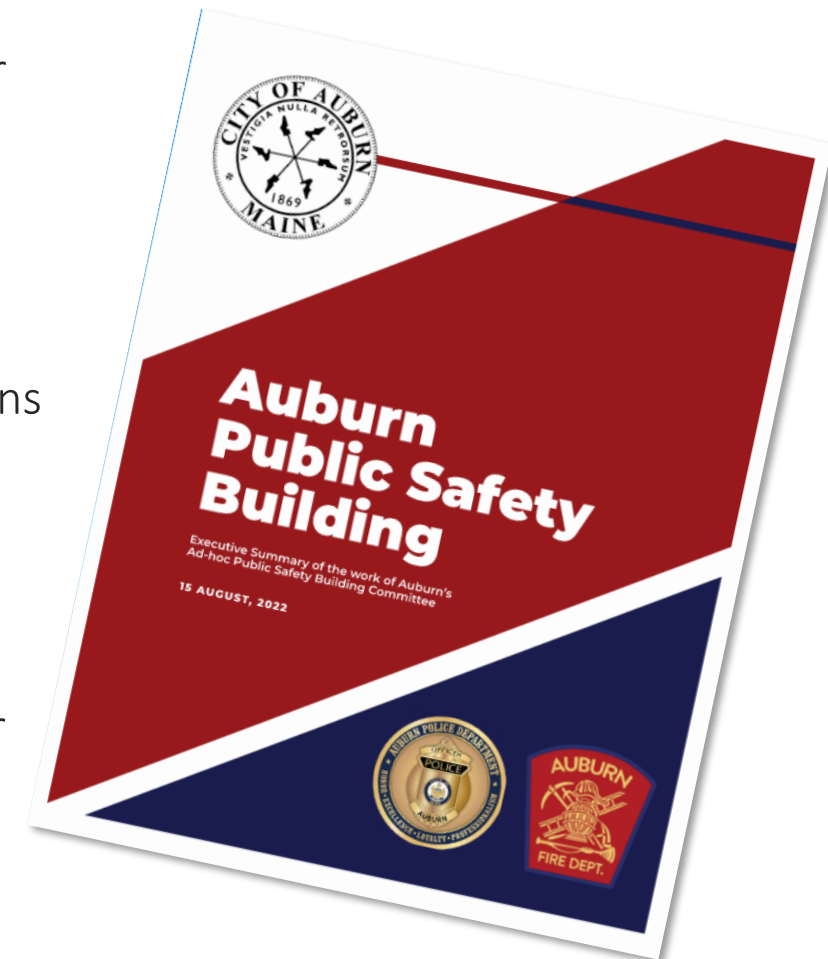
Ward 1 Councilor Richard Whiting
Ward 2 Councilor Ryan Hawes
Trisha Fletcher
David Gonyea
Jim Pittman
Robert Stone
Andrew Titus

Consultants

Barry Sheff, Woodard & Curran
Megan McDevitt, Woodard & Curran
Austin Smith, Simons Architects
Ian Reeves, Simons Architects
Fred Rambo, Architects Design Group
Katy Nero, Architects Design Group
Lori Godbold, Architects Design Group

Staff Participation

Brian Wood, Assistant City Manager
Chief Jason Moen, APD
Chief Robert Chase, AFD
Deputy Chief Timothy Cogle, APD
Deputy Chief Matthew Fifield, AFD
Timothy Hall, Director L-A 911
Liz Allen, Director of Communications
Lt. Anthony Harrington, APD
Lt. Eric Audette, APD
Lt. Julian Beale, AFD
BC Scott Hunter, AFD
FPO David O'Connell, AFD
Derek Boulanger, Facilities Manager
Rita Beaudry, Grants Manager
Drew McKinley, IT Director, L-A 911
Ofc. Joshua King, APD



**COMMITTEE RECOMMENDATION :
COMBINED PUBLIC SAFETY FACILITY**

Auburn Public Safety Building Concept

From 2022 Building Committee

- › New right-sized, two-story purpose-built Public Safety Facility including:
 - › Police Department (including Sally Port, booking area, holding area, detainee processing area, evidence storage and weapons storage)
 - › Fire Department (including larger drive-thru apparatus bay)
 - › Emergency Operations Center
 - › Efficient shared common areas for Public Entry, Lobby, and Reception
 - › Shell construction above apparatus bay for future expansion
- › New standalone Firing Range Facility
- › New standalone Rolling Assets Storage Facility
- › Significant site improvements
- › Allows for phased construction
- › 911 Dispatch Center to be located at different site



Auburn Public Safety Building Concept

From 2022 Building Committee

- › Co-locating departments allows for a more efficient facility, sharing a variety of spaces and systems, including:
 - › Core function spaces:
 - › Public lobby and waiting area
 - › Large training room
 - › Small conference rooms
 - › Fitness center
 - › Support spaces and systems
 - › Mechanical
 - › Electrical
 - › Sprinkler
- › Estimated square footage savings ≈ 8,000 SF



Shared Fitness Room



Shared Community Room



Shared Training/Conference Room



Shared Public Lobby & Reception

Auburn Public Safety Building Concept

From 2022 Building Committee

Public Safety Facility Size

› New Construction	48,200 SF
› Future Expansion	6,800 SF
› Firing Range	3,400 SF
› Rolling Asset Storage	2,800 SF

TOTAL = 61,200 SF

Conceptual Project Costs

› Construction	\$35.89M
› Design Services	\$4.37M
› FFE and Contingency	\$4.80M

TOTAL = \$45.06M*

*City awarded \$2.5M Congressionally Directed Spending grant to help offset costs (set to expire in 2026)



Auburn Public Safety Building Concept

Ramifications of a “DO NOTHING” approach

The “do nothing” approach – or maintaining the status quo - would have considerable ramifications:

› Direct Financial Implications:

- › Will still need to invest millions in capital costs to maintain and renovate existing, aging facilities to meet the current and future operational needs of each departments
- › Continued need to lease additional office space for City Staff due to sharing City Hall with Police

› Non-Direct Financial Implications:

- › Challenges with attracting & retention talent
- › Staff health & safety risks associated with current facilities
- › Difficultly maintaining level of service to match city growth

COMPARABLE FACILITIES

PUBLIC SAFETY FACILITY | Scarborough, Maine



- › Town Population – 22,135
- › Public Safety Facility Size – 53,000 SF
- › Construction Completed - May 2020
- › Construction Cost - \$21.5M* (Jun 2019)
\$28.1M (2025)

*Not inclusive of additional project soft costs

PUBLIC SAFETY FACILITY | Dedham, Massachusetts



- › Town Population – 25,364
- › Public Safety Facility Size – 84,000 SF
- › Construction Completed - May 2023
- › Construction Cost - \$55M* (Dec 2020)
\$69M (2025)

*Not inclusive of additional project soft costs

PUBLIC SAFETY FACILITY | Hingham, Massachusetts

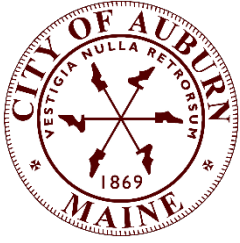


- › Town Population – 24,284
- › Public Safety Facility Size – 48,920 SF
- › Construction Start - July 2023
- › Construction Cost - \$46.7M* (Nov 2022)
\$54.0M (2025)

*Not inclusive of additional project soft costs

FUTURE AUBURN PUBLIC SAFETY FACILITY





**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: August 7, 2023

Subject: Executive Session

Information: Economic development, pursuant to 1 M.R.S.A. Section 405(6) (C) which premature disclosure would prejudice the competitive or bargaining position of the city.

Executive Session: On occasion, the City Council discusses matters which are required or allowed by State law to be considered in executive session. Executive sessions are not open to the public. The matters that are discussed in executive session are required to be kept confidential until they become a matter of public discussion. In order to go into executive session, a Councilor must make a motion in public. The motion must be recorded, and 3/5 of the members of the Council must vote to go into executive session. An executive session is not required to be scheduled in advance as an agenda item, although when it is known at the time that the agenda is finalized, it will be listed on the agenda. The only topics which may be discussed in executive session are those that fall within one of the categories set forth in Title 1 M.R.S.A. Section 405(6). Those applicable to municipal government are:

A. Discussion or consideration of the employment, appointment, assignment, duties, promotion, demotion, compensation, evaluation, disciplining, resignation or dismissal of an individual or group of public officials, appointees or employees of the body or agency or the investigation or hearing of charges or complaints against a person or persons subject to the following conditions:

- (1) An executive session may be held only if public discussion could be reasonably expected to cause damage to the individual's reputation or the individual's right to privacy would be violated;
- (2) Any person charged or investigated must be permitted to be present at an executive session if that person so desires;
- (3) Any person charged or investigated may request in writing that the investigation or hearing of charges or complaints against that person be conducted in open session. A request, if made to the agency, must be honored; and
- (4) Any person bringing charges, complaints or allegations of misconduct against the individual under discussion must be permitted to be present. This paragraph does not apply to discussion of a budget or budget proposal;

B. Discussion or consideration by a school board of suspension or expulsion of a public school student or a student at a private school, the cost of whose education is paid from public funds, as long as:

- (1) The student and legal counsel and, if the student is a minor, the student's parents or legal guardians are permitted to be present at an executive session if the student, parents or guardians so desire;

C. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency;

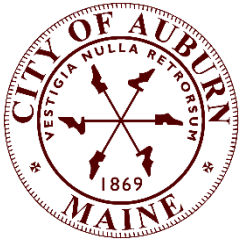
D. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators. The parties must be named before the body or agency may go into executive session. Negotiations between the representatives of a public employer and public employees may be open to the public if both parties agree to conduct negotiations in open sessions;

E. Consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, pending or contemplated litigation, settlement offers and matters where the duties of the public body's or agency's counsel to the attorney's client pursuant to the code of professional responsibility clearly conflict with this subchapter or where premature general public knowledge would clearly place the State, municipality or other public agency or person at a substantial disadvantage;

F. Discussions of information contained in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute;

G. Discussion or approval of the content of examinations administered by a body or agency for licensing, permitting or employment purposes; consultation between a body or agency and any entity that provides examination services to that body or agency regarding the content of an examination; and review of examinations with the person examined; and

H. Consultations between municipal officers and a code enforcement officer representing the municipality pursuant to Title 30-A, section 4452, subsection 1, paragraph C in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.



City of Auburn City Council Information Sheet

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Subject: Executive Session

Information: Labor contract, pursuant to 1 M.R.S.A. Section 405(6)(D) with possible action to follow during the Council meeting under New Business.

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- (3) Any person charged or investigated may request in writing that the investigation or hearing of charges or complaints against that person be conducted in open session. A request, if made to the agency, must be honored; and
- (4) Any person bringing charges, complaints or allegations of misconduct against the individual under discussion must be permitted to be present. This paragraph does not apply to discussion of a budget or budget proposal;

B. Discussion or consideration by a school board of suspension or expulsion of a public school student or a student at a private school, the cost of whose education is paid from public funds, as long as:

- (1) The student and legal counsel and, if the student is a minor, the student's parents or legal guardians are permitted to be present at an executive session if the student, parents or guardians so desire;

C. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency;

D. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators. The parties must be named before the body or agency may go into executive session. Negotiations between the representatives of a public employer and public employees may be open to the public if both parties agree to conduct negotiations in open sessions;

E. Consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, pending or contemplated litigation, settlement offers and matters where the duties of the public body's or agency's counsel to the attorney's client pursuant to the code of professional responsibility clearly conflict with this subchapter or where premature general public knowledge would clearly place the State, municipality or other public agency or person at a substantial disadvantage;

F. Discussions of information contained in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute;

G. Discussion or approval of the content of examinations administered by a body or agency for licensing, permitting or employment purposes; consultation between a body or agency and any entity that provides examination services to that body or agency regarding the content of an examination; and review of examinations with the person examined; and

H. Consultations between municipal officers and a code enforcement officer representing the municipality pursuant to Title 30-A, section 4452, subsection 1, paragraph C in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: August 7, 2023

Order: 99-08072023

Author: Jason D. Moen, Chief of Police

Subject: Confirm Chief Moen's appointment of Stephen Easley, Cameron Winslow, Dustin Pepin, and Mattingly Simaan as a Constable with firearm for the Auburn Police Department.

Information: The Auburn Police Department requests City Council appointment of Stephen Easley, Cameron Winslow, and Mattingly Simaan as a Constable with firearm for the City of Auburn.

City Budgetary Impacts: N/A

Staff Recommended Action: Motion to confirm Chief Moen's appointment of Stephen Easley, Cameron Winslow, Brandon Capano, and Mattingly Simaan as a Constable with firearm for the Auburn Police Department.

Previous Meetings and History: None

City Manager Comments:



I concur with the recommendation. Signature:

Attachments: Order



ORDER 99-08072023

City Council Order

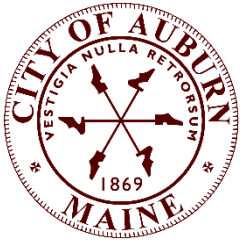
IN CITY COUNCIL

ORDERED, that the City Council hereby confirms Chief Jason Moen's appoints of Stephen Easley, Cameron Winslow, Dustin Pepin, and Mattingly Simaan as Constables with firearm/arrest powers for the Auburn Police Department.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: August 7, 2023

Order: 100-08072023

Author: Jason D. Moen, Chief of Police

Subject: Confirm Chief Moen's appointment of Cameron Mason as a Constable without firearm for the Auburn Police Department.

Information: The Auburn Police Department requests the City Council appointment of Cameron Mason as a Constable without firearm for the City of Auburn.

City Budgetary Impacts: N/A

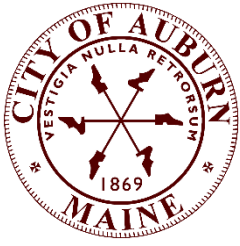
Staff Recommended Action: Motion to confirm Chief Moen's appointment of Cameron Mason as a Constable without firearm for the Auburn Police Department.

Previous Meetings and History: None

City Manager Comments:

I concur with the recommendation. Signature:

Attachments: Order



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: August 7, 2023

Order: 100-08072023

Author: Jason D. Moen, Chief of Police

Subject: Confirm Chief Moen's appointment of Cameron Mason as a Constable without firearm for the Auburn Police Department.

Information: The Auburn Police Department requests the City Council appointment of Cameron Mason as a Constable without firearm for the City of Auburn.

City Budgetary Impacts: N/A

Staff Recommended Action: Motion to confirm Chief Moen's appointment of Cameron Mason as a Constable without firearm for the Auburn Police Department.

Previous Meetings and History: None

City Manager Comments:

Phillip Crowell Jr.

I concur with the recommendation. Signature:

Attachments: Order



ORDER 100-08072023

City Council Order

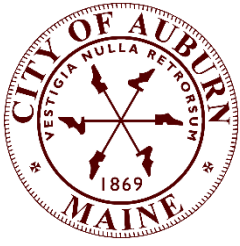
IN CITY COUNCIL

ORDERED, that the City Council hereby confirms Chief Jason Moen's appointment of Cameron Mason as Constable, without firearm, for the Auburn Police Department.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: August 7, 2023

Order: 101-08072023

Author: Rita Beaudry, Grant Manager

Subject: Maine Municipal Association – Executive Committee

Information: Any elected or appointed municipal official holding office in any Maine Municipal Association (MMA) member community is eligible to serve on the Executive Committee.

MMA Nomination Process: Each year, member municipalities have an opportunity to vote in the election of the proposed MMA Vice President and municipal officials to serve on the MMA Executive Committee. A five-member Nominating Committee was appointed in March to review nominations submitted by municipal officials and conduct interviews with those municipal officials qualifying for and interested in serving as the MMA Vice President and on the MMA Executive Committee. The MMA Nominating Committee completed its task in May and put forth the 2024 Proposed Slate of Nominees to member municipalities.

The official MMA ballot is being presented for City Council vote. The deadline to cast a ballot for MMA's Annual Election for Vice President and Executive Committee Members is Friday, August 18, 2023. The ballot must be signed by a majority of the municipal officers, or a municipal official designated by a majority of the municipal officers.

City Budgetary Impacts: None

Staff Recommended Action: City Council vote for MMA Vice President and Executive Committee Members.

Previous Meetings and History: August 2, 2021, July 18, 2022

City Manager Comments:

I concur with the recommendation. Signature:

Attachments:

- Official Ballot - MMA Executive Committee – to be signed by each or a majority of City Council members.



MAINE MUNICIPAL ASSOCIATION SINCE 1936

60 Community Drive | Augusta, ME 04330-9486
1-800-452-8786 (in state) | (t) 207-623-8428

TO: Key Municipal Officials of MMA Member Cities, Towns and Plantations

FROM: Catherine Conlow, MMA Executive Director

DATE: July 7, 2023

SUBJECT: MMA Annual Election - Vice President and Executive Committee Members

Deadline: Friday, August 18, 2023, by 12:00 noon

Nomination Process – Each year member municipalities have an opportunity to vote in the election of the proposed MMA Vice President and municipal officials to serve on the MMA Executive Committee. A five-member Nominating Committee was appointed in March to review nominations submitted by municipal officials and conduct interviews with those municipal officials qualifying for and interested in serving as the MMA Vice President and on the MMA Executive Committee. The MMA Nominating Committee completed its task in May and put forth the 2024 Proposed Slate of Nominees to member municipalities.

Petition Process – As part of the May mailing, information was also provided on the MMA Petition Process. Pursuant to the MMA Bylaws, nominations may also be made by Petition signed by a majority of the municipal officers in each of at least 5 member municipalities. The deadline for receipt of nominations by petition was Friday, July 7, by 4:30 pm. There were no municipal officials nominated by petition.

It is now time for each member municipality to cast its official vote.

Election Process – Enclosed you will find the MMA Voting Ballot which includes the proposed Slate of Nominees to serve on the MMA Executive Committee as selected by the MMA Nominating Committee. A brief biographical sketch on each nominee listed on the MMA Voting Ballot is enclosed for your reference. You will note that unlike municipal elections, MMA does not provide for “*Write-in Candidates*” since our process includes an opportunity to nominate a candidate by petition, as noted above.

The MMA Voting Ballot must be signed by a majority of the municipal officers or a municipal official designated by a majority of the municipal officers, and received by the Maine Municipal Association by 12:00 noon on Friday, August 18, 2023. We have enclosed a self-addressed self-stamped envelope for your convenience. MMA Voting Ballots will be counted that afternoon and the election results confirmed under the direction of MMA President Elaine Aloes, Chair of the Selectboard, Town of Solon.

Election results will be available by contacting the MMA Executive Office or by visiting the MMA website at www.memun.org the following Monday. A formal announcement of the election results will be made at the MMA Annual Business Meeting being held on Wednesday, October 4. Newly elected Executive Committee members will be introduced at the MMA Awards Luncheon as well as the MMA Annual Business Meeting and will officially take office on January 1, 2024.

If you have any questions on the Election Process, please contact me or Theresa Chavarie at 1-800-452-8786 or in the Augusta area at 623-8428, or by e-mail at tchavarie@memun.org. Thank you.



MAINE MUNICIPAL ASSOCIATION
VOTING BALLOT

Election of MMA Vice President and Executive Committee Members
Deadline for Receipt of Voting Ballots – 12:00 noon on Friday, August 18, 2023

VICE-PRESIDENT - 1 YEAR TERM **Vote for One**

Proposed by MMA Nominating Committee:

Melissa Doane, Town Manager, Town of Bradley

EXECUTIVE COMMITTEE MEMBERS - 3 YEAR TERM **Vote for Three**

Proposed by MMA Nominating Committee:

Shiloh LaFreniere, Town Manager, Town of Jay

Nathaniel Rudy, Town Manager, Town of Gray

Dina Walker, Selectperson, Town of Weld

Please note that unlike municipal elections, MMA does not provide for "Write-in Candidates" since our process includes an opportunity to nominate a candidate by petition.

The Voting Ballot may be cast by a majority of the municipal officers, or a municipal official designated by a majority of the municipal officers of each Municipal member.

Date: _____ **Municipality:** _____

Signed by a Municipal Official designated by a majority of Municipal Officers:

Print Name: _____ **Signature:** _____
Position: _____

OR Signed by a Majority of Municipal Officers **Current # of Municipal Officers:** _____

Print Names: _____

Signatures: _____

Return To:
MMA Annual Election
Maine Municipal Association
60 Community Drive
Augusta, Maine 04330
Email: tchavarie@memun.org

**MAINE MUNICIPAL ASSOCIATION
BIOGRAPHICAL SKETCH OF
PROPOSED SLATE OF NOMINEES FOR 2024 EXECUTIVE COMMITTEE**

**MMA VICE PRESIDENT
(1-Year Term)**

MELISSA DOANE (TOWN MANAGER, TOWN OF BRADLEY)

Professional & Municipal Experience:

- Town Manager, Clerk, Treasurer, Tax Collector, General Assistance Administrator, Registrar of Voters and Road Commissions, Town of Bradley, Maine (2005 – present)
- Membership Coordinator, GrowSmart of Maine (2016 – 2020)
- Secretary/Administrative Assistant, Roy Associates, CPAs (2004 – 2005)
- Administrative Assistant/Town Agent, Town of Bradley, Maine (1998 – 2004)
- Coor, Clinical Operations/Secretary/Patient Accounts/Registrations, Neurology Associates, (1994 – 1998)
- Secretary/Receptionist, Dr. James Iannetta Medical Office (1991 – 1994)

Other Experience, Committees and Affiliations:

- Member, MMA Executive Committee (2019 – present)
- Member, MMA Property & Casualty Pool Board of Directors (2019 – present)
- Member, MMA Workers Compensation Fund Board of Trustees, (2019 – present)
- Member, MMA Strategic & Finance Committee (2019 – present)
- Member, Executive Board, Municipal Review Committee (2021 – present)
- Member, Executive Board, Maine Town, City & County Management Association (2016 – present)
- Co-Chair Membership Committee, Maine Town, City & County Management Association (2016 – 2020)
- Chair, Sponsorship Committee, Maine Town, City & County Management Association (2020)
- Member, Maine Town, City & County Management Association (2005 – present)
- Member, Maine Town & City Clerks Association
- Member, Maine Municipal Tax Collectors & Treasurer Association
- Member, Maine Welfare Directors Association
- President, Executive Board, Living History Museum, Maine Forest and Logging Museum

Education:

- Business Management Studies, Husson College
- Associate degree, Business Management, Beal College
- Associate degree, Office Management, Beal College
- Associate College Preparation, Foxcroft Academy

Awards and Certifications:

- Certified Municipal Manager, Maine Town, City & County Management Association
- Rookie of the Year Award, Maine Town, City & County Management Association (2009)
- State of Maine Notary
- State of Maine Dedimus Justice

MMA EXECUTIVE COMMITTEE MEMBERS
(3-Year Terms)

SHILOH LaFRENIERE (TOWN MANAGER, TOWN OF JAY)

Professional & Municipal Experience:

- Town Manager, Town of Jay (2014 - present)
- Treasurer, North Jay and Jay Village Water District (2005 - 2022)
- Code Enforcement Officer, Town of Jay (1997 - 2014)
- Environmental Cod Administrator, Town of Jay (1997 - 2010)
- Wellness Coordinator, Town of Jay (2005 - 2014)
- E911 Addressing Officer, Town of Jay (2010 - 2014)
- Deputy Finance Director, Town of Jay (2012 - 2014)

Other Experience, Committees and Affiliations:

- Institute for Civic Leadership, Maine Development Foundation (2022)
- Member, Maine Town, City & County Management Association (2014 - present)
- Maine Town, City and County Management Association, Ethics Committee (2020 - present) and Membership Services Committee (2021 - present)
- Androscoggin Valley Council of Governments, Vice President (2022 - present); Executive Committee (2019 - present)
- Past Member of the State of Maine Technical Building Codes and Standards Boards (2008 - 2014)
- NorthStar Ambulance Advisory Board (2014 - present)
- Member, Jay-Livermore-Livermore Falls Chamber of Commerce (2014 - present)

Education:

- BS in Business Management, Liberty university, Lynchburg, VA (December 1996)

Awards and Certifications:

- Rising Star Award, Maine Town, City & County Management Association (2017)
- State of Maine Notary

NATHANIEL RUDY (TOWN MANAGER, TOWN OF GRAY)

Professional & Municipal Experience:

- Town Manager, Town of Gray (2021 - present)
- City Manager, City of Hallowell (2016 - 2021)
- Executive Director, Waterville Creates (2014 - 2016)
- Director of Planning and Development, City of Gardiner (2011 - 2014)
- Business Development Specialist (2010 - 2011)

Other Experience, Committees and Affiliations:

- Member, Maine Municipal Association Legislative Policy Committee (2018 - 2021; 2022 - present)
- Member, Governor's Commission on Volunteerism aka Volunteer Maine (2020 - 2023)
- Board of Directors, Maine Council on Aging (2019 - 2023)
- Program Advisory Committee, University of Maine School of Architecture (2016 - present)
- Board of Directors, EcoMaine (2021 - 2022)
- Board of Directors and Treasurer, Kennebec Valley Humane Society (2019 - 2021)
- Board of Directors, Delta Ambulance (2017 - 2021); Vice President (2020 - 2021); Finance Committee (2019 - 2021)
- General Assembly, Kennebec Valley Council of Governments (2016 - 2017 and 2020 - 2021); Secretary of Executive Committee (2016 - 2017)
- Board of Directors, Independent Retailers Shared Services Collaborative (2012 - 2021); Treasurer (2012 - 2021)
- Board of Directors, Maine Craft Association (2012 - 2018; Vice President, 2014 - 2018)

NATHANIEL RUDY (TOWN MANAGER, TOWN OF GRAY) (continued)

- Executive Director and Board Secretary, Gardiner Board of Trade (2011 - 2014)
- International City / County Managers Association
- Maine Town / City / County Managers Association
- Maine Association of Realtors (2013 to 2020)

Education:

- Master of Business Administration, 4.0 GPA, Thomas College, Waterville, Maine
- B.S., Environmental Science and Engineering, Cum Laude, 3.5 GPA
- Virginia Polytechnic Institute and State University (Virginia Tech), Blacksburg, Virginia
- Harvard Kennedy School Executive Education Program, Negotiation Strategies (2023)
- Harvard Kennedy School Executive Education Program, State and Local Government (2019)
- New England Economic Development Course, Thomas College (2010)
- Graduate studies in Civil and Environmental Engineering, Virginia Tech

Awards and Certifications:

- Certified Manager, International City / County Managers Association (2023)
- Certified Manager, Maine Town / City / County Manager Association (2019 - 2025)
- Community Development Block Grant Administrator (2018)
- Build Maine Conference Team, Lewiston, Maine (2017 - 2021)
- CityWorks(X)po Conference Fellow, Roanoke, Virginia (2017)
- Maine Licensed Real Estate Broker (2013 - 2020)
- Lead on several Grant Awards (*e.g., US Environmental Protection Agency Brownfields Assessment grant; Maine Bureau of Parks and Lands Submerged Lands Program, Harbor Management and Access Grant Program; Maine Centers for Disease Control and Prevention, Keep ME Healthy grant; Hallowell Fire Station construction grant, private and donation; American Association of Retired People Age-Friendly Community Assessment grant; Harold Alford Foundation grant; Orton Family Foundation Heart & Soul Community Planning grant; National Park Service Preserve America grant, etc.*)

DINA WALKER (SELECTPERSON, TOWN OF WELD)

Professional & Municipal Experience:

- Selectperson, Assessor and Overseer of the Poor, Town of Weld (2021 – current)
- Election Day Volunteer, Town of Weld (2019 – current)
- Partner, Jones Day (Law Firm), Beijing, China (2016 – 2018)
- International Partner, King & Wood Mallesons (Law Firm), Beijing, China (2012 – 2016)
- Managing Associate, Linklaters LLP (Law Firm), Beijing, China (2011 – 2012)
- Senior Associate, Dewy & LeBoeuf LLP (Law Firm), Beijing, China and Houston, Texas (2009 – 2011)
- Associate, Baker & Daniels, LLP (Law Firm), Indianapolis, Indiana (2005 – 2009)
- Judicial Law Clerk, the Honorable Richard K. Eaton, US Court of International Trade (2004 – 2005)

Other Experience, Committees and Affiliations:

- *Rutgers Law Review*, Editor-in-Chief (2003 – 2004)
- Founder and Organizer, Women’s International Forum on Energy (2013 -2016)

Education:

- Rutgers University School of Law, Newark, New Jersey, J.D. (2004)
- University of Pennsylvania, Philadelphia, Pennsylvania, B.A., International Relations (2000)

Awards and Certifications:

- *The Legal 500 (2016)*: “Highly Recommended” Lawyer In the Areas of Projects and Energy (China)
- State of New York, Bar Admission (retired)
- State of Indiana, Bar Admission (inactive)



ORDER 101-08072023

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby casts the voting ballot for the 2024 Maine Municipal Association's Vice President and Executive Committee Members as nominated by the MMA Nominating Committee as follows:

Vice President, 1-year term:

Melissa Doane, Bradley Town Manager

Executive Committee Members, 3-year terms:

Shiloh LaFreniere, Jay Town Manager

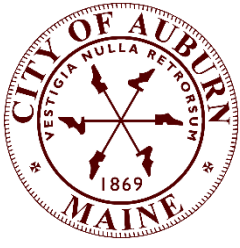
Nathaniel Rudy, Gray Town Manager

Dina Walker, Weld Selectperson

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: August 7, 2023

Order: 102-08072023

Author: Sue Clements-Dallaire, City Clerk

Subject: Confirming Mayor Levesque's appointment of a full member of the Ethics Panel

Information: Auburn's Ordinance states that two regular voting members and one alternate member are appointed by the Mayor and confirmed by the City Council and one regular voting member and one alternate is appointed by the School Committee Chair and confirmed by the School Committee.

The Mayor appointed full member seat is vacant. Mayor Levesque would like to appoint Andy Titus to fill this seat, which requires confirmation by a vote of the City Council. This is to fill the remainder of a three year term, term expiration date 11/1/2025.

City Budgetary Impacts: N/A

Staff Recommended Action: Consider passage.

Previous Meetings and History: N/A

City Manager Comments:

I concur with the recommendation. Signature:

Attachments: Order



ORDER 102-0872023

City Council Order

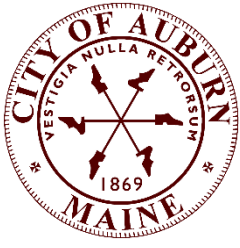
IN CITY COUNCIL

ORDERED, that the City Council hereby confirms the Mayor's appointment of Andy Titus as a full member of the Ethics Panel with a term expiration of November 1, 2025.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: August 7, 2023

Order: 103-08072023

Author: Rita Beaudry, Grant Manager

Subject: 2023 Byrne Jag Grant – Auburn Police Department

Information:

The Auburn Police Department has been awarded a 2023 Edward Byrne Justice Assistance Grant in the amount of \$19,142. The formula grant application will provide for the purchase of two portable “Tactiscan” narcotic sensors that will replace the narcotic presumptive test kits currently in use. Remaining funds will be used for the purchase of new officer badges.

The grant requires Certifications and Assurances by the Chief Executive of the Applicant Government.

City Budgetary Impacts: None

Staff Recommended Action: Execute an order that provides for Mayor Jason J. Levesque to sign and submit the Certifications and Assurances by the Chief Executive of the Applicant Government for this grant solicitation.

Previous Meetings and History: None

City Manager Comments:

I concur with the recommendation. Signature:

Attachments:

**U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS**

Edward Byrne Memorial Justice Assistance Grant Program FY 2023 Local Solicitation

Certifications and Assurances by the Chief Executive of the Applicant Government

On behalf of the applicant unit of local government named below, in support of that locality's application for an award under the FY 2023 Edward Byrne Memorial Justice Assistance Grant ("JAG") Program, and further to 34 U.S.C. § 10153(a), I certify to the Office of Justice Programs ("OJP"), U.S. Department of Justice ("USDOJ"), that all of the following are true and correct:

1. I am the chief executive of the applicant unit of local government named below, and I have the authority to make the following representations on my own behalf as chief executive and on behalf of the applicant unit of local government. I understand that these representations will be relied upon as material in any OJP decision to make an award, under the application described above, to the applicant unit of local government.
2. I certify that no federal funds made available by the award (if any) that OJP makes based on the application described above will be used to supplant local funds, but will be used to increase the amounts of such funds that would, in the absence of federal funds, be made available for law enforcement activities.
3. I assure that the application described above (and any amendment to that application) was submitted for review to the governing body of the unit of local government (e.g., city council or county commission), or to an organization designated by that governing body, not less than 30 days before the date of this certification.
4. I assure that, before the date of this certification— (a) the application described above (and any amendment to that application) was made public; and (b) an opportunity to comment on that application (or amendment) was provided to citizens and to neighborhood or community-based organizations, to the extent applicable law or established procedure made such an opportunity available.
5. I assure that, for each fiscal year of the award (if any) that OJP makes based on the application described above, the applicant unit of local government will maintain and report such data, records, and information (programmatic and financial), as OJP may reasonably require.
6. I have carefully reviewed 34 U.S.C. § 10153(a)(5), and, with respect to the programs to be funded by the award (if any), I hereby make the certification required by section 10153(a)(5), as to each of the items specified therein.

Signature of Chief Executive of the Applicant Unit of
Local Government

Jason J. Levesque

Printed Name of Chief Executive

City of Auburn

Name of Applicant Unit of Local Government

August 7, 2023

Date of Certification

Mayor

Title of Chief Executive



ORDER 103-08072023

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby authorizes Mayor Jason J. Levesque., on behalf of the City of Auburn, to execute the Edward Byrne Justice Assistance Grant Program FY 2023 Local Solicitation – Certifications and Assurances by the Chief Executive of the Applicant Government document to be submitted with the grant application.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

IN COUNCIL REGULAR MEETING JUNE 20, 2023, VOL. 37 PAGE 53

Mayor Levesque 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.

7:00 P.M. City Council Meeting

Pledge of Allegiance

I. Consent Items – All items with an asterisk (*) are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council member or a citizen requests, in which event, the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

- 1. Order 85-06202023***
Re-appointing Jane Costlow to the Sustainability and Natural Resource Management Board with a term expiration of April 1, 2026.
- 2. Order 86-06202023***
Confirming Chief Moen’s appointment of George Monteith and Dustin Pepin as Constable with firearm and arrest powers for the Auburn Police Department.
- 3. Order 87-06202023***
Cancelling the Regular City Council meeting scheduled for Monday, July 3, 2023.

Motion was made by Councilor Staples and seconded by Councilor Walker for passage of the three consent items.

Passage 7-0.

II. Minutes – June 5, 2023, Regular Council Meeting

Motion was made by Councilor Staples and seconded by Councilor Walker to approve the minutes of the June 5, 2023 Regular Council Meeting.

Passage 7-0.

III. Communications, Presentations and Recognitions

Manager Crowell provided the Council with an update on the Opioid Crisis.

Mayor Levesque read a proclamation declaring June 20, 2023 World Refugee Day. He also reported that the Councilors received a letter and book from Diana Carson (Auburn Middle School). The Mayor asked that the letter be entered into the minutes. The book is called We Are America Auburn which is a culmination of short stories written by Auburn Middle School students. The letter from Diana Carson reads:

The National We Are America Project

“We have special news to share with you. In this envelope, you will find a gift copy of a book written by students from Auburn Middle School. This spring they were part of the national We are American Project.

In 2018, Lowell High School teacher Jessica Lander asked students in her Seminar on American Diversity class to grapple with what it meant to be American. Studying history turned into a study of their own personal stories about growing up in America.

That year; Lander’s students wrote and published two books – We Are America, and a sequel, We Are America Too. Believing the work needed to grow, alumni of the class and Lander launched the national We Are America Project.

Over the past four years, the national We Are America team has worked with more than 50 teachers in over 25 U.S. states, directly affecting more than 1,500 students—helping the next generation share their personal stories of growing up in America. These stories are published in books in their community and on the project’s website library.

We are pleased to announce that the first students to publish their stories in a We Are America book from the state of Maine are from Auburn Middle School. Seventeen students have courageously shared their stories about growing up, continuing family traditions, exploring their identities and dealing with loss.

These published authors were honored on Monday, June 12th at the AMS Awards Cermony: Abdi Adow, Ilhan Ali, Dominic Davis, Zane Deletetsky, Charlie Dresdner, Habso Issack, Anita Legere, Dariel Matos, Abraham Maqubela, Evie McGuigan, Travis McKeen, Casey Mileikis, Olivia Sawyer, Lily Smith, Abby Snyder, Destiny Wing and Bella Williams.

The stories these students shared in the national We Are America Project have the power to help build empathy among people of different backgrounds, ethnicities and faiths and ensure all young people feel they belong here.

We hope you enjoy reading their stories and thank you for supporting quality public education in the city of Auburn.”

Diana Iwaszkiewicz Carson

Mayor Levesque invited Fatuma Hussein, who was in the audience, to say a few words.

Council Communications:

Councilor Whiting congratulated the Auburn Adult Ed graduates.

Councilor Milks congratulated the ELHS baseball team for a good season.

Councilor Walker urged people to be careful driving through New Auburn due to the work that is being done out there.

Mayor Levesque announced the 248th birthday of the US Army. He reported that Lucador Tacos opened on Center Street adding that there will be a ribbon cutting coming sometime in July.

City Manager Crowell reported that an information flyer will be going out soon to the public adding that the back of the flyer provides information on movies in the park. He noted that the sheds that were in Festival Plaza have been moved to Anniversary Park, adding that a promotional information will be coming soon. He also announced that the Auburn Community Band will be starting up in Festival Plaza.

IV. Open Session – No one from the public spoke.

V. Unfinished Business

1. Ordinance 05-06052023

Amending Appendix A – Fees and Charges (Streets, Sidewalks, and other Public Places). Public hearing and second reading.

Motion was made by Councilor Walker and seconded by Councilor Whiting for passage.

Public hearing – No one from the public spoke.

Passage 7-0. A roll call vote taken.

VI. New Business

1. Order 88-06202023

Authorizing the use of \$102,000 in ARPA (American Rescue Plan Act) funds for the Third Space Incentive Program.

Motion was made by Councilor Staples and seconded by Councilor Walker for passage.

Public comment – No one from the public spoke.

Passage 7-0.

2. Order 89-06202023

Approving the Mass Gathering for the Liberty Festival. Public hearing and vote.

Motion was made by Councilor Walker and seconded by Councilor Gerry for passage.

Public hearing – No one from the public spoke.

Passage 7-0.

3. Public hearing – Agren Warehouse Tax Increment Financing (TIF) District #28.

Mayor Levesque opened the public hearing at 7:15 pm.

No one from the public spoke.

Mayor Levesque closed the public hearing at 7:15 pm.

4. Order 90-06202023

IN COUNCIL REGULAR MEETING JUNE 20, 2023, VOL. 37 PAGE 56

Approving the Agren Warehouse TIF (Tax Increment Financing) #28 Agreement.

Motion was made by Councilor Walker and seconded by Councilor Milks for passage.

Passage 7-0.

5. Ordinance 06-06202023

Amending the Auburn Code of Ordinances, DIV. 12, General Business, Sec 60-500 (2). First reading.

Motion was made by Councilor Staples and seconded by Councilor Walker for passage.

Public comment – No one from the public spoke.

Passage 7-0. A roll call vote was taken.

6. Ordinance 07-06202023

Amending the Auburn Code of Ordinances, DIV. 13, General Business II, Sec 60-526 (2). First reading.

Motion was made by Councilor Walker and seconded by Councilor Milks for passage.

Public comment – No one from the public spoke.

Passage 7-0. A roll call vote was taken.

7. Ordinance 08-06202023

Amending the Auburn Code of Ordinances, DIV 15, Industrial Zoning District, Sec 60-579 (2). First reading.

Motion was made by Councilor Staples and seconded by Councilor Milks for passage.

Public comment – No one from the public spoke.

Passage 5-2 (Councilors Walker and Gerry opposed). A roll call vote was taken.

8. Ordinance 09-06202023

Amending the zoning at 37 Loring Avenue (Parcel I.D. 211-282) from Urban Residential to Multifamily Suburban. First reading.

Motion was made by Councilor Hawes and seconded by Councilor Milks for passage.

Public comment – Pam Rousseau, 745 West Auburn Road, spoke in opposition of this proposed amendment.

Failed 0-7. A roll call vote was taken.

9. Ordinance 10-06202023

Amending the Code of Ordinances, Definitions and Agriculture and Resource Protection District text of Chapter 60, Zoning as shown in Proposal B (attached). First reading.

IN COUNCIL REGULAR MEETING JUNE 20, 2023, VOL. 37 PAGE 57

Motion was made by Councilor Staples and seconded by Councilor Walker for passage.

Public comment – Mara King, 59 Davis Avenue, asked if there was an attachment.

Passage 5-2 (Councilors Gerry and Whiting opposed). A roll call vote was taken.

10. Order 91-06202023

Directing the Planning Board to hold a public hearing and recommend additional changes to Proposal B, Article IV District Regulations, Division 2 Agriculture and Resource Protection District as recommended by the Planning Board.

Motion was made by Councilor Staples and seconded by Councilor Morin for passage.

Public comment – Chris King, 59 Davis Avenue, he would like to get the Planning Board amendments.

Passage 5-2 (Councilors Hawes and Milks opposed).

11. Order 92-06202023

Authorizing the City Manager and/or his designee to execute the final purchase and sale agreement for tax map 211, lot 288 for Fire Engine 2 replacement.

Motion was made by Councilor Walker and seconded by Councilor Whiting for passage.

Public comment – No one from the public spoke.

Passage 7-0.

VII. Open Session – David Griswold, Gamage Avenue wanted to remind everyone that the Auburn Community Band starts its 42nd season next Wednesday night in Festival Plaza.

VIII. Reports

Mayor Levesque stated that the school year has ended, they had a great graduation, and the new high school is actively being moved into now. He also reminded the public that there is a School Committee meeting tomorrow night.

Manager Crowell reported that Legislators are wrapping up soon, they are working with MMA on any legislation that could affect the city. He added that they are hoping the audit will be ready by mid-July.

Kelsey Earle presented the May 2023 Finance Report.

Motion was made by Councilor Walker and seconded by Councilor Milks to accept and place on file the final May 2023 Finance Report.

Passage 7-0.

IX. Executive Session – None.

X. Adjournment

IN COUNCIL REGULAR MEETING JUNE 20, 2023, VOL. 37 PAGE 58

Motion was made by Councilor Milks seconded by Councilor Morin to adjourn. Unanimously approved and the meeting adjourned at 7:43 pm.

A TRUE COPY

ATTEST *Susan Clements-Dallaire*

Susan Clements-Dallaire, City Clerk

IN COUNCIL SPECIAL MEETING JULY 10, 2023, VOL. 37 PAGE 60

Mayor Levesque 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 Whiting had an excused absence. All other Councilors were present.

5:30 P.M. City Council Meeting

Pledge of Allegiance

I. Executive sessions

Economic development, pursuant to 1 M.R.S.A. §405(6)(C) which premature disclosure would prejudice the competitive or bargaining position of the City.

Motion was made by Councilor Milks and seconded by Councilor Walker to enter into executive session.

Passage 6-0. Time 5:30 pm.

Council was declared out of executive session at 6:00 pm.

Personnel matter (City Manager evaluation), pursuant to 1 M.R.S.A. §405(6)(A).

Motion was made by Councilor Walker and seconded by Councilor Milks to enter into executive session.

Passage 6-0. Time 6:01 pm.

Council was declared out of executive session at 6:23 pm.

II. Unfinished Business

1. Ordinance 06-06202023

Amending the Auburn Code of Ordinances, DIV. 12, General Business, Sec 60-500 (2).
Public hearing and second reading.

Motion was made by Councilor Staples and seconded by Councilor Milks for passage.

Public hearing – No one from the public spoke.

Passage 5-1 (Councilor Gerry opposed). A roll call vote was taken.

2. Ordinance 07-06202023

Amending the Auburn Code of Ordinances, DIV. 13, General Business II, Sec 60-526 (2).
Public hearing and second reading.

Motion was made by Councilor Staples and seconded by Councilor Walker for passage.

IN COUNCIL SPECIAL MEETING JULY 10, 2023, VOL. 37 PAGE 61

Public hearing – No one from the public spoke.

Passage 5-1 (Councilor Gerry opposed). A roll call vote was taken.

3. Ordinance 08-06202023

Amending the Auburn Code of Ordinances, DIV 15, Industrial Zoning District, Sec 60-579 (2). Public hearing and second reading.

Motion was made by Councilor Staples and seconded by Councilor Walker for passage.

Public hearing – No one from the public spoke.

Passage 5-1 (Councilor Gerry opposed). A roll call vote was taken.

4. Ordinance 09-06202023

Amending the zoning at 37 Loring Avenue (Parcel I.D. 211-282) from Urban Residential to Multifamily Suburban. Public hearing and second reading.

Motion was made by Councilor Staples and seconded by Councilor Morin for passage.

Public hearing -

Mike Adler, 82 Loring Avenue said he does not believe this should go through adding that the lot is not set up for multi-family zoning with only two multi-family units on Loring Avenue. He said he is asking the city not to pass this.

Dina Chapman, 40 Vivian Street, stated this is not a multi-family neighborhood and spoke in opposition of this proposed change and urged the Council to listen to the people and consider the tax payers and residents that live in the neighborhood.

Lisa St. Hilaire Crites, 108 Loring Avenue stated that she does not think it is the right place to do this and appealed to council to vote it down.

Chris Henry, 97 Loring Avenue, echoed the comments of his neighbors and spoke in opposition of the proposed ordinance amendment.

Failed 0-6, unanimously opposed. A roll call vote was taken.

5. Ordinance 10-06202023

Amending the Code of Ordinances, Definitions and Agriculture and Resource Protection District text of Chapter 60, Zoning as shown in Proposal B (attached). Public hearing and second reading.

Motion was made by Councilor Staples and seconded by Councilor Morin for passage.

Public hearing - Chris Carson, Jacques Road, said he was representing a group of folks that have come together in the Agricultural Zone and have been talking about this issue for a while now. The group is named the Save Auburn Agricultural and Resource

Protection Group and they would like to endorse proposal B and would encourage the Council to pass this proposed amendment stating that it is also in line with the comprehensive plan. He thanked the city staff for their hard work on this.

Passage 6-0. A roll call vote was taken.

III. New Business

1. Order 93-07102023

Authorizing the City Manager to execute the collective bargaining agreement with MSEA SEIU 1989.

Motion was made by Councilor Walker and seconded by Councilor Staples for passage.

Public comment – No one from the public spoke.

Passage 6-0.

2. Order 94-07102023

Authorizing the City Manager to execute the sale of City owned property (103 Newbury Street).

Motion was made by Councilor Walker and seconded by Councilor Morin for passage.

Public comment – John Cleveland, 183 Davis Avenue, supports the idea of selling properties and wanted to share his experience when serving on the Council in the past stating that with similar proposals, the properties did not get developed as they were supposed to due to various circumstances and he would like to see reasonable conditions put on the sale of these properties so they achieve what they say they are going to achieve.

Motion was made by Councilor Staples and seconded by Councilor Hawes to amend the order to reflect the correct first name and changing it from Olan to Oleg.

Passage 6-0.

Passage as amended 6-0.

3. Order 95-07102023

Authorizing the City Manager to execute the sale of City owned property (115 Newbury Street).

Motion was made by Councilor Walker and seconded by Councilor Staples for passage.

Public comment - No one from the public spoke.

Motion was made by Councilor Staples and seconded by Councilor Gerry to amend the order to reflect the correct first name and changing it from Olan to Oleg.

IN COUNCIL SPECIAL MEETING JULY 10, 2023, VOL. 37 PAGE 63

Passage 6-0.

Passage as amended 6-0.

4. Order 96-07102023

Authorizing the City Manager to execute the sale of City owned property (351 Main Street).

Motion was made by Councilor Walker and seconded by Councilor Staples for passage.

Public comment - No one from the public spoke.

Motion was made by Councilor Staples and seconded by Councilor Gerry to amend the order to reflect the correct first name and changing it from Olan to Oleg.

Passage 6-0.

Passage as amended 6-0.

5. Order 97-07102023

Authorizing the City Manager to market and execute the sale of City owned property (369 Main Street) through Bill Bergeron with Fontaine Family Realty.

Motion was made by Councilor Walker and seconded by Councilor Staples for passage.

Public comment – No one from the public spoke.

Passage 6-0.

Motion was made by Councilor Walker and seconded by Councilor Milks to suspend the rules to add an item to the agenda.

Passage 5-1 (Councilor Staples opposed).

Motion was made by Councilor Walker and seconded by Councilor Morin to cancel the Regular Council meeting that is scheduled for July 17, 2023. This becomes Order 98-07102023.

Public comment - No one from the public spoke.

Passage 5-1 (Councilor Gerry opposed).

X. Adjournment

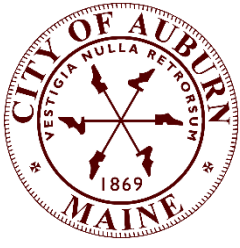
Motion was made by Councilor Walker seconded by Councilor Morin to adjourn.

Unanimously approved and the meeting adjourned at 6:55 pm.

A TRUE COPY

ATTEST *Susan Clements-Dallaire*

Susan Clements-Dallaire, City Clerk



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: 08/07/2023

Author: Jennifer Edwards, Public Health Manager, Department of Business & Community Development

Subject: Project Support You - Auburn

Information: City of Auburn staff and Tri County Mental Health Services staff will provide an update on Auburn's Project Support You program.

City Budgetary Impacts: None

Staff Recommended Action: N/A

Previous Meetings and History: Originally presented at a City Council workshop on 3/21/2022. Order 83-06062022 was passed at the August 1, 2022 council meeting, approving the use of \$300,000 of ARPA Funding to create the Project Support You – Auburn two-year pilot program. The program was launched mid February 2023.

City Manager Comments:



I concur with the recommendation. Signature:

Attachments: See attached information.

Project Support You

A life-saving project, staffed by Auburn PD, Auburn Fire & EMS and Tri-County Mental Health Services



Program Description

PSY is a “boots on the ground” service that employs a TCMHS employee to be shared between AFD and APD to respond **with** our first responder teams in real time in the community.

The PSY worker additionally follows up on needs identified by AFD and APD to connect individuals utilizing emergency services to needed community support providers.

Auburn’s PSY program began in February 2023, utilizing ARPA funding generously approved by the Auburn City Council to benefit individuals in need in our community.

Treatment works, but it takes resources.

“It is vital to remember, always, that treatment works and recovery is possible. Just as we would not give up hope or fail to help someone with diabetes, cancer or heart disease, the same is true for those who live with mental illness or a substance use disorder. We can and must bring all resources available to bear, and create them when they are not, to help those in need. Every life is worth saving.”

Catherine R. Ryder, LCPC, ACS

Chief Executive Officer, Tri-County Mental Health Services

Quote taken from Catherine Ryder's support letter for PSY-Auburn.





Auburn Police Department

Project Support You (PSY)

Prior to Program Start: Impact on Calls For Service (CFS)

2022

782 Wellbeing Checks **384** PCF* Medical / Mental **100** Psychiatric Problem

2023 (March, April, May, June & July)

396 Wellbeing Checks **185** PCF Medical / Mental **26** Psychiatric Problem

*PCF = Person Cared For





Auburn Police Department
Project Support You (PSY)

Program to Date:

104

Co-Response with PD to wellbeing checks, PCF Medical / Mental & Psychiatric Problem 17% of total call types. (Mar – July 31 2023)

Outcomes:

290

New clients since program inception through July 31, 2023

564

Total contacts since program inception through July 31, 2023

274

Had at least one prior contact with PSY

48.6%

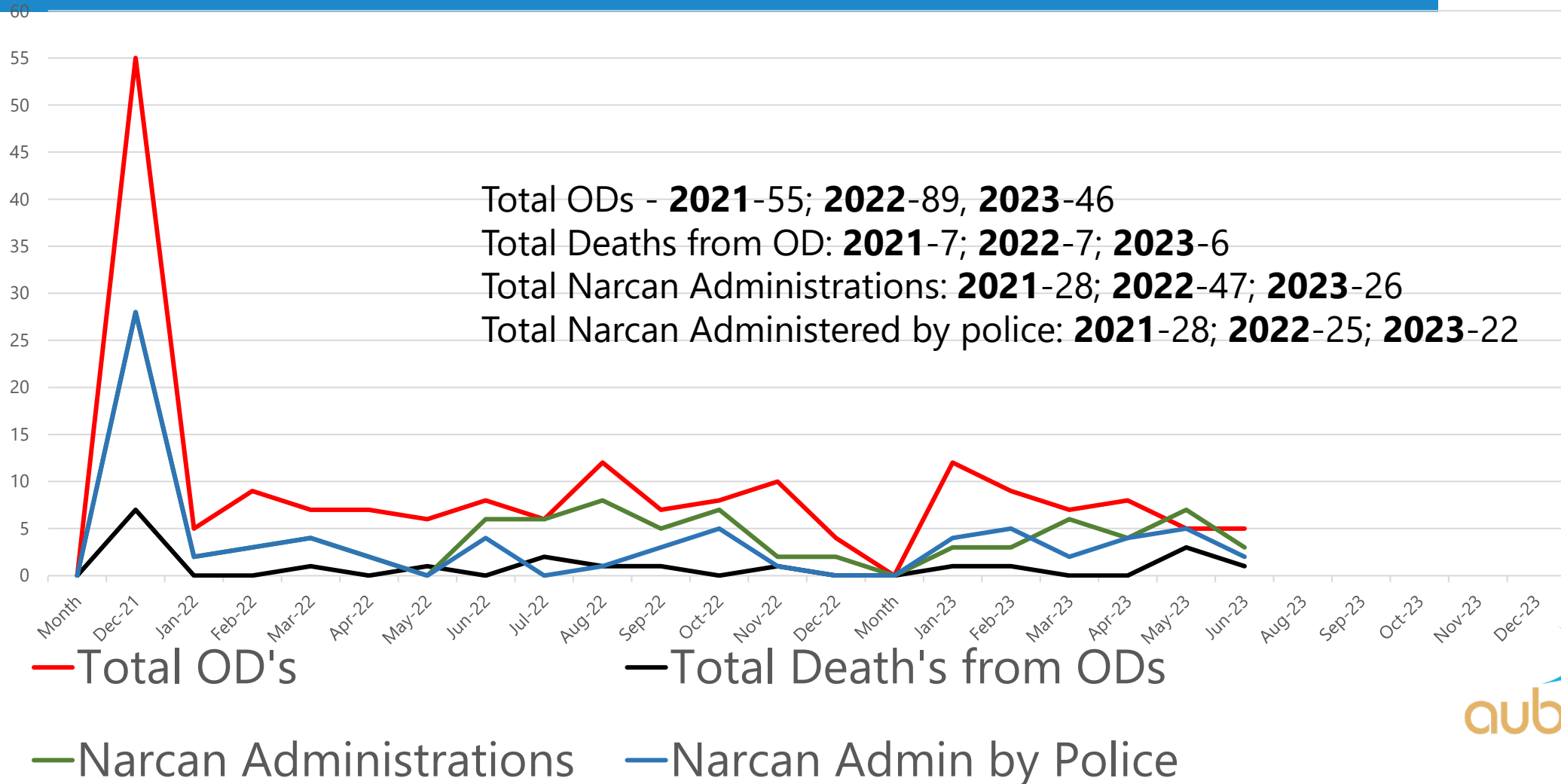
Percentage of Prior Contacts



Homelessness Crisis

- Auburn's PSY worker has made **246** contacts with unhoused or unstably housed individuals since the program began. About **30%** of that number are repeat contacts.
- Auburn School Department's McKinney-Vento Liaison reported **229** students identified between July 1, 2022 and June 30, 2023. Of these 229, **47** students (20.5%) were unaccompanied youth experiencing homelessness.

APD OPTIONS/PSY Overdose Report: 2021 – End of June 2023



Substance Use Disorder Prevalence in Androscoggin County

Age Group	SUD	SUD Per 1k	Illicit Drug Use Disorder	Illicit Drug Use Disorder Per 1k	Alcohol Use Disorder	Alcohol Use Disorder Per 1k
All	15,488	47.7	6,871	21.2	10,229	31.6
12 to 17	590	1.8	458	1.4	244	0.75
18 to 25	3,375	10.4	1,898	5.9	1,939	6
26+	11,483	35.46	4,515	13.9	8,047	24.85

*Prevalence data from National Survey on Drug Use and Health. SAMHSA. Provided by Daniel Soucier Ph.D., Research Associate at the Margaret Chase Smith Policy Center on 7/27/23.

Note: Data is from 2019, as the 2022 data does not include substate regions for Maine yet.

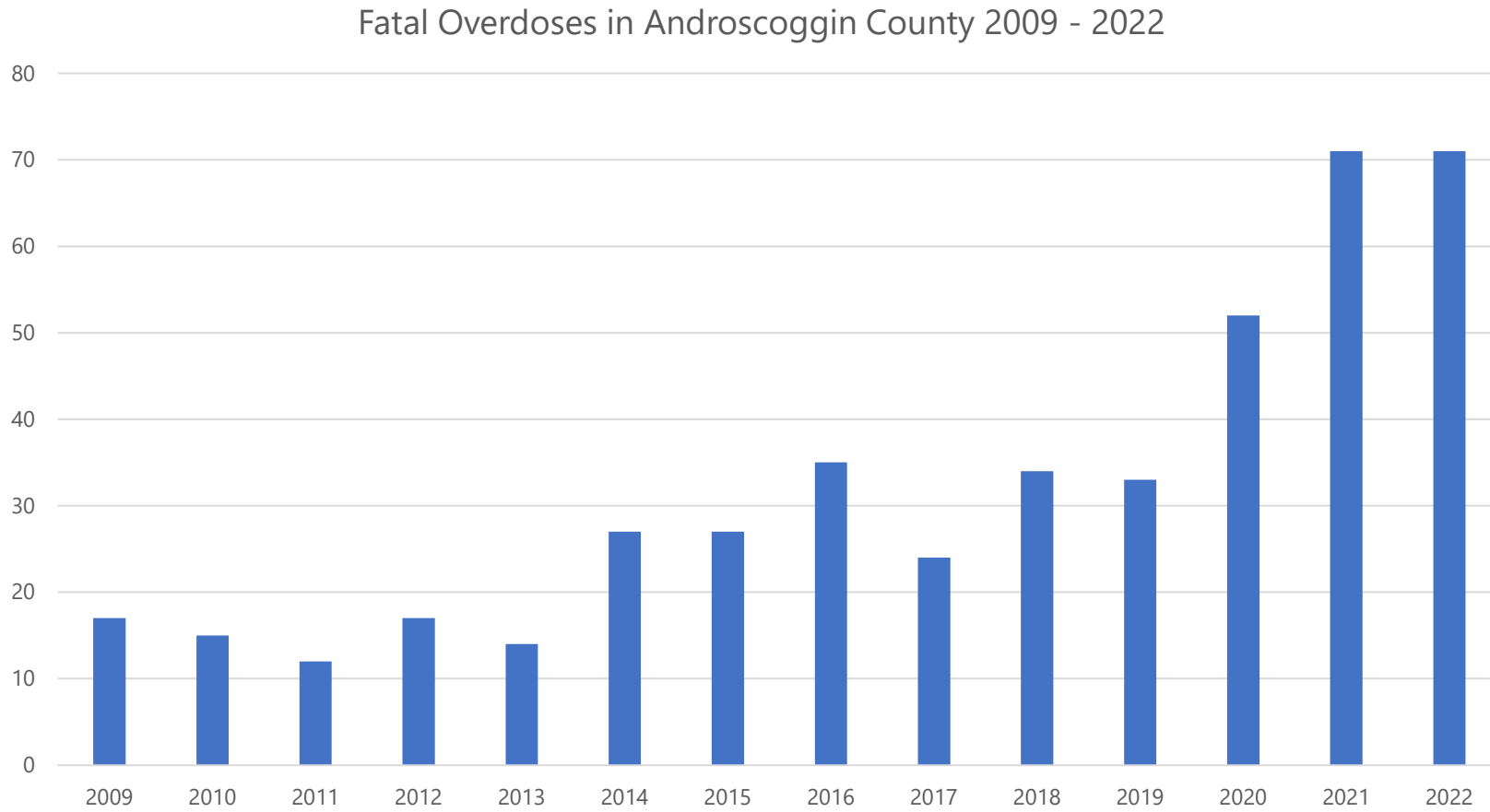
Substance Exposed and Affected Infants in Androscoggin County

	Number	Percent
2012	97	7.39%
2013	121	9.73%
2014	104	8.37%
2015	128	10.11%
2016	134	10.76%
2017	118	9.53%
2018	144	11.66%
2019	128	11.03%
2020	167	14.38%
2021	169	15.10%
2022	154	13.10%

*Data from Kids Count: Annie E. Casey Foundation was provided by Daniel Soucier Ph.D., Research Associate at the Margaret Chase Smith Policy Center. Note: Not all Maine hospitals diagnose SEI the same way. Some hospitals include marijuana exposure. Some people seek care in counties where they do not reside when pregnant and giving birth.

Fatal Overdoses in Androscoggin County

2009	17
2010	15
2011	12
2012	17
2013	14
2014	27
2015	27
2016	35
2017	24
2018	34
2019	33
2020	52
2021	71*
2022	71*



*2021 and 2022 data is **suspected** and confirmed overdoses.

This data will not be confirmed through toxicology until all cases are closed and reports are released from the Maine Office of Attorney General

Data from Maine Drug Data Hub: www.mainedrugdata.org was provided by Daniel Soucier Ph.D., Research Associate at the Margaret Chase Smith Policy Center.

Fatal Overdoses in Androscoggin County

2009 - 2022 by age group	
0-20	3.56%
21-30	15.81%
31-40	27.84%
41-50	26.28%
51-60	20.27%
60+	7.80%

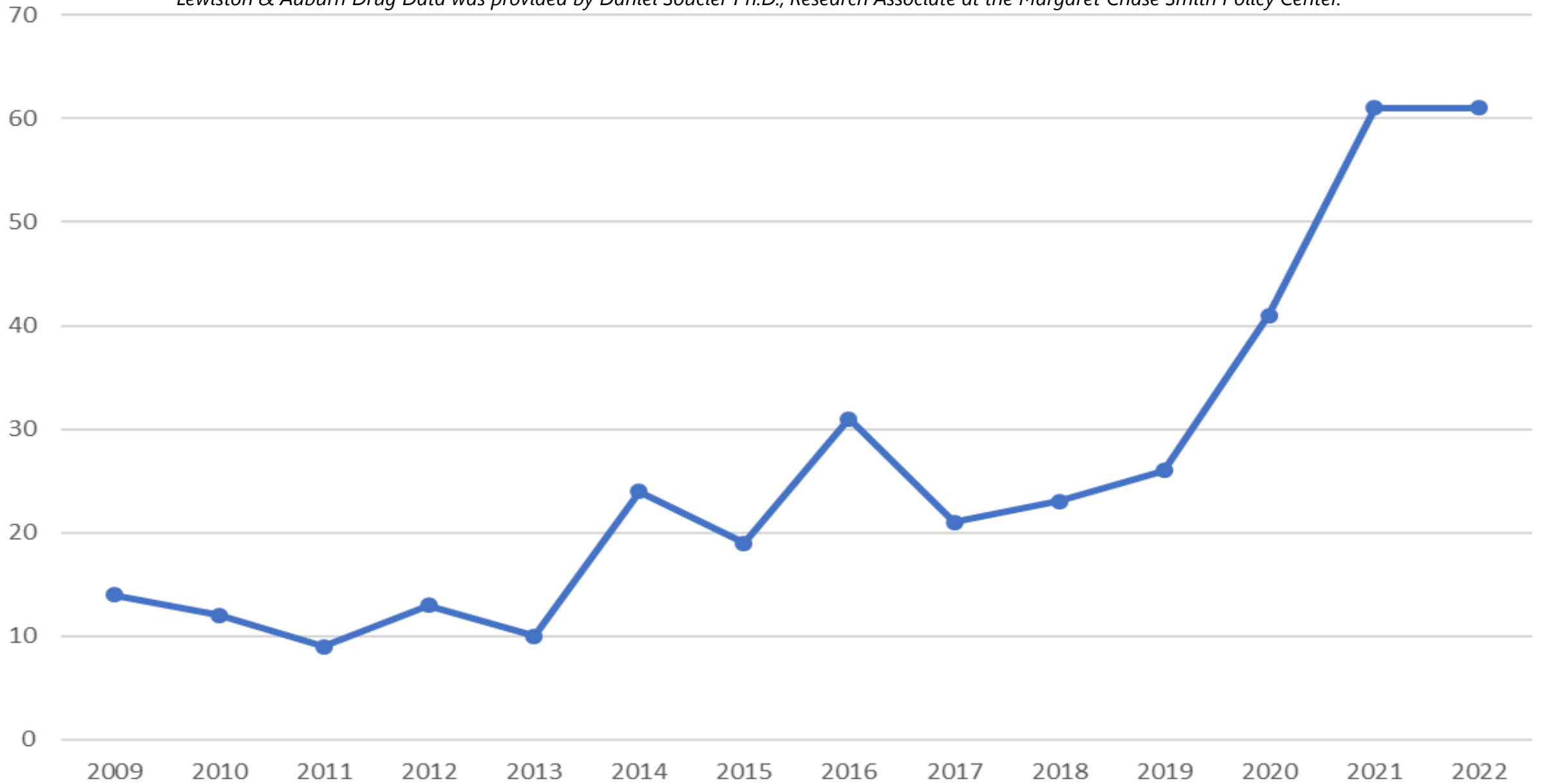
2022	
Percent of Statewide population	8.00%
% of total fatal overdoses	10.00%
Total incidents per 1,000 people	6.6
2009 - 2022 by biological sex	
Male	65.48%
Female	34.52%

*2021 and 2022 data is **suspected** and confirmed overdoses.

This data will not be confirmed through toxicology until all cases are closed and reports are released from the Maine Office of Attorney General

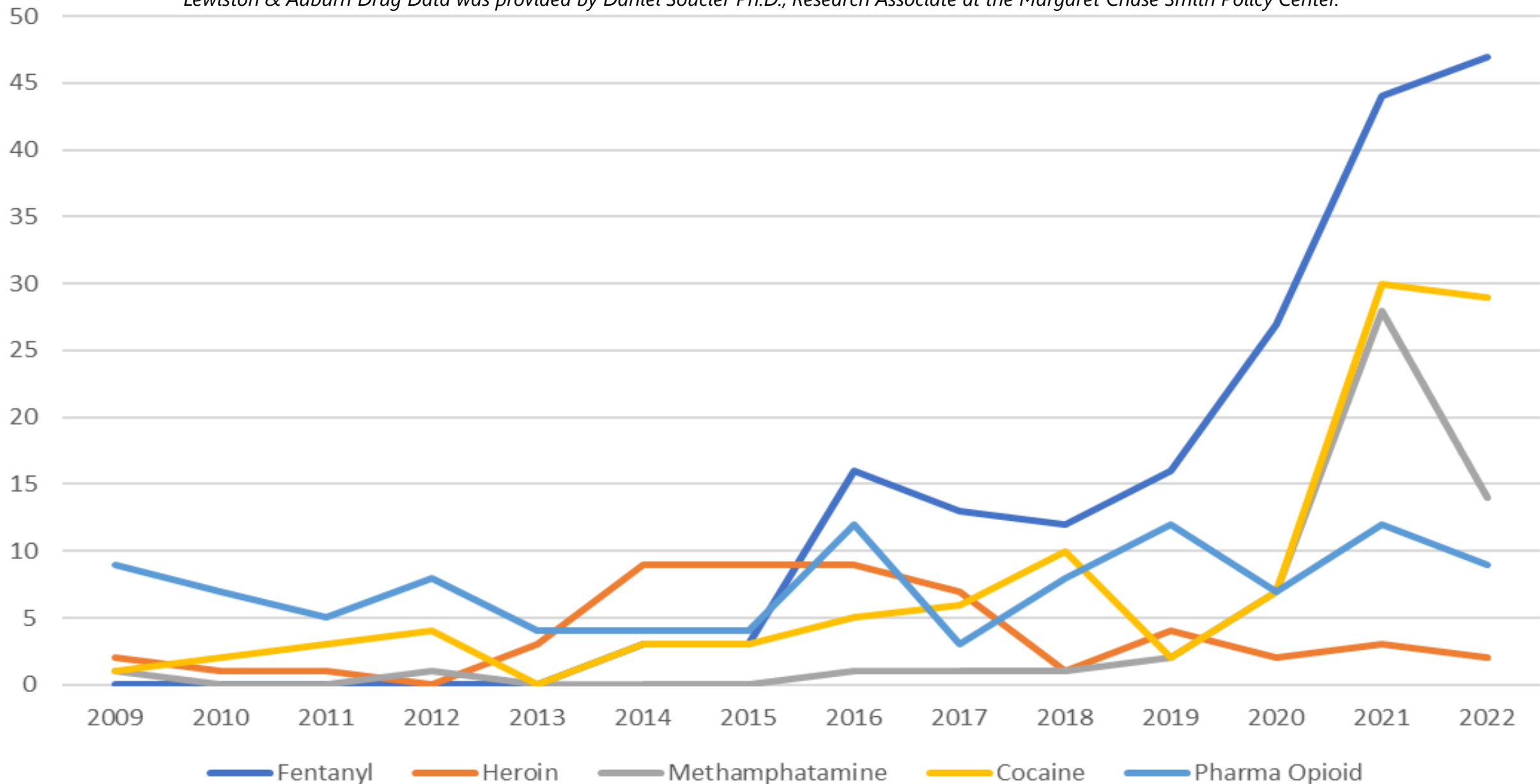
Deaths caused by drugs, Lewiston & Auburn

Lewiston & Auburn Drug Data was provided by Daniel Soucier Ph.D., Research Associate at the Margaret Chase Smith Policy Center.



Drug Deaths by Substance, Lewiston & Auburn

Lewiston & Auburn Drug Data was provided by Daniel Soucier Ph.D., Research Associate at the Margaret Chase Smith Policy Center.



Androscoggin County **OPTIONS** Year 2 data roll up (October '21 - May - '22_

Response Calls

Coresponse	220
Post-OD Followup	237
Fatal Overdose	26
Nonfatal Overdose	193

Trainings

Trainings Conducted	27
People Trained	135

Demographics

Race

African American	54
American Indian	2
Asian	0
White	163

Gender

Male	133
Female	77
Transgender	2

Sexuality

Lesbian	10
Gay	15
Bisexual	3

Housing

Stably Housed	100
Unstably Housed	45
Homeless	70

Naloxone

Kits left behind	66
Doses left behind (2 per kit)	132

Referrals to Services

MaineMOM	0
Syringe Service	15
Infectious Disease Testing	5
Recovery Supports	42

Nature of Contact

Self Referrals	0
Referrals from public safety, affected other, or other proactive source	166
Follow Up after initial interaction	137
Unable to make follow up contact	107

Treatment Referrals

Number of Treatment Referrals	52
Number that engaged with provider	39
Percent that went to treatment	75%

Data provided by Daniel Soucier Ph.D., Research Associate at the Margaret Chase Smith Policy Center.

*2021 and 2022 data is **suspected** and confirmed overdoses.

This data will not be confirmed through toxicology until all cases are closed and reports are released from the Maine Office of Attorney General

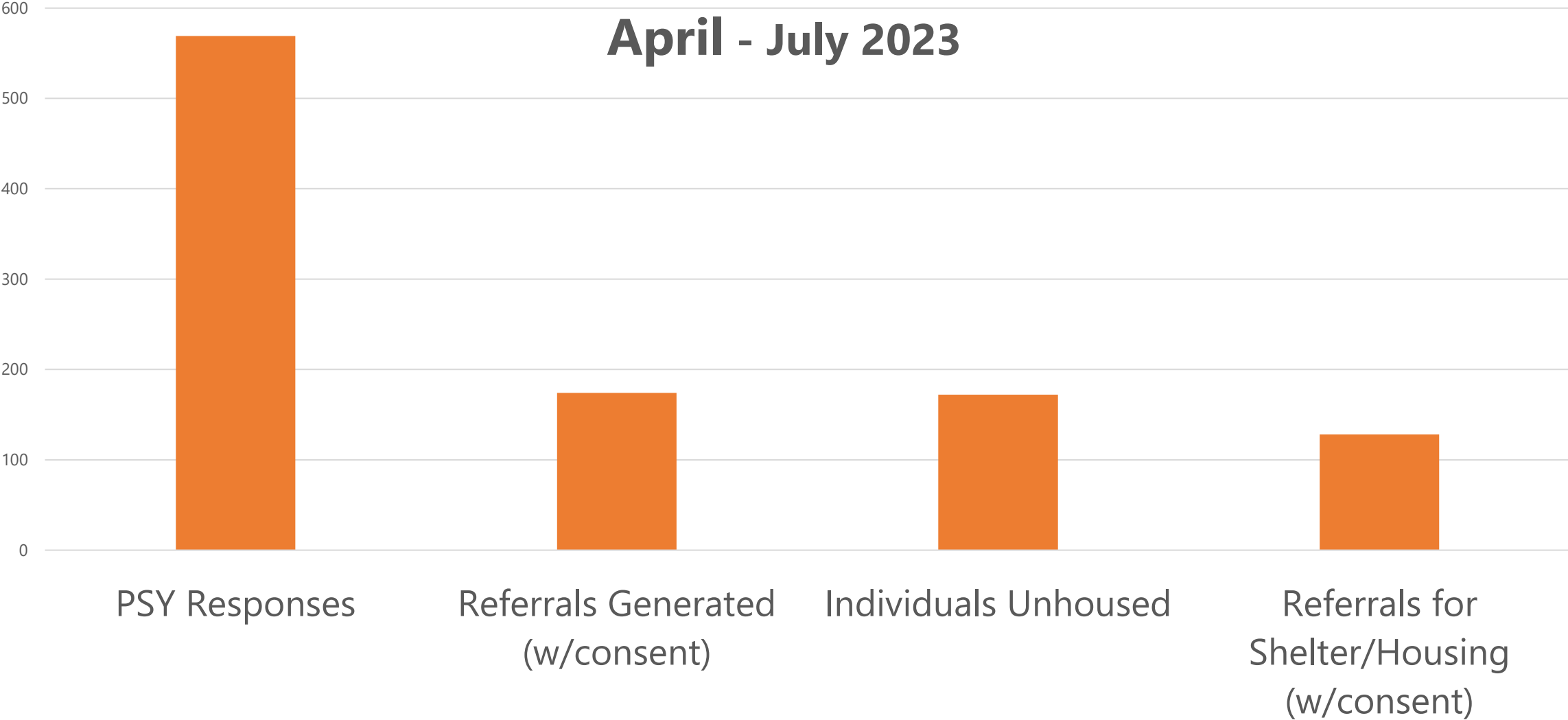
Auburn PSY CFS March – July 2023 by call type

<u>Auburn PSY Calls</u>	<u>March</u>	<u>April</u>	<u>May</u>	<u>June</u>	<u>July</u>	<u>Total</u>
WellBeing	22	13	13	12	8	68
PCF (Person Cared For Medical/Mental)	3	10	3	9	6	31
Psychiatric Problems	0	0	3	2	0	5
Medical Call	7	10	9	4	8	38
Police Follow Up	3	13	18	19	14	67
PSY Follow Up	14	6	5	18	16	59
DV Follow Up	0	0	0	3	2	5
Death Notifcation	0	1	1	2	1	5
Neighbor Trouble	0	1	0	1	3	5
Children Troubles	3	8	8	1	3	23
Community Contact	0	2	1	0	0	3
Ingestion	3	2	1	0	3	9
Call Types other than listed above:	89	72	82	72	68	383
<u>Total Calls:</u>	<u>144</u>	<u>138</u>	<u>144</u>	<u>143</u>	<u>132</u>	<u>701</u>
<u>Fire Department Calls</u>	4	16	12	9	14	55
<u>Police Department Calls</u>	140	122	132	134	118	646



Auburn Project Support You

April - July 2023



Auburn Project Support You April-July 2023



2020 Operational Impacts: Auburn Fire Department High System Users

Operational Impacts of Auburn Fire Department High System Users

Address	Total Responses	Transports	Time in Hours Dedicated to Specific Patient*	Ambulance Mileage Incurred*	Notes
CASE 1	34	30	19.6	128	Repeat indication of ETOH use
CASE 2	29	28	14.2	103	Repeat Non-Emergent Complaints
CASE 3	29	27	17.5	95	Repeat Requests for Detox via EMS
CASE 4	20	20	12.3	76	Repeat Behavioral Health Requests
CASE 5	16	0	5.1	X	Repeat Requests for Lift Assists
CASE 6	16	10	5.3	41	Repeat Tox/Behavioral Health
Total Impact	144	115	74	443	

*Approximate Values



2020 data provided by Chief Chase on 11/3/2021 and provided to Council previously



Auburn Fire Department

Project Support You (PSY)

Prior to Program Start: Impact on Calls For Service (CFS)

2022

4723 EMS calls for service with patient contact made up of **3152** Individual people

77% Of contacts calls for service equaled **1**

Top 50 individuals with highest CFS equaled **10%** of total

6 Program referrals were identified as being in top 50 with an average of **10** CFS in 2022

6 Average CFS for referred persons from 2022 - POC

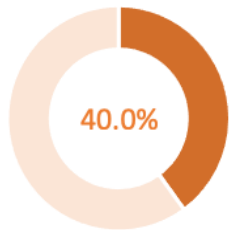


Auburn Fire Department Project Support You (PSY)

Program to Date:

30

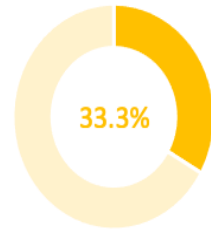
FD initiated program referrals



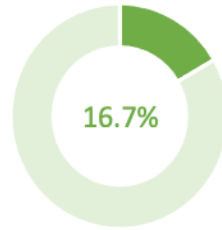
Mental Health



Homelessness



SUD



Other

Outcomes:

60%

 Referrals had no return CFS

1

 Average CFS from after referral

Return CFS after referral

<30 Days	30 - 59	60-90	>90
25%	17%	25%	33%

Project Support You Success Snapshots

- Auburn Fire Department – Stephen Almquist
- Tri-County Mental Health Services – Catherine Ryder

Q&A



July 19, 2023

Marc Fishman
PO Box 4182
Portland, ME 04101

Re: Application for a Medical Marijuana Cultivation Facility located at 213 Washington Street under the name of Marc Fishman.

Dear Mr. Fishman:

This letter is to notify you that the Medical Marijuana Cultivation Facility license application that you submitted has been denied based on the following:

The proposed Medical Marijuana Cultivation Facility is located within 1,000 feet of another cultivation facility.

City Ordinance Section 60-81. Abandonment indicates the following:

If any nonconforming use of a building or portion thereof or of land or portion thereof be discontinued for a period of 12 consecutive months' duration or more or is voluntarily discontinued, it shall be presumed abandoned, such use shall not be resumed, and only a use conforming with zoning provisions in the zoning district in which located shall thereafter be made of such building or land, except as may be permitted otherwise under section 60-79(4) and (5). A use shall be deemed to be discontinued when the principal activity ceases. A use that is voluntarily discontinued shall be deemed to have ceased when a written statement containing the name of the owner of the property, the name of the business or use, the nature of the use being discontinued, and the date of the discontinuance is reviewed by the municipal officer charged with enforcement.

Our records indicate that the facility was licensed on 1-25-2021 under license # BL002853-01-2021, issued to John Gary Howard for medical cultivation and this license would have expired on 1-25-2022, however, we received notification and a request to close out this business license on 8-31-2021. On 12-8-2021 we received an incomplete application for Medical Marijuana Cultivation from Brendon Venable for this address, however, he never provided enough information to process the application and the application was closed out as incomplete on 1-11-2023.

Based on those records, there has not been a licensed facility at this site since 8-31-2021. The use was voluntarily discontinued based on the written request to close out this business license on 8-31-2021 and the use was ceased on the same date. On 8-31-2022 the use was abandoned pursuant to the above ordinance section 60-81.

In addition, following an inspection held on July 12, 2023, there were several deficiencies noted.

City of Auburn, Maine

60 Court Street | Auburn, Maine 04210 | www.auburnmaine.gov | 207.333.6601



- The facility needs a deadbolt on the exit door, the alarm system needs activation and a 30-day video back up & remote access to the system.
- There were several electrical issues which would have to be addressed.
- Fire extinguishers and all life safety systems would have to be inspected and must be operational.

Please note the City Council shall be notified of the decision to deny this business license application at their next regularly scheduled meeting.

If you decide to appeal the decision, the process is as follows:

Sec 14-39. Appeal

Except as otherwise provided, appeals shall be made by filing a written notice of appeal with the office of the City Clerk or designee within 30 days of the date of any such denial to the City Council in writing, whereupon a hearing will be scheduled, at which time the applicant shall have the right to be heard. It shall be the duty of the City Clerk or designee to notify such applicants who have appealed, of the time and place of the hearing.

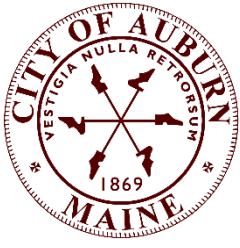
If you have any questions with the foregoing, please feel free to contact me at sdallaire@auburnmaine.gov or 207-333-6601 ext. 1126.

Sincerely,

Susan Clements-Dallaire
City Clerk

City of Auburn, Maine

60 Court Street | Auburn, Maine 04210 | www.auburnmaine.gov | 207.333.6601



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: August 7, 2023

Order: 104-08072023

Author: Jennifer Boenig, Downtown Coordinator

Subject: Approving the Mass Gathering for Auburn Blues & Brews event

Information: The Auburn Blues & Brews event is scheduled for Saturday, September 9, 2023 from 12:30-7:30 PM. The event will be held in Festival Plaza and on Main Street which will be closed with public works trucks and barricades. This free community event will feature live music, craft brews, food trucks and more.

A mass gathering is defined as any gathering held outdoors with the intent to attract the continued attendance of 1,000 or more persons for two or more hours.

City Budgetary Impacts: This event is budgeted through the Communications Department.

Staff Recommended Action: Hold the public hearing and motion to approve the mass gathering.

Previous Meetings and History: NA

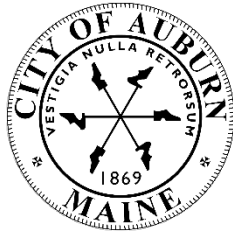
City Manager Comments:

I concur with the recommendation. Signature:

Attachments:

- Application for Blues & Brews event mass gathering
- Application for a License for an Incorporated Civic Organization
- Public Notice
- Order

Date received: _____
Date approved: _____



CITY OF AUBURN SPECIAL EVENT/MASS GATHERING APPLICATION

Required for any special event on city property that will attract up to 1,000 people, or any outdoor event with continued attendance of 1,000 or more persons for 2 or more hours.

Applications must be submitted to the Clerk at least 45 days prior to the event if the gathering is expected to attract up to 5,000 people.

Application must be submitted at least 90 days prior to the event if the gathering is expected to attract more than 5,000 people.

Date of Application: _____

SPONSOR INFORMATION

Name of Sponsoring Organization: _____

Name of Contact Person for Event: _____

Title of Contact Person: _____

Mailing Address: _____

Daytime Telephone: _____ Cell Phone: _____

Email Address: _____

Contact Name and Cell Phone Number DURING the Event: _____

Is your organization incorporated as a non-profit organization? Yes _____ No _____

Non-Profit Number: _____

EVENT INFORMATION

Name of Event: _____

Type of Event (walk, festival, concert, etc.): _____

Date of Event: _____ Rain Date: _____

Times of Event: Start Time including set-up: _____ Ending time including clean up: _____

Actual Event Start Time: _____ Actual Event End Time: _____

Estimated Attendance: _____

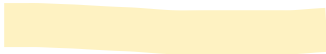
Location of Event: _____

Have you held an event at this location within the last 12 months? Yes _____ No _____

If the location is a city park, have you applied for use of the property with the Recreation Department and has your request been approved?

Yes___ No___ Pending___ Date submitted to the Recreation Department: _____

TYPES OF PERMITS/PERMISSIONS NEEDED – PROVIDE AN ANSWER FOR EACH LINE:

Permit Fee	Permission/Permit Type	YES	NO	NOT SURE
Not permitted	CROSS-STREET BANNERS Please note that the city no longer allows cross-street banners.			
Separate fee and permit possible	FOOD – Will food or beverages be sold? If yes, list what types of food or beverages: Note - A food service license may be required and must be submitted 14 days prior to the event. Other requirements and/or restrictions may apply.			
Separate fee and permit possible	NON-FOOD ITEMS – Will products be sold or given away (such as t-shirts, crafts, souvenirs, etc.)? If yes, list what items: Note - A peddler permit may be required and must be submitted 14 days prior to the event.			
N/A	LIVE MUSIC – Will there be any outdoor musical performances? If yes, please describe: 			
N/A	SOUND AMPLIFICATION – Will there be a microphone or speaker system to project sound?			
Separate fee and permit possible	ALCOHOL – Will alcoholic beverages be sold? Note – Vendor must hold a valid State of Maine liquor license and submit an Off Premise Catering Event application 14 days prior to the event.			
Separate fee and Permit required	CARNIVAL – Will carnival rides be offered? If yes, attach a copy of the state permit. A city permit is required as well.			
Separate fee and Permit required	FIREWORKS – Will there be a fireworks display? If yes, a permit from the Fire Department is required.			
N/A	PARADE – Will there be a parade? If yes, describe route: Note – A permit from the Police Department is required.			
N/A	RUN/WALK/CYCLE – Will event involve participants doing a walk-a-thon, road race, etc.? If yes, describe route:			
Separate permit required	BURN PERMIT – Will there be any open flame such as a bonfire? If yes, describe activity: Note - A permit from the Fire Department is required.			

N/A	TENT/CANOPY – Will you be setting up a tent or canopy? If yes, list number and sizes: [REDACTED]			
Separate fee and permit required	ELECTRICAL POWER/EQUIPMENT – Will electrically powered equipment be utilized, if so, provide a brief description of the equipment and the entity responsible for the installation of the electrical equipment? [REDACTED]			
N/A	ROAD/INTERSECTION CLOSURE – Will any roads need to be closed to accommodate your event? If yes, please list: [REDACTED]			
N/A	MAP/DIAGRAM – Is a map or diagram attached detailing this event and depicting the placement of such items as tables, tents, port-a-potties, stage, parking, food service areas, etc.? This is a mandatory requirement for this application and must be included.			
N/A	PARKING ACCOMODATIONS – What will be the anticipated need for parking and what is your parking plan? [REDACTED]			
N/A	TOILETS – Please list amount at event and/or nearest location: [REDACTED]			
N/A	WASTE DISPOSAL – Please list process and location: [REDACTED]			
N/A	HAND WASHING FACILITIES – Please list amount at event and/or nearest location: [REDACTED]			
N/A	POTABLE WATER – Please list amount at event and location: [REDACTED]			
N/A	FIRST AID FACILITIES – Please list location at event: [REDACTED]			
\$	TOTAL FEE INCLUDED – Checks payable to “City of Auburn”			

EVENT LIABILITY INSURANCE COVERAGE FOR EVENT

For an event such as a walk-a-thon, race, festival, concert, etc., the city requires general liability insurance coverage. The **City of Auburn** is to be named as “additionally insured” for the event activities on that date. Once the event is approved, the Certificate of Insurance will need to be received at least 30 days before the event and before permits can be issued. Please have the City of Auburn listed on the Certificate of Insurance (minimum coverage \$1,000,000 Bodily Injury or Death, per occurrence, and \$300,000 Property Damage, per occurrence). It should contain a clause providing that the policy may not be cancelled by either party except upon not less than 30 days written notice to the city. Please have your insurance company fax a copy to: City Clerk 207-333-6623.

DESCRIPTION OF EVENT – Please describe what will occur during your event

- . The Auburn Blues & Brews event is a free community event featuring five blues bands, four food trucks, and several area breweries in the heart of downtown. Main Street is closed with public works trucks serving as hard barricades, creating a true block party atmosphere. Both APD and AFD will be on-site during the event.

Signature of Applicant:

Printed Name:

Date Submitted:



Please note that you will be contacted by City Staff if you require additional permitting.

Please return this completed application with diagram and any applicable fee to:

MAIL: City Clerk's Office
60 Court Street
Auburn, ME 04210
FAX: 207-333-6623
EMAIL: sdallaire@auburnmaine.gov
PHONE: 207-333-6600

******FOR STAFF USE******

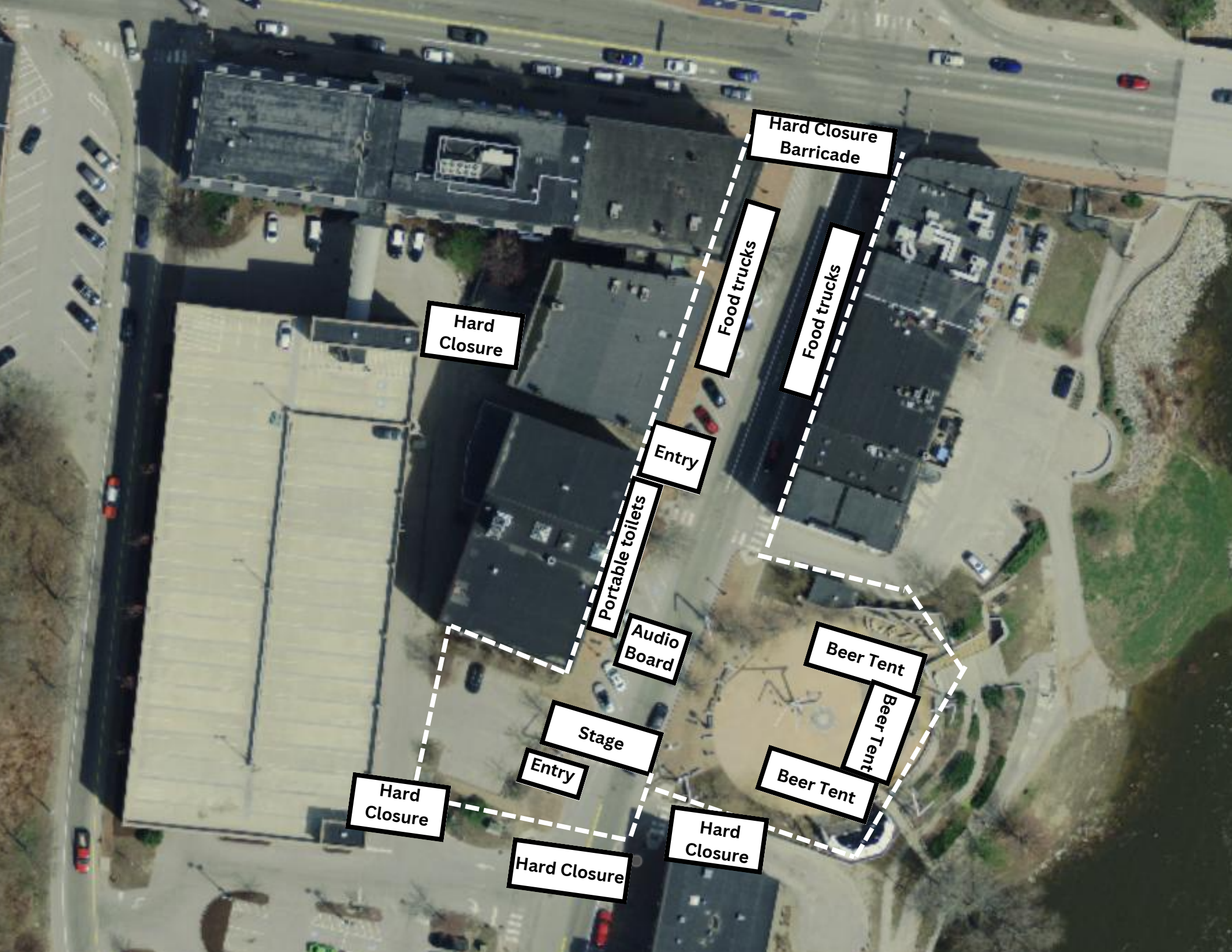
DEPARTMENT COMMENTS AND RECOMMENDATIONS:

DEPARTMENT	APPROVE	DENY	DATE	INITIALS
Sanitarian/Health Inspector				
Code Officer/Land Use & Zoning				
Fire Department				
Police Department				
Public Works Department				
Recreation Department				

COMMENTS/CONDITIONS from any of the above departments:

City Council Public Hearing date, if applicable: _____

License Approved/Denied: _____ Date applicant notified: _____



Hard Closure Barricade

Food trucks

Food trucks

Hard Closure

Entry

Portable toilets

Audio Board

Beer Tent

Beer Tent

Stage

Beer Tent

Entry

Hard Closure

Hard Closure

Hard Closure

**CITY OF AUBURN
NOTICE OF PUBLIC HEARING**

A public hearing will be held by the Auburn City Council on August 07, 2023 at 7:00 p.m. or as soon as possible thereafter, in the Council Chambers of Auburn Hall, 60 Court Street, to consider the Special Event/Mass Gathering application for:

Auburn Blues & Brews Festival to be held at Festival Plaza/Main Street and surrounding areas on September 9th.

All interested persons may appear and will be given the opportunity to be heard before final action is taken.

**CITY OF AUBURN
NOTICE OF PUBLIC HEARING**

A public hearing will be held by the Auburn City Council on August 07, 2023 at 7:00 p.m. or as soon as possible thereafter, in the Council Chambers of Auburn Hall, 60 Court Street, to consider the Special Event/Mass Gathering application for Auburn Bliss & Brews Festival to be held at Festival Plaza/Main Street and surrounding areas on September 9th. All interested persons may appear and will be given the opportunity to be heard before final action is taken.



ORDER 104-08072023

City Council Order

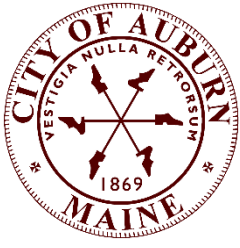
IN CITY COUNCIL

ORDERED, that the City Council hereby approves the Mass Gathering permit for the September 9, 2023 Auburn Blues & Brews event sponsored by the City of Auburn.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: August 7, 2023

Order: 106-08072023

Author: Glen E. Holmes, Director of Business & Community Development

Subject: Victory Garden 2024

Information:

The Victory Garden 2023 program provided vouchers to 166 residents to install small, home food production gardens. This program was initially funded at \$25,000 and quickly allocated all funds. An additional 82 applicants were not approved due to a lack of program funds.

The Business & Community Development Department seeks additional funds to continue the program in 2024. Program improvements will include an earlier application period, a priority application window for applicants not funded in 2023, and work with community groups to expand the list of participating retailers.

City Budgetary Impacts:

The Office of Business & Community Development is seeking an additional \$50,000 in ARPA funds to administer this program. \$48,000 will provide vouchers to approx. 350 residents. \$2,000 will cover program administration costs.

Staff Recommended Action:

Approve the order as presented.

Previous Meetings and History:

3/20/2023 Mayor proposed action for staff to work from.

4/18/2023 Council approved \$25,000 of ARPA funds for the Victory Garden program.

City Manager Comments:

I concur with the recommendation. Signature:

Attachments:

The Victory Garden 2024 program guidelines

Draft Victory Garden Application form



City of Auburn, Maine

Business & Community Development

60 Court Street | Auburn, Maine 04210

www.auburnmaine.gov | 207.333.6601

Auburn Victory Garden Program

2024

Purpose

The purpose of the Victory Garden program is to assist residents who wish to produce their own fresh, healthy food by reducing the start-up costs of backyard or container gardens. This initiative aligns with goals established within the city's Comprehensive Plan which aims to "ensure that fresh, local food is equitably accessible to everyone regardless of income or geography" (Objective K.1.1) by "supporting practices that facilitate access to healthy food in residential settings" (Objective K.1.3).

Funding

The City of Auburn may provide funds to qualified residents. Maximum assistance is \$150 per household. Funds will be provided as vouchers to participating farm & garden retailers and nurseries.

Approved applicants will receive a voucher that can be used at participating retailers. Vouchers will be presented to the retailers during checkout and redeemed by the retailer. No change will be provided and unused funds will be returned to the program. City Staff will work with the local food and agriculture focused community groups to solicit and expand participating retailers.

Eligibility

Existing Auburn residents are eligible for financial assistance. The funds can be used to purchase necessary equipment, supplies or seedlings to improve production of fresh and healthy food offerings. Evidence of residency in the form of a property tax bill or utility bill that match the name on the application will be required. Approved vouchers will be mailed to the address on the application.

Application

New applications will be sent to unfunded applicants from 2023 on April 20, 2024. These previously unfunded applicants will have an early application window (March 1st- March 15th).

The open application period will run from March 15th to April 15th, 2024. Only applications received by April 15th will be considered. Vouchers obtained through this process will be valid until August 30, 2024.

Applicants who received funding in 2023 can re-apply but will be placed on a waitlist. If funds remain after processing all new applications, only then will repeat applicants be considered for funding.

The following application will be used to collect all pertinent information and determine eligibility. Completed applications can be submitted to the Business & Community Development office at CDBG@AuburnMaine.gov



Victory Garden Application

Business & Community Development

60 Court St Auburn, Maine 04210

Phone (207)-333-6601

www.AuburnMaine.Gov

Growing Season 2024

Applicant Information			
Applicant Name: _____		Number in Household: _____	
Home Address: _____		Phone: _____	
City: _____	State: _____	Zip: _____	Email : _____
<input type="radio"/> Female	<input type="radio"/> Male	Veteran Status	Race/Ethnicity
This garden's primary focus is to provide:		<input type="radio"/> Non-Veteran	<input type="radio"/> Black/African
<input type="radio"/> Availability of Fresh produce		<input type="radio"/> Veteran	<input type="radio"/> Asian/Pacific
<input type="radio"/> Financial stability			<input type="radio"/> Hispanic
			<input type="radio"/> Native/Eskimo
			<input type="radio"/> White
			<input type="radio"/> Other
Have you ever grown your own produce? <input type="radio"/> No <input type="radio"/> Yes			
Do you require assistance <input type="radio"/> No <input type="radio"/> Yes (if yes, the city will provide contact information for garden mentor organizations).			
Do you agree to use these resources to provide food for your household? <input type="radio"/> No <input type="radio"/> Yes Initial: _____			

Please Describe how you will use these funds: _____

Amount Requested: \$ _____

Please include recent 1 utility or tax bill with your application to verify residency status.

If approved, applicants will receive a voucher that can be used at one of the following retailers. Present the voucher during checkout to redeem. Please use the total approved amount in one transaction. No change will be provided and unused funds will be returned to the program.

- List of Participating Vendors

Authorization & Certification

I hereby certify that all information contained in this document and any attachments is true and correct to the best of my knowledge. I understand that this is a federally funded program, and I may have to provide further documentation, receipts and reports confirming these funds were used in accordance with federal guidelines. Failure to do so will constitute a default on a federal debt and may cause me to be debarred from future government assistance.

The city does not warrant or guarantee in any manner that its assistance will result in a successful harvest. I/We specifically waive and release any claims now or in the future regarding the assistance provided by the city and / or its agents.

Applicant Signature: _____

Date _____

For Office Use Only:

Approved

Denied

Authorized Official: _____ Date: _____

Voucher # _____

Amount approved: \$ _____



ORDER 106-08072023

City Council Order

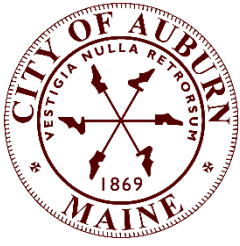
IN CITY COUNCIL

ORDERED, that that City Council hereby authorizes an additional \$50,000 in ARPA funds for the continuation of the Victory Garden program into 2024, which will comply with established program guidelines and meet all ARPA rules, regulations and guidance.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: August 7, 2023

Order: 106-08072023

Author: Brian Wood, Assistant City Manager

Subject: Authorization for the City Manager to execute the Collective Bargaining Agreement between the City of Auburn and the District Lodge 4, Local Lodge S-89 covering 8/26/2023 – 6/30/2024

Information: The Collective Bargaining Agreement between the City of Auburn District Lodge 4, Local Lodge S-89 Allows current school employees serving the on maintenance division to become city employees as part of a comprehensive Agreement between the Auburn school and City of Auburn

City Budgetary Impacts: N/A

Staff Recommended Action: Staff recommends the City Council vote to approve.

Previous Meetings and History:

City Manager Comments:

Phillip Crowell Jr.

I concur with the recommendation. Signature:

Attachments: Order



ORDER 106-08072023

City Council Order

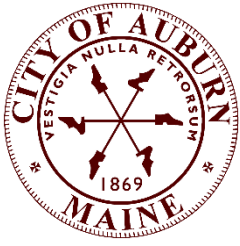
IN CITY COUNCIL

ORDERED, that the City Council hereby authorizes the City Manager to execute the Collective Bargaining Agreement with the District Lodge 4, Local S-89, effective August 26, 2023.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: August 7, 2023

Order: 107-08072023

Author: Jonathan P. LaBonte

Subject: Authorization to Sell Surplus Personal Property – Auburn Lewiston Municipal Airport

Information:

The Cities of Auburn and Lewiston, through their jointly established Auburn-Lewiston Municipal Airport, maintain control over the sale of surplus real estate and personal property valued in excess of \$1,000. As the airport proceeds with the sale of assets abandoned in Hangar #5, there is a potential for increased market interest for assets the airport owns and either cannot use, or is not going to use into the future.

Rather than seek authorization from each City Council for each item, a blanket permission to sell items the Board designates is requested. This will empower the board, through December 31, 2023, to review personal property and its current utilization and make a decision to sell.

City Budgetary Impacts: None, though there is a potential positive impact for airport finances through the sale of personal property.

Staff Recommended Action: Passage of this Order

Previous Meetings and History: N/A

City Manager Comments:



I concur with the recommendation. Signature:

Attachments:



ORDER 107-08072023

City Council Resolve

IN CITY COUNCIL

ORDER, authorizing the Auburn-Lewiston Municipal Airport Board of Directors to designate and sell surplus personal property, with a value in excess of \$1,000, through December 31, 2023.

WHEREAS, the Auburn-Lewiston Airport is a joint agency between the Cities of Auburn and Lewiston; and

WHEREAS, the 1979 Interlocal Agreement, Article VIII, lays out the requirement that all surplus property with a value in excess of \$1,000 may only be sold with the approval of the respective City Councils; and

WHEREAS, the Airport Board of Directors will be reviewing surplus and unused property during its review of operations during the current fiscal year;

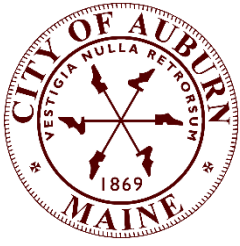
NOW, THEREFORE, BE IT ORDERED by the **CITY COUNCIL** of the **CITY of AUBURN**,

To authorize the Auburn-Lewiston Municipal Airport Board of Directors to designate and sell surplus personal property, with a value in excess of \$1,000, through December 31, 2023.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: August 7, 2023

ORDER: 108-08072023

Author: Jonathan P. LaBonte

Subject: Hangar #5 Loan – Auburn Lewiston Municipal Airport

Information:

The Cities of Auburn and Lewiston, through their jointly established Auburn-Lewiston Municipal Airport, entered into a long-term lease with a developer for the construction of a 27,400 hangar for the Constellation project of Lufthansa Technic. In August 2014, to provide financial relief to the airport and to achieve projected savings by owning a hangar versus leasing it through 2028, the cities provided a loan to the airport for its acquisition.

With the 2018 departure of Lufthansa Technic, the airport again faced financial challenges and a request was made to the cities to restructure the debt, extending the loan period from maturity in FY2027 to FY2034.

In March of 2023, during the airport's FY2023, Elite Airways was evicted for non-payment of February and March lease payments per a stipulation to judgment executed that month. The lease payments by Elite for July 2022 through January 2023, which had been budgeted for the annual loan payments to both cities, was not set aside and was spent on airport operations.

Without a tenant for Hangar #5, the on-going challenge of addressing abandoned aviation and non-aviation property, and the shift in FY24 of all utilities to the airport until a tenant is found, deferring the FY23 and FY24 loan payments was a necessary step to balance the airport budget in the near term.

City Budgetary Impacts: FY2023 and FY2024 loan payments to the General Fund, totaling \$115,000, would not be made in lieu of extending the maturity date from FY2034 to FY2036.

Staff Recommended Action: Passage of this Resolve

Previous Meetings and History:

August 18, 2014 – City Council authorizes 13-year loan from its General Fund to finance purchase of Hangar #5
October 15, 2018 – City Council authorizes an amendment to the loan to extend payback period from FY27 to FY34

City Manager Comments:

I concur with the recommendation. Signature:

Attachments:



City Council Resolve

IN CITY COUNCIL

ORDER, authorizing an amendment to the hanger loan between the City's General Fund and the Auburn-Lewiston Municipal Airport to extend its maturity to from FY2034 to FY2036.

WHEREAS, the Auburn-Lewiston Airport is a joint agency between the Cities of Auburn and Lewiston; and

WHEREAS, in 2014, the Airport purchased Hangar #5 from a developer through a \$2.2 million loan provided by the Cities of Auburn and Lewiston; and

WHEREAS, in 2018, due to the lease cancellation by Lufthansa, the Airport requested an amendment to loan to move the maturity date from FY2027 to FY2034; and

WHEREAS, the subsequent tenant in Hangar #5, Elite Airways, was evicted in March 2023 due to non-payment; and

WHEREAS, the Airport Board needs the financial flexibility for FY2023 and FY2024 to resolve challenges with the abandoned property at the hangar, the shift of financial liability for utilities, and to identify a viable tenant;

NOW, THEREFORE, BE IT ORDERED by the CITY COUNCIL of the CITY of AUBURN,

That the loan between the City's General Fund and the Auburn-Lewiston Municipal Airport be amended to extend the maturity from FY2034 to FY2036.



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: August 07, 2023

Order: 109-08072023

Author: Alison F. Pepin, Deputy City Clerk

Subject: Gipper's Sports Grill, LLC., 120 Center Street

Information:

Gipper's Sports Grill, LLC., 120 Center Street an existing business under new ownership applied for a Liquor License. Police, Fire, and Code have completed the necessary inspections and have granted approval. There are no outstanding taxes owed.

City Budgetary Impacts: None

Staff Recommended Action: Public Hearing and recommend passage

Previous Meetings and History: N/A

City Manager Comments:



I concur with the recommendation. Signature:

Attachments:

- Applications
- Public Notice
- Order



**CITY OF AUBURN
BUSINESS LICENSE APPLICATION**

NEW RENEWAL 7/31/23

If new business, please provide proposed opening date. _____

Please check the boxes for all licenses you are applying for:

Business Name: Gipper's

Office of the City Clerk
60 Court St, Auburn,
ME 04210
207.333.6600
www.auburnmaine.gov

Please Note: All real estate and personal property taxes related to the business must be current before a license can be issued.

There is a late fee of \$50.00 for renewals that are 30-45 days late, \$100.00 for more than 46 days late, and \$200.00 for reoccurring

Food Service Establishments:

*FSE Mobile Food distribution Unit (12 mths) ...\$100
Not to be located less than 200 ft from nearest food service establishment. Please include a letter from property owner authorizing use of location.

FSE Serving Malt, Vinous & Spirituous Liquor (FSE Class I) \$500
Plus actual cost of advertising hearing required for new license. Background check must also be included.

*FSE Serving Malt and/or Vinous (FSE Class III & IV)..... \$400
Plus actual cost of advertising hearing required for new license. Background check must also be included.

*Class A Lounge Serving Malt, Vinous & Spirituous Liquor (Class X) \$1000
Plus actual cost of advertising hearing required for new license. Background check must also be included.

*FSE(On/Off), no Alcohol.....\$200
Includes Prepackaged Foods

*Bottle Club/BYOB..... \$200
Plus actual cost of advertising hearing required for new license. Background check must also be included.

*Temp FSE (Per event max 30 days).....\$60
Event Name _____
Event Date _____

*All above licenses: include copy of floor plan, menu/draft menu, certified food handler certificate and a copy of all State licenses applicable.

FSE Off Premise/Retailer-Malt Liquor/Table Wine..... \$200

Other Business Licenses Applying for:

*Special Amusement\$125
Plus actual cost of advertising hearing required for new license. Please fill out supplemental questionnaire (pg. 4).

*Pawnshop/Pawn Broker\$100

*Secondhand Dealer \$100

*Massage Establishment/Therapist..... \$150
State license #: _____

Please also include 2 copies of a passport size photograph taken within 30 days of application date (annually), copy of current State license and copy of government issued identification.

*Tattoo Artist..... \$100

*Above licenses: Each applicant for a license shall provide a copy of a criminal background check (to include all present and former names) dated not more than 3 days prior to submission of application. You can do it yourself on-line here: <http://www5.informe.org/online/pcr/>

Bowling Alley (fee per lane)\$85
of lanes: _____

Roller Skating Rinks with Part/Full Kitchen.....\$90

Lodging House, Boarding House, Rooming Houses, Hotels, Motels, etc..... \$100

Seating: 150 Occupancy load: 230

LICENSING FEE(S) TOTAL DUE: \$ 500.00

extend to 3 mths to 10/31/23 \$ 126.00

2024 \$ 626.00

NAME OF BUSINESS: GIPPERS SPORTS GRILL BUSINESS ADDRESS: 120 Center Street
 BUSINESS MAILING ADDRESS: Same
 OWNER'S NAME (LOCAL/ONSITE): JOSEPH NOVEIRA / JON FOURNIER / KAREN SWEETSER DOB: JOSEPH - 1-12-70 / KAREN - 2-11-77 / JON - 11-19-87 PHONE: 207-786-0715
 OWNER'S ADDRESS: JOSEPH - 45 CARSON ST - AUBURN ME 04210 MAILING ADDRESS: _____
 PREFERRED EMAIL: KAREN - 1 weaver St Auburn ME 04210
JON - 697 OLD GREENE RD LEWISTON ME 04210
 MANAGER'S NAME: KATIE PHILBRICK PHONE #: 207-786-0715 DOB: 6-18-1980
 PREFERRED CONTACT NAME: JOSEPH NOVEIRA PHONE #: 207-754-5760
 EMAIL ADDRESS: SayGOLF1970@GMAIL.COM
 DESCRIPTION OF BUSINESS: CASUAL RESTAURANT

TYPE OF PREVIOUS BUSINESS AT ADDRESS (IF KNOWN): _____

FORM OF BUSINESS ORGANIZATION: Corporation Partnership Sole Proprietorship LLC Other

(If a corporation, must include a copy of corporate papers for new licenses)

If a Corporation, Partnership or LLC, complete the following information of each owner (additional names may be listed on an attached sheet):

Name	Print Clearly Address Previous 5 years	Birth Date	% of Stock	Title
JOSEPH NOVEIRA	45 CARSON ST AUBURN ME	1-12-70	40	PRESIDENT
KAREN SWEETSER	1 WEAVER ST AUBURN ME	2-11-77	20	TREASURER
JON FOURNIER	697 OLD GREENE RD LEWISTON	11-19-87	40	VICE PRESIDENT

OWNER OF BUILDING/UNIT: DAN BOUTIN PHONE # 207-375-4081
 OWNER'S ADDRESS: 1023 LITTLEFIELD RD SABATTUS ME 04280

HOURS OF OPERATION: Mon: 11am TO 10pm Tues: 11am - 10pm Wed: 11am - 11pm Thurs: 11am - MIDNIGHT
 Fri: 11am TO MID Sat: 11am - MID Sun: 11am - 10pm

Has applicant(s) and/or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States, within the past 5 years? Yes No (If yes, complete the following)

Name: _____ Date of conviction: _____

Offense: _____ Location: _____

Disposition: _____

Include additional pages if needed.

THE OMISSION OF FACTS OR ANY MISREPRESENTATION OF ANY OF THE INFORMATION ON THIS APPLICATION SHALL BE SUFFICIENT GROUNDS FOR THE REFUSAL OF SUCH LICENSE.

Chapter 14-Business Licenses & Permits-Article II Sec.14-34 Certification from City Officials Before a license is issued the City Clerk shall submit the application for certification to the Code Enforcement Officer, Fire Chief, Chief of Police and City Treasurer.

There is a 14 day review period after receipt of a **completed** application. Incomplete applications will not be reviewed for approval and will be returned for completion. A business must not operate until approved by the required departments. Final approval and issuance of license will be from the City Clerk's Office.

CERTIFICATE OF APPLICANT AND WAIVER OF CONFIDENTIALITY

*****READ CAREFULLY BEFORE SIGNING*****

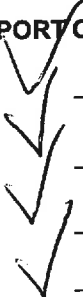
I, Joseph Davera, Owner/Operator of the business, hereby authorize the release of any criminal history record information to the City Clerk's Office or Licensing Authority. I understand that this information shall become public record, and I hereby waive any rights of privacy with respect hereto. I further stipulate that I am aware that deliberate falsification of the information herein shall be sufficient cause for denial of a license to operate the business. This application is accurate and true to the best of my knowledge.

Applicant Signature: [Handwritten Signature]

Date: 7-5-23

FOR OFFICE USE ONLY

REPORT OF INSPECTING OFFICERS:



Approved Denied
 Approved Denied
 Approved Denied
 Approved Denied

FIRE INSPECTOR DO 7110
 CODE ENFORCEMENT OFFICER KB 716
 POLICE BS 716
 FINANCE MC 716

Comments:

Application date: 7/5/23 License issued on: _____
 Fees paid: License fee(s) 500 Public hearing fee _____ Background fee _____ Late fee _____
 Total amount paid = \$ 626.00 CX#456
extend exp to 10/31/24

Special Amusement Questionnaire:

Exact entertainment to be provided at establishment:

 (Specify hours of entertainment) Mon: _____ Tues: _____ Wed: _____ Thurs: _____
 Fri: _____ Sat: _____ Sun: _____

Describe in detail the room(s) to be used under the permit:

Include a diagram or floor plan of your business. On the diagram please list the following:

Main Entrance, Secondary Entrances, Fire Escapes, Fire Extinguishers, Location of Stationary Security Personnel, Food Serving or preparation areas, the direction of any speakers, Dancing Area, Locations where alcohol will be sold.

Have any of the applicants, including the corporation ever had a special amusement license denied or revoked?

Yes No If yes, Please explain (Including location and timeframe):

PLEASE PROVIDE THE FOLLOWING, IF APPLICABLE:

CURRENT LIQUOR LICENSE # _____ EXPIRATION DATE: _____

PLEASE BE ADVISED THAT THE APPLICANT MAY BE REQUIRED TO COMPLY WITH THE FOLLOWING CONDITIONS:

Applicant agrees to have two counters or clickers at each entrance. One will be used to document the patrons that have entered the establishment. The second will be used to document the patrons that have exited the establishment. This will give the staff and public safety personnel an accurate count of patrons in the establishment.

Applicant agrees to have the maximum seating and or occupancy capacity clearly listed in each room that is open to the public, and to have security and or staff stationed at all times at all entrances and exits used by the public.

Applicant agrees to, if so ordered by the Chief of Police, to hire sworn members of the Auburn Police Department for security. The rate will be at the current City of Auburn detail rate. These officers will supplement the existing staff or security.

The below chart will be used as a guide in determining the numbers of officers required.

Number of Attendees	Number of Police
1 - 200	2
201 - 400	4
401 - 600	6
601+	One supervisor and one additional officer for each 200 attendees or portion thereof in excess of 601

All requests for modification(s) of the approved Special Amusement license must be submitted in writing to the City of Auburn. Any changes made without approval from the City of Auburn may result in an immediate suspension of the license. Signature on application releases the Auburn Police Department, its agents and representatives from any and all liability of every nature and kind arising out of the furnishing, inspection or collection of such documents, records and other information or the investigation made by the Auburn Police Department.

I do hereby authorize Auburn Police Department and its agents to receive copies of records and/or any information concerning my background, character, bank accounts, businesses, places of employment, schools and any other source necessary for the purpose of obtaining a Special Amusement License.

I have read and understand section 14-600 to 14-609, Special Amusement Permits, of the City of Auburn's business license ordinance. _____ (Initial)



STATE OF MAINE
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES
BUREAU OF ALCOHOLIC BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT

Application for an On-Premises License

All Questions Must Be Answered Completely. Please print legibly.

Division Use Only	
License No: _____	
Class: _____	By: _____
Deposit Date: _____	
Amt. Deposited: _____	
Payment Type: _____	
OK with SOS: Yes <input type="checkbox"/> No <input type="checkbox"/>	

**Section I: Licensee/Applicant(s) Information;
 Type of License and Status**

Legal Business Entity Applicant Name (corporation, LLC): <i>Gippers Sports Grill</i>	Business Name (D/B/A): <i>Gippers Sports Grill</i>
Individual or Sole Proprietor Applicant Name(s):	Physical Location: <i>120 Center St</i>
Individual or Sole Proprietor Applicant Name(s):	Mailing address, if different: <i>AUBURN ME 04210</i>
Mailing address, if different from DBA address:	Email Address: <i>jaybolt1970@gmail.com</i>
Telephone # Fax #: <i>207-786-0715</i>	Business Telephone # Fax #: <i>207-786-0715</i>
Federal Tax Identification Number: <i>01-0448483</i>	Maine Seller Certificate # or Sales Tax #: <i>9176</i>
Retail Beverage Alcohol Dealers Permit:	Website address: <i>gippers.com</i>

1. New license or renewal of existing license? New Expected Start date: *1/1/23*
 Renewal Expiration Date: _____

2. The dollar amount of gross income for the licensure period that will end on the expiration date above:
Food: *2,722,510* Beer, Wine or Spirits: *994,171* Guest Rooms: _____

3. Please indicate the type of alcoholic beverage to be sold: (check all that apply)

Malt Liquor (beer) Wine Spirits

10. Is the licensee or applicant for a license receiving, directly or indirectly, any money, credit, thing of value, endorsement of commercial paper, guarantee of credit or financial assistance of any sort from any person or entity within or without the State, if the person or entity is engaged, directly or indirectly, in the manufacture, distribution, wholesale sale, storage or transportation of liquor.

Yes No

If yes, please provide details: _____

11. Do you own or have any interest in any another Maine Liquor License? Yes No

If yes, please list license number, business name, and complete physical location address: (attach additional pages as needed using the same format)

Name of Business	License Number	Complete Physical Address

12. List name, date of birth, place of birth for all applicants including any manager(s) employed by the licensee/applicant. Provide maiden name, if married. (attach additional pages as needed using the same format)

Full Name	DOB	Place of Birth
Joseph Novella	1-12-70	Jersey City, NJ
Jon Fournier	11-18-87	Lewiston ME
Karen Sweetser	2-11-77	Lisbon ME

Residence address on all the above for previous 5 years

Name	Address:	Joseph Novella	415 CARSON ST AUBURN ME 04210
Name	Address:	Jon Fournier	697 OLD GREEN RD LEWISTON ME 04210
Name	Address:	Karen Sweetser	1 Weaver St Auburn ME 04210
Name	Address:		

13. Will any law enforcement officer directly benefit financially from this license, if issued?

Yes No

If Yes, provide name of law enforcement officer and department where employed:

14. Has the licensee/applicant(s) ever been convicted of any violation of the liquor laws in Maine or any State of the United States? Yes No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

15. Has the licensee/applicant(s) ever been convicted of any violation of any law, other than minor traffic violations, in Maine or any State of the United States? Yes No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

16. Has the licensee/applicant(s) formerly held a Maine liquor license? Yes No

17. Does the licensee/applicant(s) own the premises? Yes No

If No, please provide the name and address of the owner:

Dan Boutin 1023 Litchfield RD Sabbathus ME 04280

18. If you are applying for a liquor license for a Hotel or Bed & Breakfast, please provide the number of guest rooms available: N/A

19. Please describe in detail the area(s) within the premises to be licensed. This description is in addition to the diagram in Section VI. (Use additional pages as needed)

5000 SF Single Story building with
OUTSIDE fenced in area

20. What is the distance from the premises to the **nearest** school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel?

Name: Church
Distance: 1 MILE

Section II: Signature of Applicant(s)

By signing this application, the licensee/applicant understands that false statements made on this application are punishable by law. Knowingly supplying false information on this application is a Class D Offense under Maine's Criminal Code, punishable by confinement of up to one year, or by monetary fine of up to \$2,000 or by both.

Please sign and date in blue ink.

Dated: 7/5/2023


Signature of Duly Authorized Person

JOSEPH NOVELLA
Printed Name Duly Authorized Person

Signature of Duly Authorized Person

Printed Name of Duly Authorized Person

Section III: For use by Municipal Officers and County Commissioners only

The undersigned hereby certifies that we have complied with the process outlined in 28-A M.R.S. §653 and approve this on-premises liquor license application.

Dated: _____

Who is approving this application? Municipal Officers of _____

County Commissioners of _____ County

- Please Note:** The Municipal Officers or County Commissioners must confirm that the records of Local Option Votes have been verified that allows this type of establishment to be licensed by the Bureau for the type of alcohol to be sold for the appropriate days of the week. Please check this box to indicate this verification was completed.

Signature of Officials	Printed Name and Title

This Application will Expire 60 Days from the date of Municipal or County Approval unless submitted to the Bureau

Included below is the section of Maine’s liquor laws regarding the approval process by the municipalities or the county commissioners. This is provided as a courtesy only and may not reflect the law in effect at the time of application. Please see <http://www.mainelegislature.org/legis/statutes/28-A/title28-Asec653.html>

§653. Hearings; bureau review; appeal

1. Hearings. The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, may hold a public hearing for the consideration of applications for new on-premises licenses and applications for transfer of location of existing on-premises licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.

A. The bureau shall prepare and supply application forms.

B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located.

C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premises license or transfer of the location of an existing on-premises license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premises license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premises license that has been extended pending renewal within 120 days of the filing of the application.

D. If an application is approved by the municipal officers or the county commissioners but the bureau finds, after inspection of the premises and the records of the applicant, that the applicant does not qualify for the class of license applied for, the bureau shall notify the applicant of that fact in writing. The bureau shall give the applicant 30 days to file an amended application for the appropriate class of license, accompanied by any additional license fee, with the municipal officers or county commissioners, as the case may be. If the applicant fails to file an amended application within 30 days, the original application must be denied by the bureau. The bureau shall notify the applicant in writing of its decision to deny the application including the reasons for the denial and the rights of appeal of the applicant.

2. Findings. In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:

A. Conviction of the applicant of any Class A, Class B or Class C crime;

B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control;

C. Conditions of record such as waste disposal violations, health or safety violations or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner;

D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises;

D-1. Failure to obtain, or comply with the provisions of, a permit for music, dancing or entertainment required by a municipality or, in the case of an unincorporated place, the county commissioners;

E. A violation of any provision of this Title;

F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601; and

G. After September 1, 2010, server training, in a program certified by the bureau and required by local ordinance, has not been completed by individuals who serve alcoholic beverages.

3. Appeal to bureau. Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.

A. Repealed

B. If the decision appealed from is an application denial, the bureau may issue the license only if it finds by clear and convincing evidence that the decision was without justifiable cause.

4. Repealed

5. Appeal to District Court. Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt of the written decision of the bureau.

An applicant who files an appeal or who has an appeal pending shall pay the annual license fee the applicant would otherwise pay. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.

Section IV: Terms and Conditions of Licensure as an Establishment that sells liquor for on-premises consumption in Maine

- The licensee/applicant(s) agrees to be bound by and comply with the laws, rules and instructions promulgated by the Bureau.
- The licensee/applicant(s) agrees to maintain accurate records related to an on-premise license as required by the law, rules and instructions promulgated or issued by the Bureau if a license is issued as a result of this application.
 - The licensee/applicant(s) authorizes the Bureau to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also any books, records and returns during the year in which any liquor license is in effect.
- Any change in the licensee's/applicant's licensed premises as defined in this application must be approved by the Bureau in advance.
- All new applicants must apply to the Alcohol and Tobacco Tax and Trade Bureau (TTB) for its Retail Beverage Alcohol Dealers permit. See the TTB's website at <https://www.ttb.gov/nrc/retail-beverage-alcohol-dealers> for more information.

Section V: Fee Schedule

Filing fee required. In addition to the license fees listed below, a filing fee of \$10.00 must be included with all applications.

Please note: For Licensees/Applicants in unorganized territories in Maine, the \$10.00 filing fee must be paid directly to County Treasurer. All applications received by the Bureau from licensees/applicants in unorganized territories must submit proof of payment was made to the County Treasurer together with the application.

Class of License	Type of liquor/Establishments included	Fee
Class I	For the sale of liquor (malt liquor, wine and spirits) This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers	\$ 900.00
Class I-A	For the sale of liquor (malt liquor, wine and spirits) This class includes only hotels that do not serve three meals a day.	\$1,100.00
Class II	For the Sale of Spirits Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; and Vessels.	\$ 550.00
Class III	For the Sale of Wine Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	\$ 220.00
Class IV	For the Sale of Malt Liquor Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.	\$ 220.00
Class III and IV	For the Sale of Malt Liquor and Wine Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	\$ 440.00
Class V	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Club without catering privileges.	\$ 495.00
Class X	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Class A Lounge	\$2,200.00
Class XI	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Restaurant Lounge	\$1,500.00

Section VII: Required Additional Information for a Licensee/Applicant for an On-Premises Liquor License Who are Legal Business Entities

Questions 1 to 4 of this part of the application must match information in Section I of the application above and match the information on file with the Maine Secretary of State's office. If you have questions regarding your legal entity name or DBA, please call the Secretary of State's office at (207) 624-7752.

All Questions Must Be Answered Completely. Please print legibly.

1. Exact legal name: GIPPER'S SPORTS GRILL
2. Doing Business As, if any: GIPPER'S SPORTS GRILL
3. Date of filing with Secretary of State: 6/10/1989 State in which you are formed: MAINE
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine: N/A
5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors, managers, members or partners and the percentage ownership any person listed: (attached additional pages as needed)

Name	Address (5 Years)	Date of Birth	Title	Percentage of Ownership
JOSEPH NOWELLA	45 CARSON ST AUBURN ME 04210	1-22-70	PRESIDENT	40%
JON Fournier	197 OLD GREENE RD ^{1weaver} ME 04240	11-19-87	Vice President	40%
KAREN Sweetser	1 weaver St Auburn ME 04210	2-11-77	Treasurer	20%

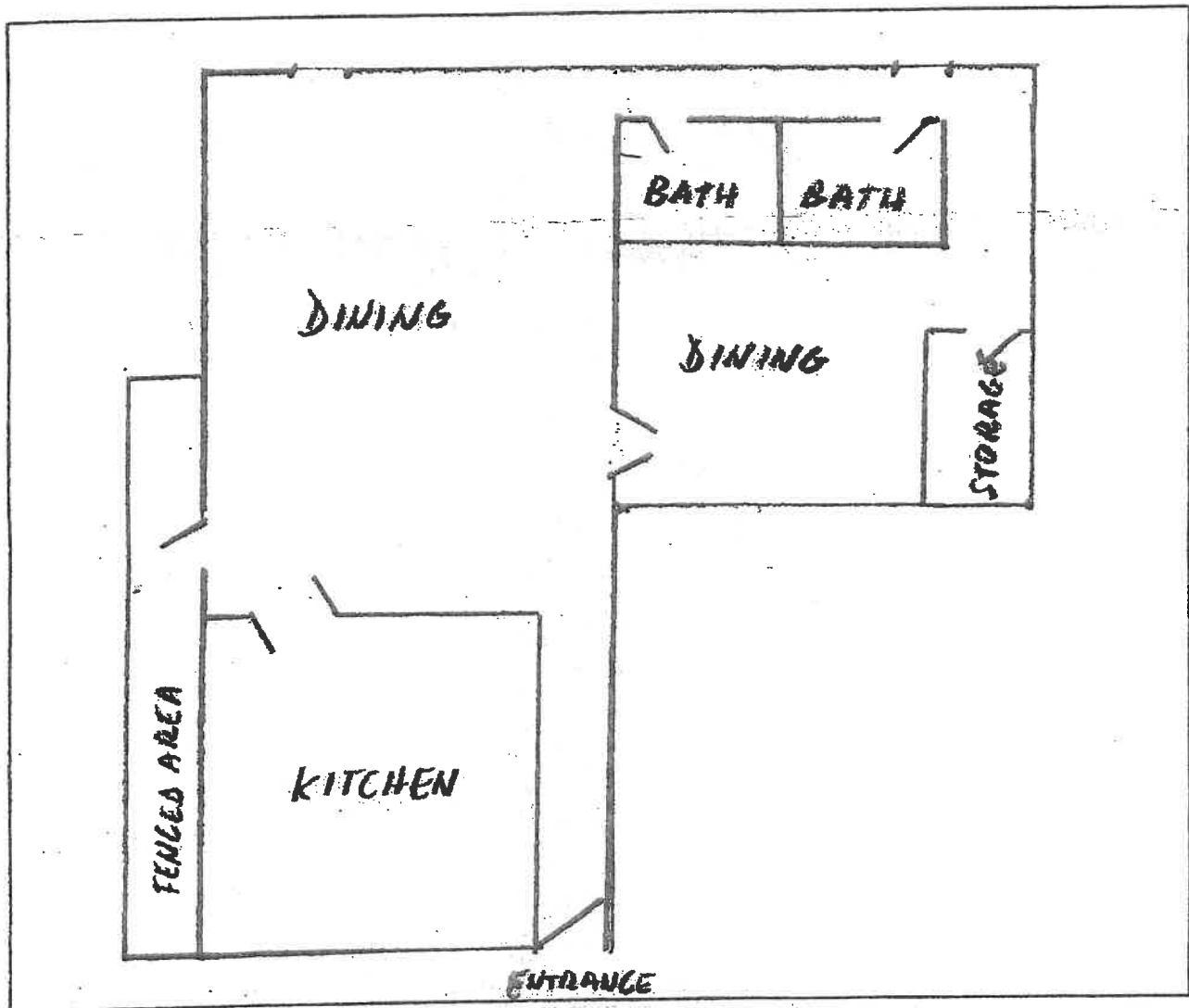
(Ownership in non-publicly traded companies must add up to 100%.)



SUPPLEMENTAL APPLICATION FORM ON-PREMISE DIAGRAM

In an effort to clearly define your licensed premise and the areas that consumption and storage of liquor is allowed, The Bureau of Liquor Enforcement is requiring all applicants to submit a diagram of the premise to be licensed in addition to a completed license application.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the areas of your diagram including entrances, office area, kitchen, storage areas, dining rooms, lounges, function rooms, decks and all areas that you are requesting approval from the Bureau for liquor consumption.



OFFICES LOCATED AT: 397 WATER STREET GARDINER, MAINE 03345

(207) 624-8745 (Voice)

(207) 624-4478 (TDD)

(207) 624-8767 (Fax)



**MAINE STATE BUREAU OF IDENTIFICATION
45 Commerce Drive, Suite 1 / STATE HOUSE STATION # 42
AUGUSTA, ME 04333
(207) 624-7240 (VOICE)**

**JOSEPH A NOVELLA
45 CARSON STREET
AUBURN, ME 04210**

Transaction Response #: MIQ99F800194

Criminal History Record

Introduction

This criminal history record was produced in response to the following request (Produced on 2023-07-26) :

Inquiries Name(s) JONATHAN FOURNIER (1987-11-19)

NO MATCH WAS FOUND FOR YOUR REQUEST.



**MAINE STATE BUREAU OF IDENTIFICATION
45 Commerce Drive, Suite 1 / STATE HOUSE STATION # 42
AUGUSTA, ME 04333
(207) 624-7240 (VOICE)**

**JOSEPH A NOVELLA
45 CARSON STREET
AUBURN, ME 04210**

Transaction Response #: MIQ99F800201

Criminal History Record

Introduction

This criminal history record was produced in response to the following request (Produced on 2023-07-26) :

Inquiries Name(s) KAREN NELSON (1977-02-11)

NO MATCH WAS FOUND FOR YOUR REQUEST.



MAINE STATE BUREAU OF IDENTIFICATION
45 Commerce Drive, Suite 1 / STATE HOUSE STATION # 42
AUGUSTA, ME 04333
(207) 624-7240 (VOICE)

JOSEPH A NOVELLA
45 CARSON STREET
AUBURN, ME 04210

Transaction Response #: MIQ99F800195

Criminal History Record

Introduction

This criminal history record was produced in response to the following request (Produced on 2023-07-26) :

Inquiries Name(s) KAREN BARBAY (1977-02-11)

NO MATCH WAS FOUND FOR YOUR REQUEST.



MAINE STATE BUREAU OF IDENTIFICATION
45 Commerce Drive, Suite 1 / STATE HOUSE STATION # 42
AUGUSTA, ME 04333
(207) 624-7240 (VOICE)

JOSEPH A NOVELLA
45 CARSON STREET
AUBURN, ME 04210

Transaction Response #: MIQ99F800202

Criminal History Record

Introduction

This criminal history record was produced in response to the following request (Produced on 2023-07-26) :

Inquiries Name(s) KAREN SWEETSER (1977-02-11)

The information in this criminal history record is provided subject to the following caveats:

Important! When a criminal history record and juvenile crime information record check is processed by the State Bureau of Identification using personal identifiers such as name and date of birth, it is possible that the record supplied belongs to another person with the same or essentially similar name and date of birth. Confirmation that convictions relate to person whose record has been requested requires fingerprint comparison. If the information contained in this response will be used to disqualify an applicant for employment, housing, credit, or other benefits or programs, the person making the eligibility determination using this record should provide the applicant with an opportunity to complete or contest the accuracy of the criminal history information in the response. An individual may request amendment or correction of criminal history record information by a criminal justice agency pursuant to 16 M.R.S. section 709.

****THIS RESPONSE IS BEING PRODUCED FOR YOUR REQUEST SENT: 2023-07-26**

This record, effective September 1, 2000, contains information relating to persons arrested as fugitives from justice, 15 M.R.S section 201.4 or arrested or charged with Maine crimes. It does not include former crimes no longer classified as criminal, or Class D and E crimes in Title 12 or Title 29-A, former Title 29, unless the crime is alcohol-related or drug-related 25 M.R.S. section 1541.4-A.A. For information regarding excluded Marine Resources crimes in Title 12, contact the Department of Marine Resources. For information regarding excluded Inland Fisheries and Wildlife crimes in Title 12, contact the Department of Inland Fisheries and Wildlife. For information relating to excluded crimes in Title 29-A former Title 29, contact the Secretary of State, Motor Vehicle Division. A list of former crimes is available from this Bureau.

Identification

Subject Name/or potential Alias Name(s)
SWEETSER, KAREN DAWN

Subject Description (date information provided listed in parentheses)

State ID Number
ME0245878

DOC Number
Unknown/NA

Sex
Female

Race
White

Skin Tone
Unknown/NA

Height
508 (2012-07-17)

Weight
120 (2012-07-17)

Date of Birth
1977-02-11

Hair Color
Brown (2012-07-17)

Eye Color
Brown (2012-07-17)

Scars, Marks, and Tattoos
Unknown/NA

Place of Birth
ME

Citizenship
US (2012-07-17)

Residence
Residence as of
Address

2012-07-17
8 MORSE ST
AUBURN, ME 04210 US

Caution Information
Federal Firearms Disqualified
Status

X - Unknown

Criminal History

Cycle 001

ATN/Tracking Number
Earliest Event Date

976398A
2012-07-17

Arrest/Charge
Arrest/Charge Date
Arresting/Charging Agency
Subject Name(s)

(Cycle 001)
2012-07-17
AUBURN PD; ME0010100
SWEETSER, KAREN

Arrest Type

Adult

Charge 1

Charge Number 976398A 001
Charge Tracking Number 976398A
Charge Case Number 12AUB-1200-AR
Agency AUBURN PD; ME0010100
Offense Date 2012-07-17
Charge Description OPERATING UNDER THE INFLUENCE (Charge Class D)
Statute 29-A MRSA SUBSECTION 2411(1-A)(A)
State Sequence Code 11493
Severity Misdemeanor

Prosecutor Disposition

No data supplied

Court Disposition

(Cycle 001)

Court Case Number

LEWDCCR201202172

Court Agency

8TH DISTRICT COURT LEWISTON; ME001025J

Charge 1

Charge Number 976398A 001
Charge Tracking Number 976398A
Agency 8TH DISTRICT COURT LEWISTON; ME001025J
Offense Date 2012-07-17
Charge Description OPERATING UNDER THE INFLUENCE (Charge Class D)
Statute 29-A MRSA SUBSECTION 2411(1-A)(A)
State Sequence Code 11493
Severity Misdemeanor
Disposition 2012-09-10; TRANSFER FOR JURY TRIAL

Court Disposition

(Cycle 001)

Court Case Number

AUBSCCR201200991

Court Agency

SUPERIOR COURT AUBURN; ME001015J

Charge 1

Charge Number 976398A 001
Charge Tracking Number 976398A
Agency SUPERIOR COURT AUBURN; ME001015J
Offense Date 2012-07-17
Charge Description OPERATING UNDER THE INFLUENCE (Charge Class D)
Statute 29-A MRSA SUBSECTION 2411(1-A)(A)
State Sequence Code 11493
Severity Misdemeanor
Disposition 2012-09-10; TRANSFER FOR JURY TRIAL
2012-11-02; GUILTY

Sentencing

(Cycle 001)

Sentencing Agency SUPERIOR COURT AUBURN; ME001015J
Court Case Number AUBSCCR201200991
Charge Number 976398A 001
Charge Sequence Number 1
Charge Tracking Number 976398A
Sentence 2012-11-02: FINED \$600.00
2012-11-02: INCARCERATED 96 hours
2012-11-02: LICENSE SUSPENSION 90 days

Corrections No data supplied

Index of Agencies

Agency SUPERIOR COURT AUBURN; ME001015J
Agency Telephone 207-784-5450
Address PO BOX 3660
AUBURN, ME 04210

Agency 8TH DISTRICT COURT LEWISTON; ME001025J
Agency Telephone 207-795-4800
Address PO BOX 1345
LEWISTON, ME 04240

Agency AUBURN PD; ME0010100
Agency Telephone 207-333-6650
Address 60 COURT ST
AUBURN, ME 04210

THE FOLLOWING ATN(S) ARE UNSUPPORTED BY FINGERPRINTS IN STATE BUREAU OF IDENTIFICATION FILES: (448757A).

Identification

Subject Name/or potential Alias Name(s)
NOVELLA, JOSEPH A

Subject Description (date information provided listed in parentheses)

State ID Number
ME0267342

DOC Number
Unknown/NA

Sex
Male

Race
White

Skin Tone
Unknown/NA

Height
508

Weight
180

Date of Birth
1970-01-12

Hair Color
Brown

Eye Color
Brown

Scars, Marks, and Tattoos
Unknown/NA

Place of Birth
Unknown/NA

Citizenship
Unknown/NA

Residence
Residence as of
Address

2014-02-24
30 GRANITE ST
AUBURN, ME 04210

Caution Information
Federal Firearms Disqualified
Status

X - Unknown

Criminal History

Cycle 001

ATN/Tracking Number
Earliest Event Date

448757A
2006-03-04

Arrest/Charge

(Cycle 001)



MAINE STATE BUREAU OF IDENTIFICATION
45 Commerce Drive, Suite 1 / STATE HOUSE STATION # 42
AUGUSTA, ME 04333
(207) 624-7240 (VOICE)

JOSEPH A NOVELLA
45 CARSON STREET
AUBURN, ME 04210

Transaction Response #: MIQ99F800198

Criminal History Record

Introduction

This criminal history record was produced in response to the following request (Produced on 2023-07-26) :

Inquiries Name(s) JOSEPH A NOVELLA (1970-01-12)

The information in this criminal history record is provided subject to the following caveats:

Important! When a criminal history record and juvenile crime information record check is processed by the State Bureau of Identification using personal identifiers such as name and date of birth, it is possible that the record supplied belongs to another person with the same or essentially similar name and date of birth. Confirmation that convictions relate to person whose record has been requested requires fingerprint comparison. If the information contained in this response will be used to disqualify an applicant for employment, housing, credit, or other benefits or programs, the person making the eligibility determination using this record should provide the applicant with an opportunity to complete or contest the accuracy of the criminal history information in the response. An individual may request amendment or correction of criminal history record information by a criminal justice agency pursuant to 16 M.R.S. section 709.

****THIS RESPONSE IS BEING PRODUCED FOR YOUR REQUEST SENT: 2023-07-26**

This record, effective September 1, 2000, contains information relating to persons arrested as fugitives from justice, 15 M.R.S section 201.4 or arrested or charged with Maine crimes. It does not include former crimes no longer classified as criminal, or Class D and E crimes in Title 12 or Title 29-A, former Title 29, unless the crime is alcohol-related or drug-related 25 M.R.S. section 1541.4-A.A. For information regarding excluded Marine Resources crimes in Title 12, contact the Department of Marine Resources. For information regarding excluded Inland Fisheries and Wildlife crimes in Title 12, contact the Department of Inland Fisheries and Wildlife. For information relating to excluded crimes in Title 29-A former Title 29, contact the Secretary of State, Motor Vehicle Division. A list of former crimes is available from this Bureau.

Arrest/Charge Date 2006-03-04
Arresting/Charging Agency NORWAY PD; ME0090400
Subject Name(s) NOVELLA, JOSEPH A
Arrest Type Adult

Charge 1

Charge Number 448757A 001
Charge Tracking Number 448757A
Charge Case Number NP060582
Agency NORWAY PD; ME0090400
Offense Date 2006-03-04
Charge Description OPERATING UNDER THE INFLUENCE (Charge Class D)
Statute 29-A MRSA SUBSECTION 2411(1-A)(A)
State Sequence Code 9878
Severity Misdemeanor

Prosecutor Disposition No data supplied

Court Disposition (Cycle 001)
Court Case Number SOPSCCR200600209
Court Agency SUPERIOR COURT PARIS; ME009015J

Charge 1

Charge Number 448757A 001
Charge Tracking Number 448757A
Agency SUPERIOR COURT PARIS; ME009015J
Offense Date 2006-03-04
Charge Description OPERATING UNDER THE INFLUENCE (Charge Class D)
Statute 29-A MRSA SUBSECTION 2411(1-A)(A)
State Sequence Code 9878
Severity Misdemeanor
Disposition 2006-05-15; TRANSFER FOR JURY TRIAL
2006-07-07; GUILTY

Sentencing (Cycle 001)
Sentencing Agency SUPERIOR COURT PARIS; ME009015J

Court Case Number SOPSCCR200600209
Charge Number 448757A 001
Charge Sequence Number 1
Charge Tracking Number 448757A
Sentence 2006-07-07: FINED \$600.00
2006-07-07: LICENSE SUSPENSION 90 days

Corrections No data supplied

Index of Agencies

Agency SUPERIOR COURT PARIS; ME009015J
Agency Telephone 207-743-8936
Address PO BOX 179
SOUTH PARIS, ME 04281

Agency NORWAY PD; ME0090400
Agency Telephone 207-743-5303
Address 19 DANFORTH ST
NORWAY, ME 04268

**CITY OF AUBURN
NOTICE OF PUBLIC HEARING**

A public hearing will be held by the Auburn City Council on August 08, 2023 at 7:00 p.m. or as soon as possible thereafter, in the Council Chambers of Auburn Hall, 60 Court Street, to consider the Liquor License application for the new owners of:

Gipper's Sports Grill, LLC. – 120 Center Street

All interested persons may appear and will be given the opportunity to be heard before final action is taken.

**CITY OF AUBURN
NOTICE OF PUBLIC HEARING**

A public hearing will be held by the Auburn City Council on August 08, 2023 at 7:00 p.m. or as soon as possible thereafter, in the Council Chambers of Auburn Hall, 60 Court Street, to consider the Liquor License application for the new owners of Gipper's Sports Grill, LLC, - 120 Center Street. All interested persons may appear and will be given the opportunity to be heard before final action is taken.



ORDER: 109-08072023

City Council Order

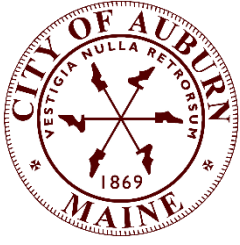
IN CITY COUNCIL

ORDERED, that the City Council hereby approves the Liquor License for Gipper's Sports Grill, LLC., located at 120 Center Street, Auburn, ME.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager



City of Auburn City Council Information Sheet

Council Workshop or Meeting Date: August 7, 2023

Subject: Executive Session

Information: Economic development, pursuant to 1 M.R.S.A. Section 405(6) (C) which premature disclosure would prejudice the competitive or bargaining position of the city.

Executive Session: On occasion, the City Council discusses matters which are required or allowed by State law to be considered in executive session. Executive sessions are not open to the public. The matters that are discussed in executive session are required to be kept confidential until they become a matter of public discussion. In order to go into executive session, a Councilor must make a motion in public. The motion must be recorded, and 3/5 of the members of the Council must vote to go into executive session. An executive session is not required to be scheduled in advance as an agenda item, although when it is known at the time that the agenda is finalized, it will be listed on the agenda. The only topics which may be discussed in executive session are those that fall within one of the categories set forth in Title 1 M.R.S.A. Section 405(6). Those applicable to municipal government are:

A. Discussion or consideration of the employment, appointment, assignment, duties, promotion, demotion, compensation, evaluation, disciplining, resignation or dismissal of an individual or group of public officials, appointees or employees of the body or agency or the investigation or hearing of charges or complaints against a person or persons subject to the following conditions:

- (1) An executive session may be held only if public discussion could be reasonably expected to cause damage to the individual's reputation or the individual's right to privacy would be violated;
- (2) Any person charged or investigated must be permitted to be present at an executive session if that person so desires;
- (3) Any person charged or investigated may request in writing that the investigation or hearing of charges or complaints against that person be conducted in open session. A request, if made to the agency, must be honored; and
- (4) Any person bringing charges, complaints or allegations of misconduct against the individual under discussion must be permitted to be present. This paragraph does not apply to discussion of a budget or budget proposal;

B. Discussion or consideration by a school board of suspension or expulsion of a public school student or a student at a private school, the cost of whose education is paid from public funds, as long as:

- (1) The student and legal counsel and, if the student is a minor, the student's parents or legal guardians are permitted to be present at an executive session if the student, parents or guardians so desire;

C. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency;

D. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators. The parties must be named before the body or agency may go into executive session. Negotiations between the representatives of a public employer and public employees may be open to the public if both parties agree to conduct negotiations in open sessions;

E. Consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, pending or contemplated litigation, settlement offers and matters where the duties of the public body's or agency's counsel to the attorney's client pursuant to the code of professional responsibility clearly conflict with this subchapter or where premature general public knowledge would clearly place the State, municipality or other public agency or person at a substantial disadvantage;

F. Discussions of information contained in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute;

G. Discussion or approval of the content of examinations administered by a body or agency for licensing, permitting or employment purposes; consultation between a body or agency and any entity that provides examination services to that body or agency regarding the content of an examination; and review of examinations with the person examined; and

H. Consultations between municipal officers and a code enforcement officer representing the municipality pursuant to Title 30-A, section 4452, subsection 1, paragraph C in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.