



# City Council Meeting and Workshop

## January 20, 2015

### Agenda

#### **5:30 P.M. Workshop**

- A. Conservation Commission efforts – Denis D’Auteuil (30 minutes)
- B. Proposed consolidation of the Assessing and Finance Departments – Jill Eastman (30 minutes)
  - i. Proposed ordinance amendments relating to those departments.
- C. Discussion regarding a real estate matter, pursuant to 1 M.R.S.A. 405(6)(C).

*After each workshop item is presented, the public will be given an opportunity to comment.*

#### **7:00 P.M. City Council Meeting**

**Roll call votes will begin with Councilor LaFontaine**

#### **Pledge of Allegiance**

- I. Consent Items** – All items listed with an asterisk (\*) are considered as routine and will be approved in one motion. There will be no separate discussion of these items unless a Councilor or citizen so requests. If requested, the item will be removed from the consent agenda and considered in the order it appears on the agenda.

- 1. Order 05-01202015\***  
Setting June 9, 2015 as the date for the School Budget Validation Referendum and Special Municipal Election.

#### **II. Minutes**

- January 5, 2015 Regular Council Meeting

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

*\*For trial period, Council agree to shift Reports to the last item on the meeting agenda. To do so, a motion should be made "To suspend the rules and move item III. Reports on the agenda to immediately after item VIII. Executive Session".*

#### **Mayor's Report**

#### **City Councilors' Reports**

#### **City Manager Report**

**Finance Director, Jill Eastman - December 2014 Monthly Finance Report**

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

- Introduction of John Holden, President of the Lewiston-Auburn Economic Growth Council
- EMS (Emergency Medical Services) update

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**V. Open Session** – Members of the public are invited to speak to the Council about any issue directly related to City business which is *not on this agenda*. Time limit for open sessions, by ordinance, is 45 minutes.

**VI. Unfinished Business** - None

**VII. New Business**

**1. Order 06-01202015**

Approving the proposed amendment to the 2010 Comprehensive Plan's Land Use Plan from Agricultural/Rural to Low Density Residential for the property located at 113 Woodbury Road. First reading.

**2. Ordinance 01-01202015**

Adopting the proposed amendment to Part II, Code of Ordinance, Chapter 2, Administration, Article V, Boards, Commissions and Committees, Division 4, Planning Board. First reading.

**3. Ordinance 02-01202015**

Adopting the proposed amendment to Part II, Code of Ordinance, Chapter 2, Administration, Article II, Mayor and City Council, Division 2, Rules of Procedure, Section 2-59, Order of Business. Public hearing and first reading.

**4. Ordinance 03-01202015**

Adopting the proposed amendment to Part II, Code of Ordinance, Chapter 2, Administration, Article V, Boards, Commissions, and Committees, Division 1, Generally. Public hearing and first reading.

**VIII. Executive Session**

**IX. Open Session** - Members of the public are invited to speak to the Council about any issue directly related to City business which is *not on this agenda*.

**X. Adjournment**

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

- A. Discussion of personnel issues
- B. Discussion or consideration by a school board of suspension or expulsion
- C. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency
- D. Labor contracts

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- E. Contemplated litigation
- F. Discussions of information contained in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute;
- G. Discussion or approval of the content of examinations administered by a body or agency for licensing, permitting or employment purposes; consultation between a body or agency and any entity that provides examination services to that body or agency regarding the content of an examination; and review of examinations with the person examined; and
- H. Consultations between municipal officers and a code enforcement officer representing the municipality pursuant to Title 30-A, section 4452, subsection 1, paragraph in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.



## City Council Information Sheet

City of Auburn

**Council Workshop or Meeting Date:** 1/20/2015

**Author:** Denis D'Auteuil

**Subject:** Conservation Commission and Tree Harvesting

**Information:** On November 24, 2014 city staff presented two new ordinances for consideration by the City Council as well as recommended updates to an existing ordinance. The ordinances would create a conservation commission and establish improved standards for the management and maintenance of city owned trees, forests, and parks. At the meeting in November several comments were given and staff will present the updated ordinances.

### Advantages:

- With the changes of our Parks and Recreation Advisory Board being re-focused on recreation and special events the conservation commission would provide needed focus on the city of Auburn's parks, open spaces, shade trees, and forests.
- By establishing a conservation commission there are opportunities to build plans for conserving Auburn's natural resources, as laid out in the comprehensive plan, and place a focus on forests in the city of Auburn.
- The conservation commission would set its work plan based on broader policy issues related to parks, open spaces, shade trees, and forests. These issues would be reviewed and managed under one committee, rather than the possibility it could be multiple committees.
- Some of the pending issues would be addressed holistically, including providing recommendations on policies regarding the maintenance and harvesting of all city shade trees, parks, and forests in the City of Auburn, and how the city should pursue forest management.
- The tree maintenance ordinance would aide in the protection of all city owned trees and create an appeals process for residents.
- Adoption of the tree maintenance ordinance would establish a process for proper allocation of revenues produced from the maintenance or harvesting of any city owned tree or forest.

### Disadvantages:

- The current structure of the Lewiston and Auburn Forest Board is focused on the trees and forests within the city of Auburn owned by the city. With the recent changes in the Parks and Recreation Board focusing on Recreation and Special Events this leaves no oversight from any board or committee on our city parks and open spaces.
- The current tree maintenance ordinances do not have an appeals process for decisions made by the City Arborist, nor do they address the issues around the tree harvesting revenues.
- As we continue to look at policy issues revolving around natural resources, as laid out in the comprehensive plan, implementation of these policies could be slowed down by needing to work with multiple committees.

**City Budgetary Impacts:** None

**Staff Recommended Action:** Staff recommends that the Conservation Commission Ordinance and the Tree Maintenance Ordinance be adopted by the City Council. Staff also recommends that current Tree Maintenance ordinance be updated and adopted with the proposed language.

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**Previous Meetings and History:**

- November 24, 2014 the Tree Maintenance ordinance and Conservation Commission ordinance were presented to the City Council. Updates to the city's current ordinance on tree maintenance were also presented.
  - April 1, 2013 an ordinance proposed by our Lewiston/Auburn Forest Board was presented to the City Council. The Forest Board presented a very similar ordinance in Lewiston and the Lewiston Council adopted the ordinance. No action was taken by the Auburn City Council.
  - On December 16, 2013 the City Council passed a resolve that placed a 6 month moratorium on all tree harvests in the city. They passed the resolve on December 16, 2013 and the moratorium expired on June 14, 2014.
  - August 5, 2013 the Mayor submitted a memo to the City Council that outlined changes to the Parks and Recreation Board and this resulted in the creation of the Recreation and Special Events Advisory Board. Along with those changes staff was asked to create a Conservation Commission.
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**Attachments:**

1. Staff memo
2. Proposed Tree Maintenance Ordinance
3. Current Tree Maintenance Ordinance with proposed changes
4. Proposed Conservation Commission Ordinance



**Auburn Public Services  
296 Gracelawn Road**

To: Mayor LaBonte and Members of the City Council  
Cc: Howard Kroll, City Manager;  
From: Denis D'Auteuil, Public Services Director  
Date: 1/13/2015

Re: Ordinance update

This memo is intended to provide an update on multiple changes made to the Conservation Commission and Tree Maintenance ordinances that were presented to the City Council on November 24, 2014. During the workshop, staff was given several suggestions and comments from the City Councilors. Immediately following the workshop, the Lewiston/Auburn Community Forest Board provided additional feedback through two Auburn residents that are active with the group. Staff has reviewed all of the input received, and below outlines the changes that were incorporated in the proposed ordinances:

Conservation Commission Ordinance:

1. Staff positions were replaced with City Manager or his/her designee in Section 1 of the Conservation Commission Ordinance. This maintains staff flexibility going forward.
2. Language was added to Section 4- Powers and Duties that included responsibilities pertaining to City's parks and open spaces. This language will give the Conservation Commission some policy oversight over our parks and open spaces throughout the city to make recommendations to the City Council on. This broad authorization includes the natural resource matters discussed at the workshop and we recommend this language rather than attempting to specifically list each possible type of policy issue (wetlands, wildlife habitat, etc)
3. Language was added in Section 6 of the Conservation Commission ordinance to include Lewiston-Auburn Community Forest Board as a subcommittee of the Conservation Commission, which will better streamline having one committee engaged on natural resource issues for the City Council rather than multiple.

Tree Maintenance Ordinance:

1. The Community Cords program was defined in the Tree Maintenance Ordinance under Section 3- Definitions to ensure the program is protected under ordinance rather than through the resolve passed in previous years.
2. It was requested that we provide stronger language to ensure the Community Cords program remains at the current funding level. Staff reviewed the current language and recommend that this language be adopted as it reads in the proposed ordinance. The current proposed language requires the funds to come before the City Council each budget cycle and the language does not bind future Councils to any financial obligations.

Following the November 24<sup>th</sup> Workshop the Lewiston-Auburn Community Forest Board also provided feedback and several of the suggestions received were incorporated in the proposed ordinances. However, there were also other suggestions that were not included in the ordinance proposals and below outlines the suggestions that are not being brought forward at this time:

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**Auburn Public Services**  
**296 Gracelawn Road**

1. The Lewiston/Auburn Community Forest Board proposed a Woodlot Management Ordinance. Staff has reviewed the proposed ordinance and feels that this ordinance should be brought to the Conservation Commission for review, once established. The Conservation Commission and its subcommittee members that work with the Lewiston and Auburn Community Forest Board could work together on this ordinance and bring it back to the Council at a future date.
2. In the current proposed ordinance on tree maintenance public trees are labeled “shade trees”. It was suggested that we change this to “street trees”. Staffs reviewed this recommendation and have chosen to keep the term “shade trees” to remain consistent with state statutes.

## **Sec. 56-19. - Tree maintenance.**

The public works director or persons acting under his direction and control may enter upon private property at reasonable times for the purpose of detecting the presence of tree disease and carrying out control measures. Whenever a tree is found upon private property infected with the disease, or whenever a tree is found upon private property ~~which~~ that creates a hazard to the safety of persons or property, the public works director shall give notice in writing to the property owner advising him of the dangerous condition, ~~and~~ requesting him to demanding that the property owner have the tree removed within 30 days of receiving such notice, and notifying the property owner that if the requested action is not taken within the 30-day period the tree may be removed by the City at the expense of the property owner. If the requested action is not taken within the 30-day period, and if the public works director determines that immediate action is necessary to protect persons or property from the dangerous tree, he, or persons acting under his direction, may enter the premises and cause the dangerous tree or part thereof to be removed at the expense of the property owner. A property owner may appeal the public works director's notice to remove the tree within 30 days of receiving such notice to the Board of Appeals. An adverse decision of the Board of Appeals may be appealed to the Superior Court within 30 days of the decision.

## City of Auburn Shade Tree Ordinance

### Section 1 – Preamble.

The City of Auburn hereby adopts the following shade tree maintenance ordinance in order to regulate the removal, pruning, and planting and maintenance of trees within or upon the limits of any city road or public right of way and of trees located on public property.

### Section 2 – Authority.

This ordinance is enacted pursuant to the Home Rule Authority granted to the city in accordance with the provisions of 30-A M.R.S.A. §3001.

### Section 3 – Definitions.

- 3.1 Person-Any individual, person, firm, corporation, association, partnership or organization
- ~~3.13.2~~ Abutter – Person as defined above, who owns property which includes the limits of any city road, public right of way, or any highway within the meaning of 30-A.M.R.S.A. §3281.
- ~~3.23.3~~ Public Trees-All trees located upon any public property owned by the city, including public property currently used by any individual departments.
- ~~3.33.4~~ Public Shade Trees-All trees within or upon the limits of any city road, public right of way, or any highway within the meaning of 30-A M.R.S.A. §3281. . Street trees are owned by the abutter as defined above, but managed by the city under this ordinance
- 3.5 Municipal Arborist-An official of the city appointed by the city manager who shall ~~have~~ include the care and control of all public shade trees upon and along city roads and public rights of way and in the parks and public lands of the city, and that official shall enforce all laws relating to the preservation and maintenance of public shade trees and public trees. Any term or word of this ordinance which is not defined in this section shall have a meaning consistent with Title 30-A, M.R.S.A., to the extent that such term is defined in that Title; any terms that are not defined in that Title shall have a meaning consistent with common usage.
- ~~3.43.6~~ Community Cords- This program is established to provide available resources to the Health and Human Services Department to assist qualifying applicants with heating assistance. The program is funded through annual appropriations from the Public Tree Revenue Account, by the City Council, during the annual budget process.from at least 2 sources: selling wood from city tree maintenance and also the harvesting of city forests.

### Section 4 - Appointment of municipal arborist.

The city manager shall appoint the municipal arborist who shall administer this ordinance in coordination with such other municipal agencies/departments as now or may in the future share in the responsibility of caring for and maintaining the community forest. The municipal arborist shall have appropriate training and skill in performing care and maintenance of all shade trees. in performing urban forestry. The municipal arborist shall at all times during his or her employment hold a valid arborist's license issued by the State of Maine.

### Section 5 – Harvest revenues.

If and when revenues generated from any timber harvests, salvage, or removal exceed the expense of conducting that harvest, salavage, or removal, the surplus revenues will be deposited in a dedicated Public ~~Shade~~ Tree Revenue account. Proposed expenditures of funds from this account shall be presented to the city council each fiscal year during the annual budgetary process. Expenditures related to the

maintenance, replacement and improvement of public ~~shade~~-trees and the Community Cords Program should be given priority while budgeting for expenditures from the Public ~~Shade~~-Tree Revenue account.

#### **Section 6 – Prohibition.**

No person shall prune, plant, cut down, remove, or alter a public shade tree or a public tree unless that person has first obtained the consent of the municipal arborist for those actions.

#### **Section 7 - Request for consent from municipal arborist.**

7.1 Written Request- Any person who intends to prune, plant, cut down, remove, or alter a public shade tree or public tree shall make a written request to the municipal arborist and shall state specifically the action intended to be taken by that person concerning an identified public shade tree or public tree.

7.2 Written Decision- Within ten (10) days of receipt of a written request pursuant to section 7.1 the municipal arborist shall approve the request, approve the request with conditions, or deny the request in a written decision mailed or hand delivered to the person making the request.

The municipal arborist shall have the authority to deny or impose reasonable conditions upon approval of the request in order to preserve and maintain the health and beauty of public shade trees or public trees and the places where such trees are located; and in order to protect the public safety and the safety and convenience of the city roads, highways, public rights of way, and public lands. Any permit granted shall contain a definite date of expiration and may contain conditions attached thereto by the municipal arborist.

#### **Section 8 – Appeal.**

In the event that a person is aggrieved by the decision of the Municipal Arborist, then such a person shall have the right to appeal the notice of the municipal arborist to the city council within ten (10) days of the date of the notice of the municipal arborist. The appeal shall be made in writing and shall set forth specifically the basis for the appeal.

Upon receipt of the written appeal by the city council, the city council may delegate the responsibility for hearing appeals under this ordinance to another city administrative board or city staff member.

The appeal hearing shall be scheduled within 60 days, and the appeal findings shall be communicated in writing to the person filing the appeal within 10 days of the appeal hearing.

#### **Section 9 - Guidelines for planting, pruning, cutting removing, or altering of public shade trees.**

After a public hearing, the ~~conservation commission~~ city council or its' designated administrative board shall have the authority to adopt, amend, or modify guidelines for pruning, planting, cutting, removing or altering of trees, and thereafter, the Municipal Arborist shall use those guidelines in making decisions pursuant to this ordinance.

#### **Section 10 – Violations and penalties.**

- a) Any violator of any provision of this article shall be subject to a civil penalty payable to the city. Each act of violation shall constitute a separate offense.
- b) Should any public tree be destroyed, the person causing the destruction shall also make restitution to the city in an amount equal to the cost to the city of removing the destroyed tree plus its replacement value.

- c) Whenever the municipal arborist determines there are reasonable grounds to believe there has been a violation of any provisions of this article, he/she may initiate enforcement proceedings in accordance with the citation system established in article VIII of chapter 2.
- d) In addition to the remedies set forth above, the municipal arborist, on behalf of the city, may seek an abatement of the violation, or injunctive relief, including an award of penalties and reasonable attorney fees, from the district court or the superior court.
- e) The court also may order a violator of this article to reimburse the city for the cost of any action that was necessary to correct violations of the ordinance. If the city is the prevailing party in an enforcement action, it shall be awarded reasonable attorney's fees and costs.

#### **Section 11 - Severability.**

The provisions of this ordinance shall be severable. If any portion of this ordinance is held to be invalid, the remainder of this ordinance and its application thereof shall not be affected.

#### **Section 12 - Other laws and ordinances.**

This ordinance shall not prohibit or prevent the city from pruning, cutting, altering, or removing trees when the pruning, cutting, alteration, or removal is ordered by the city council or its' designated administrative board for the following purposes:

- a) To layout, alter or widen the location of city roads or highways;
- b) To lessen the danger of travel on city roads or highways; or
- c) To suppress tree pests or insects.
- e) — To replace street trees that have been removed, and to add street trees to the community forest

Should the city initiate work concerning street trees referenced above in Section 12 a), b) or c) the abutter shall be notified a minimum of 10 days prior to commencement of the work.

The consent of the municipal arborist is not required for planting, pruning, cutting, altering or removal of trees by the city for the foregoing purposes set forth in Section ~~439~~ of this ordinance. The consent of the municipal arborist is also not required for pruning, cutting or removal of trees in connection with routine maintenance of public park and other public facilities which are managed by the public services department of the city. The city shall, however, conform to any guidelines adopted pursuant to Section 10 of this ordinance in any actions taken for the foregoing purposes.

## **CITY OF AUBURN**

### **CONSERVATION COMMISSION**

#### **Section 1. - Commission established.**

A conservation commission is hereby established pursuant to 30-A M.R.S.A. §§ 3261-3263 to consist of seven (7) members appointed by the city council, all of whom shall be residents of the city. The terms of office shall be three (3) years except that initial appointments after the date of adoption of this Ordinance shall be such that the terms of no more than three (3) members shall expire in any single year. For that purpose, the city council shall initially appoint three members for terms of one year, two members for terms of two years, and two members for terms of three years, such that the terms of approximately one-third of the members shall expire each year. There shall be two (2) ex-officio members of the board consisting of the ~~public-works director~~City Manager or his/her designee ~~and the municipal arborist.~~

#### **Section 2. - Purpose.**

The purpose of the conservation commission shall be to serve as a research, advisory and advocacy group on environmental and conservation issues relating to the city.

#### **Section 3. - Qualifications.**

All members of the commission shall be selected upon the basis of their knowledge of or interest in conservation, environmental science or related fields.

#### **Section 4. - Powers and duties.**

The commission:

- (a) Shall keep records of its meetings and activities and make an annual report to the city council;
- (b) Shall conduct research, in conjunction with the planning board, into local land areas, which shall be initiated by majority votes of both the commission and the planning board;
- (c) Shall seek to coordinate the activities of conservation bodies organized for similar purposes;
- (d) ~~May~~Shall keep an index of all open areas within the city, whether publicly or privately owned, including open marshlands, swamps and other wetlands, for the purpose of obtaining information relating to the proper protection, development or use of those open areas. The commission may recommend to the city council or to any Board

of the city or to any body politic or public agency of the state a program for the better protection, development or use of such open areas, which may include the acquisition of conservation easements;

~~(e)~~ May advertise, prepare, print and distribute books, maps, charts, plans and pamphlets which it considers necessary, if municipal appropriations provide financial resources to do so;

~~(f)~~ Shall assist staff in the preparation of park and trail plans, the identification of new sites to be added to the park system, recommendations on designation of open space areas, and grant assistance;

~~(g)~~ Shall coordinate applications for grants from the Federal or State governments, or private sources, to improve conservation assets for the city including parks, trail and the community forest.

~~(e)~~ —

~~(f)~~~~(h)~~ Shall undertake any other conservation or environmental activity referred to it by the city council.

~~(g)~~~~(i)~~ May recommend to the city council the acceptance of gifts in the municipality's name for any of the commission's purposes.

~~(h)~~ — Shall develop a plan for and provide advice to city staff and agencies regarding the management of the community forest including the anticipated impact of proposed development;

~~(i)~~~~(j)~~ Shall raise community awareness regarding the importance of the community forest;

~~(j)~~~~(k)~~ May raise funds to establish a community forest trust fund;

~~(k)~~~~(l)~~ Shall adopt by-laws to govern the internal affairs of the commission; and

~~(l)~~~~(m)~~ May perform such other functions as are permitted by this Code.

## **Section 5. - Officers, meetings and records.**

(a) The members shall ~~annually~~ elect from their membership a chairperson, treasurer, a vice- chairperson and a secretary. Officers shall serve two year terms.

(b) All meetings of the commission shall be open to the public, and notice, if required by law, should be provided to the public about such meetings.

(c) Minutes shall be kept of all meetings.

## **Section 6. – Committees**

(a) Establishment: The chairperson may appoint special committees for purposes and terms approved by the Conservation Commission.

(b) Lewiston-Auburn Community Forest Board: The Lewiston-Auburn Community Forest

Board will be a standing subcommittee of the Auburn Conservation Commission. The purpose of the Community Forest Board is to plan for and provide advice to city staff and the conservation commission regarding the management of the community forest. The Conservation Commission shall designate two members to serve on the Lewiston-Auburn Community Forest Board. The Lewiston-Auburn Community Forest Board shall develop and implement a Community Forest Program that enhances, preserves, protects, and maintains the community Forest. Primary activities are to:

- Advocate for the community forest;
- Develop a plan for and provide advice on the management of the public sector portion of the community forest;
- Educate the communities about the community forest and how to care for it;
- Raise funds, including grants, and establish a Community Forest Trust;
- Develop and advise on policy changes for approval by the City Councils;
- Advise and consult on community forest issues and projects
- Communicate and coordinate with City staff, Planning Boards, and other community programs to avoid duplications of efforts and to combine resources to meet goals.

#### **Section 76. - Limits of authority.**

Nothing contained within this section shall supersede the provisions of the Charter or contrary provisions of the Code. No powers and duties which may be exercised by conservation commissions under state statute which are not explicitly provided in this article may be exercised by the commission created herein.



## City Council Information Sheet

City of Auburn

**Council Workshop Date:** 1/20/15

**Author:** Howard Kroll, Interim City Manager

**Subject:** Departmental Reorganization – Financial Services and Tax Assessing

**Information:** I am proposing a merger of the Tax Assessing functions with the Financial Services Department. The various models for delivering tax assessing services, including combinations of staff and subcontracting and consolidation of services with other jurisdictions are not feasible, or are not projected to provide cost savings or enhance customer service to City of Auburn taxpayers at this time. An internal reorganization provides the best option for adding additional staff support to the tax assessing functions while at the same time possibly reducing costs for subcontracting appraisal services. Under the reorganization plan, the Tax Clerks will field many of the questions regarding change in valuation, processing name and address changes, providing forms for exemptions, and cards for informal reviews of property values. The Tax Assessor, Appraiser and Assessing Assistant will remain in their present location and taxpayers will be directed to the Financial Services Department for routine Tax Assessing matters. Cross training will start immediately, with full implementation of the reorganization effective 7/1/15.

### Advantages:

- The proposed reorganization will provide enhanced customer service because the Tax Counter is always staffed.
- The Tax Clerks are the first point of contact for many questions from the taxpayers and processing certain routine changes on assessment records will be a seamless process.
- One department will oversee the entire taxation process from valuation of property to the commitment to the tax bills and lien process.
- The reorganization will allow the Assessor, Appraiser and Assessing Assistant to concentrate on work that requires their particular certifications, experience and expertise.
- I expect that the City will be able to reduce its reliance on subcontracting with a private appraisal company for assistance with the commitment.

### Disadvantages:

- None identified

**City Budgetary Impacts:** Effective with FY 16 budget, the budget for Assessing will be combined with the Financial Services Department. The work load will be evaluated to determine the level of support needed from a private appraisal service company and impacts on administrative support staff. Projections at this time indicate that there will be less reliance on outside contracts under this model.

**Staff Recommended Action:** Staff recommends the merger of Tax Assessing with Financial Services. If the City Council approves this concept then I will provide the documents for ordinance changes for the next Council meeting.

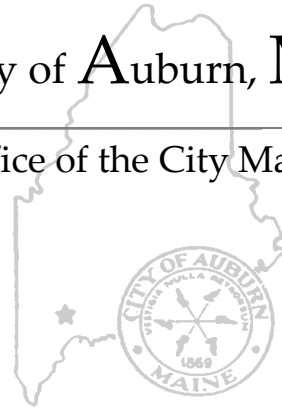
**Previous Meetings and History:** None

### Attachments:

Memo from Howard Kroll, Interim City Manager  
Organization Chart

# City of Auburn, Maine

## Office of the City Manager



**TO:** Mayor and City Council  
**FROM:** Howard Kroll, City Manager  
**RE:** Reorganization of the Tax Assessing Department  
**DATE:** January 14, 2015

The Council meeting of January 5, Karen Scammon was appointed Tax Assessor for a two-year period from 2/1/15 through 1/31/17. Ms. Scammon served as Interim Assessor upon the resignation of the previous Assessor in June of 2014. At the time of this interim appointment, there were two vacancies in an office that was staffed by three full-time employees. The interim appointment allowed me time to review potential models for delivering high quality, customer service-oriented tax assessment services and to determine if an alternative is a good fit for the City of Auburn. Delivery models reviewed included:

- providing all of the services through in-house staff;
- providing services with a combination of in-house staff and contracted appraisal services;
- fully contracting out the full services; and
- consolidating assessing services with the City of Lewiston.

These various models have advantages and disadvantages which have been previously presented to the City Council. In summary, the alternate service delivery models do not provide significant cost savings, compromise customer service and/or the timeline for implementation will not address immediate staffing needs.

At this time I am proposing an internal reorganization that will combine the tax assessment functions with the Financial Services Department. I see a number of advantages to this reorganization. First of all, the taxation functions from assessment to tax commitment to tax collections to the lien process will be fully integrated within one department. Secondly, the current Financial Services personnel can perform a number of administrative and customer service tasks that will allow the Tax Assessor and Appraiser to concentrate on field work and other functions that require their specialized expertise. Thirdly, the proposed reorganization will provide a full work week of 42.5 hours of assistance to walk-in customers and telephone coverage for routine tax assessment questions. Currently, during the busiest times of the year, the Tax Assessor's Office is unable to return phone calls and answer e-mails on a daily basis.

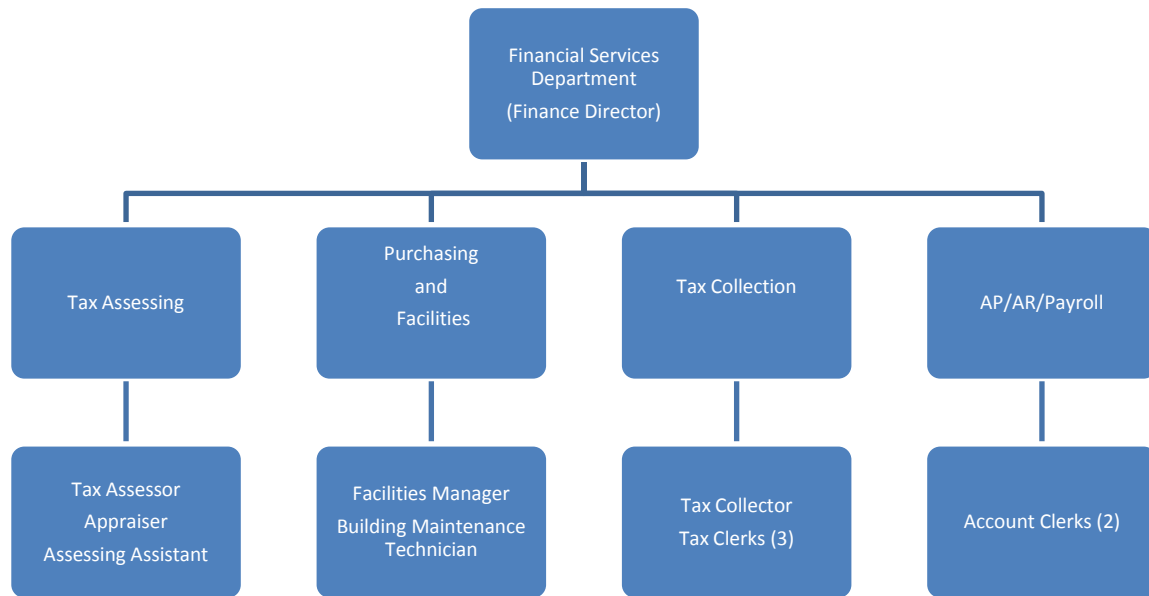
Under this proposal, the Financial Services Director will oversee four functions: assessing, AP/AR/Payroll, Tax Collection, and Purchasing/Facilities. An organization chart is attached. The

Tax Assessor, Appraiser and Assessing Assistant will continue to work out of their current location with the Community and Economic Development Department and the Tax Clerks out of their current location in the Financial Services Department. Every effort will be made to direct routine questions and data updates to the Tax Clerks.

The number of full time employees in the Tax Assessor's Office has declined since a high of 7 in 2004 to the current 3 positions. The Tax Assessing Office is part of the Economic and Community Development Department and receives administrative support from the Information Assistant and assistance from Code Enforcement with on-sight inspections and sharing of permit information. The Information Assistant for the Economic and Community Development Department has been transferred on a temporary basis to the Assessing Office to provide administrative support until the Office may become fully staffed or some other model implemented. The vacancy created by this temporary transfer has been backfilled through a temporary staffing agency.

**Budgetary Impacts:** It is difficult to estimate the impact on the budget however; the reorganization is expected to reduce the reliance on subcontracting services. Staff is working on a combined budget. Also, I will be evaluating the impact the new tasks will have on the Tax Clerks, and if warranted, adjust the pay scale. During the preparation of the FY 16 budget, the Tax Assessing budget will be moved from the Economic and Community Development budget to the Financial Services budget. The Tax Clerks will be cross-trained in data entry, and handling customer service inquiries.

If you approve this reorganization in concept, I will be submitting an amendment to the City Ordinances reflecting the change.





## City Council Information Sheet

City of Auburn

**Council Workshop or Meeting Date:** 1-20-2015

**Author:** Howard Kroll, Acting City Manager

**Subject:** Ordinance Amendment

**Information:** Staff has recommended that the Tax Assessor and Assessing Department be merged into the Finance Department. Implementation would require amending the ordinance.

**Advantages:**

- (1) Improve efficiencies for customers who seek assessing information concerning their property. Merging Assessing into Finance will provide that.
- (2) Commitment of taxes will be more organized and structured versus one department seeking information from another.

**Disadvantages:**

- (1) none

**City Budgetary Impacts:** Merging the two departments into one will stabilize the cost of doing assessing services. There will be less need to contract out for services that otherwise would need to be done by a contractor such as quarterly reviews.

**Staff Recommended Action:** Discussion and approve the ordinance amendments at the next meeting

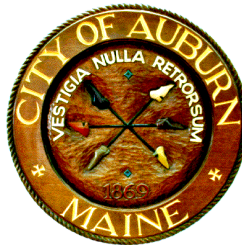
**Previous Meetings and History:** None

**Attachments:**

Proposed Ordinance amendment (Division 7- ASSESSOR Section 2-256- POWERS AND DUTIES)

Proposed Ordinance amendment (Division 3- FINANCE Section 2-359- ESTABLISHED)

Tizz E. H. Crowley, Ward One  
Robert Hayes, Ward Two  
Mary Lafontaine, Ward Three  
Adam R. Lee, Ward Four



Jonathan P. LaBonte, Mayor

Leroy Walker, Ward Five  
Belinda Gerry, At Large  
David Young, At Large

## IN CITY COUNCIL

### ORDINANCE XX-XXXXXXXX

Be it ordained by the Auburn City Council, that the Code of Ordinance (Chapter 2, Article III, Division 7- Tax Assessor, Sec. 2-256 (a)) be amended as follows;

#### DIVISION 7. - TAX ASSESSOR

Sec. 2-256. - Powers and duties.

(a)

The tax assessor shall be the administrative head of the assessing operations in the Finance department and shall, with the approval of the city manager, have power to appoint such assistants as he may require and as shall from time to time be authorized by the city council. The Tax Assessor will be a direct report to the Finance Director.

Tizz E. H. Crowley, Ward One  
Robert Hayes, Ward Two  
Mary Lafontaine, Ward Three  
Adam R. Lee, Ward Four



Leroy Walker, Ward Five  
Belinda Gerry, At Large  
David Young, At Large

Jonathan P. LaBonte, Mayor

## IN CITY COUNCIL

### ORDINANCE XX-XXXXXXXX

Be it ordained by the Auburn City Council, that the Code of Ordinance (Chapter 2, Article IV, Departments, Division 3 Finance, Sec. 2-359) be amended as follows;

#### **Sec. 2-359. - Established.**

The finance department responsibilities shall consist of accounting, assessing, collections and purchasing.



## City Council Information Sheet

City of Auburn

**Council Meeting Date:** 1/20/2015

**Subject:** Executive Session

**Information:** Discussion regarding a real estate matter, pursuant to 1 M.R.S.A. Section 405(6)(C).

**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 Council Information Sheet

City of Auburn

**Council Workshop or Meeting Date:** 1/20/2015

**Order** 05-01202015\*

**Author:** Sue Clements-Dallaire, City Clerk

**Subject:** Setting June 9, 2015 as the date for the School Budget Validation Referendum and Special Municipal Election.

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### Information:

In November, we received the resignation of Ron Potvin, At Large School Committee member. When a vacancy of a School Committee member occurs more than six months prior to the next regular election, an unexpired term shall be filled by a special election, either citywide or in the ward in which the vacancy occurs.

The normal process (in accordance with our Charter) for filling this vacancy would be;

- ✓ The City Council sets the date for the election (allowing at least 120 days prior to that date to allow time for nomination papers to be taken out per our City Charter). The recommended date of the election is June 9, 2015 and nomination papers would be available by February 9, 2015.
- ✓ Nomination papers are due back in the City Clerk's office 75 days before the election (March 26, 2015).
- ✓ At least 65 days prior to the election the City Clerk certifies and makes available to the public the names and residences of candidates who have filed nomination petitions (April 3, 2015).
- ✓ Absentee ballots are available 30-45 days prior to the election (May 8, 2015).

Title M.R.S.A. 20-A, Section 2307 requires Municipalities to conduct a School Budget Validation Referendum Election each year.

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**Advantages:** There is a cost savings by holding both elections at the same time. Direction has also been set by the City Council to hold School Budget Elections in June when State elections are normally held. It is uncertain whether or not there will be a State Referendum election this June but in order to remain consistent and not cause confusion for voters, it is recommended that the election still be held in June.

**Disadvantages:** It delays the adoption of the Municipal budget.

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**City Budgetary Impacts:** See above (advantages/disadvantages).

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**Staff Recommended Action:** Recommend setting the date for the School Budget Validation Referendum and Special Municipal Election as June 9, 2015.

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**Previous Meetings and History:** N/A

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**Attachments:** Order 05-01202015

Tizz E. H. Crowley, Ward One  
Robert Hayes, Ward Two  
Mary Lafontaine, Ward Three  
Adam R. Lee, Ward Four



Leroy Walker, Ward Five  
Belinda Gerry, At Large  
David Young, At Large

Jonathan P. LaBonte, Mayor

## **IN CITY COUNCIL**

### **ORDER 05-01202015**

ORDERED, that the City Council hereby sets the date of Tuesday, June 9, 2015 for the School Budget Validation Referendum Election and Special Municipal Election.

## **IN COUNCIL REGULAR MEETING JANUARY 5, 2015 VOL. 34 PAGE 90**

Mayor LaBonté called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall. Cub Scout Pack 111 performed a flag ceremony and led the assembly in the salute to the flag. Councilor Lee had an excused absence. All other Councilors were present.

### **I. Consent Items**

1. **Order 01-01052015\***  
Appointing Karen Scammon as City Assessor for a two year term beginning 2/1/2015 with an expiration of 1/31/2017.
2. **Order 02-01052015\***  
Confirming Chief Crowell's appointment of Constables without firearms for the Auburn Police Department.
3. **Order 03-01052015\***  
Accepting the transfer of \$699.00 forfeiture assets in U.S. currency (Jermaine Motley).
4. **Order 04-01052015\***  
Confirming Chief Crowell's appointment of James S. Davison as a Constable with a firearm for the Auburn Police Department.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to accept the consent items as presented. Passage 6-0.

### **II. Minutes**

- December 15, 2014 Regular Council Meeting

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to accept the minutes of December 15, 2014 as presented. Passage 6-0.

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

*\*For trial period, Council agrees to shift Reports to the last item on the meeting agenda. To do so, a motion should be made "To suspend the rules and move item III. Reports on the agenda to immediately after item VIII. Executive Session".*

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to suspend the rules and move item III, Reports on the agenda to immediately after item VIII, Executive Session. Passage 4-2 (Councilors Walker and Crowley opposed).

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

- Cub Scout Pack 111 presented a bronze memorial plaque to the City. The plaque is dedicated to the 17 victims that perished in a tragic fire in Auburn in 1945.

### **V. Open Session**

Andy Titus, 17 Lamplighter Circle commented on the light agenda, the road projects on South Main Street and Park Avenue, and committee reports, and economic development.

## **IN COUNCIL REGULAR MEETING JANUARY 5, 2015 VOL. 34 PAGE 91**

Joe Gray, Sopers Mill Road commented on Councilor reports, and on the first workshop item on the Future Land Use Map amendment proposal.

**VI. Unfinished Business - None**

**VII. New Business - None**

**VIII. Executive Session - None**

### **Reports\***

**Mayor's Report** – Commented on scheduling workshop and agenda items, staff preparation, meetings with John Holden (President of LAEGC), meeting with the Town of Poland to talk about economic development partnerships, discussions with St. Lawrence and Atlantic Railroad, negotiations between the City and National Guard regarding the land in the Mt. Apatite and Auburn Suburban ball field area and determining the land value, workforce development, an upcoming meeting with University of Maine system (USM and Lewiston Auburn College officials), and the Airport's Strategic Planning and possible land acquisition.

**City Manager's Report** – Municipal Wireless Network update, CIP (Capital Improvement Program) for requests have been turned in by Department heads, thanked City Staff who took part in delivering gifts and meals at Christmas time, meetings to be videotaped by chapter moving forward, on Monday nights without a scheduled City Council meeting, he will be available until 8pm to take concerns or to meet with residents.

### **Committee and City Councilor Reports**

**Councilor LaFontaine** – On scheduling a meeting with Council and the School Committee to talk about process, members of the School Committee and high school administration visited a school in Worcester, Massachusetts; she encouraged School Administration to not think about building only when talking about curriculum for high school students. She also commented on the Auburn Public Library activities and events, and on the labor shortage in our community (and all of Maine).

**Councilor Walker** - On Mid Maine Waste Action Corporation and a price increase which we'll see. The increase will be approximately \$40 - \$41 per ton. Also, the Recycling Committee will be coming forward with a new plan for recycling.

**Councilor Gerry** - On the Lewiston Auburn Transit Committee will meet next week, the Citizens Advisory Committee will meet tomorrow, the Auburn Housing authority generally meet the last Wednesday of the month. The Mayor requested to see AVCOG's total expenditures relating to transit including any indirect charges, and in regards to the Auburn Housing Authority, he would like a briefing on the Spring Street Project.

**Councilor Young** – no report.

**Councilor Crowley** - On Auburn Recreation and Special Events meeting, posting on message board, the Winter Festival, the First Auburn Senior Citizens group activities, Ingersoll update report, programming updates, Auburn Water and Sewerage District report included budget, cell tower lease agreement, Auburns share of the Lewiston-Auburn Water Pollution Control

**IN COUNCIL REGULAR MEETING JANUARY 5, 2015 VOL. 34 PAGE 92**

Authority and her Sewer tip. Written reports were provided and were posted on our website. She also provided her Ward 1 report which included the lighting of St. Louis church on New Year's Eve, thanked the new owners of the church, thanked Auburn residents for giving gifts and food during the holidays, dates to watch, visiting hours at the Library, calls regarding recycling and the Norway Savings Bank Arena, Salute to Denny Sullivan Day, and City Council schedule.

**Councilor Hayes** – Commented on an article that was in the newspaper regarding the Airport. He also stated that the Airport Board is in the process of strategic planning and the public is invited to attend and participate during the open session. The Railroad received national press in a transportation magazine on the length of track, and increased services, and at the next Airport session they should be able to discuss another contract (an eatery).

**IX. Open Session - Members of the public are invited to speak to the Council about any issue directly related to City business which is *not on this agenda*.**

Jim Tierney, 7 Drummond Street commented on snow removal.

Joe Gray, Sopers Mill Road had questions on the Airport and Railroad, and the Spring Street project, recommended looking at our economic development strategy, and commented on TIF's.

Andy Titus, 17 Lamplighter Circle asked if there would be an open session at the January 12<sup>th</sup> workshop.

**X. Adjournment** – Motion was made by Councilor Crowley and seconded by Councilor LaFontaine to adjourn. All were in favor and the meeting adjourned at 8:57 PM.

A True Copy.

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

# City of Auburn, Maine

*"Maine's City of Opportunity"*

## Financial Services



**TO: Howard Kroll, Interim City Manager**

**FROM: Jill Eastman, Finance Director**

**REF: December 2014 Financial Report**

**DATE: January 12, 2015**

The following is a discussion regarding the significant variances found in the City's December financial report. Please note that although the monthly financial report contains amounts reported by the School Department, this discussion is limited to the City's financial results and does not attempt to explain any variances for the School Department.

The City has completed its sixth month of the current fiscal year. As a guideline for tracking purposes, revenues and expenditures should amount to approximately 50.0% of the annual budget. However, not all costs and revenues are distributed evenly throughout the year; individual line items can vary based upon cyclical activity.

### **Revenues**

Revenues collected through December 31st, including the school department were \$36,817,959, or 48.38%, of the budget. The municipal revenues including property taxes were \$27,541,757, or 50.99% of the budget which is less than the same period last year by 3.08%. The accounts listed below are noteworthy.

- A. The current year tax revenue is at 52.32% as compared to 54.41% last year.
- B. Excise tax for the month of December is at 55.2%. This is a \$98,868 increase from FY 14. Our excise revenues for FY15 are 5.22% above projections as of December 31, 2014.
- C. State Revenue Sharing at the end of December is 39.98% or \$659,501.

### **Expenditures**

City expenditures through December 2014 were \$23,165,019 or 61.17%, of the budget. This is 6.95% more than the same period last year. Noteworthy variances are:

- A. The operating departments are all in line with where they should be at this time. Several line items are paid quarterly, semi-annually or annually thus creating the appearance of being over budget. I have and will continue to monitor each department's expenditures throughout the fiscal year.
- B. The TIF transfer was made in December this year which is the major variance compared to last year at this time.

### **Investments**

This section contains an investment schedule as of December 31st. Currently the City's funds are earning an average interest rate of .19%.

Respectfully submitted,

A handwritten signature in black ink that reads "Jill M Eastman". The signature is written in a cursive, flowing style.

Jill M. Eastman  
Finance Director

**CITY OF AUBURN, MAINE**  
**BALANCE SHEET - CITY GENERAL FUND, WC AND UNEMPLOYMENT FUND**  
**AS of December 2014, November 2014, and June 2014**

	UNAUDITED December 31 2014	UNAUDITED November 30 2014	Increase (Decrease)	AUDITED JUNE 30 2014
<b>ASSETS</b>				
CASH	\$ 10,838,948	\$ 14,295,401	\$ (3,456,453)	\$ 5,319,835
RECEIVABLES			-	
ACCOUNTS RECEIVABLES	1,973,913	1,919,593	54,321	1,447,551
TAXES RECEIVABLE-CURRENT	19,050,331	19,422,411	(372,080)	140,913
DELINQUENT TAXES	620,771	629,215	(8,444)	533,344
TAX LIENS	703,499	888,623	(185,124)	1,390,006
NET DUE TO/FROM OTHER FUNDS	(2,154,861)	(630,938)	(1,523,923)	8,116,581
<b>TOTAL ASSETS</b>	<b>\$ 31,032,601</b>	<b>\$ 36,524,305</b>	<b>\$ (5,491,704)</b>	<b>\$ 16,948,230</b>
<b>LIABILITIES &amp; FUND BALANCES</b>				
ACCOUNTS PAYABLE	\$ (273,607)	\$ (150,978)	\$ (122,629)	\$ (568,395)
PAYROLL LIABILITIES	(102,577)	(83,987)	(18,590)	-
ACCRUED PAYROLL	(2,875)	(2,875)	-	(2,480,654)
STATE FEES PAYABLE	(41,799)	(24,117)	(17,682)	-
ESCROWED AMOUNTS	(53,107)	(51,877)	(1,230)	(43,526)
DEFERRED REVENUE	(20,062,150)	(20,627,784)	565,634	(1,792,296)
<b>TOTAL LIABILITIES</b>	<b>\$ (20,536,115)</b>	<b>\$ (20,941,618)</b>	<b>\$ 405,503</b>	<b>\$ (4,884,871)</b>
FUND BALANCE - UNASSIGNED	\$ (9,405,534)	\$ (14,491,735)	\$ 5,086,201	\$ (9,895,359)
FUND BALANCE - RESTRICTED FOR WORKERS COMP & UNEMPLOYMENT	776,017	776,017	-	-
FUND BALANCE - RESTRICTED	(1,866,970)	(1,866,970)	-	(2,168,000)
<b>TOTAL FUND BALANCE</b>	<b>\$ (10,496,486)</b>	<b>\$ (15,582,688)</b>	<b>\$ 5,086,201</b>	<b>\$ (12,063,359)</b>
<b>TOTAL LIABILITIES AND FUND BALANCE</b>	<b>\$ (31,032,601)</b>	<b>\$ (36,524,305)</b>	<b>\$ 5,491,704</b>	<b>\$ (16,948,230)</b>

**CITY OF AUBURN, MAINE**  
**REVENUES - GENERAL FUND COMPARATIVE**  
**THROUGH December 31, 2014 VS December 31, 2013**

REVENUE SOURCE	FY 2015 BUDGET	ACTUAL REVENUES THRU DEC 2014	% OF BUDGET	FY 2014 BUDGET	ACTUAL REVENUES THRU DEC 2013	% OF BUDGET	VARIANCE
<b>TAXES</b>							
PROPERTY TAX REVENUE-	\$ 43,055,996	\$ 22,524,803	52.32%	\$ 42,844,641	\$ 23,312,585	54.41%	\$ (787,782)
PRIOR YEAR REVENUE	\$ -	\$ 726,984		\$ -	\$ 653,399		\$ 73,585
HOMESTEAD EXEMPTION REIMBURSEMENT	\$ 495,000	\$ 383,752	77.53%	\$ 482,575	\$ 371,573	77.00%	\$ 12,179
ALLOWANCE FOR ABATEMENT	\$ -	\$ -		\$ -	\$ -		\$ -
ALLOWANCE FOR UNCOLLECTIBLE TAXES	\$ -	\$ -		\$ -	\$ -		\$ -
EXCISE	\$ 3,185,000	\$ 1,758,190	55.20%	\$ 3,068,500	\$ 1,659,322	54.08%	\$ 98,868
PENALTIES & INTEREST	\$ 145,000	\$ 69,356	47.83%	\$ 140,000	\$ 62,987	44.99%	\$ 6,369
<b>TOTAL TAXES</b>	<b>\$ 46,880,996</b>	<b>\$ 25,463,085</b>	<b>54.31%</b>	<b>\$ 46,535,716</b>	<b>\$ 26,059,866</b>	<b>56.00%</b>	<b>\$ (596,781)</b>
<b>LICENSES AND PERMITS</b>							
BUSINESS	\$ 48,300	\$ 32,633	67.56%	\$ 47,300	\$ 26,109	55.20%	\$ 6,524
NON-BUSINESS	\$ 339,300	\$ 187,444	55.24%	\$ 338,300	\$ 179,792	53.15%	\$ 7,652
<b>TOTAL LICENSES</b>	<b>\$ 387,600</b>	<b>\$ 220,077</b>	<b>56.78%</b>	<b>\$ 385,600</b>	<b>\$ 205,901</b>	<b>53.40%</b>	<b>\$ 14,176</b>
<b>INTERGOVERNMENTAL ASSISTANCE</b>							
STATE-LOCAL ROAD ASSISTANCE	\$ 440,000	\$ 397,504	90.34%	\$ 440,000	\$ 473,451	107.60%	\$ (75,947)
STATE REVENUE SHARING	\$ 1,649,470	\$ 659,501	39.98%	\$ 1,649,470	\$ 810,067	49.11%	\$ (150,566)
WELFARE REIMBURSEMENT	\$ 70,000	\$ 25,686	36.69%	\$ 53,000	\$ 29,234	55.16%	\$ (3,548)
OTHER STATE AID	\$ 22,000	\$ -	0.00%	\$ 22,000	\$ -	0.00%	\$ -
CITY OF LEWISTON	\$ 155,000	\$ -	0.00%	\$ 155,000	\$ -	0.00%	\$ -
<b>TOTAL INTERGOVERNMENTAL ASSISTANCE</b>	<b>\$ 2,336,470</b>	<b>\$ 1,082,691</b>	<b>46.34%</b>	<b>\$ 2,319,470</b>	<b>\$ 1,312,752</b>	<b>56.60%</b>	<b>\$ (230,061)</b>
<b>CHARGE FOR SERVICES</b>							
GENERAL GOVERNMENT	\$ 132,040	\$ 88,912	67.34%	\$ 140,240	\$ 74,900	53.41%	\$ 14,012
PUBLIC SAFETY	\$ 485,703	\$ 149,839	30.85%	\$ 366,152	\$ 144,612	39.50%	\$ 5,227
EMS AGREEMENT	\$ 987,551	\$ 52,493	5.32%	\$ 100,000	\$ 50,000	50.00%	\$ 2,493
<b>TOTAL CHARGE FOR SERVICES</b>	<b>\$ 1,605,294</b>	<b>\$ 291,245</b>	<b>18.14%</b>	<b>\$ 606,392</b>	<b>\$ 269,512</b>	<b>44.45%</b>	<b>\$ 21,733</b>
<b>FINES</b>							
PARKING TICKETS & MISC FINES	\$ 26,000	\$ 23,272	89.51%	\$ 40,000	\$ 11,356	28.39%	\$ 11,916
<b>MISCELLANEOUS</b>							
INVESTMENT INCOME	\$ 10,000	\$ 1,830	18.30%	\$ 20,000	\$ 138,753	693.77%	\$ (136,923)
INTEREST-BOND PROCEEDS	\$ 2,000	\$ -	0.00%	\$ 2,000	\$ -	0.00%	\$ -
RENTS	\$ 122,000	\$ -	0.00%	\$ 122,000	\$ -	0.00%	\$ -
UNCLASSIFIED	\$ 20,000	\$ 7,809	39.04%	\$ 17,500	\$ 46,471	265.55%	\$ (38,662)
SALE OF RECYCLABLES	\$ -	\$ -		\$ 4,800	\$ -	0.00%	\$ -
COMMERCIAL SOLID WASTE FEES	\$ -	\$ 30,853		\$ -	\$ 30,935		\$ (82)
SALE OF PROPERTY	\$ 20,000	\$ 2,333	11.67%	\$ 20,000	\$ 60,131	300.66%	\$ (57,798)
RECREATION PROGRAMS/ARENA	\$ -	\$ -		\$ -	\$ -		\$ -
MMWAC HOST FEES	\$ 206,000	\$ 104,630	50.79%	\$ 204,000	\$ 102,896	50.44%	\$ 1,734
9-1-1 DEBT SERVICE REIMBURSEMENT	\$ -	\$ -		\$ -	\$ -	0.00%	\$ -
TRANSFER IN: TIF	\$ 500,000	\$ -	0.00%	\$ 520,000	\$ -	0.00%	\$ -
TRANSFER IN: POLICE	\$ 20,000	\$ -	0.00%	\$ -	\$ -		\$ -
TRANSFER IN: PARKING PROGRAM	\$ 55,000	\$ -	0.00%	\$ -	\$ -		\$ -
TRANSFER IN: PD DRUG MONEY	\$ 45,000	\$ -	0.00%	\$ -	\$ -		\$ -
TRANSFER IN: REC SPEC REVENUE	\$ 41,720	\$ -	0.00%	\$ -	\$ -		\$ -
TRANSFER IN: SPECIAL REVENUE	\$ 290,000	\$ 304,999	105.17%	\$ -	\$ -		\$ 304,999
ENERGY EFFICIENCY	\$ -	\$ -		\$ 2,000	\$ 279	13.95%	\$ (279)
CDBG	\$ 58,000	\$ -	0.00%	\$ 58,000	\$ -	0.00%	\$ -
UTILITY REIMBURSEMENT	\$ 37,500	\$ 8,935	23.83%	\$ 37,500	\$ 10,177	27.14%	\$ (1,242)
CITY FUND BALANCE CONTRIBUTION	\$ 1,350,000	\$ -	0.00%	\$ 1,350,000	\$ -	0.00%	\$ -
<b>TOTAL MISCELLANEOUS</b>	<b>\$ 2,777,220</b>	<b>\$ 461,388</b>	<b>16.61%</b>	<b>\$ 2,357,800</b>	<b>\$ 389,642</b>	<b>16.53%</b>	<b>\$ 71,746</b>
<b>TOTAL GENERAL FUND REVENUES</b>	<b>\$ 54,013,580</b>	<b>\$ 27,541,757</b>	<b>50.99%</b>	<b>\$ 52,244,978</b>	<b>\$ 28,249,029</b>	<b>54.07%</b>	<b>\$ (707,272)</b>
<b>SCHOOL REVENUES</b>							
EDUCATION SUBSIDY	\$ 20,411,239	\$ 9,043,428	44.31%	\$ 17,942,071	\$ 7,545,375	42.05%	\$ 1,498,053
EDUCATION	\$ 774,572	\$ 232,773	30.05%	\$ 1,358,724	\$ 260,240	19.15%	\$ (27,467)
SCHOOL FUND BALANCE CONTRIBUTION	\$ 906,882	\$ -	0.00%	\$ 855,251	\$ -	0.00%	\$ -
<b>TOTAL SCHOOL</b>	<b>\$ 22,092,693</b>	<b>\$ 9,276,202</b>	<b>41.99%</b>	<b>\$ 20,156,046</b>	<b>\$ 7,805,615</b>	<b>38.73%</b>	<b>\$ 1,470,587</b>
<b>GRAND TOTAL REVENUES</b>	<b>\$ 76,106,273</b>	<b>\$ 36,817,959</b>	<b>48.38%</b>	<b>\$ 72,401,024</b>	<b>\$ 36,054,644</b>	<b>49.80%</b>	<b>\$ 763,315</b>

**CITY OF AUBURN, MAINE**  
**EXPENDITURES - GENERAL FUND COMPARATIVE**  
**THROUGH December 31, 2014 VS December 31, 2013**

DEPARTMENT	FY 2015 BUDGET	Unaudited EXP THRU DEC 2014	% OF BUDGET	FY 2014 BUDGET	Unaudited EXP THRU DEC 2013	% OF BUDGET	VARIANCE
<b>ADMINISTRATION</b>							
MAYOR AND COUNCIL	\$ 78,532	\$ 45,479	57.91%	\$ 71,079	\$ 34,857	49.04%	\$ 10,622
CITY MANAGER	\$ 280,750	\$ 126,798	45.16%	\$ 238,903	\$ 120,073	50.26%	\$ 6,725
ECONOMIC DEVELOPMENT	\$ 359,500	\$ 138,102	38.42%	\$ 318,933	\$ 130,879	41.04%	\$ 7,223
ASSESSING SERVICES	\$ 177,320	\$ 61,627	34.75%	\$ 172,277	\$ 84,246	48.90%	\$ (22,619)
CITY CLERK	\$ 164,593	\$ 87,633	53.24%	\$ 162,045	\$ 83,809	51.72%	\$ 3,824
FINANCIAL SERVICES	\$ 427,815	\$ 211,918	49.53%	\$ 405,976	\$ 194,557	47.92%	\$ 17,361
HUMAN RESOURCES	\$ 139,578	\$ 67,256	48.19%	\$ 139,566	\$ 62,621	44.87%	\$ 4,635
INFORMATION COMMUNICATION TECHNOLOGY	\$ 413,829	\$ 261,835	63.27%	\$ 395,350	\$ 245,308	62.05%	\$ 16,527
LEGAL SERVICES	\$ 65,000	\$ 41,482	63.82%	\$ 100,000	\$ 29,291	29.29%	\$ 12,191
<b>TOTAL ADMINISTRATION</b>	<b>\$ 2,106,917</b>	<b>\$ 1,042,130</b>	<b>49.46%</b>	<b>\$ 2,004,129</b>	<b>\$ 985,641</b>	<b>49.18%</b>	<b>\$ 56,489</b>
<b>COMMUNITY SERVICES</b>							
PLANNING & PERMITTING	\$ 902,494	\$ 422,376	46.80%	\$ 775,230	\$ 375,931	48.49%	\$ 46,445
HEALTH & SOCIAL SERVICES	\$ 192,954	\$ 87,788	45.50%	\$ 189,539	\$ 110,794	58.45%	\$ (23,006)
PUBLIC LIBRARY	\$ 960,692	\$ 470,596	48.99%	\$ 946,737	\$ 541,888	57.24%	\$ (71,292)
<b>TOTAL COMMUNITY SERVICES</b>	<b>\$ 2,056,140</b>	<b>\$ 980,760</b>	<b>47.70%</b>	<b>\$ 1,911,506</b>	<b>\$ 1,028,613</b>	<b>53.81%</b>	<b>\$ (47,853)</b>
<b>FISCAL SERVICES</b>							
DEBT SERVICE	\$ 6,263,936	\$ 5,774,574	92.19%	\$ 6,321,584	\$ 5,801,562	91.77%	\$ (26,988)
FACILITIES	\$ 698,335	\$ 396,562	56.79%	\$ 715,667	\$ 400,604	55.98%	\$ (4,042)
WORKERS COMPENSATION	\$ 468,081	\$ -	0.00%	\$ 431,446	\$ -	0.00%	\$ -
WAGES & BENEFITS	\$ 4,737,117	\$ 2,402,059	50.71%	\$ 4,397,585	\$ 2,262,067	51.44%	\$ 139,992
EMERGENCY RESERVE (10108062-670000)	\$ 375,289	\$ -	0.00%	\$ 375,289	\$ -	0.00%	\$ -
<b>TOTAL FISCAL SERVICES</b>	<b>\$ 12,542,758</b>	<b>\$ 8,573,195</b>	<b>68.35%</b>	<b>\$ 12,241,571</b>	<b>\$ 8,464,233</b>	<b>69.14%</b>	<b>\$ 108,962</b>
<b>PUBLIC SAFETY</b>							
FIRE DEPARTMENT	\$ 4,057,633	\$ 2,213,611	54.55%	\$ 4,024,789	\$ 1,950,320	48.46%	\$ 263,291
FIRE EMS	\$ 635,468	\$ 227,423	35.79%				\$ 227,423
POLICE DEPARTMENT	\$ 3,738,108	\$ 1,846,680	49.40%	\$ 3,589,583	\$ 1,665,365	46.39%	\$ 181,315
<b>TOTAL PUBLIC SAFETY</b>	<b>\$ 8,431,209</b>	<b>\$ 4,287,714</b>	<b>50.86%</b>	<b>\$ 7,614,372</b>	<b>\$ 3,615,685</b>	<b>47.49%</b>	<b>\$ 672,029</b>
<b>PUBLIC WORKS</b>							
PUBLIC SERVICES DEPARTMENT	\$ 5,806,379	\$ 2,694,208	46.40%	\$ 5,577,954	\$ 2,398,014	42.99%	\$ 296,194
WATER AND SEWER	\$ 599,013	\$ 305,756	51.04%	\$ 558,835	\$ 282,963	50.63%	\$ 22,793
<b>TOTAL PUBLIC WORKS</b>	<b>\$ 6,405,392</b>	<b>\$ 2,999,964</b>	<b>46.83%</b>	<b>\$ 6,136,789</b>	<b>\$ 2,680,977</b>	<b>43.69%</b>	<b>\$ 318,987</b>
<b>INTERGOVERNMENTAL PROGRAMS</b>							
AUBURN-LEWISTON AIRPORT	\$ 105,000	\$ 52,500	50.00%	\$ 105,000	\$ 52,500	50.00%	\$ -
E911 COMMUNICATION CENTER	\$ 1,067,249	\$ 524,673	49.16%	\$ 1,036,409	\$ 518,425	50.02%	\$ 6,248
LATC-PUBLIC TRANSIT	\$ 235,373	\$ 52,844	22.45%	\$ 235,496	\$ 176,530	74.96%	\$ (123,686)
LA ARTS	\$ 17,000	\$ -	0.00%	\$ -	\$ -		\$ -
TAX SHARING	\$ 270,000	\$ 4,446	1.65%	\$ 270,000	\$ 41,793	15.48%	\$ (37,347)
<b>TOTAL INTERGOVERNMENTAL</b>	<b>\$ 1,694,622</b>	<b>\$ 634,463</b>	<b>37.44%</b>	<b>\$ 1,646,905</b>	<b>\$ 789,248</b>	<b>47.92%</b>	<b>\$ (154,785)</b>
<b>COUNTY TAX</b>	<b>\$ 2,046,880</b>	<b>\$ 2,046,879</b>	<b>100.00%</b>	<b>\$ 2,029,513</b>	<b>\$ 2,029,512</b>	<b>100.00%</b>	<b>\$ 17,367</b>
<b>TIF (10108058-580000)</b>	<b>\$ 2,584,032</b>	<b>\$ 2,599,913</b>	<b>100.61%</b>	<b>\$ 2,555,723</b>	<b>\$ -</b>	<b>0.00%</b>	<b>\$ 2,599,913</b>
<b>OVERLAY</b>	<b>\$ -</b>	<b>\$ -</b>		<b>\$ -</b>	<b>\$ -</b>	<b>0.00%</b>	<b>\$ -</b>
<b>TOTAL CITY DEPARTMENTS</b>	<b>\$ 37,867,950</b>	<b>\$ 23,165,019</b>	<b>61.17%</b>	<b>\$ 36,140,508</b>	<b>\$ 19,593,909</b>	<b>54.22%</b>	<b>\$ 3,571,110</b>
<b>EDUCATION DEPARTMENT</b>	<b>\$ 38,241,323</b>	<b>\$ 13,910,612</b>	<b>36.38%</b>	<b>\$ 37,128,028</b>	<b>\$ 13,414,519</b>	<b>36.13%</b>	<b>\$ 496,093</b>
<b>TOTAL GENERAL FUND EXPENDITURES</b>	<b>\$ 76,109,273</b>	<b>\$ 37,075,631</b>	<b>48.71%</b>	<b>\$ 73,268,536</b>	<b>\$ 33,008,428</b>	<b>45.05%</b>	<b>\$ 4,067,203</b>

**CITY OF AUBURN, MAINE  
INVESTMENT SCHEDULE  
AS OF December 31, 2014**

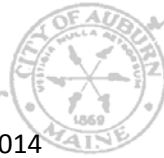
INVESTMENT			BALANCE		BALANCE	INTEREST	WEIGHTED
FUND			December 31, 2014		October 31, 2014	RATE	AVG YIELD
BANKNORTH MNY MKT	24-1242924	GENERAL FUND	\$	55,444.72	\$	55,437.66	0.15%
BANKNORTH MNY MKT	24-1745910	GF-WORKERS COMP	\$	49,302.15	\$	49,295.87	0.08%
BANKNORTH MNY MKT	24-1745944	GF-UNEMPLOYMENT	\$	67,036.35	\$	67,027.81	0.15%
BANKNORTH CD	7033	GF-UNEMPLOYMENT	\$	102,404.84	\$	102,404.84	0.15%
BANKNORTH MNY MKT	24-1809302	SPECIAL REVENUE	\$	52,663.61	\$	52,656.90	0.15%
BANKNORTH MNY MKT	24-1745902	SR-PERMIT PARKING	\$	198,391.79	\$	198,366.52	0.15%
BANKNORTH MNY MKT	24-1745895	SR-TIF	\$	1,120,077.75	\$	1,119,935.07	0.15%
BANKNORTH MNY MKT	24-1746819	CAPITAL PROJECTS	\$	4,778,731.80	\$	4,778,142.71	0.20%
BANKNORTH MNY MKT	24-1745928	ICE ARENA	\$	249,796.68	\$	249,764.86	0.15%
<b>GRAND TOTAL</b>			<b>\$</b>	<b>6,673,849.69</b>	<b>\$</b>	<b>6,673,032.24</b>	<b>0.19%</b>

# City of Auburn, Maine

*"Maine's City of Opportunity"*

## Financial Services

To: Howard Kroll, Interim City Manager  
From: Jill Eastman, Finance Director  
Re: Arena Financial Reports for December 31, 2014



Attached you will find a Statement of Net Assets and a Statement of Activities for the Ingersoll Arena and the Norway Savings Bank Arena as of December 31, 2014. I have also attached budget to actual reports for Norway Savings Bank Arena for revenue and expenditures.

### **INGERSOLL ARENA**

#### **Statement of Net Assets:**

The Statement of Net Assets lists current assets, noncurrent assets, liabilities and net assets.

#### **Current Assets:**

As of the end of December 2014 the total current assets were \$127,875. These consisted of cash and cash equivalents of \$249,797, and an interfund payable of \$121,922, which means that Ingersoll owes the General Fund \$121,922, so net cash available to Ingersoll is \$127,875 at the end of December.

#### **Noncurrent Assets:**

Noncurrent assets are the building, equipment and any building and land improvements, less depreciation. The total value of noncurrent assets as of December 31, 2014 were \$232,292. The equipment that was transferred to Norway Savings Bank Arena or sold have been removed from the Ingersoll balance sheet as well as the related accumulated depreciation.

#### **Liabilities:**

Ingersoll had no liabilities as of December 31, 2014

#### **Statement of Activities:**

The statement of activities shows the current operating revenue collected for the fiscal year and the operating expenses as well as any nonoperating revenue and expenses.

Ingersoll Arena had no operating revenues through December 2014.

The operating expenses for Ingersoll Arena through December 2014, were \$5,354. These expenses include supplies, utilities, and repairs and maintenance.

As of December 2014 Ingersoll has an operating loss of (\$5,354).

Non-operating revenue and expenses consist of interest income and debt service payments. The interest income to date is \$152 and debt service expense to date is \$81,563.

As of December 31, 2014 Ingersoll has a decrease in net assets of \$86,765.

## **NORWAY SAVINGS BANK ARENA**

### **Statement of Net Assets:**

The Statement of Net Assets lists current assets, noncurrent assets, liabilities and net assets.

### **Current Assets:**

As of the end of November 2014 the total current assets of Norway Savings Bank Arena were (\$74,856). These consisted of cash and cash equivalents of \$91,281, and an interfund payable of \$166,137, which means that Norway owes the General Fund \$166,137 at the end of November.

### **Noncurrent Assets:**

Norway's noncurrent assets are equipment that was purchased, less depreciation (depreciation is posted at year end). There was an adjustment to the equipment to account for equipment that was transferred from Ingersoll Arena. The total value of the noncurrent assets as of November 30, 2014 was \$239,332.

### **Liabilities:**

Norway Arena had accounts payable of \$2 as of November 30, 2014.

### **Statement of Activities:**

The statement of activities shows the current operating revenue collected for the fiscal year and the operating expenses as well as any nonoperating revenue and expenses.

The operating revenues for Norway Arena through December 2014 are \$458,052. This revenue comes from the concessions, sign advertisements, pro shop lease, youth programming, shinny hockey, public skating and ice rentals.

The operating expenses for Norway Arena through December 2014 were \$649,835. These expenses include personnel costs, supplies, utilities, repairs, capital purchases and maintenance.

As of December 2014 Norway Arena has an operating loss of \$191,783 compared to the November 2014 operating loss of \$183,453.

As of December 31, 2014 Norway Arena has a decrease in net assets of \$191,783.

I have also attached budget to actual reports for revenue and expenditures.

**CITY OF AUBURN, MAINE**  
**Statement of Net Assets**  
**Proprietary Funds**  
**December 31, 2014**

**Business-type Activities - Enterprise Funds**

	Ingersoll	Norway Savings	Combined
<b>ASSETS</b>			
Current assets:			
Cash and cash equivalents	\$ 249,797	\$ 91,281	\$ 341,078
Interfund receivables	\$ (121,922)	\$ (174,467)	(296,389)
Accounts receivable	-	-	-
Total current assets	127,875	(83,186)	44,689
Noncurrent assets:			
Capital assets:			
Buildings	672,279	35,905	708,184
Equipment	66,415	285,813	352,228
Land improvements	18,584		18,584
Less accumulated depreciation	(524,986)	(82,386)	(607,372)
Total noncurrent assets	232,292	239,332	471,624
Total assets	360,167	156,146	516,313
<b>LIABILITIES</b>			
Accounts payable	\$ -	\$ 2	2
Total liabilities	-	2	2
<b>NET ASSETS</b>			
Invested in capital assets	\$ 232,292	\$ 239,332	471,624
Unrestricted	\$ 127,875	\$ (83,188)	44,687
Total net assets	\$ 360,167	\$ 156,144	\$ 516,311

**CITY OF AUBURN, MAINE**  
**Statement of Revenues, Expenses and Changes in Net Assets**  
**Proprietary Funds**  
**Business-type Activities - Enterprise Funds**  
**Statement of Activities**  
**December 31, 2014**

	Ingersoll Ice Arena	Norway Savings Arena
Operating revenues:		
Charges for services	\$ -	\$ 458,052
Operating expenses:		
Personnel	-	156,149
Supplies	-	27,517
Utilities	4,662	100,638
Repairs and maintenance	692	9,677
Rent		295,449
Depreciation	-	-
Capital expenses		-
Other expenses	-	60,405
Total operating expenses	5,354	649,835
Operating gain (loss)	(5,354)	(191,783)
Nonoperating revenue (expense):		
Interest income	152	-
Interest expense (debt service)	(81,563)	-
Total nonoperating expense	(81,411)	-
Gain (Loss) before transfer	(86,765)	(191,783)
Transfers out	-	-
Change in net assets	(86,765)	(191,783)
Total net assets, July 1	446,932	347,927
Total net assets, December 31, 2014	\$ 360,167	\$ 156,144

**CITY OF AUBURN, MAINE**  
**REVENUES - NORWAY SAVINGS BANK ARENA**  
**Through December 31, 2014**

REVENUE SOURCE	FY 2015 BUDGET	ACTUAL REVENUES THRU DEC 2014	% OF BUDGET
<b>CHARGE FOR SERVICES</b>			
Concussions	\$ 30,000	\$ 233	0.78%
Sign Advertisements	\$ 233,225	\$ 107,108	45.92%
Pro Shop	\$ 8,500	\$ 3,525	41.47%
Programs	\$ 172,450	\$ 24,593	14.26%
Rental Income	\$ 753,260	\$ 318,268	42.25%
Tournaments	\$ 24,500	\$ 4,325	17.65%
<b>TOTAL CHARGE FOR SERVICES</b>	<b>\$ 1,221,935</b>	<b>\$ 458,052</b>	<b>37.49%</b>
<b>INTEREST ON INVESTMENTS</b>	<b>\$ -</b>		
<b>GRAND TOTAL REVENUES</b>	<b>\$ 1,221,935</b>	<b>\$ 458,052</b>	<b>37.49%</b>

**CITY OF AUBURN, MAINE**  
**EXPENDITURES - NORWAY SAVINGS BANK ARENA**  
**Through December 31, 2014**

REVENUE SOURCE	ACTUAL		
	FY 2015 BUDGET	EXPENDITURES THRU DEC 2014	% OF BUDGET
Salaries & Benefits	\$ 318,446	\$ 156,149	49.03%
Purchased Services	\$ 67,800	\$ 70,081	103.36%
Supplies	\$ 9,000	\$ 27,517	305.74%
Utilities	\$ 204,846	\$ 100,639	49.13%
Capital Outlay	\$ 80,000	\$ -	0.00%
Rent	\$ 528,408	\$ 295,449	55.91%
	<b>\$ 1,208,500</b>	<b>\$ 649,835</b>	<b>53.77%</b>
 <b>GRAND TOTAL EXPENDITURES</b>	 <b>\$ 1,208,500</b>	 <b>\$ 649,835</b>	 <b>53.77%</b>

# Auburn Fire Department EMS Transport Program Update



**From October 14, 2014 to  
January 14, 2015...**

❖ 1101 = total call volume for AFD  
during this time period

**From October 14, 2014 to  
January 14, 2015...**

❖ 1101 = total call volume for AFD  
during this time period

❖ 665 transports

# From October 14, 2014 to January 14, 2015...

- ❖ 1101 = total call volume for AFD during this time period
- ❖ 665 transports
- ❖ 60.4% of all calls were transports

# From October 14, 2014 to January 14, 2015...

- ❖ 1101 = total call volume for AFD during this time period
- ❖ 665 transports
- ❖ 60.4% of all calls were transports
- ❖ 7.15 transports per shift

# **From October 14, 2014 to January 14, 2015...**

- ❖ 214 calls had an engine for assistance
  - most in E-2 District

# From October 14, 2014 to January 14, 2015...

- ❖ 214 calls had an engine for assistance  
– most in E-2 District
- ❖ 22 calls were diverted to UAS during  
this time

# From October 14, 2014 to January 14, 2015...

- ❖ 214 calls had an engine for assistance  
– most in E-2 District
- ❖ 22 calls were diverted to UAS during  
this time
- ❖ We provided EMS Mutual aid 15  
times to other services including 7  
calls where we covered UAS in  
Lewiston

Compared with the previous 4 years,  
during the time period of 10/14 to  
1/14...

*Overall reduction of AFD*

*Pumpers on EMS calls: 31%*

Compared with the previous 4 years, during the time period of 10/14 to 1/14...

**ENGINE 3:                      32% reduction**

**ENGINE 5/  
TRUCK 1:                      47% reduction**

**ENGINE 2:                      7% reduction**

This is a reduction of an average of **175 calls** -- 31% overall reduction -- during this time period (3 months).

This represents an average of approximately **700** Engine responses per year for EMS calls *not requiring a pumper response.*

**Auburn Fire Department**  
**From 10/14/14 To 01/14/15**  
**Total Number of Runs Based on Search Criteria: 903**

*Average Run Times*

Enroute (Responding - Unit Notified Dispatched)			Response Time (Arrive Scene - Enroute)		
Minutes	# of Runs	% of Runs	Minutes	# of Runs	% of Runs
0 - 1	569	63.01%	0 - 5	617	68.33%
2 - 3	315	34.88%	6 - 10	217	24.03%
4 - 5	11	1.22%	11 - 15	17	1.88%
> 5	4	0.44%	> 15	5	0.55%
Unknown	4	0.44%	Unknown	47	5.20%
<b>Total</b>	<b>903</b>	<b>100%</b>	<b>Total</b>	<b>903</b>	<b>100%</b>

Scene Time (Depart Scene - Arrive Scene)			Transport Time (Arrive Hospital - Depart Scene)		
Minutes	# of Runs	% of Runs	Minutes	# of Runs	% of Runs
0 - 10	278	30.79%	0 - 5	113	12.51%
11 - 20	449	49.72%	6 - 10	383	42.41%
21 - 30	100	11.07%	11 - 15	128	14.17%
> 30	25	2.77%	> 15	46	5.09%
Unknown	51	5.65%	Unknown	233	25.80%
<b>Total</b>	<b>903</b>	<b>100%</b>	<b>Total</b>	<b>903</b>	<b>100%</b>

Hospital Time (Depart Hospital - Arrive Hospital)			Average Run Times	
Minutes	# of Runs	% of Runs		
0 - 5	84	9.30%	Enroute	00:01:16
6 - 10	217	24.03%	To Scene	00:04:34
11 - 15	216	23.92%	At Scene	00:14:23
> 15	153	16.94%	To Destination	00:08:12
Unknown	233	25.80%	Back in Service	00:15:42
<b>Total</b>	<b>903</b>	<b>100%</b>	<b>Total</b>	<b>00:44:07</b>

Range of Times: Lowest = -589 and Highest = 1460

# AFD Diesel Usage Comparison Since EMS Transporting 2013 - 2014

DATE	E-1 SPARE	E-2	E-3	E-5	TRUCK 1	T-1	TOTALS PER MONTH
Oct. 14 -31, 2013	25.60	112.70	116.90	102.10	0.00	144.60	501.90
Nov. 2013	92.60	235.60	256.60	85.80	0.00	232.50	903.10
Dec. 2013	87.20	336.40	181.70	210.80	0.00	217.30	1033.40
Jan 1 – 14, 2014	65.40	33.00	135.00	135.80	0.00	124.60	493.80
<b>TOTALS</b>	<b>270.80</b>	<b>717.70</b>	<b>690.20</b>	<b>534.50</b>	<b>0.00</b>	<b>719.00</b>	<b>2932.20</b>
Oct. 14 – 31, 2014	16.70	82.00	88.60	26.50	187.00	0.00	400.80
Nov. 2014	41.70	164.20	169.00	70.50	300.20	0.00	745.60
Dec. 2014	6.90	157.60	190.30	0.00	313.80	0.00	668.60
Jan 1 - 14, 2015	14.30	110.70	86.60	51.50	34.10	0.00	297.20
<b>TOTALS</b>	<b>79.60</b>	<b>514.50</b>	<b>534.50</b>	<b>148.50</b>	<b>835.10</b>	<b>0.00</b>	<b>2112.20</b>
<b>DIFFERENCE</b>	<b>191.20</b>	<b>203.20</b>	<b>155.70</b>	<b>386.00</b>	<b>-835.10</b>	<b>719.00</b>	<b>820.00</b>

# Auburn Fire Department

## Gas Usage for Rescues – For FY15

Date	R-2	R-3	R-5	Totals/month
Oct. 14 – 31, 2014	83.90	135.50	128.90	348.30
November, 2014	0.00	243.80	215.10	458.90
December, 2014	92.90	248.20	252.70	593.80
Jan 1 – 14, 2015	29.60	150.40	126.60	306.60
Feb 2015				0.00
Mar 2015				0.00
Apr 2015				0.00
May 2015				0.00
June 2015				0.00
<b>TOTAL PER VEHICLE</b>	<b>206.40</b>	<b>777.90</b>	<b>723.30</b>	<b>1707.60</b>

# City of Auburn, Maine

*"Maine's City of Opportunity"*

## Financial Services

**TO: Howard Kroll, Interim City Manager**  
**FROM: Jill Eastman, Finance Director**  
**REF: December 2014 EMS Transport Financial Report**  
**DATE: January 12, 2015**

The following is a discussion of the EMS Transport budget and revenue as of December 31, 2014. This program started providing service on October 14, 2014, so this discussion is on the first 2 ½ months of operation.

### Revenues

Revenues billed through December 31<sup>st</sup>, were \$433,692.60. I have attached a report that shows the monthly activity with the totals for the period. I have also included percentage of total to allow you to see what the mix is. On the same report there is also a breakdown of the total count by insurance provider.

Revenue received through December 31<sup>st</sup> is \$52,970.28. We have also received another \$44,117.09 so far in the month of January.

### Expenditures

Expenditures through December 31<sup>st</sup>, were \$227,422.60, or 36.5% of the total budget. The largest expenditures during this period were the first lease payment on the ambulances and the other supplies that were purchased to initially stock the ambulances.

Respectfully submitted,



Jill M. Eastman  
Finance Director

**EMS BILLING**  
**BREAKDOWN -TOTAL CHARGES**  
**OCT 2014 - JUNE 2015**

	<b>Oct 2014</b>	<b>Nov 2014</b>	<b>Dec 2014</b>	<b>Adjustment</b>	<b>Totals</b>	<b>% of Total</b>
<b>No Insurance Information</b>	\$ 7,064.80	\$ 1,771.40	\$ -	\$ (8,836.20)	\$ -	0.00%
<b>Bluecross</b>	\$ 2,996.20	\$ 5,285.00	\$ 10,962.40	\$ 1,277.20	\$ 20,520.80	4.73%
<b>Intercept</b>	\$ -	\$ -	\$ 100.00		\$ 100.00	0.02%
<b>Medicare</b>	\$ 37,107.80	\$ 68,806.60	\$ 91,866.80	\$ 3,560.60	\$ 201,341.80	46.43%
<b>Medicaid</b>	\$ 17,440.20	\$ 32,266.60	\$ 26,854.00	\$ 1,537.80	\$ 78,098.60	18.01%
<b>Other/Commercial</b>	\$ 12,208.20	\$ 29,330.80	\$ 38,157.40	\$ 2,262.00	\$ 81,958.40	18.90%
<b>Patient</b>	\$ 6,737.00	\$ 15,773.20	\$ 28,964.20	\$ (749.40)	\$ 50,725.00	11.70%
<b>Worker's Comp</b>	\$ -	\$ -		\$ 948.00	\$ 948.00	0.22%
<b>TOTAL</b>	\$ 83,554.20	\$ 153,233.60	\$ 196,904.80	\$ (0.00)	\$ 433,692.60	100.00%

**EMS BILLING**  
**BREAKDOWN -TOTAL COUNT**  
**OCT 2014 - JUNE 2015**

	<b>Oct 2014</b>	<b>Nov 2014</b>	<b>Dec 2014</b>	<b>Adjustment</b>	<b>Totals</b>	<b>% of Total</b>
<b>No Insurance Information</b>	8	2	0	-10	0	0.00%
<b>Bluecross</b>	7	6	13	1	27	4.67%
<b>Intercept</b>	0	0	1		1	0.17%
<b>Medicare</b>	76	82	109	4	271	46.89%
<b>Medicaid</b>	37	38	33	2	110	19.03%
<b>Other/Commercial</b>	18	34	49	3	104	17.99%
<b>Patient</b>	12	19	34	-1	64	11.07%
<b>Worker's Comp</b>	0	0	0	1	1	0.17%
<b>TOTAL</b>	158	181	239	0	578	100.00%

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jeastman

CITY OF AUBURN  
EXPENDITURES

AS OF DECEMBER 31, 2014

P 1  
glytdbud

FOR 2015 06

	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
0023 Fire EMS Transport							
1023 620000 Advertising	2,500	.00	2,500.00	.00	.00	2,500.00	.0%
1023 628000 PS - Gen/Professional	163,100	.00	163,100.00	2,631.85	.00	160,468.15	1.6%
1023 628020 Repairs - Vehicles	12,500	.00	12,500.00	72.55	.00	12,427.45	.6%
1023 628026 Repairs - Maintenance	19,500	.00	19,500.00	.00	.00	19,500.00	.0%
1023 628047 PS-Public Relations	2,500	.00	2,500.00	1,997.50	.00	502.50	79.9%*
1023 628050 Contingency	43,368	.00	43,368.00	.00	.00	43,368.00	.0%
1023 631000 Reports, Printing, & B	1,000	.00	1,000.00	.00	.00	1,000.00	.0%
1023 632000 Dues & Subscriptions	2,500	.00	2,500.00	.00	.00	2,500.00	.0%
1023 633000 Office Supplies	1,000	.00	1,000.00	488.13	.00	511.87	48.8%
1023 633027 Other Sup - Other	61,000	.00	61,000.00	56,254.92	4,567.76	177.32	99.7%*
1023 633029 MV Sup - Tires/Tube/Ch	8,000	.00	8,000.00	.00	.00	8,000.00	.0%
1023 633030 MV Sup - Gas & Oil	10,000	.00	10,000.00	973.84	.00	9,026.16	9.7%
1023 633033 Misc Ependitures	15,500	.00	15,500.00	93.12	.00	15,406.88	.6%
1023 642000 Comm - Postage	1,000	.00	1,000.00	.00	.00	1,000.00	.0%
1023 644003 Vehicle Lease/Purchase	144,500	.00	144,500.00	156,453.71	.00	-11,953.71	108.3%*
1023 650010 Capital Reserve	135,000	.00	135,000.00	616.20	.00	134,383.80	.5%
1023 653030 EMS Communication Equi	10,000	.00	10,000.00	7,591.58	.00	2,408.42	75.9%*
1023 654000 Computer Software/Hard	2,500	.00	2,500.00	249.20	.00	2,250.80	10.0%
TOTAL Fire EMS Transport	635,468	.00	635,468.00	227,422.60	4,567.76	403,477.64	36.5%
TOTAL EXPENSES	635,468	.00	635,468.00	227,422.60	4,567.76	403,477.64	
GRAND TOTAL	635,468	.00	635,468.00	227,422.60	4,567.76	403,477.64	36.5%

\*\* END OF REPORT - Generated by Jill Eastman \*\*



## City Council Information Sheet

City of Auburn

**Council Workshop or Meeting Date:** 1-20-15      **Order**      **06-01202015**

**Author:** Doug Greene, City Planner

**Subject:** An amendment to the 2010 Comprehensive Plan Future Land Use Plan for a property located at 113 Woodbury Road from Agricultural/Rural to Low Density Rural Residential.

**Information:** The Planning Staff has been approached by the property owner of 113 Woodbury Road (PID # 110-009) to change the future land use recommendation from Agricultural/Rural to Low Density Residential. The property is currently zoned Low Density Rural Residential. The owner is planning to develop the property in accordance with its zoning and by submitting a subdivision plan to the Planning Board for its review and consideration. . One of the criteria for approving a subdivision plan is the proposal must be in compliance with the Comprehensive Plan. The property's Agricultural/Rural land use designation is not in agreement with the current zoning of Rural Residential. That is the reason this amendment is being proposed.

The Planning Staff did extensive research (see attached staff report) to determine how and why this incompatible zoning and land use situation arose. The conclusion by staff is that this area (South Auburn/Danville) was presented to the 2010 Comprehensive Plan Committee as Low Density Residential Development and the property at 113 Woodbury Road was erroneously changed to an Agricultural/Rural land use.

No subdivision plan has been filed. All issues relating to any subdivision plan will be addressed by the Planning Board when and if such an application is filed.

**Advantages:** Amending the land use from Agricultural/Rural to Low Density Residential will bring the property into compliance with the existing zoning of Low Density Residential. The amendment will allow the property owner to have a subdivision plan reviewed in conjunction with its current zoning.

**Disadvantages:** Not amending the land use will diminish the right to develop this property as per its current zoning of Low Density Rural Residential allows.

**City Budgetary Impacts:** None

**Staff Recommended Action:** The Planning Board unanimously approved a motion (7-0) to forward, to the City Council, a recommendation to approve amending the 2010 Comprehensive Plan's Land Use Plan from Agricultural/Rural to Low Density Residential for the property located at 113 Woodbury Road.

**Previous Meetings and History:** The Planning Board initiated the amendment at its November 18, 2014 meeting and approved the motion to recommend amending the land use at its December 16, 2014 meeting. City Council workshop on 1/5/2015.

**Attachments:**


1. Memo
2. Staff Report to Auburn Planning Board- December 16, 2014
3. Power Point presentation to Auburn Planning Board – December 16, 2014
4. Order 06-01202015

# City of Auburn, Maine

*"Maine's City of Opportunity"*

## Office of Planning and Development

To: Mayor LaBonte and City Council

From: Douglas M. Greene, AICP, RLA; City Planner 

Date: January 14, 2015

RE: Response to Council Questions

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At your January 5<sup>th</sup> work session, the Planning and Development Staff presented an amendment to the 2010 Comprehensive Land Use Map in the Danville Corner Road area. At that work session, the City Council and Mayor asked some questions that the staff would like to respond in this memo.

1. Councilwoman Crowley asked staff to research building permits issued during the last 20 years in the Danville Corners area. Attached with this memo is a spreadsheet and map showing properties in the Danville Corner area, all of which are zoned Low Density Rural Residential and are outlined in red. Any building constructed since 1980 is colored in orange. 42 buildings were constructed during that period out of 115 properties. As you can see, the majority of these new homes area are concentrated along Danville Corners Road (Danbury and Musket Drives) and along Old Danville Road.
2. Councilman Young wanted to be sure that the residents in the Danville area would be made aware of the Land Use Change request as many of those folks are outside of the 500 foot notification range. Wesley Ryder has been contacted and will make the Grange members aware at their meeting on the 22<sup>nd</sup>, prior to the public hearing on February 2<sup>nd</sup>.

Other questions were raised about the potential impacts of a subdivision which has not been filed nor seen by staff. Storm water run-off, traffic impacts and safety, aquifers, access to public utilities and the number and cost of the potential new homes were brought up. These issues and others, will be thoroughly reviewed by city agencies and the Planning Board should the land use designation be changed and a subdivision plan be applied for on this property. The Council has approved review criteria to ensure these concerns are addressed in the Zoning Ordinance.

The Planning Board and Staff recommend the City Council approve the Future Land Use for the property at 113 Woodbury Road from Agricultural/Rural to Low Density Residential in order to conform to the existing zoning of Low Density Rural Residential.

# City of Auburn, Maine

*"Maine's City of Opportunity"*

## Office of Planning & Development

### PLANNING BOARD STAFF REPORT

To: Auburn Planning Board

From: Douglas M. Greene; AICP, RLA  
City Planner

Re: Request to Amend the Future Land Use Designation at 113 Woodbury Road.

Date: December 4, 2014

- I. PROPOSAL- The Planning Board voted unanimously at its November 18<sup>th</sup> meeting to initiate an amendment to the 2010 Comprehensive Plan Future Land Use Map for property located at 113 Woodbury Road (PID # 110-009). The property currently has a future land designation of Agricultural/Rural, while conversely, the entire property is zoned Low Density Rural Residential. This property was recently purchased with the intent of developing the property as its zoning would allow with 1 acre minimum lot size. The property owner had planned on submitting a subdivision plan to the Planning Board for review and approval but found out that part of the criteria for approval by the Planning Board would include a finding that the development proposal was in compliance with the Comprehensive Plan's Future Land Use Plan.

CURRENT SITUATION: The property at 113 Woodbury Road is currently zoned Low Density Rural Residential (**Attachment 1**). The 2010 Comprehensive Plan Future Land Use Map recommends Agriculture/Rural (**Attachment 2**), which is not compatible to the development proposal that the Low Density Rural Residential Zoning would allow and the owner desires. There is an incompatible situation between the current zoning and the future land use for this property.

STAFF RESEARCH- The Staff looked back at the record of the 2010 Comprehensive Plan process for evidence of how this zoning and future land use discrepancy occurred. At the May 21, 2009 Comprehensive Plan Committee meeting, the Danville/South Auburn area was discussed. **Attachment 3** shows a map of Land Use in the area. As you can see the property at 113 Woodbury Road is designated Rural Residential and Manufactured Housing. **Attachment 4** is a map of natural resources in the area. There are no significant natural features shown on the property in question.

**Attachment 5** is a May 12, 2009 memo addressed to the Comprehensive Plan Committee from lead consultant Mark Eyerman, which goes into detail describing areas to be "*reserved*" for future development, "*preserved*" and/or maintained and areas to be

*changed* for new development”. This memo does not describe or relate 113 Woodbury Road to any of these categories. **Attachment 6** is an email correspondence with Mr. Eyerman, who provided his recollection of the discussion in that area. He mentions:

1. No specific discussion of 113 Woodbury Road.
2. The Committee’s discussion of Rural Residential Strips.
3. The availability of adequate public service (this case specifically an unimproved road).
4. Agricultural activity.
5. Fire protection.

In addition to the staff search of minutes and mapping from the 2010 Comprehensive Plan Process, former Chairman of the Comp Plan Committee, Richard Whiting, was interviewed regarding this property. He did not recall a property owner in particular advocating for this property and mentioned there was extensive discussion about Rural Residential Road Strips. (See **Attachment 7**) This excerpt from the 2010 Comprehensive Plan provides 6 Considerations when evaluating an area to have a Rural Residential Road designation. In particular, Consideration # 5 describes avoiding residential strips for land with unimproved or dirt road frontage.

II. DEPARTMENT REVIEW-

- a. Police- No Comment
- b. Auburn Water and Sewer- No Comment
- c. Fire Department- No Comment
- d. Engineering- No Comment

III. PLANNING BOARD ACTION- The Planning Board is being asked to consider making a recommendation to the City Council regarding the Future Land Use Designation as found in the 2010 Comprehensive Plan for the property located at 113 Woodbury Road (PID# 110-009).

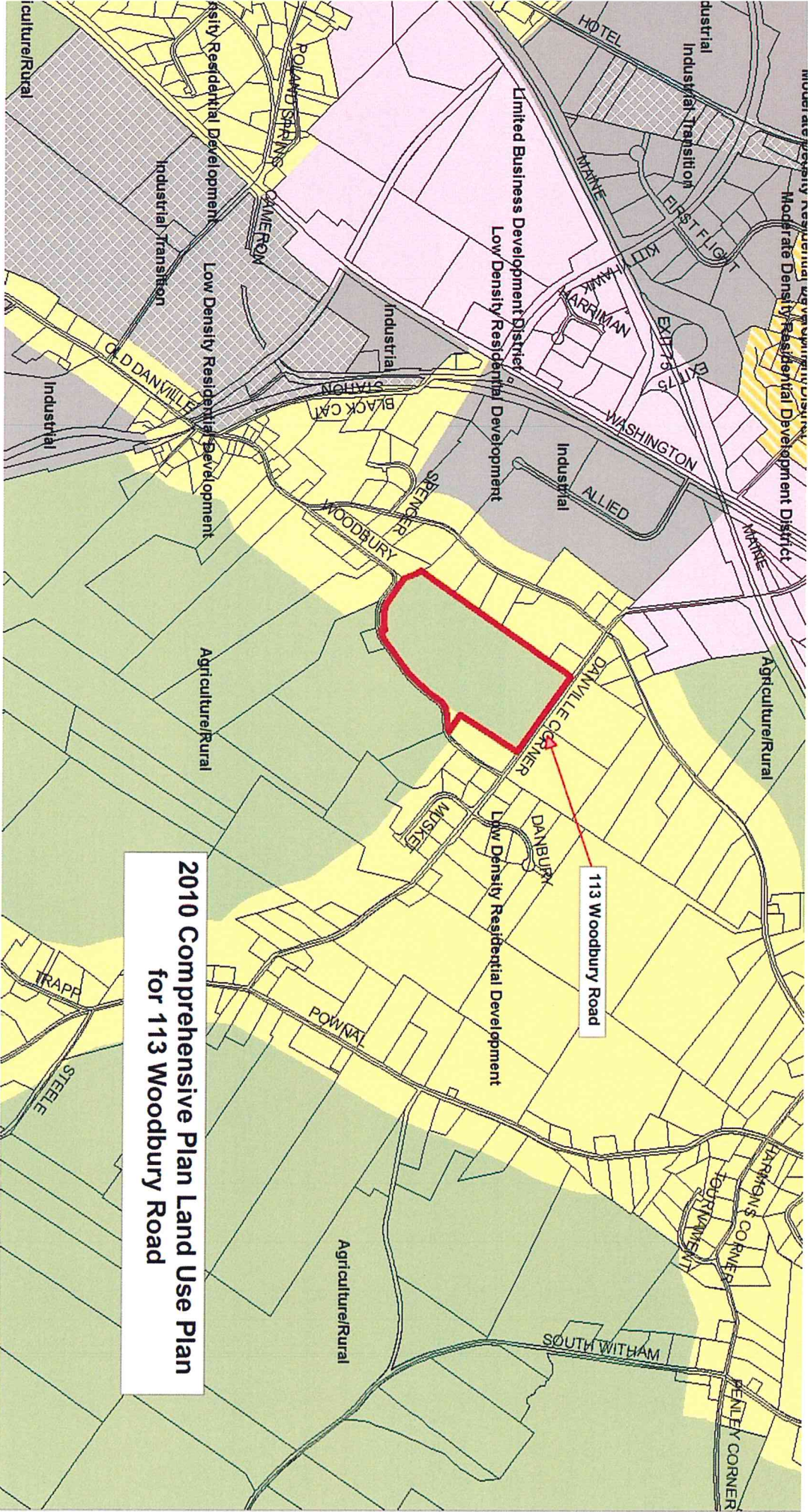
IV. STAFF RECOMMENDATION- Based on the current situation, staff research on the record of the 2010 Comprehensive Plan’s meeting minutes and mapping and interviews with notable participants of the 2010 Comprehensive Plan Process, the Staff recommends **APPROVAL** of changing the Future Land Use Designation for the property located at 113 Woodbury Road (PID # 110-009) from Agricultural/Rural to Low Density Residential with the following findings:

1. The 2010 Future Land Use of Agricultural/Rural for the property is inconsistent with the current zoning of Low Density Rural Residential.

2. The 2010 Comprehensive Plan's working minutes, mapping and interviews from the lead consultant and chairman of the Comprehensive Plan Committee provide a record that show the property at 113 Woodbury Road:
  - a. Was designated as Rural Residential and Manufactured Housing on working maps for this area.
  - b. Was not indicated as having significant natural resources to protect.
  - c. No specific request was made on 113 Woodbury Road to have its future land use designated Agricultural/Rural.
3. The property at 113 Woodbury Road has 1,100 feet of improved road frontage along Danville Corner Road.
4. The predominant land use in the area is Low Density Residential and Low Density Rural Residential zoning.

  
Douglas M. Greene, A.I.C.P., R.L.A.  
City Planner





2010 Comprehensive Plan Land Use Plan  
for 113 Woodbury Road

# Danville/So Auburn

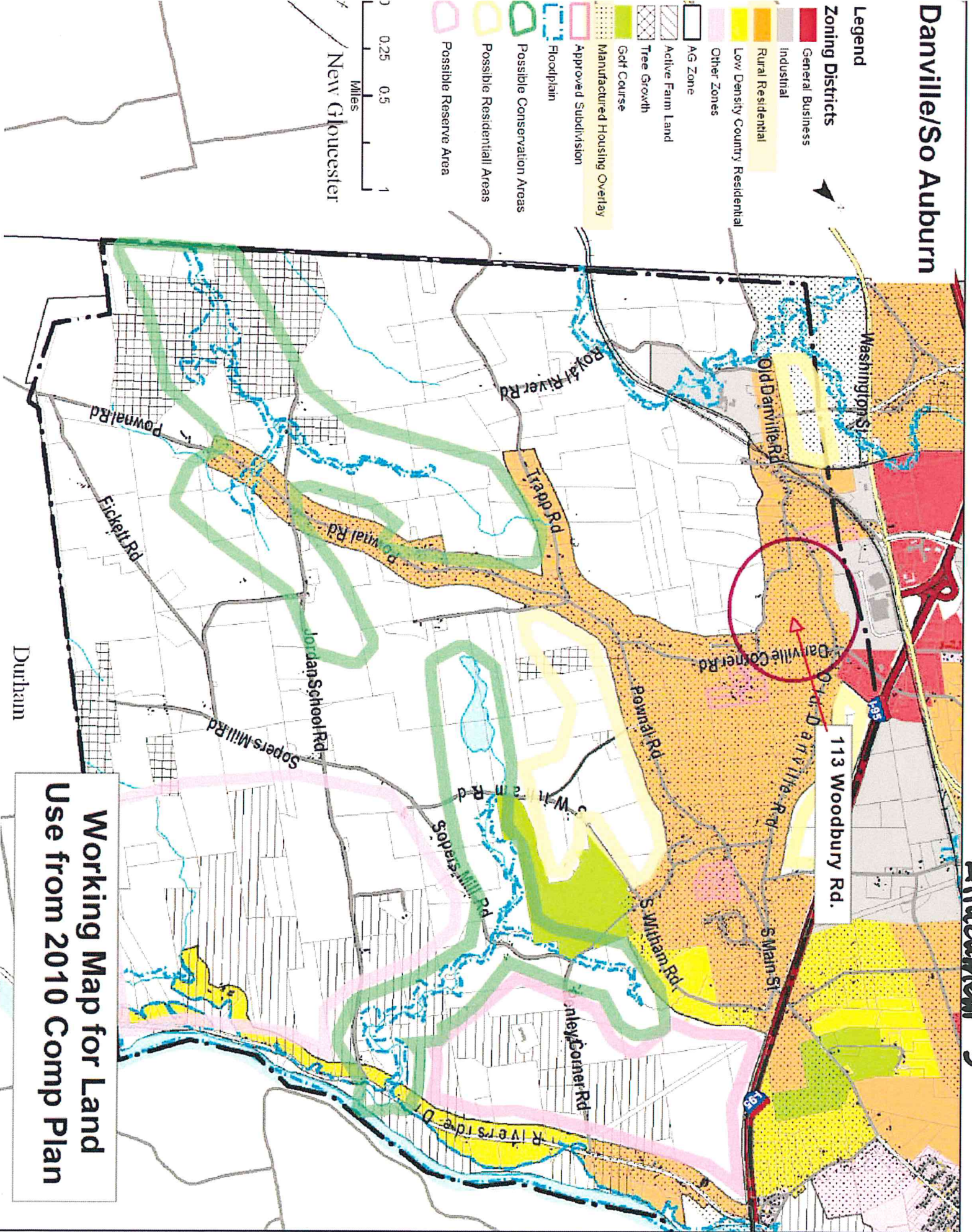
## Legend

### Zoning Districts

- General Business
- Industrial
- Rural Residential
- Low Density Country Residential
- Other Zones
- AG Zone
- Active Farm Land
- Tree Growth
- Golf Course
- Manufactured Housing Overlay
- Approved Subdivision
- Floodplain
- Possible Conservation Areas
- Possible Residential Areas
- Possible Reserve Area



New Gloucester



113 Woodbury Rd.

Danville Corner Rd.

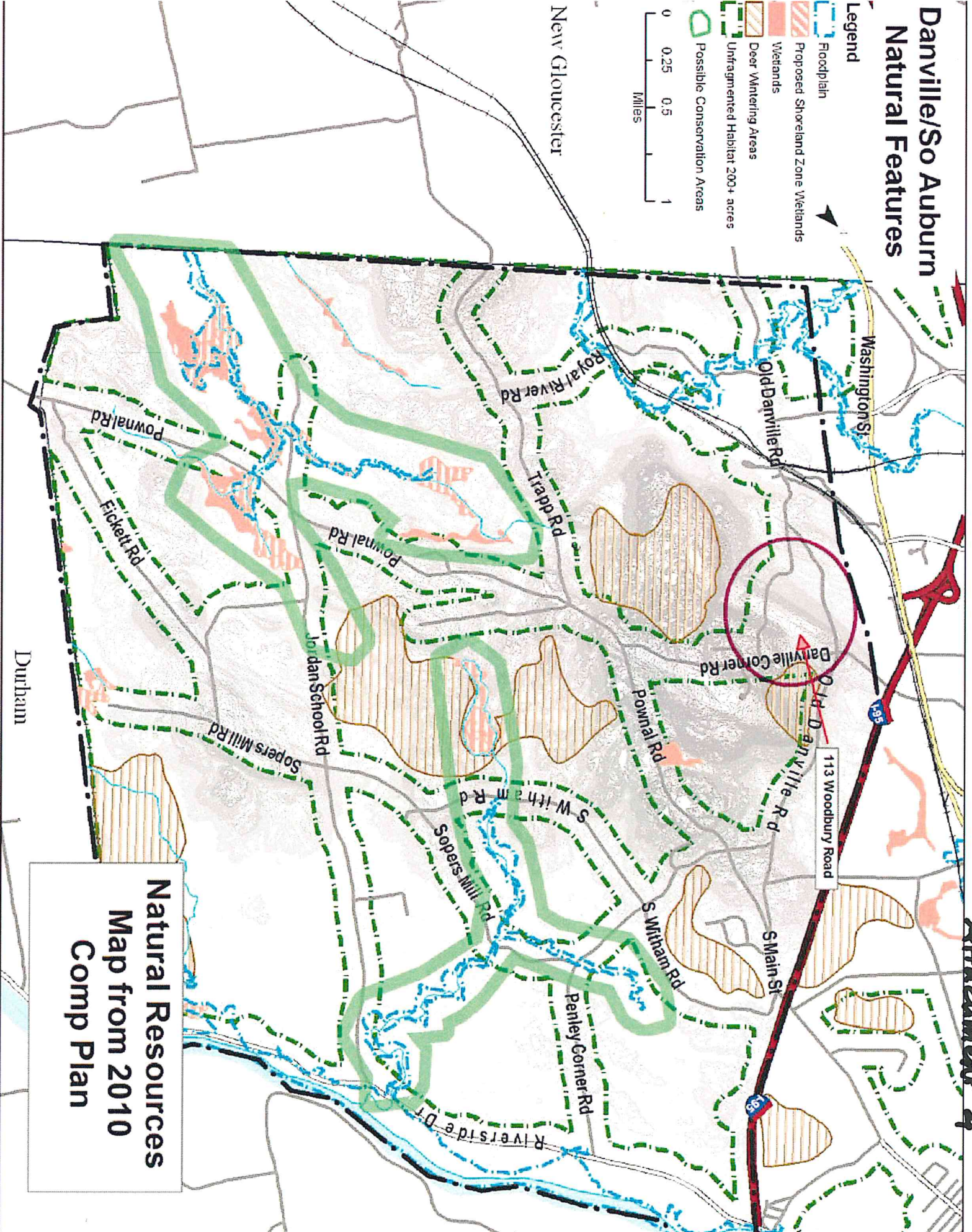
Working Map for Land Use from 2010 Comp Plan

# Danville/So Auburn Natural Features

**Legend**

- Floodplain
- Proposed Shoreland Zone Wetlands
- Wetlands
- Deer Wintering Areas
- Unfragmented Habitat 200+ acres
- Possible Conservation Areas

0 0.25 0.5 1  
Miles



New Gloucester

Durham

**Natural Resources  
Map from 2010  
Comp Plan**

May 12, 2009

To: Auburn Comprehensive Plan Committee

From: Mark Eyerman & Antje Kablitz

**RE: Danville/South Auburn**

At the May 21 meeting, the committee will address Danville/South Auburn. We will review current and future land use and transportation patterns and define area objectives and policies.

To help facilitate this discussion Mark and I have outlined a series of questions for the committee to review and think about ahead of the meeting. These questions are designed to help develop objectives for the Danville/South Auburn area to define the future development pattern and character given the current and future needs.

After establishing the area objectives, the committee will define policies the City will use to reach the objectives. Mark and I propose that the policy development focus on identifying the general types of uses that are appropriate, the general density/intensity of use that is desired, and the key development standards that should be established to reach the objectives.

Mark and I will use the objectives and policy decisions to develop a draft future land use description for Danville/South Auburn development and present them to the committee at a subsequent meeting.

Danville/ South Auburn include all land south of the turnpike and cover nearly 19 square miles. Historically the area was farm and forest land with Danville Village serving as the community center. Today, the majority remains rural in nature with residential development primarily near the turnpike and along existing roads.

The following outlines the current transportation and land use pattern in Danville/South Auburn and outlines some of the possible changes for the committee to consider when addressing development potential in the area.

## Transportation

Riverside Drive is a major collector that connects Auburn to points south including Durham, Freeport, and Brunswick. This commuter corridor supports upwards of 5,000 average daily trips.

The committee has discussed maintaining collector roads as designated traffic connectors and promoting access management to ensure that the roadway can continue to maintain high volumes of traffic safely and efficiently.

The Maine Turnpike Authority in conjunction with the City is currently looking at the possibility of establishing a new turnpike interchange at Riverside Drive. (A memo outlining the interchange project is on page 9.) While this project is still in its preliminary stages and no location has been officially announced, the potential of such a development in South Auburn will have a significant impact on future development.

If the turnpike interchange is developed, there will be increased traffic on Riverside Drive and the areas may see additional growth pressures because of it. This project could significantly alter the character of Riverside Drive opening it up for more intense non-residential development that would benefit from the proximity to a turnpike interchange.

The committee may want to address the potential redevelopment of Riverside Drive and look to establish development standards such as limited access and buffering to protect existing and future development from the potential increase in traffic.

## Residential Development

The majority of residential development is within the existing Rural Residential Zone that reaches from South Main Street to Danville Corner Road. Between 2000 and 2007,

three new subdivisions – Danbury Knoll, Eagle Ridge, and Spencer Drive were approved. Private well and septic systems serve all residential development in the area as no public serves extend beyond the turnpike into this area.

Additional residential development exists primarily along the residentially zoned strips abutting Riverside Drive and portions of Danville Corner/Pownal Road, and Trapp Road.

The committee has previously discussed the merits of allowing for additional residential development in rural areas and will be looking at where additional residential development may be appropriate based on the residential strip criteria under development.

### Agricultural/ Recreational Uses

There are a number of active farms and agriculture related businesses in the area, primarily along Riverside Drive. These are small family-owned operations that include livestock and equestrian facilities and crop farms. Forestlands along the Pownal line take part in the State Tree Growth tax program.

The CPC has expressed a desire to maintain the active agricultural businesses in the area and to support their continued growth and development.

Recreational uses include the Fox Ridge Golf Course off South Witham Road. During the committee's discussions of recreation policies, the City expressed a desire to establish a regional recreational facility to be located in South Auburn in particular if a new turnpike interchange were developed on Riverside Drive. This type of development fits in with the committee's current Agricultural District definition which would allow for the development of additional commercial recreational facilities.

## Natural Resources

Within Danville/South Auburn there are numerous areas of natural significance including streams/brooks, wetlands, deer wintering yards, and unfragmented habitats and corridors. The areas around the waterways including the undeveloped floodplains and wetlands over 10 acres have been identified by the state as possible resource protection areas based on the new state shoreland zoning requirements. The City is in the process of reviewing the state identified areas and will establish a new resource protection district to meet the state mandated requirements for protecting these sites.

The committee has identified other areas of significance such as deer wintering areas and unfragmented habitat. These areas are not only critical habitat for animals but also popular recreation areas for hunting and hiking. The committee is committed to preserving the sites as a way of preserving the rural/open space character of the community.

## Objective

Consider the following questions as you review the information on Danville/South Auburn and begin to define the future character/pattern of development. As part of the establishment of the Future Land Use Plan the committee needs to define how and where development will take place in the community. In Danville/South Auburn the committee should look at the future from three perspective – what areas should be *reserved* for future development consideration (land banked), what should be *preserved* and/or maintained as it is today, and what areas should be *changed* to allow for new/expanded uses.

The following series of questions begin to address these concepts and culminated in a draft objective for the committee to consider.

*Are there areas that should be considered “reserved” for future use/development?*

This question focuses on the traditional role of the AG Zone as a land bank that acts as a reserve for future development. Areas such as Riverside Drive are prime examples of sites where significant changes may occur that could alter the character of the road and the land surrounding it. Maintaining this land within an Agricultural District will allow for flexibility to rezone the area to meet the demands of a possible turnpike interchange.

The land between the turnpike, Soper Mill Brook, and South Witham Road would most likely see changes in use as it would become “prime” commercial real estate due to its proximity to an interchange. The area south of Soper Brook may see some increased traffic and additional development potential, however the pattern of development may not be as intense.

Maintaining the roadway itself as rural residential area with large frontage requirements and setbacks as well as provisions to buffer homes from the road and preserve the rural viewshed will help to protect the residences for the possible increases in traffic.

*Are there areas that should be permanent conservation areas – areas that have significant natural resources or open space value that should be preserved?*

The committee has decided to establish a Resource Protection District that will incorporate and permanently preserve all State defined significant natural resources. This includes undeveloped floodplains, wading bird and waterfowl habitat, and significant wetlands.

Additional areas the committee has looked at preserving include deer wintering areas, large unfragmented blocks, and wildlife corridors.

In the natural resource policies section, the committee established a desire for the city to preserve deer wintering yards beginning with those located on city-owned land (Strategy A.9.1.g).

As part of a “future land use placeholder” (Strategy A.9.1.b) the committee agreed to return to the topic of unfragmented habitat and wildlife corridor preservation to identify areas that should remain within an Agriculture District as a means of maintaining these open space and habitat connections. As the committee has discussed previously, there are areas of significant unfragmented habitat within Danville/South Auburn particularly along the New Gloucester line and the land farm land abutting Riverside Drive. These unfragmented areas are larger than 200 acres and serve as habitat for large animals. Preserving the interior of these areas as natural open space would provide for long-term habitat protection and retain the rural feel of the area.

*Are there areas that should be included in the rural residential designation (not including residential strips)?*

The current rural residential district extends along the turnpike from South Main Street to just about the New Gloucester line. Within this area, there are some pockets of agriculturally zoned land that may be suited for residential development. Three particular areas come to mind.

One is the strip of agriculturally zoned land along the turnpike. Once was a farm, this site is now primarily residential with the southern parcel being used as a DOT staging area. Part of the area may be well suited for residential designation as it sits within the established residential area and is close to the urban area. However, some natural constraints (steep slopes) development would limit where development could occur.

Another is the stretch of Old Danville Road from Danville Junction to the New Gloucester line. This area abuts existing residential development and may be an appropriate place for additional development providing an extension of the Danville community and enhance the rural village feel.

The third is the portion of South Witham Road abutting the Fox Ridge golf course. The committee has discussed the possibility of allowing limited residential development as part of an established recreational use. As such, this area may be appropriate for an extension of the rural residential housing. Much like the turnpike land, the proximity to existing development and the urban core make this area a reasonable place for growth that meets the city and state goals for limiting sprawl.

*Are there areas that should be included/removed from the rural residential strip designation?*

In addressing the role of development in the rural areas, the committee has discussed the merits of establishing residential strips along existing roads. These strips currently exist along Trapp Road, Pownal Road, and Riverside Drive. Taking into account the residential strip criteria voted on in the April meeting, do the current strips meet the test for development and/or are there other areas where such development may be feasible?

In setting the policies/strategies to meet the needs of the objectives outlined above the committee needs to define what types of uses are appropriate, the intensity of the use, and the key standards for development.

Consider the following questions as you review the information on Danville/South Auburn.

*What standards should be used when looking at the type and scale of residential development in the designated residential district?*

The committee outlined as part of the natural resource policy discussion a desire for rural residential development that protects natural resources and preserves the rural character. The committee identified two concepts for consideration – conservation subdivisions and low impact development standards.

Conservation subdivisions are major residential developments in which a significant portion of the site is set aside as common open space and permanently protected. The standards for this type of development allow for small clustered lots where the remainder of the land is permanently held as open space. In a typical town model the number of units allowed is based on the total net residential land, including that set aside as open space. As a result, the same number of units can be built as on a traditional subdivision only at a higher density with the remainder of the land preserved in perpetuity.

The open space is maintained through a stewardship requirement either tied to the homeowners or a conservation easement owned by the City or a land trust. Homeowner based conservation typically required owners to pay into a stewardship fund to cover the cost of long term maintenance and preservation of the communal open space lands. The purchaser, the city or a land trust, would be charged with maintaining a conservation easements.

The benefits of this type of development include reduced road costs (less road length required to serve the houses), reduced utility development costs, and permanent preservation of open space. This type of development, however, only looks at large development and does not address the impact of lot by lot single family development.

Low impact development (LID) standards are designed to mitigate the impact of impervious surfaces on natural resources, in particular water quality. The standards can apply to any project from a single lot development to subdivisions. The standards limit the amount of impervious surface (driveways, building footprints) and vegetative clearing allowed on a lot as a means of controlling the amount of stormwater runoff. Currently these standards are part of the Phosphorous Control Ordinance, which protects the Taylor Pond and Lake Auburn Watershed. Similar controls could be established in Danville/South Auburn as a means of curbing runoff and protecting area streams and rivers.

*Along Riverside Drive – does the committee support limiting access and preserving the corridor as a primary travel route?*

With the possible development of a turnpike interchange, the committee should be proactive in trying to protect the function of Riverside Drive as a collector while also limiting the impact additional traffic would have on the existing residential development. Establishing standards such as limited access (ample frontage standards, limited curb cuts, and/or limited ancillary road development) will ensure that traffic can continue to move efficiently through the area. Encouraging setbacks and buffering standards will ensure that the rural look and feel of the roadway is maintained and establish a gateway into the City.

**Possible Danville/South Auburn Objective:** *Maintain the rural character by promoting development criteria that protect the area's agricultural uses, open space, and natural resources. Use the comprehensive plan committee established criteria when determining where new residential development occurs and ensure that the character and intensity of use reflects the rural pattern and allows enough lot and house placement flexibility to preserve agricultural land and rural viewsheds. Along Riverside Drive, encourage limited access to maintain the commuter corridor and prepare for the possible development of a new turnpike interchange.*

**Doug Greene**

---

**From:** Mark Eyerman [meyerman@planningdecisions.com]  
**Sent:** Wednesday, December 03, 2014 1:21 PM  
**To:** Doug Greene  
**Subject:** Re: Future Land Use at 113 Woodbury Road

Doug:

Here is what I can tell you:

1. I looked at the material you sent and Google Earth and I don't recall at this point any particular discussion about this specific parcel or area but there probably was. The committee spent a lot of time on this issue.
2. During the Committee's discussion of outlying areas of the City, there were contrasting points of view among the committee members on how to treat "rural" areas and the roadside development strips. The committee spent a great deal of time wrestling with this issue and developed a set of criteria that are included in the plan for determining what land should be designated for rural residential development along road corridors. You should look at those criteria - I think they are on pages 70-71 of the document or are right around there in the Other Land Use Policies section.
3. A major consideration in designating land as rural/agriculture was the availability of public services especially a paved road and fire protection water supplies. An important driver in these discussions was avoiding the need for the City to make substantial investments in upgrading gravel or badly deteriorated paved roads as a result of residential development. There is some discussion of this in the public services policy section. The committee looked at the potential costs of reconstructing or paving rural roads if residential development occurred and tried to structure the land use plan to minimize that liability. That may have been a consideration with respect to the Woodbury Hill Road but I'm not sure about that.
4. There was also a sense that land that was in active use for agricultural purposes in outlying areas should be protected from development and included in the rural/ag designation. In looking at Google Earth, it appears that a portion of this land has been an open field for years - I don't know if it is/was used for agriculture but that might have played into the committee's thinking.
5. Finally, the committee had a lot of discussion about fire protection in the portion of the community outside of the area serviced by water mains and hydrants. In the end, they did not include it in the criteria for determining roadside residential strips but it was an ongoing discussion. At that time, the Fire Department expressed concern about the lack of fire protection water supplies in the outlying areas as well as response times and the implications for the department that was set up essentially as an urban department with very limited capacity to transport water like a rural department does. If I remember correctly, the ISO rating for much of this area is maybe an 8 or 9 essentially indicating that it is an unprotected area. Again, I don't know if this was a consideration for this particular area, but it was part of the thinking process to discourage large-scale residential development in areas that are not served by hydrants.

I hope this helps as you look at this situation.

Mark

**Mark Eyerman, President**  
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Portland, ME 04101-3406  
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[www.planningdecisions.com](http://www.planningdecisions.com)

all areas subject to shoreland zoning under state law. It establishes water body setback requirements and performance standards, and is being updated to reflect current state requirements.

### 3. RURAL RESIDENTIAL ROAD STRIPS

The City has historically zoned narrow strips of land along some rural roads for low density residential development. These strips represent a compromise between the City's goal of limiting residential development in rural areas, and existing conditions along these rural roads. As part of the development of the Future Land Use Plan (see Chapter 2), the City conducted a comprehensive review of where residential strips should and should not be created based upon the following set of criteria. The considerations outlined below apply sequentially – first to identify where strips are appropriate based on current land use patterns, and then to work through where residential strips are inappropriate based on a variety of considerations.

#### *Consideration #1 – Established Residential Pattern*

A residential strip **may be provided** along a rural road where there is an established pattern of residential uses along the road. An established residential pattern means at least 6-8 homes per half mile counting both sides of the road. In general, both sides of a road should have a residential strip unless there is a significant reason not to allow residential development based on the following considerations.

#### *Consideration #2 – Reserve Area Adjacency*

A residential strip **should not be provided** along a rural road if the area adjacent to the road is a "reserve area" where the objective is to maintain the land as undeveloped to allow for its conversion to a different use in the foreseeable future. There should be some realistic expectation that something will occur that will change the desired land use for the area in the future.

#### *Consideration #3 – Natural Resource Adjacency*

A residential strip **should not be provided** along a rural road if the area adjacent to the road has significant natural resource value. Areas with significant natural value include areas that are zoned Resource Protection or are high value wetlands, 100 Year floodplains, significant wildlife habitats, and areas with steep slopes (>25%).

### *Consideration #4 – Conservation/Open Space Adjacency*

A residential strip **should not be provided** along a rural road where the adjacent land is protected open space, or where there is a reasonable expectation that the land will be preserved as open space in the foreseeable future, and residential development is inconsistent with that open space use.

### *Consideration #5 -- Ability to Provide Public Services*

A residential strip **should not be provided** along a rural road if residential development will tax the City's ability to provide municipal services as indicated by the following:

- The road is a gravel or dirt road
- The road is a poorly maintained paved road that will need to be improved to support residential development along it

### *Consideration #6 – Water Quality Protection*

A residential strip **should not be provided** along rural roads with undeveloped frontage that are located in the watershed of Lake Auburn, unless such development will not have an adverse impact on the lake's water quality.

The Future Land Use Plan (see Chapter 2) shows the areas where low density residential development is proposed to be allowed along rural roads based on these criteria. These criteria should be used in the future to review the areas designated as residential strips as conditions change, or to review property owner-initiated requests for rezoning.

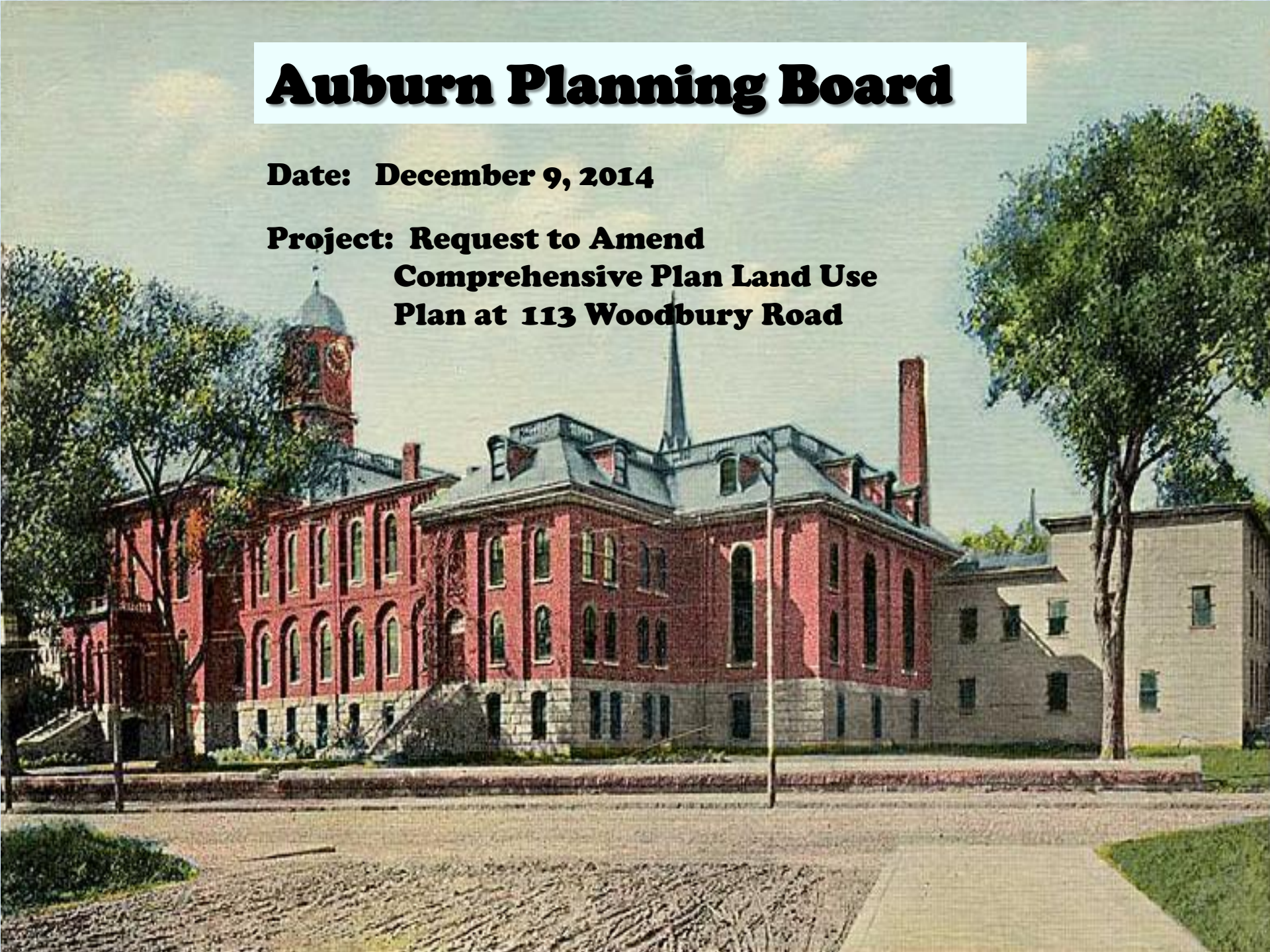
## **4. NEIGHBORHOOD BUSINESS DISTRICTS**

The City has a number of neighborhood businesses that are located within residential neighborhoods. It is the City's policy to support the retention and improvement of these businesses since they offer a valuable service to the City's residents. It is also the City's policy to encourage the owners of these properties to reinvest in maintaining and improving these buildings. To accomplish these objectives, the Future Land Use Plan (see Chapter 2) designates these properties as Neighborhood Business Districts. The standards for these districts allow the existing nonresidential use to be maintained and improved, as long as it is compatible with the surrounding neighborhood. The standards also allow for replacing an existing use with a new nonresidential use (other than service stations and auto service facilities), as long as it is appropriate for the neighborhood. The primary objective in creating these districts is to encourage the retention of these neighborhood businesses. As long as the property includes nonresidential space, whether occupied or not, the property should remain in the Neighborhood Business District to allow re-occupancy by an appropriate nonresidential use.

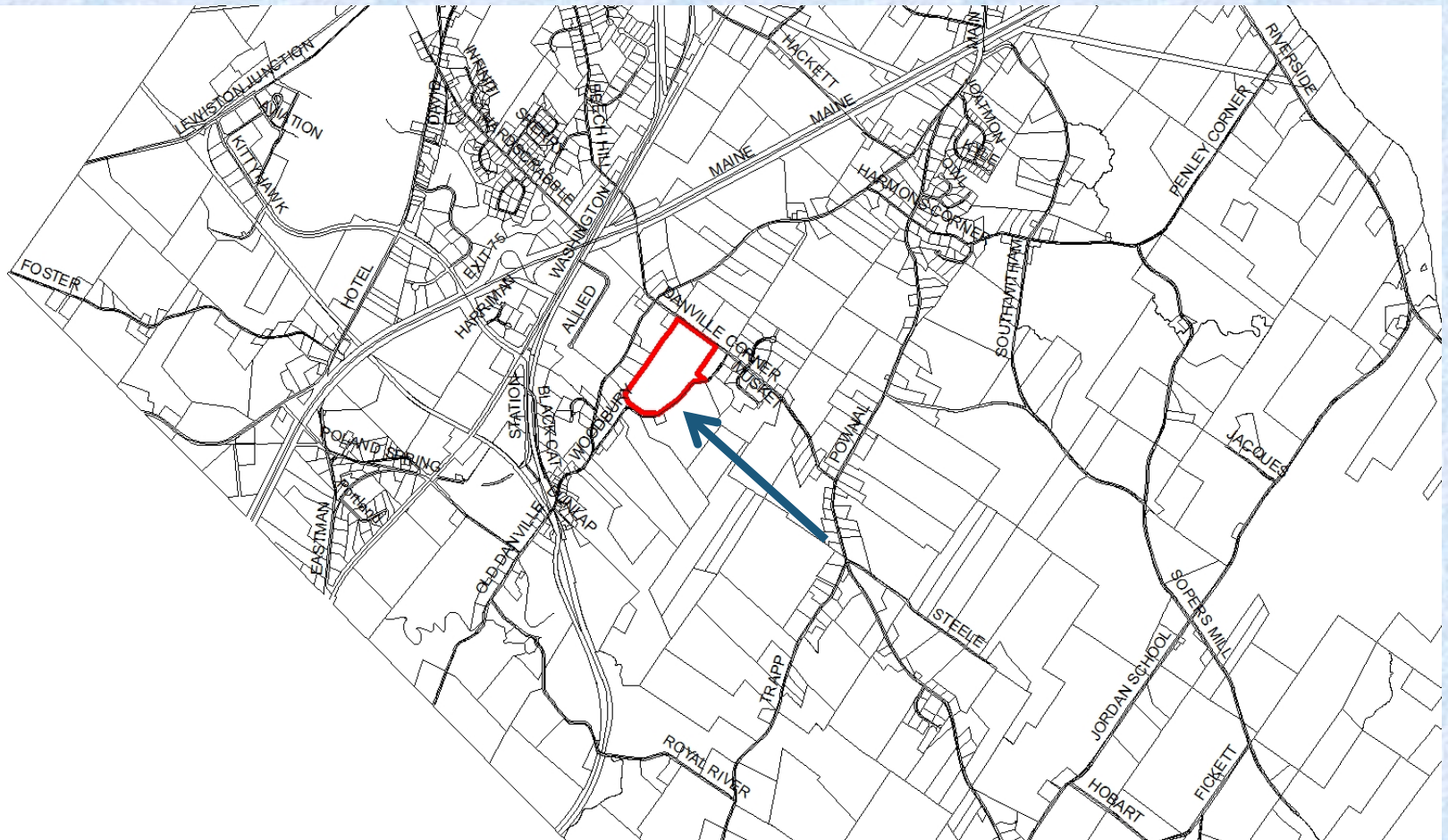
# **Auburn Planning Board**

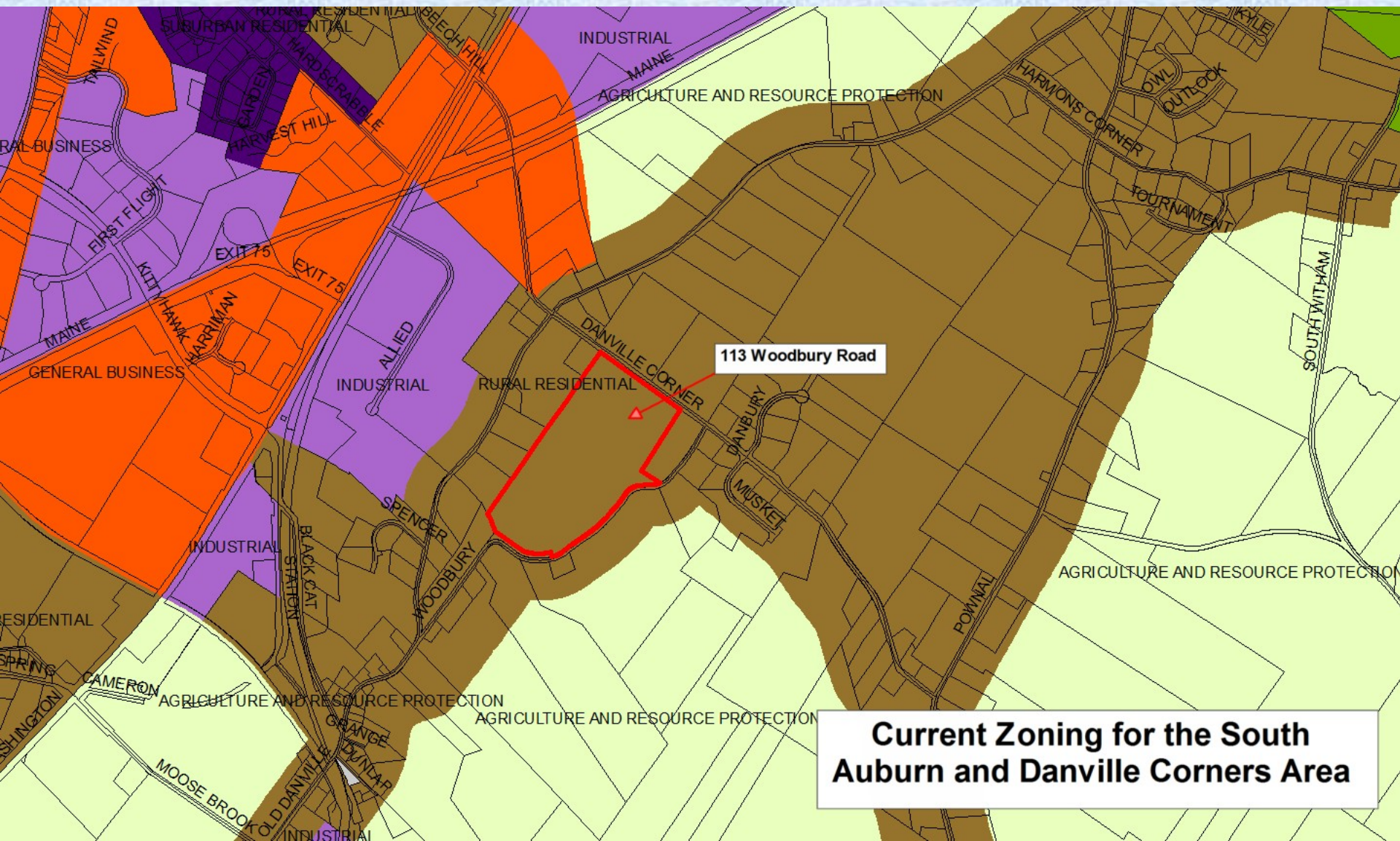
**Date: December 9, 2014**

**Project: Request to Amend  
Comprehensive Plan Land Use  
Plan at 113 Woodbury Road**



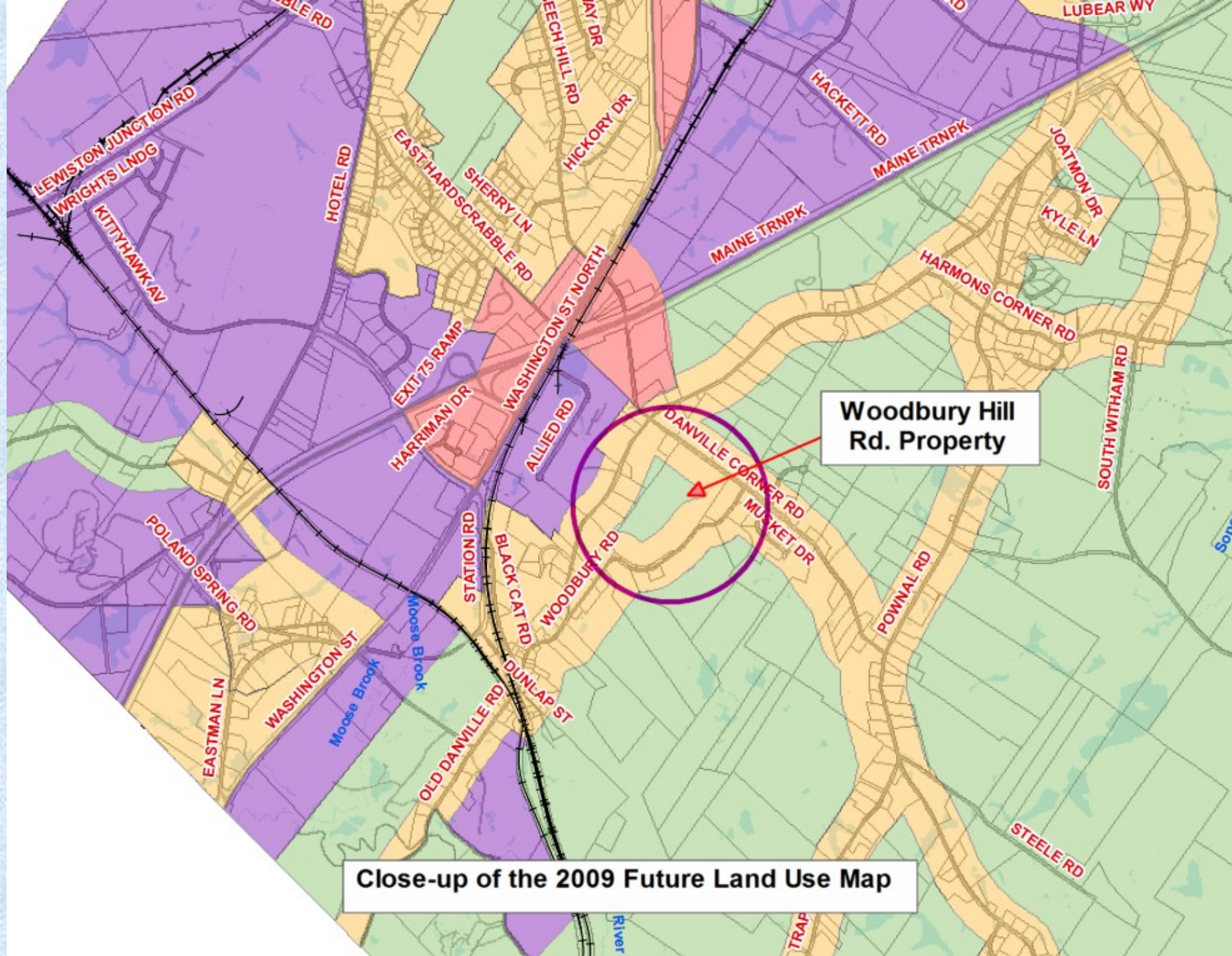
**The Staff is asking the Planning Board to amend the 2010 Comprehensive Plan's Land Use Map for a property located on Woodbury Hill Road (PID# 110-009). This property was purchased with the intent of developing a residential subdivision. The property is currently zoned Low Density Rural Residential which, allows one acre lots.**





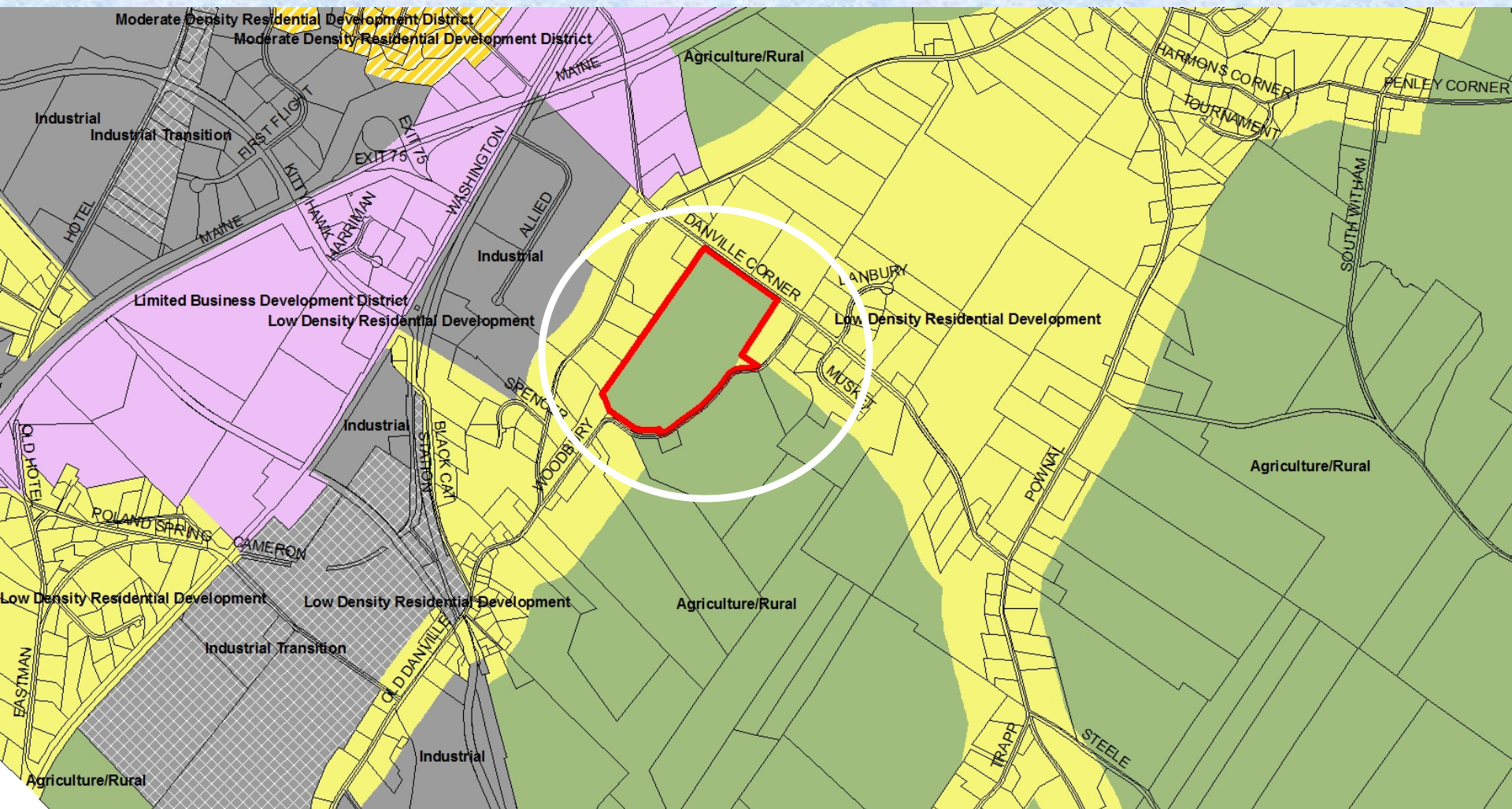
**Current Zoning for the South Auburn and Danville Corners Area**

**This property is zoned entirely Low Density Rural Residential including the surrounding areas.**



**Woodbury Hill  
Rd. Property**

**Close-up of the 2009 Future Land Use Map**



**The 2010 Comprehensive Future Land Use Map however, shows the property to be recommended as Agriculture/Rural future land use.**

**At last month's meeting, the Planning Board asked staff to research additional 2010 Comprehensive Plan information and to interview participants in the process.**

**Staff interviewed Richard Whiting, a Co-Chair of the Comprehensive Plan Committee and Mark Eyerman, the lead consultant for the 2010 Comprehensive Plan. Both interviews are described in the staff report.**

**The following (working) maps are from the 2010 Comprehensive Plan files.**

# Danville/So Auburn

## Legend

### Zoning Districts

- General Business
- Industrial
- Rural Residential
- Low Density Country Residential
- Other Zones
- AG Zone
- Active Farm Land
- Tree Growth
- Golf Course
- Manufactured Housing Overlay
- Approved Subdivision
- Floodplain
- Possible Conservation Areas
- Possible Residential Areas
- Possible Reserve Area

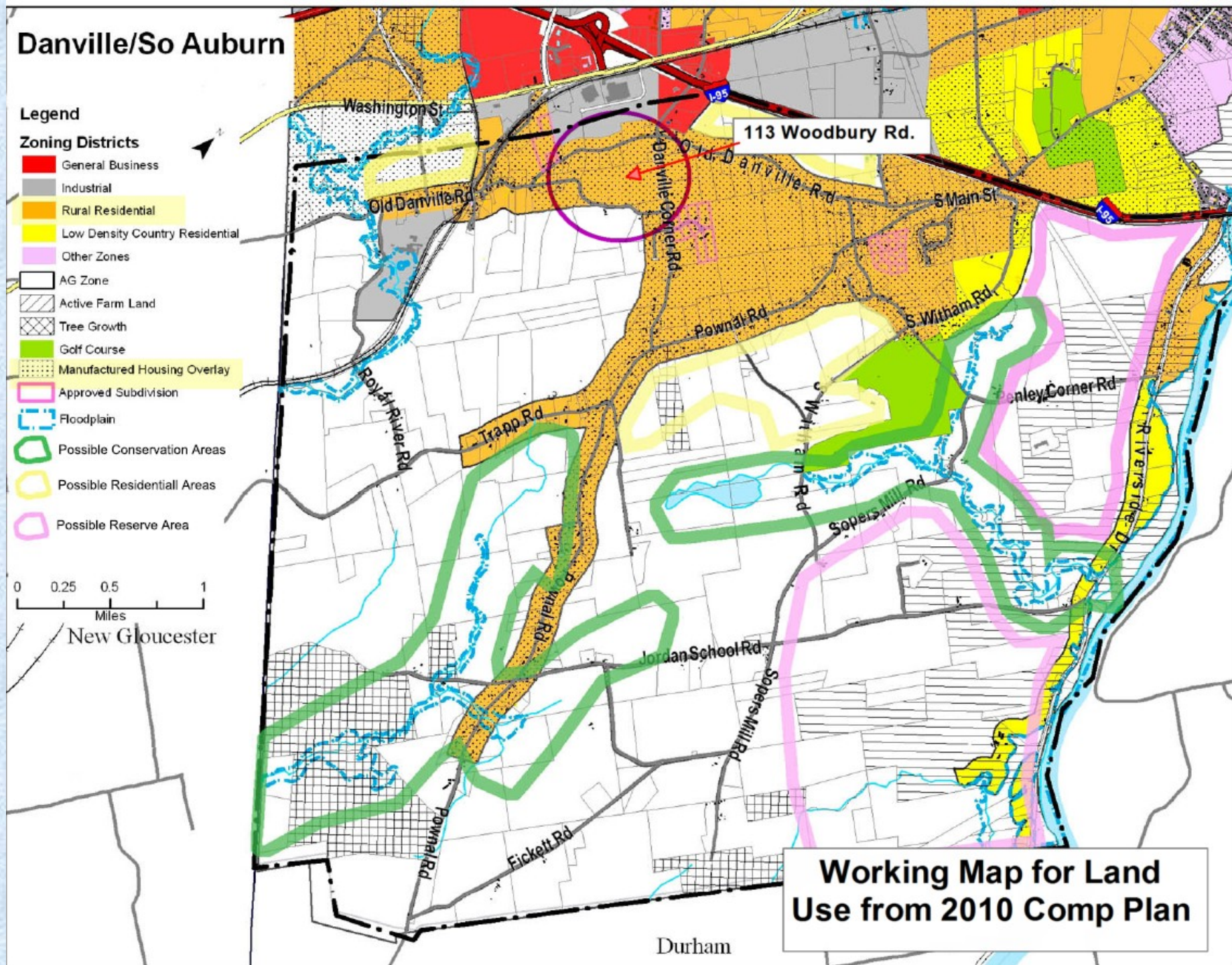
0 0.25 0.5 1  
Miles

New Gloucester

Durham

113 Woodbury Rd.

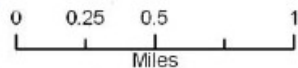
Working Map for Land  
Use from 2010 Comp Plan



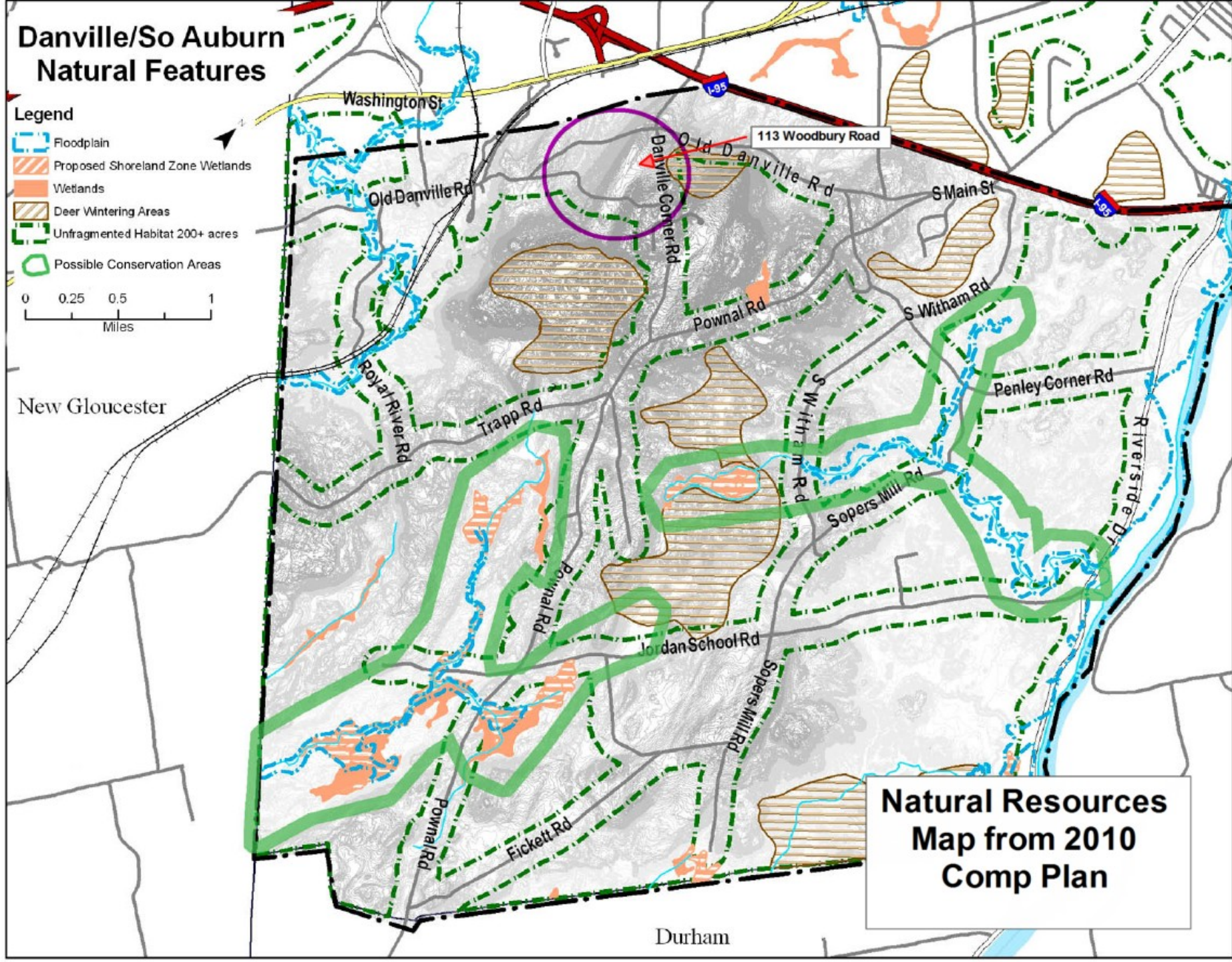
# Danville/So Auburn Natural Features

## Legend

- Floodplain
- Proposed Shoreland Zone Wetlands
- Wetlands
- Deer Wintering Areas
- Unfragmented Habitat 200+ acres
- Possible Conservation Areas



New Gloucester



Natural Resources  
Map from 2010  
Comp Plan

ALLIED

Danville Corners Road is a paved, improved road.

Gas Line

DANVILLE CORNER

OLD DANVILLE

WOODBURY

Woodbury Road is an unimproved road.



400 Danville Corner Rd  
Auburn, Maine  
Street View - Apr 2012





Danville Corners Road

Rotate the view

Google



+

-



In conclusion, the final Future Land Use Map and its recommendation from the 2010 Comprehensive Plan for the property on Woodbury Hill Road (PID# 110-009) does not follow the progression of development patterns from the 2009 Future Land Use (FLU) Plan nor does it coincide with the actual zoning of today on the property or the surrounding properties.

The property owner purchased the property with the understanding that because the property was entirely zoned Low Density Rural Residential, it was eligible to be developed accordingly and a subdivision plan was prepared.

The criteria for Planning Board approval of a subdivision includes consideration of the future land use plan. The FLU's recommendation of Ag needs to be changed in order to allow the Woodbury Road Subdivision Plan to move forward.

The Staff recommends **APPROVAL** of changing the Future Land Use Designation for the property located at 113 Woodbury Road (PID # 110-009) from Agricultural/Rural to Low Density Residential with the following findings:

1. The 2010 Future Land Use of Agricultural/Rural for the property is inconsistent with the current zoning of Low Density Rural Residential.
2. The 2010 Comprehensive Plan's working minutes, mapping and interviews from the lead consultant and chairman of the Comprehensive Plan Committee provide a record that show the property at 113 Woodbury Road:
  - a. Was designated as Rural Residential and Manufactured Housing on working maps for this area.
  - b. Was not indicated as having significant natural resources to protect.
  - c. No specific request was made on 113 Woodbury Road to have its future land use designated Agricultural/Rural.
3. The property at 113 Woodbury Road has 1,100 feet of improved road frontage along Danville Corner Road.
4. The predominant land use in the area is Low Density Residential and Rural Residential zoning.

Questions?

Danville Corners Area  
Buildings Constructed Since 1980 (in gray)

ParcelID	Loc	YearBuilt	TotalAcres
095-023	975 OLD DANVILLE RD	1776	15.47
096-004	144 WOODBURY RD	1779	43.91
122-007	647 OLD DANVILLE RD	1789	2.31
122-001	691 OLD DANVILLE RD	1800	2.17
095-031	320 WOODBURY RD	1820	2.19
095-010	127 BLACK CAT RD	1820	2.37
110-011	263 DANVILLE CORNER RD	1832	12.77
097-001	575 DANVILLE CORNER RD	1840	41.41
122-002	241 DANVILLE CORNER RD	1855	1.16
122-015	254 DANVILLE CORNER RD	1867	2.58
081-012	1081 OLD DANVILLE RD	1870	0.34
095-019	1045 OLD DANVILLE RD	1870	0.75
095-030	976 OLD DANVILLE RD	1870	3.04
095-036	1044 OLD DANVILLE RD	1870	98.46
095-037	1060 OLD DANVILLE RD	1880	0.23
095-014	27 BLACK CAT RD	1880	0.39
081-019	16 GRANGE ST	1880	0.45
095-016	1075 OLD DANVILLE RD	1890	0.22
095-013	37 BLACK CAT RD	1890	0.31
081-011	1091 OLD DANVILLE RD	1890	0.48
081-015	1104 OLD DANVILLE RD	1890	0.53
109-014	193 BLACK CAT RD	1890	9.48
095-017	1065 OLD DANVILLE RD	1900	0.35
081-017	15 GRANGE ST	1900	0.79
096-001	285 WOODBURY RD	1900	5.18
095-032	340 WOODBURY RD	1905	0.5
095-020	1033 OLD DANVILLE RD	1920	0.2
081-029	40 GRAIN MILL RD	1920	0.22
081-020	1120 OLD DANVILLE RD	1920	0.27
081-021	2 DUNLAP ST	1920	0.27
081-013	1086 OLD DANVILLE RD	1920	0.34
095-018	1057 OLD DANVILLE RD	1920	0.4
095-038	1070 OLD DANVILLE RD	1920	0.54
095-021	1017 OLD DANVILLE RD	1920	3.62
095-012	61 BLACK CAT RD	1920	5.54
110-008	37 WOODBURY RD	1920	5.7
081-014	1096 OLD DANVILLE RD	1927	0.27
081-018	25 GRANGE ST	1927	1.93
095-035	1034 OLD DANVILLE RD	1940	5.1
083-010	725 DANVILLE CORNER RD	1940	35.93
081-026	45 DUNLAP ST	1942	0.25
095-033	998 OLD DANVILLE RD	1942	49.23
081-023	32 DUNLAP ST	1946	0.75
081-022	24 DUNLAP ST	1952	0.78

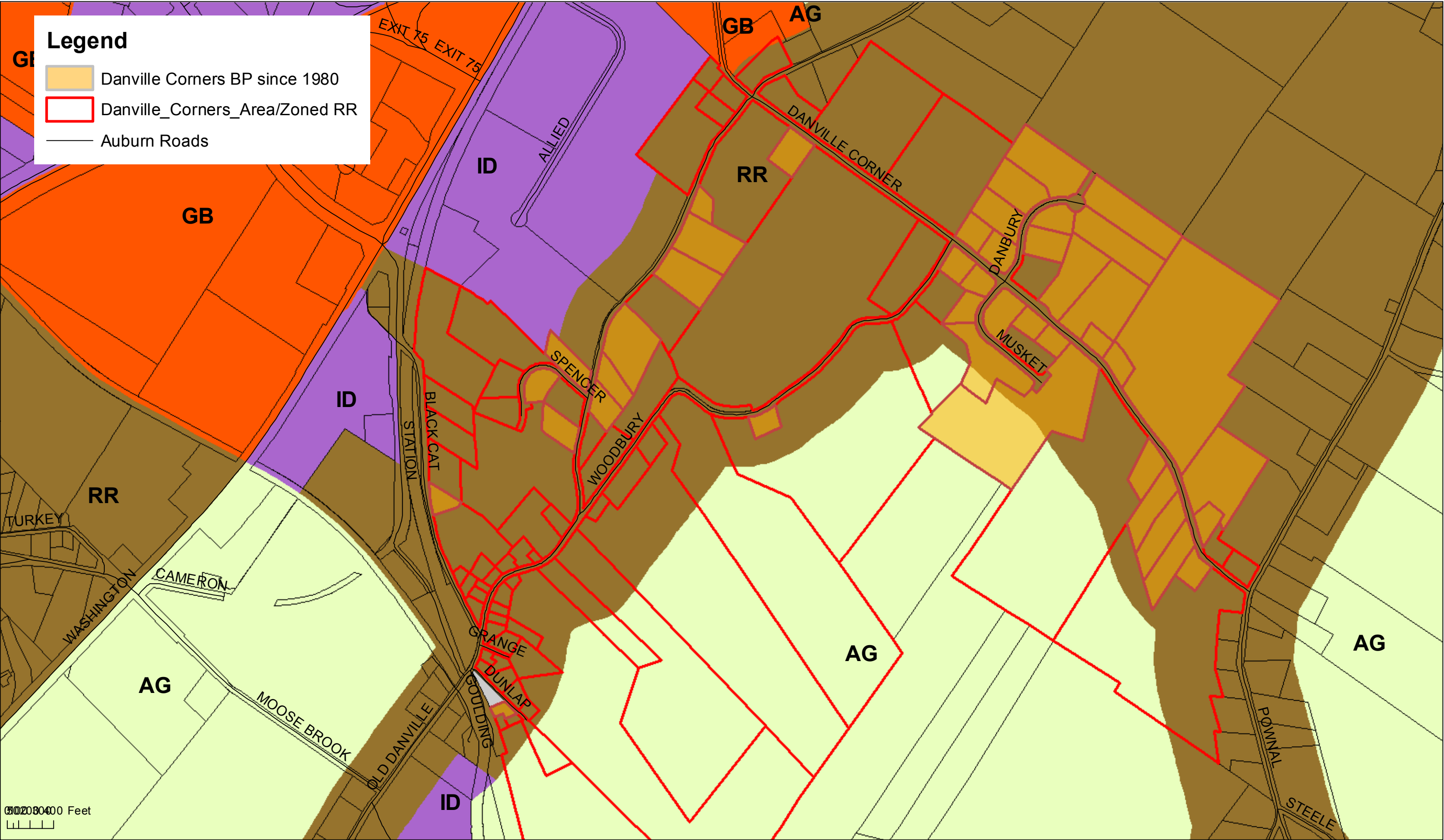
Danville Corners Area  
Buildings Constructed Since 1980 (in gray)

095-009	161 BLACK CAT RD	1961	2.59
097-008	704 DANVILLE CORNER RD	1965	1.05
110-001	711 OLD DANVILLE RD	1966	7.9
095-024	923 OLD DANVILLE RD	1969	1.86
095-029	934 OLD DANVILLE RD	1970	1.15
110-003	386 DANVILLE CORNER RD	1974	15.93
110-006	52 WOODBURY RD	1976	8
096-006	280 WOODBURY RD	1978	1.2
110-012	856 OLD DANVILLE RD	1982	4.83
097-007	672 DANVILLE CORNER RD	1983	1.2
111-016-011	486 DANVILLE CORNER RD	1985	4.6
111-009	447 DANVILLE CORNER RD	1987	1.1
111-002	491 DANVILLE CORNER RD	1987	1.17
097-019	639 DANVILLE CORNER RD	1987	2.84
097-018	653 DANVILLE CORNER RD	1987	3.11
111-001	511 DANVILLE CORNER RD	1988	1.07
111-017	528 DANVILLE CORNER RD	1989	1
111-008	23 MUSKET DR	1989	1.3
110-004	8 WOODBURY RD	1989	1.35
095-028	920 OLD DANVILLE RD	1989	1.57
095-027	892 OLD DANVILLE RD	1989	1.65
097-017	671 DANVILLE CORNER RD	1991	2.98
081-027	39 DUNLAP ST	1995	0.46
097-016	691 DANVILLE CORNER RD	1995	1.36
097-002	525 DANVILLE CORNER RD	1995	20.5
097-004	59 MUSKET DR	1999	5.15
097-005-001	550 DANVILLE CORNER RD	2000	1.38
095-025	931 OLD DANVILLE RD	2000	1.72
095-026	903 OLD DANVILLE RD	2000	1.98
110-010	281 DANVILLE CORNER RD	2000	2.03
111-004	34 MUSKET DR	2000	2.18
110-011-001	784 OLD DANVILLE RD	2000	4.15
097-005	628 DANVILLE CORNER RD	2000	40.12
110-011-002	800 OLD DANVILLE RD	2002	3.66
111-016-001	418 DANVILLE CORNER RD	2004	1.4
111-016-009	33 DANBURY DR	2004	2.1
111-016-003	42 DANBURY DR	2004	2.6
111-016-005	72 DANBURY DR	2004	5.5
111-016-002	8 DANBURY DR	2005	1.7
097-001-001	615 DANVILLE CORNER RD	2005	2.07
111-016-004	60 DANBURY DR	2005	3.3
111-016-006	88 DANBURY DR	2005	5.7
111-016-008	65 DANBURY DR	2006	1.6
111-016-007	85 DANBURY DR	2006	5
110-011-004	760 OLD DANVILLE RD	2007	1

Danville Corners Area  
Buildings Constructed Since 1980 (in gray)

111-016-012	512 DANVILLE CORNER RD	2007	6.5
097-006	646 DANVILLE CORNER RD	2007	8.05
096-004-001	160 WOODBURY RD	2008	1.15
095-011	95 BLACK CAT RD	2009	0.96
095-025-001	56 SPENCER DR	2010	1.42
097-001-000-002	599 OLD DANVILLE RD		0
081-024	48 DUNLAP ST		0.37
097-005-000-001	580 DANVILLE CORNER RD		0.5
097-001-000-001	599 DANVILLE CORNER RD		0.5
095-015	OLD DANVILLE RD		0.65
095-022	1007 OLD DANVILLE RD		0.74
081-016	GRANGE ST		0.77
097-009	741 POWNAL RD		1.2
095-025-004	79 SPENCER DR		1.75
095-025-003	61 SPENCER DR		1.79
111-005	58 MUSKET DR		2.19
111-016-010	15 DANBURY DR		2.2
110-005	32 WOODBURY RD		2.3
095-009-001	BLACK CAT RD		2.4
110-011-003	832 OLD DANVILLE RD		4.78
095-025-002	45 SPENCER DR		7.16
110-002	DANVILLE CORNER RD		16.54
095-034	1016 OLD DANVILLE RD		32.7
096-005	WOODBURY RD		42.89
081-037	GRAIN MILL RD		53.21
110-009	113 WOODBURY RD		56.61

# Danville Corners Area- Building Constructed Since 1980



Tizz E. H. Crowley, Ward One  
Robert Hayes, Ward Two  
Mary Lafontaine, Ward Three  
Adam R. Lee, Ward Four



Leroy Walker, Ward Five  
Belinda Gerry, At Large  
David Young, At Large

Jonathan P. LaBonte, Mayor

## **IN CITY COUNCIL**

### **ORDER 06-01202015**

ORDERED, that the Auburn City Council hereby approves the future land use map amendment to the 2010 Comprehensive Plan for the property located at 113 Woodbury Road, (PID # 110-009) from its current future land use designation of Agricultural/Rural to a future land use designation of Low Density Residential.



## City Council Information Sheet

City of Auburn

**Council Workshop or Meeting Date:** 1-20-15

**Ordinance** 01-01202015

**Author:** Doug Greene, City Planner

**Subject:** Amendment to Part II, Code of Ordinance, Chapter 2, Administration, Article V, Boards, Commissions and Committees, Division 4, Planning Board

**Information:** For a number of years, the Auburn Code of Ordinances did not contain a section on the City's Planning Board. Last year, that section was finally put back in. During 2014, the Planning Board reviewed this section, came to a consensus on revisions and now presents this amended ordinance to the City Council for adoption.

**Advantages:** The proposed amendment will make some simple corrections primarily to acknowledge Associate Planning Board Members and other housekeeping changes.

**Disadvantages:** None.

**City Budgetary Impacts:** None

**Staff Recommended Action:** Approval of the proposed

**Previous Meetings and History:** The Planning Board reviewed and discussed this over the course of 3 different meetings. City Council workshop on 1/5/2015.

**Attachments:**

1. Memo
2. Proposed Amended Code of Ordinance for the Auburn Planning Board. (Track changes version)
3. Memo from the Auburn Planning Board to the City Council regarding the proposed amendment.
4. Ordinance 01-01202015

# City of Auburn, Maine

*"Maine's City of Opportunity"*

## Office of Planning and Development

To: Mayor LaBonte and City Council

From: Douglas M. Greene, AICP, RLA; City Planner **DMG**

Date: January 14, 2015

RE: Amendment to Planning Board Code of Ordinance

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The City Council reviewed an amendment to the Planning Board section from the City Code of Ordinances at their work session on January 5, 2015. During the work session, Mayor LaBonte asked Planning Board Chairman Robert Bowyer if the Planning Board would be interested in having 2 meetings per month in order to address other planning issues outside of their normal application review.

The City Planning Board met last night and discussed this question and I would like to report to you their consensus opinion.

1. The Planning Board respectfully asks the Council not change the language in the ordinance to increase scheduled meetings to twice a month.
2. The members are willing to have special or additional meetings on an as needed basis and the ordinance allows for that.
3. They ask the Council to provide them with a prioritized list of projects or studies, with an understanding that the Form Based Code and a Study of the Agricultural and Resource Protection Zone are close to getting started. They are also working on residential zone updates and a flexible re-use of historic or institutional structures.
4. On a separate, but related issue, the City Planning Board would like the City Council to consider re-establish having a liaison from the City Council to the City Planning Board.

The City Planning Board appreciates the opportunity to work with you on this effort.

C: File

Tizz E. H. Crowley, Ward One  
Robert Hayes, Ward Two  
Mary Lafontaine, Ward Three  
Adam R. Lee, Ward Four



Leroy Walker, Ward Five  
Belinda Gerry, At Large  
David Young, At Large

Jonathan P. LaBonte, Mayor

## IN CITY COUNCIL

### ORDINANCE 01-01202015

Be it ordained by the Auburn City Council, that it hereby approves an amendment to the City of Auburn's Code of Ordinances, Part II, Article V., Boards, Commissions and Committees, Division 2, Planning Board as attached.

PART II - CODE OF ORDINANCES  
Chapter 2 - ADMINISTRATION  
ARTICLE V. - BOARDS, COMMISSIONS AND COMMITTEES  
  
DIVISION 4. PLANNING BOARD

***DIVISION 4. PLANNING BOARD***

Revised at 9/9/14 and  
10/14/14 PB meetings

[Sec. 2-466. Membership: appointment, removal, terms, vacancies.](#)

[Sec. 2-467. Chairperson and vice-chairperson.](#)

[Sec. 2-468. Staff secretary: minutes, public records.](#)

[Sec. 2-469. Quorum and necessary vote.](#)

[Sec. 2-470. Meetings, hearings and procedures.](#)

[Sec. 2-471. Workshop or informational meetings.](#)

[Sec. 2-472. Record and decisions.](#)

[Sec. 2-473. Conflicts.](#)

[Sec. 2-474. Appeals.](#)

[Sec. 2-475. Jurisdiction and authority.](#)

[Sec. 2-476. Committees.](#)

[Secs. 2-477—2-482. Reserved.](#)

Sec. 2-466. Membership: appointment, removal, terms, vacancies.

- (a) There shall be a planning board of seven regular and two associate members. Members of the planning board shall be residents of the city and shall not be officers or employees of the city. Persons appointed by the city council to serve on other boards, agencies, panels, and or commissions shall not serve concurrently on the planning board. Members shall serve without compensation.
- (b) Regular ~~M~~members of the planning board shall be appointed by the city council for terms of three years. Such terms shall be staggered so that the term of not more than three members shall expire in any calendar year. Incumbent members of the planning board shall serve for the balance of their terms and thereafter until their successors are appointed.
- (c) The City Council shall appoint two associate members for a term of three years each. Such terms shall be staggered so that the terms of not more than one associate member, expires in any calendar year. Associate members may participate in deliberations of the Planning Board but shall not vote unless temporarily acting on behalf of a regular member who is absent or has been recused.
- ~~(ed)~~ Permanent vacancies on the planning board shall be filled by the city council for the unexpired term of the former member.
- ~~(de)~~ Any member of the planning board may be removed for cause by the city council at any time; provided, however, that before removal such members shall be given an opportunity to be heard in his own defense at a public hearing before the city council.
- (f) The Planning Board may appoint a high school student advisory representative who is a high school student residing in Auburn for a one year term. The student advisory representative may participate in deliberations of the Planning Board but shall not be entitled to vote.

(Ord. of 5-7-1979; Ord. No. 02-04012013, att. A, 4-16-2013)

PART II - CODE OF ORDINANCES  
Chapter 2 - ADMINISTRATION  
ARTICLE V. - BOARDS, COMMISSIONS AND COMMITTEES  
  
DIVISION 4. PLANNING BOARD

**Sec. 2-467. Chairperson and vice-chairperson.**

The members of the planning board shall annually elect one of the board members as chairperson to preside at all meetings and hearings, and another of their number as vice-chairperson. In the absence of the chairperson, the vice-chairperson shall act as chairperson and shall have all the powers of the chairperson. If no Chairperson or Vice-Chairperson is present or able to preside over an agenda item, the attending members may elect an acting Chairperson.

(Ord. of 5-7-1979; Ord. No. 02-04012013, att. A, 4-16-2013)

**Sec. 2-468. Staff secretary: minutes, public records.**

- (a) The ~~city planner~~ Director of Planning and Development shall designate a member of ~~his~~ their staff who shall serve as staff secretary of the planning board and attend all of its proceedings.
- (b) The staff secretary shall provide for the keeping of minutes of the proceedings of the planning board, noting the vote of each member on every question, or the member's absence or failure to vote, and shall maintain the permanent records and decisions of all planning board meetings, hearings, and proceedings and ~~all~~ correspondence of the planning board.

(Ord. of 5-7-1979; Ord. No. 02-04012013, att. A, 4-16-2013)

**Sec. 2-469. Quorum and necessary vote.**

- (a) As to any matter requiring a public hearing, no business shall be transacted by the planning board without a quorum, consisting of four members, being present. The concurring vote of at least four members shall be necessary to authorize any action by the board. ~~If the requisite votes are not present the matter shall be tabled.~~
- (b) If less than a quorum is present, the hearing ~~may~~ shall be ~~adjourned~~ rescheduled. The staff secretary shall notify in writing all members of the date of the ~~adjourned~~ reschedule hearing and shall notify such other interested parties as may be directed in the vote to reschedule ~~of adjournment~~.

(Ord. of 5-7-1979; Ord. No. 02-04012013, att. A, 4-16-2013)

**Sec. 2-470. Meetings, hearings and procedures.**

- (a) Regular meetings of the planning board shall be held at the call of the chairperson or as provided by rule of the board. Special meetings may be called by any four members of the planning board, or at the request of the city council. Testimony at any hearing may be required by the planning board to be given under oath.
- (b) The planning board shall adopt its own rules for the conduct of its business not inconsistent with this chapter and with state law. Such rules shall be filed with the staff secretary of the planning board and with the city clerk. Any rule so adopted that relates solely to the conduct of hearings, and that is not required by the city council, this chapter or state law, may ~~be~~ be waived by the chairperson upon good cause being shown.

(Ord. of 5-7-1979; Ord. No. 02-04012013, att. A, 4-16-2013)

PART II - CODE OF ORDINANCES  
Chapter 2 - ADMINISTRATION  
ARTICLE V. - BOARDS, COMMISSIONS AND COMMITTEES

DIVISION 4. PLANNING BOARD

**Sec. 2-471. Workshop or informational meetings.**

Informal meetings or workshops of the planning board or any of its committees may be held at the call of any of its members or the ~~city planner~~ Director of Planning and Development, as the case may be, for the presentation of information.

(Ord. of 5-7-1979; Ord. No. 02-04012013, att. A, 4-16-2013)

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

- (a) The minutes of the staff secretary, and any transcript of the proceedings, and all exhibits, papers, applications and requests filed in any proceeding before the planning board and the decision of the board shall constitute the record.
- (b) Every final decision of the planning board and every recommendation of the planning board to the city council shall include written findings of fact, and shall specify the reason or reasons for such decision or recommendation.
- (c) The staff secretary shall mail notice of any decision of the board to the applicant or any designated interested parties within five business days of such decision.

(Ord. of 5-7-1979; Ord. No. 02-04012013, att. A, 4-16-2013)

**Sec. 2-473. Conflicts.**

No member of the planning board shall participate in the hearing or disposition of any matter in which he or she has an interest. Any question of whether a member has a conflict of interest sufficient to disqualify the member shall be decided by a majority vote of the members present, except the members whose possible conflict is being examined. Where such vote results in a tie, the subject member shall be disqualified.

(Ord. of 5-7-1979; Ord. No. 02-04012013, att. A, 4-16-2013)

**Sec. 2-474. Appeals.**

An appeal from any final decision of the planning board as to any matter over which it has final authority may be taken by any one of standing party ~~party~~ or by any authorized officer or agent of the city to the superior court.

(Ord. of 5-7-1979; Ord. No. 02-04012013, att. A, 4-16-2013)

**Sec. 2-475. Jurisdiction and authority.**

In addition to the jurisdiction conferred on it by other provisions of state law and the ordinances of the city and in accordance therewith, the planning board shall have the following jurisdiction and authority:

- (1) To prepare and recommend to the city council a comprehensive plan.
- (2) To prepare and recommend to the city council changes in and amendments to the comprehensive plan as necessary.
- (3) To aid and assist the city council and departments and agencies of the city in implementing general plans and in planning, developing and completing specific planning related projects.

PART II - CODE OF ORDINANCES  
Chapter 2 - ADMINISTRATION  
ARTICLE V. - BOARDS, COMMISSIONS AND COMMITTEES

DIVISION 4. PLANNING BOARD

- (4) To hear, review, and approve or deny applications for subdivision approval as provided in this Code.
- (5) To hear, review, and offer its recommendations to the city council on applications for zoning changes and amendments to, or revisions of, the city's zoning regulations, and to initiate recommendations for zoning changes and amendments to or revisions of the city's zoning regulations as necessary.
- (6) To review and offer its recommendations to the city council on public planning related projects.
- (7) To offer its recommendations to the city council with regard to the compatibility of the city manager's proposed capital improvements program with the comprehensive plan.
- (8) To make such investigations and compile maps and reports, and recommendations in connection therewith, relating to the planning and development of the city as it deems desirable.

(Ord. of 5-7-1979; Ord. No. 02-04012013, att. A, 4-16-2013)

**Sec. 2-476. Committees.**

The chairperson of the planning board ~~shall~~ may from time to time assign the members of the board to such regular and special committees as may be established by the board. Such committees shall have no final authority but shall assist the board in the conduct of its business by making recommendations to ~~its~~ concerning such specific items as may be assigned to them for study and report.

(Ord. of 5-7-1979; Ord. No. 02-04012013, att. A, 4-16-2013)

**Secs. 2-477—2-482. Reserved.**

# City of Auburn, Maine

*"Maine's City of Opportunity"*

## Office of Planning and Development

October 24, 2014

Mayor LaBonte and  
The Auburn City Council  
60 Court Street  
Auburn, ME 04210

RE: City Council Ordinance

Dear Mayor LaBonte and Auburn City Council,

The Planning Board requests that the City Council amend Chapter 2, Article V, Division 4, Planning Board of the City Ordinances to make some minor changes that apply to the Planning Board.

The principal change that we recommend deals with Associate Members of the Planning Board. For a number of years the City Council has appointed Associate Members to the Planning Board. When a regular member of the Planning Board is absent, or recuses her/him, an Associate Member sits and acts in her/his behalf. While this has been the practice for a number of years, if a decision of the Planning Board, on which an Associate Member voted, (and conceivably was the tie breaking vote), was challenged, we could find no written authorization for the appointment of Associate Members or for them to act in behalf of Regular Members. That could place the Board's decision in a dicey situation. We believe that is easily corrected by amendment to the City Ordinance that deals with the Planning Board. There are several other suggested amendments of a housekeeping nature.

This request to the City Council and recommended amendment comes in a somewhat larger context. Several members observed that while our procedures and conduct of public hearings followed traditional practice, it was not written down. That might render the Board vulnerable if challenged.

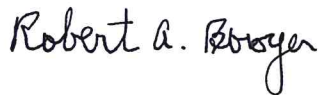
Earlier this year the Planning Board started preparing a Policies and Procedures Manual that will commit to writing the procedures for the conduct of our meetings and public hearings and the steps that precede them. I am pleased to report that after several meetings and drafts, the Planning Board is well into preparation of a Policies and Procedures Manual.

There are several reasons why this effort is timely:

- In order to have all Board members on the "same page" it is necessary to have a written copy rather than relying on the memory of veteran Board members. While the Board's actions have followed traditional practice, it can give the appearance that we are "making it up as we go along" without reference to written rules.
  - There has recently been a turnover in Planning Board members. Currently five of nine members are in their first term. A written Policies and Procedures Manual will allow newly appointed members to "get up to speed" sooner. Incidentally we held the first orientation session for new members in June.
  - A written Policies and Procedures Manual is fairer to applicants so that they will know what is expected of them and when. That should make the application process overall more efficient for all concerned.
  - Revised procedures are designed to make information available to interested parties in neighborhoods impacted by a proposed application earlier.
  - City Manager Deschene has asked that all boards and committees have up to date written rules.
  - Five members of the Planning Board recently attended an excellent training session conducted by the Maine Municipal Association for planning boards in Augusta. That session permitted us to learn of best practices of various planning boards around the state and of court decisions affecting planning boards. Those will be incorporated in the Policies and Procedures Manual.
- 

The Planning Board looks forward to getting its house in better order. The favorable action of the City Council on the recommended amendments will be appreciated.

Sincerely



Robert A. Bowyer  
Chairman

C: File



## City Council Information Sheet

City of Auburn

**Council Workshop or Meeting Date:** 1/20/2015

**Ordinance** 0201202015

**Author:** Sue Clements-Dallaire, City Clerk

**Subject:** Amendment to Part II, Code of Ordinances, Chapter 2, Administration, Article II, Mayor and City Council, Division 2, Rules of Procedure, Section 2-59, Order of Business.

**Information:** For a trial period at the 12/1/2014, 12/15/2014, and 1/5/2015 Council meetings, Council has voted to suspend the rules and move reports out of order placing them on the agenda toward the end of the meeting with the intent of proposing an ordinance change if after the trial period, this change in the Order of Business seemed to be working well.

**Advantages:** It will allow the Council to address new and unfinished business earlier on in the meeting (without having to suspend the rules to move reports out of order and placing them on the agenda toward the end of the meeting).

**Disadvantages:** Some may prefer hearing reports earlier on in the meeting.

**City Budgetary Impacts:** None

**Staff Recommended Action:** Public hearing and first reading. Staff recommends passage of the proposed ordinance amendment.

**Previous Meetings and History:** For a trial period during the 12/1/2014, 12/15/2014, and 1/5/2015 Council meetings, Council has voted to suspend the rules and move reports out of order placing them on the agenda toward the end of the meeting.

**Attachments:** Ordinance 02-01202015

Sec. 2-59. - Order of business.

At every meeting of the city council, the order of business shall be as follows:

- (1) Consent agenda. All items listed with an asterisk (\*) are considered to be routine by the city council and will be enacted by one motion. There will be no separate discussion of these items unless a councilmember or citizen so requests, in which event the item will be removed from the consent agenda and considered in its normal sequence on the agenda.
- (2) Minutes not previously read and approved, of all preceding meetings.
- ~~(3) Reports of the mayor.~~
- ~~(4) Reports of the city councilors.~~
- ~~(5) Reports of the city manager.~~
- (63) Communications and recognition.
- (74) Open session.
- (85) Unfinished business.
- (96) New business.
- (7) Reports of the mayor.
- (8) Reports of the city councilors.
- (9) Reports of the city manager.
- (10) Open session.
- (11) Adjournment.

(Code 1967, § 1-3.16; Ord. of 3-16-1998; Ord. of 1-16-2007; Ord. of 1-28-2008(01))

Tizz E. H. Crowley, Ward One  
Robert Hayes, Ward Two  
Mary Lafontaine, Ward Three  
Adam R. Lee, Ward Four



Leroy Walker, Ward Five  
Belinda Gerry, At Large  
David Young, At Large

Jonathan P. LaBonte, Mayor

## IN CITY COUNCIL

### ORDINANCE 02-01202015

Be it ordained by the Auburn City Council, that the ordinance amendment (Part II, Code of Ordinance, Chapter 2, Administration, Article II, Mayor and Council, Division 2, Rules of Procedure, Section 2-59, Order of Business) be adopted as follows;

#### Sec. 2-59. - Order of business.

At every meeting of the city council, the order of business shall be as follows:

- (1) Consent agenda. All items listed with an asterisk (\*) are considered to be routine by the city council and will be enacted by one motion. There will be no separate discussion of these items unless a councilmember or citizen so requests, in which event the item will be removed from the consent agenda and considered in its normal sequence on the agenda.
- (2) Minutes not previously read and approved, of all preceding meetings.
- (3) Communications and recognition.
- (4) Open session.
- (5) Unfinished business.
- (6) New business.
- (7) Reports of the mayor.
- (8) Reports of the city councilors.
- (9) Reports of the city manager.
- (10) Open session.
- (11) Adjournment.

(Code 1967, § 1-3.16; Ord. of 3-16-1998; Ord. of 1-16-2007; Ord. of 1-28-2008(01))



## City Council Information Sheet

City of Auburn

**Council Workshop or Meeting Date:** 1-20-2015

**Ordinance** 03-01202015

**Author:** Howard Kroll, Acting City Manager

**Subject:** Boards and Committees Ordinance Amendment

**Information:** City Council members have recommended that the Boards and Committees Ordinance be amended to create uniformity across the boards and committees for the use of “associate” members and how their information is shared with the community. Also recommended was the attendance of these members be similar to the Charter.

**Advantages:**

- (1) Defines expectations of each committee and board.
- (2) Creates uniformity of each board having “associate” members versus “alternate” or other such terms.
- (3) Gives each board and committee a guideline on what is expected of them in terms of documentation and other information.

**Disadvantages:**

- (1) none

**City Budgetary Impacts:** NONE.

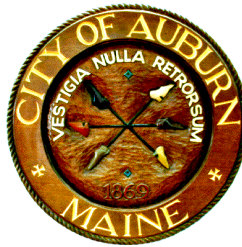
**Staff Recommended Action:** Approve the ordinance amendment

**Previous Meetings and History:** None

**Attachments:**

Proposed Ordinance amendment 03-01202015

Tizz E. H. Crowley, Ward One  
Robert Hayes, Ward Two  
Mary Lafontaine, Ward Three  
Adam R. Lee, Ward Four



Leroy Walker, Ward Five  
Belinda Gerry, At Large  
David Young, At Large

Jonathan P. LaBonte, Mayor

## IN CITY COUNCIL

### ORDINANCE 03-01202015

Be it ordained by the Auburn City Council, that the Code of Ordinance (Chapter 2, Article V, Boards, Commissions, and Committees, Division 1- GENERALLY) be amended as follows;

#### DIVISION 1. - GENERALLY

##### Sec. 2-381. - Established.

The city has such boards, commissions, committees, agencies, and other subunits of its governing authority as are established from time to time by the city Charter or the city council. The school committee is established in the city Charter, and information regarding other city boards, commissions, committees, agencies, and similar bodies is available in this article and on the city's official website.

##### Sec. 2-382. - Salaries of school committee members.

Elected school committee members shall receive a salary at the rate of \$25.00 per meeting for up to 26 meetings per year. The mayor or his designee is a full member of the school committee and, therefore, entitled to compensation in the same manner as all other school committee members.

Secs. 2-38~~5~~<sup>3</sup>—2-429. - Reserved.

##### Sec. 2-383- Definitions.

Associate Member- is a member of a Board or Committee who has only partial rights and privileges or subordinate status.

Member- is appointed by City Council or Mayor

##### Sec. 2-384- Committee Rules.

All committees will have one or more alternate members so quorum requirement is met. The agenda for each meeting of each committee shall be prepared by the committee staff contact as designated by the City Manager. Such agenda shall be distributed by the assigned staff person to the Committee Members, City Council, City website, City Calendar, City Clerk and City Manager at least two business days prior to the meeting.

- a) All committees shall have at least one public open session at any regularly scheduled meeting.
- b) Every member shall attend all meetings, unless prevented by illness or absence from the city, or unless excused by a vote of the committee.
- c) Member shall forfeit office if that person:
  - i. Lacks at any time during the term of appointment any qualifications for the appointment prescribed by the Auburn City Charter or by law, including residency of the City;
  - ii. Violates any express prohibition of the Auburn City Charter;
  - iii. Is convicted of a crime involving moral turpitude; or
  - iv. Is absent from three (3) consecutive regular meetings or 50% of the meetings during a 12 month consecutive period without being excused by the Committee.