



**City Council Workshop & Meeting
August 21, 2017
Agenda**

5:30 P.M. Workshop

- A. Paper Streets – Eric Cousens and Gary Johnson (15 minutes).
- B. Rapport Proposal – Derek Boulanger & Justin Jaffe (20 minutes).
- C. Agricultural Zone Text Amendment (Kennels) – Doug Greene (20 minutes).
- D. Executive Session – Legal rights and responsibilities, pursuant to 1 M.R.S.A. §405(6)(E).
- E. Executive Session – Regarding a real estate matter, pursuant to 1 M.R.S.A. §405(6)(C).

7:00 P.M. City Council Meeting

Roll call votes will begin with Councilor Lee

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 requests. If requested, the item will be removed from the consent agenda and considered in the order it appears on the agenda.
 - 1. **Order 72-08212017***
Setting the time to open the polls at 7:00 A.M. for the November 7, 2017 Election.
- II. **Minutes**
 - August 7, 2017 Regular Council Meeting
- III. **Communications, Presentations and Recognitions - None**
- IV. **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*.
- V. **Unfinished Business**
 - 1. **Ordinance 07-08072017**
Adopting the proposed food sovereignty ordinance (Chapter 14, Article II, Sec. 14-50). Public hearing and second reading.

VI. New Business

2. Order 73-08212017

Authorizing the City Clerk to place the proposed consolidation agreement and charter question on the November 7, 2017 ballot as recommended by the Joint Charter Commission.

3. Ordinance 08-08212017

Adopting the Recreational Planned Unit Development Ordinance Amendments (Chapter 60, Article IV, Division 10, Sec. 60-359 through Sec. 60-361, Sec. 60-359 through Sec. 60-361, Sec. 60-382 through Sec. 60-389, Sec. 60-421, and Sec. 60-2). First reading.

4. Ordinance 09-08212017

Amending the Auburn Zone Map from General Business (GB) to Traditional Downtown Center (T-5.1) for certain properties in the Troy Street area. First reading.

VII. Reports

a. Mayor's Report

b. City Councilors' Reports

c. City Manager Report

d. Finance Director, Jill Eastman – June and July 2017 Monthly Finance Reports

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

IX. Executive Session - None

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

(1) An executive session may be held only if public discussion could be reasonably expected to cause damage to the individual's reputation or the individual's right to privacy would be violated;

(2) Any person charged or investigated must be permitted to be present at an executive session if that person so desires;

(3) Any person charged or investigated may request in writing that the investigation or hearing of charges or complaints against that person be conducted in open session. A request, if made to the agency, must be honored; and

(4) Any person bringing charges, complaints or allegations of misconduct against the individual under discussion must be permitted to be present.

This paragraph does not apply to discussion of a budget or budget proposal;

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

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

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

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

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

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

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

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



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: 8-21-17

Author: Eric J. Cousens, Deputy Director of Economic and Community Development

Subject: Extending public rights in certain paper streets

Information: Attached is a memo detailing the timing of paper street expirations based on the laws put in place in 1987. Staff has evaluated the list of paper streets and the public right reservations made in 1997 as required by the law to preserve public rights at that time and has determined that there are 15 plans with paper streets that meet one of the following criteria:

1. The paper street provides or could provide access to a public property or natural resource.
2. Retaining public rights could help accommodate a current or future economic development project.
3. Additional research is needed to determine if public rights are beneficial.

Much of the research to prepare this action has been completed by Assistant City Engineer Gary Johnson over the past 20 years with higher priority being placed on crafting a final recommendation in the latter part of that period. Staff recommends that we retain the public rights in paper streets that meet one or more of the above criteria. We also recommend letting the public rights expire in the remaining paper streets to allow the 150+ year "clean-up" of title in paper streets, which was the goal of the 1987 law, to take place in Auburn.

Advantages: Retains public rights where needed and frees up land for private development where existing rights are not needed for a public purpose.

Disadvantages: None known.

City Budgetary Impacts: None immediately, but could allow for future increased investment and valuation.

Staff Recommended Action: Schedule for Council vote on September 11th.

Previous Meetings and History: September 1997 Council meetings.

Attachments: Memo with additional paper street details, 1997 Order with list of plans reserved at that time, List of plans recommended by staff for retaining public rights in 2017.



City of Auburn, Maine

Economic & Community Development

Michael Chammings, Director

60 Court Street | Auburn, Maine 04210

www.auburnmaine.gov | 207.333.6601

Date: August 16, 2017

To: Mayor LaBonte and Auburn City Council

From: Eric Cousens, Deputy Director of Economic and Community Development and Gary Johnson, Consultant and former Assistant City Engineer

Re: Retaining public rights in certain paper streets

A paper street, referred to in State Law as a “proposed, unaccepted way” is a road shown on the face of a subdivision plan recorded at the registry of deeds, but which has never actually been constructed on the face of the earth. The number of subdivisions in Auburn with proposed streets grew substantially between 1861 and 1987. The State Legislature, in an attempt to clarify title to land underlying paper streets by eliminating the possibility of ancient claims, passed several laws regarding paper streets that went into effect on September 29, 1987. Those laws established the title, as well as, the nature and duration of public and private rights in paper streets.

From the date of recording of a subdivision plan in the registry of deeds, the public acquires rights of incipient dedication to public use of the ways laid out on the plan. On plans recorded after September 29, 1987, those rights terminate 20 years from the date of recording if the proposed way is not accepted by the municipality. On plans recorded prior to September 29, 1987, any paper streets were to be deemed vacated by the later of 15 years after the date of the recording of the plan or September 29, 1997 unless a municipality excepts a paper street from the time limitations for 20 years by filing a notice in the registry of deeds prior to the September 29, 1997 date. Research in 1997 indicated that Auburn had almost 100 subdivision plans with paper streets on them recorded at the registry of deeds prior to September 29, 1987. Due to the enormity of the task to review each street, and the limited time available, the city filed the attached notice on September 22, 1997, excepting the paper streets on 95 recorded plans from the time limitations in the law for 20 years.

Over the past 20 years, it has become evident that retaining public rights in many of the paper streets on these plans is not necessary. Many have been previously vacated by the City and many have never been built and accepted due to steepness of grade and wetlands; others have restricted development potential by clouding title to otherwise developable land. The attached “2017-Subdivisions w/Paper Street to Extend” is a list of the plans with paper streets that could potentially be needed in the future.

2017 - SUBDIVISIONS W/PAPER STREETS TO EXTEND

Plan Title	Date	Vol	Book	Page	No	Registry Website	Comments
Colonial Heights No. 2	4/23/1958	3	13	680		bk 13, pg 680	End of Locksley between lots 15 & 16 could provide access to adjacent acreage
Eveleth Park Subdivision	7/28/1971		21	23		bk 21, pg 23	Connection of Newell to Andria possible - eliminate turnarounds - See #8
Fairview Hills Inc - Amended Plan	5/6/1960	3	14	710		bk 14, pg 710-B	Marshall Av Extension - land behind Fairview School - need additional research
Glendale - Amended	7/1/1924	3	10	519		bk 10, pg 519	Several paper streets remain - Could eliminate turnarounds - needs research
Goff, James Esq. - Plan of Land	?	1	1	20	24	v1b1, pg 20	Hill St off South St - provides access to EL property.
Lafayette Park	?	2	5	176		bk 5, pg 176	Lufkin St turnaround - possible through street to Hotel Rd
Lakewold	?	2	2	48	39	bk 2, pg 2	Access to Taylor Pond? See #38
Lincoln Park	1/1/1898	2	1	14	12	bk 1, pg 14	Turnaround needs Princeton & Cornell
Mountain Park - Plan of	1/1/1899	2	1	22	14	bk 1, pg 22	T at end of Gillander - status?
Oakes Farm, Dr. S - Plan of Lots, A port	5/15/1897	2	1	10		bk 1, pg 10	need to check - possible removal from list
Pleasant View Park	10/1/1927	2	5	213		bk 5, pg 213	Several paper streets - History of issues. Tax acquisition.
Sherwood Heights - Final Plan	7/1/1961		15	45		bk 15, pg 45	Need to check status of spur off Marion Dr into Sherwood Heights School.
Sunrise Camping Ground	9/24/1979		29	24		bk 29, pg 24	Need opinion regarding need and applicability
Symmes, J. C. - Plan of Lots Owned by	1/1/1896	2	1	4	4	bk 1, pg 4	Would provide additional access to Androscoggin Land Trust Land
Taylor Pond Park	1/1/1921	2	4	146		bk 4. pg 146	History regarding access to lake on paper streets on plan. Legal opinions

Notice of Action Pursuant to 23 M.R.S.A. Sec. 3032

The Municipal Officers of the City of Auburn hereby give notice, pursuant to the provisions of subsection (2) 23 M.R.S.A. Sec. 3032 that all proposed, unaccepted ways or portions of proposed, unaccepted ways located within the City of Auburn, and shown upon a subdivision plan listed below, as noted, and recorded prior to September 29, 1987 in the Androscoggin County Registry of Deeds are excepted from the operation of the time limitations of subsection (1) of 23 M.R.S.A. Sec. 3032 for a period of twenty (20) years from the date of filing of this notice.

PLAN TITLE	DATE	VOL.	BOOK	PAGE NO.
ABBOTT, E.F., PROPERTY OF - AMENDED PLAN	06/04/1938	2	7	311
ALLEN, PETER - PLAN OF LOTS	06/28/1957	3	14	722
ANDROSCOGGIN LAND COMPANY	01/01/1917	2	3	90 80
ARBANIA STREET - REVISION #1	06/01/1969		21	3
ARSENAULT PARK - PLAN OF LAND - ROBAIN ARSENAULT	/ /	2	4	48
AUBURN HIGHTH - PLAN OF HOUSE LOTS ON	05/17/1860	1	1	7 7
AUBURN LAND COMPANY - MAP OF HOUSE LOTS	10/28/1875	1	2	42 47
AUBURN GARDENS - REVISED	06/01/1912	2	2	69 59
AUBURN HEIGHTS PARK - PLAN OF	01/01/1917	2	3	83 73
AUBURNDALE	01/01/1897	2	3	78 68
BEECH HILL ACRES II	06/10/1983		30	117
BEECH HILL ESTATES	03/03/1979		28	129
BEN HILL FARM	01/01/1918	2	5	212
BISHOP HEALY PARK	/ /	2	4	175
BOSSE INDUSTRIAL PARK	10/11/1960	3	14	743
BROADVIEW HEIGHTS	10/26/1971		21	40
BUMPUS, LAURA J. - PLAN OF PROPERTY OWNED BY	04/14/1937	2	6	290
CENTRAL SECURITIES CORPORATION - LOCATION OF HOUSE LOTS	03/28/1933	2	6	266
COE FARM - LOTS ON	06/01/1924	2	5	220
COLONIAL HEIGHTS #2	04/23/1958	3	13	680
CONANT ESTATE - COTTAGE LOTS AT LAKE AUBURN	01/01/1911	2	2	58 49
CONANT ESTATE, PLAN OF LOTS - SECTION 2	01/01/1920	2	4	152
CONGRGATION BETH JACOB - BURYING GROUND	09/02/1933	2	6	253
CUSHMAN REALTY COMPANY & MARY DANA ABBOTT - REVISED PLAN	06/21/1951	3	10	507
DENNIS, JOSEPH - PLAN OF LAND	12/05/1952	3	10	528
- DUNHAM & JONES, LAND OF	01/01/1895	1	3	79 85
EMERSON, CHARLES S. - PLAN OF LAND IN AUBURN	01/01/1871	1	2	45 50
EVELETH PARK SUBDIVISION	07/28/1971		21	23
EVELETH RESIDENTIAL PARK	/ /	2	4	170
FAIRVIEW PARK	01/01/1888	1	3	65 70
FAIRVIEW HILLS INC. - AMENDED PLAN	05/06/1960	3	14	710
FOSS FARM - REVISED PLAN	06/01/1924	2	7	372
FOUNDATION, INC. DEVELOPMENT	01/01/1946	3	9	470
GAMAGE, AUGUSTINE H. & GAMAGE, JOHN M. - ESTATE OF	04/01/1884	1	2	56 -51
GLENDALE - AMENDED	07/01/1924	3	10	519

GOFF BROTHERS -LAND PROPERTY	06/01/1877	1	2	50	55
GOFF, JAMES ESQ. - PLAN OF LAND	/ /	1	1	20	24
GREEN ACRES DEVELOPMENT	05/28/1975		27	70	
GREEN ACRES DEVELOPMENT	12/26/1968		19	12	
HARRIMAN, ALONZO J. & WATSON, WILLIAM - PROPERTY PLAN	08/21/1946	3	8	412	
HASKELL, I. ESTATE LYING WEST OF COUNTY ROAD	09/12/1890	1	3	68	74
HASKELL, W - PLAN OF LAND	07/01/1874	1	2	35	40
HUSTON, N. A. - SEVENTH STREET LOTS OF	09/01/1950	3	9	480	
HUSTON, N. A. - PLAN OF LAND OF	05/11/1950	3	9	471	
INTERURBAN HEIGHTS PLAN	/ /	2	4	161	
KEEN, B.C. -LAND	06/01/1875	1	2	51	56
LAFAYETTE PARK	/ /	2	5	176	
LAKE GROVE BUNGALOW SITES	08/02/1919	2	3	95	85
LAKE VIEW CEMETERY	01/01/1899	2	1	34	27
LAKESHORE - MORRELL FARM	01/01/1924	2	5	177	
LAKESIDE OWNED BY H.A. GRACELON	/ /	2	5	197	
LAKEWOLD	/ /	2	2	48	39
LEARNED, MR. J.R. - PLAN OF LOTS	01/01/1896	2	1	2	2
LEARNED, J.R. - PLAN OF LOTS	04/01/1897	2	1	9	
LINCOLN PARK	01/01/1898	2	1	14	12
LITTLE ANDROSCOGGIN WATER POWER COMPANY	07/01/1876	1	3	66	77
LITTLE WILSON POND - PLAN OF SHORE LOTS OWNED BY J.A. LAROSE	07/09/1951	3	11	569	
LITTLE WILSON POND, EAST SHORE - PROPERTY OF A.K. STEURK	07/01/1931	2	6	258	
LITTLE ANDROSCOGGIN WATER POWER COMPANY'S LAND - PLAN OF	11/01/1871	1	1	31	36
MANFALL PARK	/ /	2	7	374	
MAPLE POINT ANNEX	05/01/1922	2	4	145	
MAPLE POINT PLAT	05/06/1921	2	4	136	
MILLER STREET, PLAN OF LOTS	10/01/1936	2	6	281	
MOUNTAIN PARK - PLAN OF	01/01/1899	2	1	22	14
NASH, JAMES S - PLAN OF FARM	08/01/1861	1	1	15	
NEW AUBURNDALE	05/01/1922	2	4	144	
NUDD, NELLIE A. - PLAN OF LOTS	/ /	2	2	64	54
OAK LAWN, MAP OF	06/01/1873	1	1	32	37
OAKES FARM, DR. S - PLAN OF LOTS, A PORTION OF THE	05/15/1897	2	1	10	
PICKARD FARM, FIRST PLAN OF THE	05/01/1873	1	2	46	51
PINECREST DEVELOPMENT II	05/07/1975		27	65	
PLEASANT VIEW PARK	10/01/1927	2	5	213	
PROSPECT HILL GARDENS	09/01/1919	2	3	105	95
PULSIFER, HORATIO B. - PLAN OF LAND	01/01/1915	2	3	79	
REYNOLDS, HARRIET A. - PLAN OF LANDS	08/01/1875	1	2	41	46
RIVERTON, SECTION "F" - RIVERTON DEVELOPMENT COMPANY	05/01/1920	2	4	124	
RIVERTON, SECTION DIVISIONS - RIVERTON DEVELOPMENT COMPANY	05/01/1920	2	4	118	
RIVERTON, SECTION "E" - RIVERTON DEVELOPMENT COMPANY	05/01/1920	2	4	113	
RIVERTON, SECTION "B" - RIVERTON DEVELOPMENT COMPANY	05/01/1920	2	4	121	
RIVERTON, SECTION "D" - RIVERTON DEVELOPMENT COMPANY	05/01/1920	2	4	123	
RIVERTON, SECTION "C" - RIVERTON DEVELOPMENT COMPANY	05/01/1920	2	4	120	
RIVERTON, SECTION "H" - RIVERTON DEVELOPMENT COMPANY	05/01/1920	2	4	112	
RIVERTON, SECTION "G" - RIVERTON DEVELOPMENT COMPANY	05/01/1920	2	4	119	
RIVERTON, SECTION "A" - RIVERTON DEVELOPMENT COMPANY	04/01/1920	2	4	122	
SHERWOOD HEIGHTS - FINAL PLAN	07/01/1961		15	45	

SMITH, H.R. & PETTINGILL, D. - PLAN OF LAND	01/01/1888	1	3	71	77
SUNRISE CAMPING GROUND	09/24/1979		29	24	
SYMMES, J. C. - PLAN OF LOTS OWNED BY	01/01/1896	2	1	44	
TAYLOR POND PARK ADDITION	07/01/1922	2	7	369	
TAYLOR POND PARK	01/01/1921	2	4	146	
TAYLOR POND - PLAN OF LOTS	/ /	2	2	54	45
TURGEON, EDOUARD - PROPERTY OF	01/01/1920	2	4	126	
TURNER FARM LOTS	08/01/1924	2	5	205	
WASHINGTON PARK - ALL STREETS VACATED 10-20-48 or 12-6-48	07/10/1925	2	5	200	
WOODLAWN PARK	01/15/1948	3	9	450	

The following streets are excluded from the above list:

- Cole Street - from the northeasterly line of Buck Steet to the southwesterly line of Bates Street as shown on Riverton, Section "E", Riverton Development Company, recorded at the Androscoggin County Registry of Deeds, Volume 2, Book 4, Page 113.
- Harwich Street- from the westerly line of South Main Street to the Easterly line of Kilsyth Street as shown on Prospect Hill Gardens, recorded at the Androscoggin County Registry of Deeds, Volume 2, Book 3, Page 105, No. 95.
- Milton Street - from the easterly line of Howe Street to the westerly line of Horton Street as shown on Pleasant View Park, recorded at the Androscoggin County Registry of Deeds, Volume 2, Book 5, Page 213.
- Horton Street - from the southerly line of Lot 133 southerly to the end of Horton street as shown on Pleasant View Park, recorded at the Androscoggin County Registry of Deeds, Volume 2, Book 5, Page 213.
- Blackmer Street -from the southwesterly line of Newall Avenue southwesterly one hundred (100') feet to the northeasterly line of Lots 69 & 87 as shown on Eveleth Residential Park, recorded at the Androscoggin County Registry of Deeds, Volume 2, Book 4, Page 170.
- *Crest Avenue- that portion of Crest Avenue between Terrace Road and Taylor Pond as laid out and shown on the Lakewold Plan, recorded at the Androscoggin County Registry of Deeds, Volume 2, Book 4, Page 48, No. 39.

*Amendment

Dated, this 22nd day of September, 1997.

Mary Lou Magno, City Clerk

AFFIDAVIT

I, Mary Lou Magno, City Clerk of Auburn, hereby record this affidavit as a correction to a resolve that was passed by the Auburn City Council at their September 22, 1997 Council Meeting and recorded in the Androscoggin County Registry of Deeds as Book 3852 Page 085. The following are reference corrections to plans that were a part of the above mentioned document.

PLAN TITLE	DATE	VOL.	BOOK	PAGE	NO.
ARSENAULT PARK - PLAN OF LAND - ROBAIN ARSENAULT	//	2	4	148	
LITTLE ANDROSCOGGIN WATER POWER COMPANY	07/01/1876	1	3	66	7
SYMMES, J.C. - PLAN OF LOTS OWNED BY	01/01/1876	2	1	4	4

Mary Lou Magno
Mary Lou Magno, City Clerk



Subscribed and signed by Mary Lou Magno this 24th day of October 1997.

Esther Gammon
Esther Gammon, Notary Public



ESTHER GAMMON
Notary Public, Maine
My Commission Expires March 30, 1999

RECEIVED
ANDROSCOGGIN S.S.

97 OCT 28 PM 12:43

ATTEST:

Jamie D. Bergeron
REGISTER OF DEEDS



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: 8/21/2017

Author: Derek Boulanger

Subject: Rapport Proposal, Sustainability Program

Information: This program outlined by Rapport would allow the City to accurately measure and monitor, reduce, and communicate environmental impact.

Advantages: Automated collection and centralization of utility data. The data will provide information for transparent decision making, while reducing green house gas production and lowering utility costs. It will allow the ability to benchmark the City of Auburn vs. other municipalities in terms of utility usage and environmental impact.

Disadvantages:

City Budgetary Impacts: A onetime set up fee of \$4100.00 includes all municipal facilities and school facilities, and an annual licensing fee of \$11,800.00.

Staff Recommended Action: Implementation of the Sustainability Program outlined in the proposal provided by Rapport for all City of Auburn municipal and Auburn School Department facilities.

Previous Meetings and History:

Attachments:

- Rapport, Sustainability Program Proposal



SUSTAINABILITY PROGRAM

Prepared for Mayor Jonathan LaBonte, City Manager Peter Crichton,
Derek Boulanger, Dan Goyette, Grady Burns, Jill Eastman, and Adam Lee



STRATEGY

- 1 **MEASURE.** Inventory, automate collection, organize, report data.
- 2 **ANALYZE.** Leverage data for insight and better decision-making.
- 3 **ACT.** Increase efficiency, maximize ROI, share progress with stakeholders.



PROPOSAL

SETUP (one-time fee).....\$4,100

- Onboarding and site configuration
- Historical data import (up to 24 months)
- Testing and validation/QA
- Servers, system infrastructure

ANNUAL LICENSE.....\$11,800

- All municipal sites including schools (~30)
x unlimited impact tracking (\$33/mo. per site)

- Automated data collection via utility API
integration or emailed invoices

- Customizable dashboards for individual
buildings and municipal totals

- Accurate, verifiable EPA GHG calculations

- Secure, encrypted data cloud storage

- Customer and technical support

EDUCATIONAL LICENSES.....\$0

- 10 unrestricted licenses for classroom use

TOTAL.....\$15,900

PLATFORM

Rapport helps organizations accurately measure and monitor, reduce, and communicate environmental impact. It's a cloud-based platform that can be accessed from any web browser – no software to install.

Parts + sum. Rapport has been designed to manage sustainability data across networks of buildings e.g. supply chains, municipalities, retail locations, and campuses.

Effortless collection. Capturing utility data is the #1 obstacle (70% of the time and energy) to sustainability reporting. Rapport supports automated data collection via utility APIs. Users can also email invoices directly to the application, use a spreadsheet template, or enter data manually.

Relevant insight. Rapport's beautiful dashboards give data meaning, help demonstrate progress toward goals, identify hotspots and opportunities to save money and reduce impact.

Meaningful benchmarking. Rapport makes it easy to view, analyze, and score performance for individual locations and roll data up for collective, corporate-wide reporting.

Driving change. Rapport proactively pushes footprint-specific best practices. The platform helps identify what works – from corporate, Rapport's own database, and users themselves – and distributes knowledge across the organization.

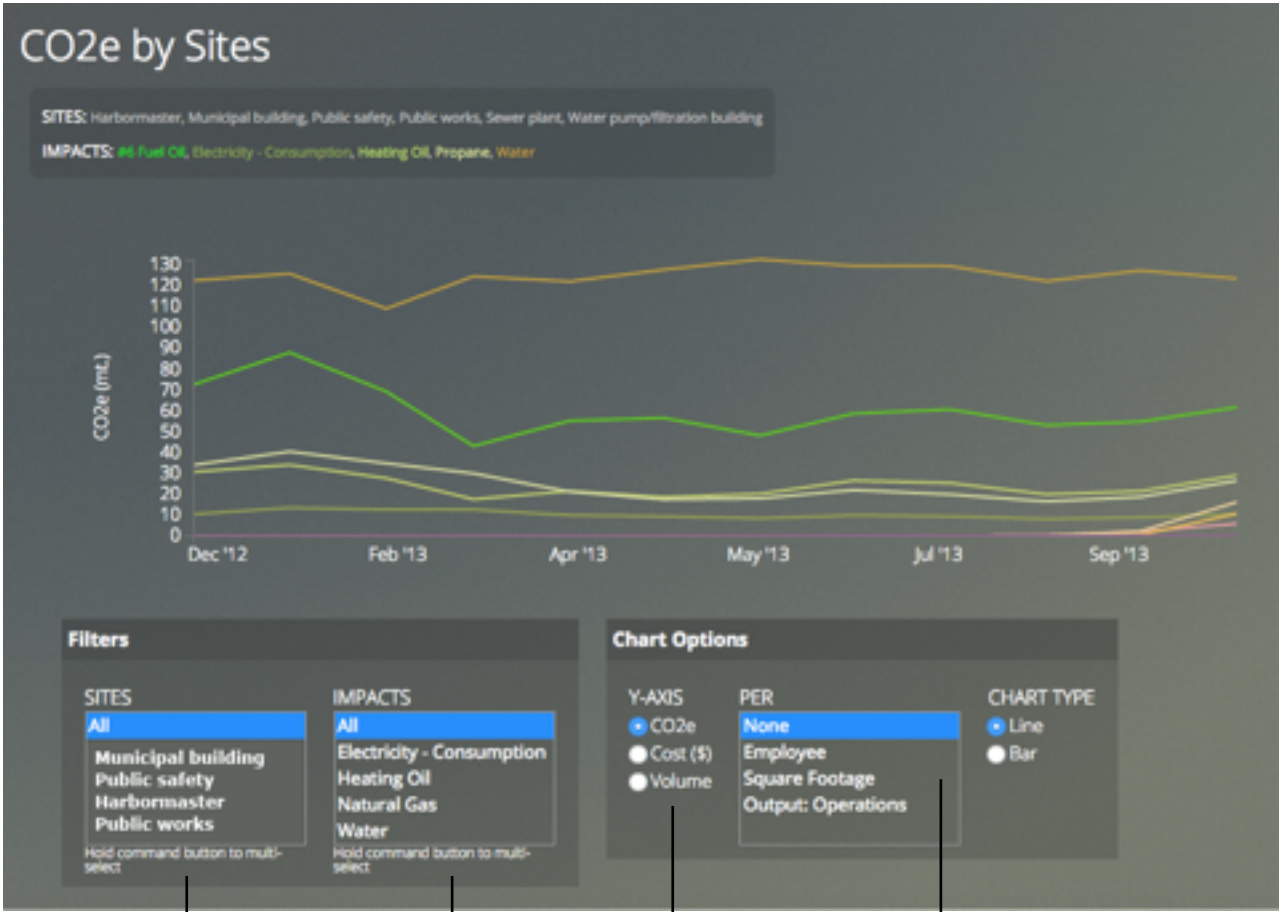
Extreme accuracy. Rapport's GHG calculations utilize current U.S. EPA protocols for up-to-date, utility-specific accounting and reporting.

Safe + secure. Rapport is in accordance with the most stringent security protocols, and data can be shared securely across the platform based on user permissions.



DASHBOARDS

FLEXIBLE, REAL-TIME REPORTING



Filter by Location

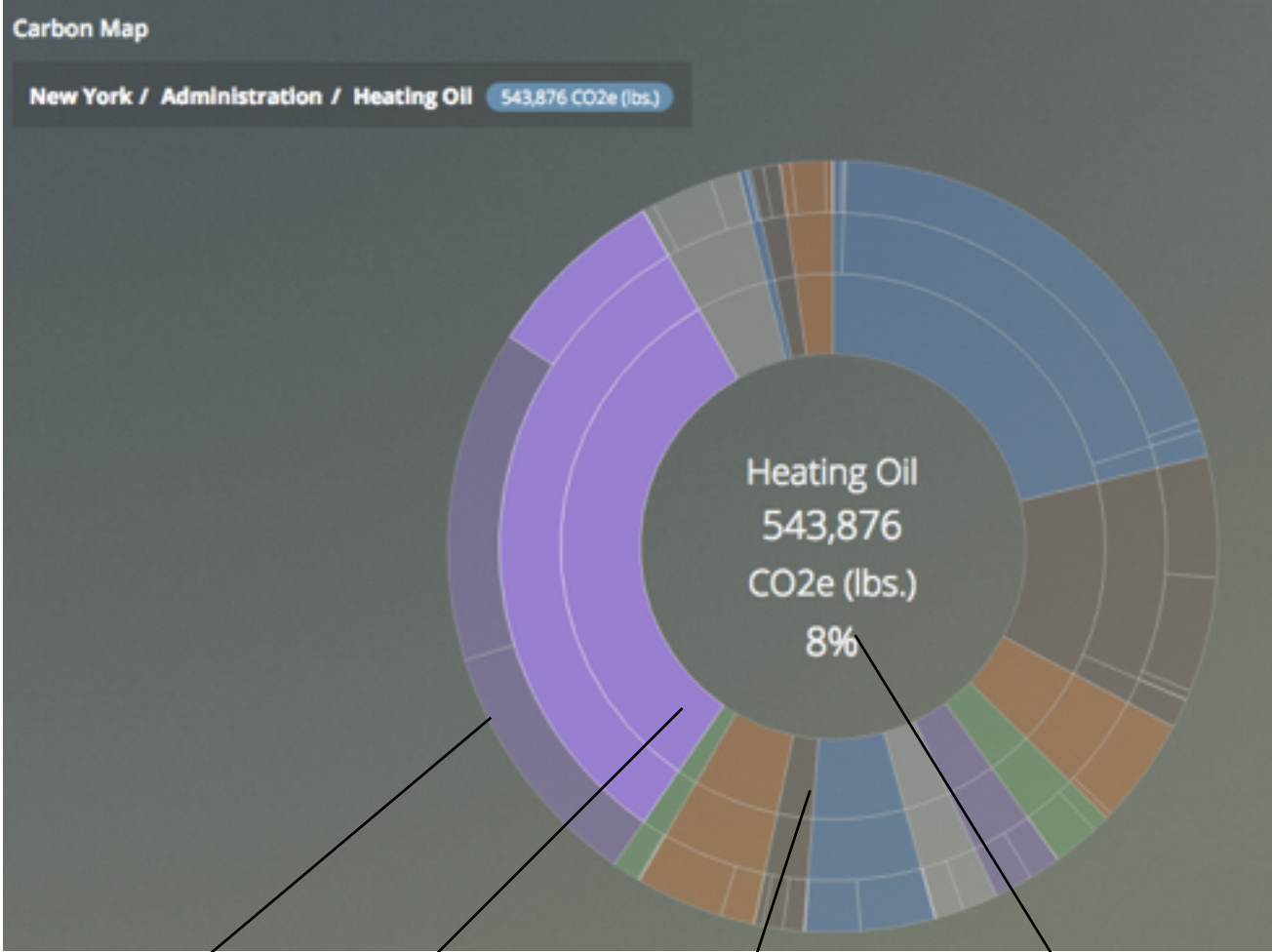
Filter by Impact

View CO2 v Cost

Index by Employees, Sq Ft, etc.

DASHBOARDS

ORGANIZATIONAL CARBON-MAPPING



Impact total

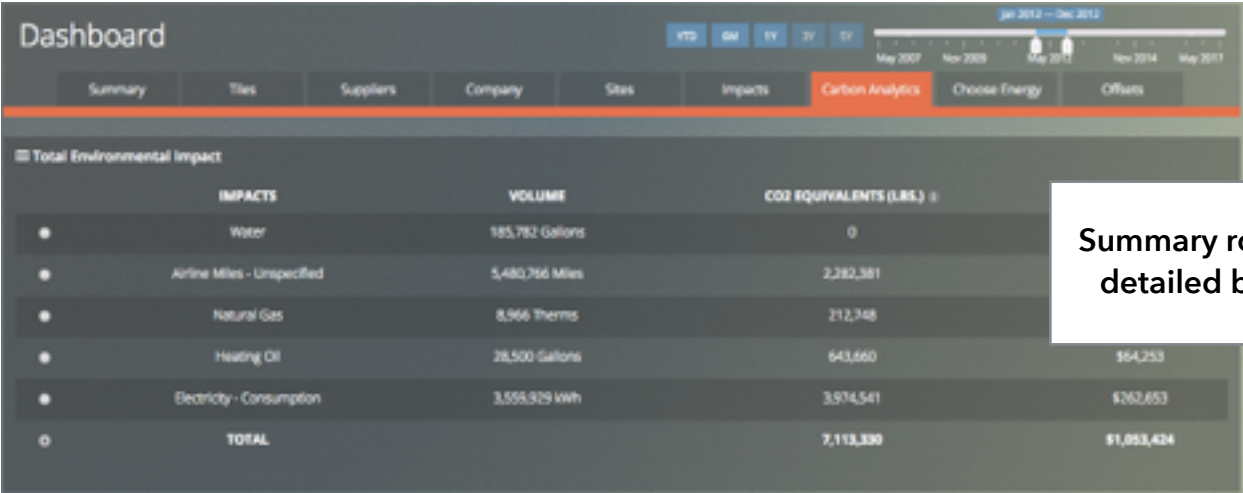
Impact of functional group

Impact by building

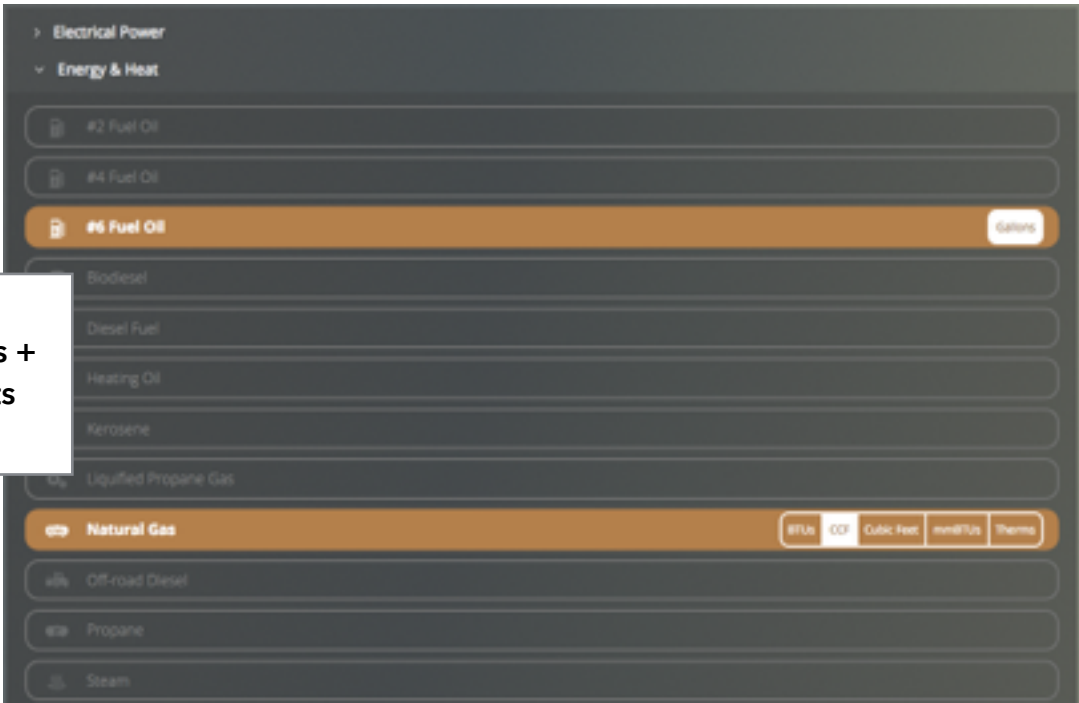
Impact of org. total

DASHBOARDS

TOPLINE AND DETAIL



COMPREHENSIVE TRACKING



LEADERSHIP



45 years in sustainability
& environmental engineering

40 years in software engineering &
information technology

Investor backed
Steve Case (Revolution, AOL)
Maine Technology Institute



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: August 21, 2017

Author: Doug Greene, Department of Economic and Community Development

Subject: Text Amendment Allowing Kennels as a Special Exception in the
Agricultural and Resource Protection District (AGRP)

Information: Based on a citizen's request, the Auburn Planning Board agreed to initiate a zoning text amendment to allow Kennels as a Special Exception in the Agricultural and Resource Protection (AGRP) District. The Staff supported the text amendment as only one zoning district clearly allowed Kennels, that being the Low Density Rural Residential (LDRR) district. The Staff also felt the low density, rural nature was an appropriate setting and that a special exception review by the Planning Board would allow for a site plan review and notice to surrounding property owners. Another aspect of the Planning Board's deliberation was to determine that a Kennel would not be considered an agricultural use, nor would new residences be allowed as an accessory use to a Kennel. Kennels in the AGRP district would be for overnight stays and not for daytime only doggy daycare type use. In addition, Kennels as a special exception would be allowed in the Low Density Country Residential (LDCR) district and continue in the LDRR district provided the applicant had a minimum lot size of three (3) acres.

Advantages: Allowing Kennels in the AGRP zone would provide an additional source of income and be compatible in the more open rural areas of Auburn. A required special exception process will ensure compatibility to the surrounding area.

Disadvantages: Minimal provided adequate Planning Board review of the special exception application.

City Budgetary Impacts: None

Staff Recommended Action: Staff recommends the City Council positively support the text amendment and move it to a first reading and public hearing at their next meeting.

Previous Meetings and History: Planning Board initiates text amendment (May 9, 2017) and discussed the proposal on June 13 (public hearing) and July 11th.

Attachments:

1. Staff memo to Planning Board (May 9)
2. Staff Reports to Planning Board (June 13 and July 11) with attachments
3. Planning Board report to the City Council (July 17, 2017)
4. Draft text amendment



City of Auburn, Maine

Office of Economic and Community Development

60 Court Street, Auburn, Maine 04210

www.auburnmaine.gov

207.333.6601

To: Planning Board, City of Auburn
From: Zach Mosher, City Planner
Date: May 9, 2017
RE: Planning Board Discussion on Dog Kennels

The Planning Staff has been approached with a request to consider allowing Dog Kennels in the Agricultural and Resource Protection District. The Staff would like to present background information to help with the discussion at your May 9, 2017 meeting.

A. Existing Definitions in Zoning Ordinance - Section 60-2

1. *Kennel* means any business or establishment other than a veterinary hospital, whether operated separately or in connection with another business or establishment, that keeps, boards or trains dogs or cats or other animals, which may legally be present in such facilities, for profit. *Kennels* must be established, maintained and operated in compliance with all applicable zoning and land use regulations of the city and all state statutes and regulations of the state.
2. *Livestock* means, but may not be limited to, any horses, mules, donkeys, cattle, goats, sheep or swine.
3. *Farm, animal*, means any parcel of land that contains at least the following land area used for the keeping of horses, mules, cows, goats, sheep, hogs and similar sized animals for the domestic use of the residents of the lot, provided that adequate land area is provided for each animal unit, excluding water bodies of one-quarter acre surface area or larger:
 - Cattle: One bovine animal unit per acre of cleared hay-pasture land.
 - Horse: 1.5 animal units per acre of cleared hay/pasture land.
 - Sheep: Three animal units per acre of cleared hay/pasture land.
 - Swine: Two animal units per acre of cleared land.
 - Other animal farms: The required lot size shall be determined by municipal officer charged with enforcement and shall conform to the lot size for similar sized animals.
4. *Pet* means any animal which may be legally owned in accordance with the provisions of this chapter, normally kept for pleasure rather than utility, excluding *livestock*, is in the owner's possession and for which it can be reasonably demonstrated that the care of said pet is the responsibility of a given individual.

B. How Zoning Districts Treat Kennels as a Land Use

1. Agricultural and Resource Protection District (AGRP) does not specifically mention kennels as a permitted or special exception use. A liberal interpretation might allow kennels as part of a farm operation if dogs are defined as livestock or farm animals.
2. Low Density Country Rural Residential District (LDCR) does not specifically mention kennels as a permitted or special exception use.
3. Low Density Rural Residential District (LDRR) allows kennels as a special exception use #7: *“Licensed kennels provided that there shall be available land area of at least three acres.”*
4. The Suburban Residential district lists under permitted uses # (8) **Animal farms** provided that the land area required per animal unit conforms to the definition of animal farm contained in section 60-2 and:
 - a. A site plan be submitted to the municipal officer charged with enforcement that contains the information required by section 60-1301.
 - b. Upon request, the municipal officer charged with enforcement may waive the necessity of providing any of the foregoing information which is not relevant to the proposed development.
 - c. In judging whether or not a permit to operate an animal farm will be issued, the municipal officer charged with enforcement shall review and make a decision consistent with the finding requirements of section 60-1304.

The Suburban Residential (SR) District, as a special exception, allows uses under LDRR so that in the Suburban Residential district: *All uses permitted by special exception in the Rural Residence (RR) District, except those uses allowed by [section 60-229\(b\)\(3\), \(9\), \(11\) and \(12\)](#).* This might imply that Kennels as a special exception would carry over to the Suburban Residential District.

5. Urban Residential (UR) District- In the Urban Residential District, the permitted use of Animal Farms (found in Suburban Residential) is gone. However, there is room to interpret kennels might be allowed since special exception #7 from the LDRR district is a possible special exception use carrying into the Urban Residential District.
6. The Multi-Family Suburban District (MFSD) allows special exception uses from the Urban Residential District to be carried into the MFSD district; therefore special exception use #7 from LDRR could be allowed.
7. The Multi-Family Urban District (MFUD) allows special exception uses from the Urban Residential District to be permissible in the MFUD district; therefore special exception use #7 from LCRR could be allowed.
8. In the General Business (GB) District, Kennels are not specifically mentioned, except in special exception use #20: *“Animal hospitals and pet shops, but no kennels.”*
9. In the General Business II (GBII), Kennels are not specifically mentioned except, in special exception use #20: *“Animal hospitals and pet shops, but no kennels.”*
10. In the Industrial District (ID), there is no mention of kennels.

Terry M Dailey
1054 North River Road
Auburn, Maine 04210
Phone 207 514-3030
Email: terry.dailey@icloud.com

April 20, 2017

Eric J. Cousens
Deputy Director of Planning and Development
Office of Planning and Development
City of Auburn
60 Court Street STE 104
Auburn, Maine 04210

Eric,

I would like to formally inquire about the permitted use in the Agricultural and Resource Protection (AGRP) Zone. Per our previous conversation, I would like to build a dog kennel for the purpose of temporarily boarding dogs overnight. The facility would be designed with 12 individual kennels, 2 grooming stations, an entrance/office/waiting area and bathroom. It will also include 2 fenced-in pasture areas. This will not be a doggy day care.

In reading thru the zoning use regulations, it appears that this usage is a permitted use in the AGRP Zone. As discussed, it may be best to ask the Planning Board for their concurrence. If necessary, they may want to modify some of the permitted uses write-up.

If you will let me know, I would be glad to attend the Planning Board meeting to answer any questions.

V/r
Terry M. Dailey



PLANNING BOARD STAFF REPORT

To: Auburn Planning Board

From: Zach Mosher, City Planner

Re: Text Amendment to allow Dog Kennels in the Agricultural and Resource Protection district.

Date: June 13, 2017

- I. PROPOSAL- The Planning Board initiated a text amendment at its May 9, 2017 meeting. The initiation for the text amendment came as a result of a letter from a local citizen who is interested in constructing a dog kennel on his property in the Agricultural and Resource Protection (AGRP) district for the purpose of temporarily boarding dogs overnight.

Dog kennels are not currently allowed in the AGRP district. The text amendment would allow dog kennels in the AGRP district as special exception. Dog kennels are first mentioned in the Low Density Rural Residential district (LDRR). The LDRR district allows kennels as a special exception use #7: *“Licensed kennels provided that there shall be available land area of at least three acres.”*

The proposed text amendment allowing dog kennels in the AGRP district as a special exception. The staff also recommends the special exception to carry-over into the Low Density Country Residential District (LDCR). As mentioned, kennels are currently permitted as a special exception use in the LDRR district. The special exception use of dog kennels is then allowed to carry over into every other higher density residential district provided the three acre minimum lot size is intact. However, staff would like to discuss whether to continue to allow the special exception use of dog kennels in all residential districts or whether to exclude its use in the smaller lot districts.

- II. DEPARTMENT REVIEW- The Plan Review Committee met and reviewed this proposal at its May 17, 2017 meeting. The group discussed the general impact of the text amendment and had little concerns about the text amendment itself. There was some discussion and agreement over prohibiting dwelling units as an accessory to the use of dog kennels in the AGRP district. Kennels do not require the substantial investment and commitment to a long term natural resource based

industry as other agricultural uses do and the potential for using a kennel for the purpose of establishing a residence exists.

- a. Police – No comments
- b. Auburn Water and Sewer – No comments
- c. Fire Department – No Comments
- d. Engineering – No Comments.
- e. Public Services – No comments.
- f. Economic and Community Development- No comments.

III. **PLANNING BOARD ACTION** – The Planning Board is being asked to send a recommendation on the text amendment to the City Council. The draft text amendment is attached with this report and consists of two conditions, 1) the minimum lot size of the zoning district or three acres, whichever is greater and 2) new residential dwelling units shall not be permitted as an accessory to the dog kennel.

IV. **STAFF RECOMMENDATION** – The staff considered the impacts of allowing dog kennels in the AGRP district. Dog kennels can create negative impacts of noise to adjacent neighbors. Kennels as a special exception in the AGRP, LDCR and LDRR districts will allow the Planning Board to provide public notice and evaluate impacts to the surrounding area, using the special exception and site plan review criteria. Staff also recommends keeping the three acre minimum lot size or the lot size required by the zoning district, whichever is greater. Staff further recommends adding a clause specifying residential dwellings are not permitted in the AGRP district as an accessory to the special exception use of dog kennels.

The Staff recommends the Planning Board send a recommendation of **APPROVAL** to the City Council for the text amendment with the following findings:

- 1) Kennels in the AGRP district is a reasonable special exception use given its low-density, rural nature.
- 2) Allowing kennels as a special exception in the AGRP district will allow adequate protection to surrounding areas from adverse impacts
- 3) The City of Auburn’s Comprehensive Plan supports “...a broader range of rural uses” (Chapter 2, p. 108).



Zach Mosher
City Planner



City of Auburn, Maine

Office of Economic and Community Development
60 Court Street, Auburn, Maine 04210
www.auburnmaine.gov 207.333.6601

To: Planning Board, City of Auburn
From: Zach Mosher, City Planner
Date: July 11, 2017
RE: Continued Discussion of a Dog Kennel Text Amendment

At the June 13th Planning Board meeting, a text amendment to allow dog kennels in the Agricultural and Resource Protection (AGRP) was postponed. Staff wanted to re-convene and clarify a couple aspects of the text amendment and bring it back to the Planning Board in July.

Staff Comments:

- 1) Licensed dog kennels are a sensible and reasonable Special Exception use in the Auburn's more rural residential districts. Staff recommends limiting the use of dog kennels to the following 4 districts: Agricultural & Resource Protection District (AGRP), Low Density Country Residential District (LDCR), the Low Density Rural Residential district and Suburban Residential (SR). Staff also recommends continuing to require the minimum lot size of three acres or the zoning district minimum, whichever is greater.
- 2) The use of dog kennels does not constitute an agricultural use, that is, dog kennels do not require a long-term investment/use of Auburn's open agricultural land or natural resources.
- 3) Because dog kennels are not considered an agricultural use, staff recommends prohibiting the construction of any residential units accessory to a kennel in the AGRP district.
- 4) The larger issue of residential uses in the AGRP District will be given careful consideration as part of the Ag Study that will start this year and should not be modified at this time with the limited public input to date.

Staff Recommendation:

The Staff recommends APPROVAL of the text amendment with the following findings and conditions:

- 1) Allowing Dog Kennels in the AGRP district is a reasonable special exception use given its low-density, rural nature.
- 2) The review of Dog Kennels as a special exception in the AGRP district will allow adequate protection to surrounding areas from adverse impacts
- 3) The City of Auburn's Comprehensive Plan supports "...a broader range of rural uses" (Chapter 2, p. 108).

Conditions:

- a. Minimum lot size of the zoning district or three acres, whichever is greater
- b. No residential dwelling unit will be allowed as an accessory to the dog kennels use.

DIVISION 2. - AGRICULTURE AND RESOURCE PROTECTION DISTRICT

Sec. 60-144. - Purpose.

The purposes of this district are to allow for conservation of natural resources and open space land, and to encourage agricultural, forestry, and certain types of recreational uses. It is declared to be in the public interest that these areas should be protected and conserved because of their natural, aesthetic and scenic value, the need to retain and preserve open space lands, their economic contribution to the city, and primarily because these areas are so remote from existing centers of development that any added uncontrolled growth could result in an economic burden on the city and its inhabitants. This section shall be construed so as to effectuate the purposes outline here and to prevent any attempt to establish uses which are inconsistent with these purposes or any attempt to evade the provisions of this division.

(Ord. of 9-21-2009, § 3.31A)

Sec. 60-145. - Use regulations.

(a) *Permitted uses.* The following uses are permitted:

- (1) One-family detached dwellings, including manufactured housing subject to all the design standards, except the siting requirements of section 60-173, as set forth in article XII of this chapter, accessory to farming operations subject to the following restrictions:
 - a. No certificate of occupancy shall be issued for any such farm residence until the barns, livestock pens, silos, or other such buildings or structures which are to be erected in connection with the proposed agricultural use as shown on the plans and specifications presented to the municipal officer charged with enforcement are substantially completed.
 - b. In no case shall any farm residence constructed under the provisions of this section after the effective date of the amended ordinance from which this section is derived continue to be occupied as a residence if the principal agricultural use has been abandoned or reduced in scope below the minimum requirements as shown on the plans and specifications presented to the municipal officer charged with enforcement.
 - c. Any residence constructed under this article shall not be converted to nonfarm residential use except by permission of the planning board based upon a finding that the abandonment or reduction in such use resulted from causes beyond the control of the applicant and not from any intention to circumvent the requirements of this article.
- (2) Buildings, equipment and machinery accessory to the principal use including, but not limited to: barns silos, storage buildings and farm automobile garages.
- (3) Forest products raised for harvest.
- (4) Field crop farms.
- (5) Row crop farms.
- (6) Orchard farms.
- (7) Truck gardens.
- (8) Plant and tree nurseries.
- (9) Greenhouses.
- (10) Handling, storage and sale of agriculture produce and processed agricultural products derived from produce grown on the premises.

- (11) Livestock operations including poultry farms, cattle farms, dairy farms, stud farms, hog farms, sheep ranches, other animal farms, including farms for raising fur-bearing animals.
 - (12) Wayside stands.
 - (13) Two-family dwellings which are created from the conversion of a one-family dwelling structure which was constructed prior to 1900.
- (b) *Special exception uses.* The following uses are permitted by special exception after approval by the planning board in accordance with the provisions of division 3 of article XVII of this chapter:
- (1) Sawmills and their customary accessory land uses and buildings incidental to the harvesting of forest products, subject to the following conditions:
 - a. Sawmill and accessory activity shall not be detrimental to the neighborhood or the city by reason of special danger of fire or explosion, pollution of rivers or perennial streams or accumulation of refuse.
 - b. Wood processing operation shall be located no closer than 75 feet from any river or perennial stream, 250 feet from any zoning district boundary or residential dwelling and shall be limited to four persons employed.
 - c. Where natural vegetation is removed, it shall be replaced within six months with other vegetation which will be equally effective in retarding erosion and will preserve natural beauty.
 - (2) Veterinary hospitals, where operated by licensed veterinarians, including offices and facilities for temporarily boarding animals.
 - (3) Handling, storage and sale of agricultural services, equipment, and supplies accessory to the farming use.
 - (4) Bona fide residences required for farm labor. Any residence constructed for farm labor shall not be converted to nonfarm residential use except by permission of the planning board based upon a finding that the abandonment or reduction in such use resulted from causes beyond the control of the applicant and not from any intention to circumvent the requirements of this division. The findings and the conditions upon which such altered use may be continued shall be made a part of the permanent records.
 - (5) Recreational uses of land intended or designed for public use subject to the following conditions:
 - a. No such recreational use shall be expanded or extended so as to occupy additional land area greater than 20 percent of the original area or one acre, whichever is less; or by the construction of a structure or an addition to an existing structure by more than 900 square feet of additional floor space unless the owner or occupant first obtains approval of the planning board in the manner and upon the same terms as approvals of initial recreational uses.
 - b. Any proposed new or expanded recreational use shall be completed on or before the estimated completion date except that the planning board may grant reasonable extension of time where good cause for the failure to complete is shown.
 - (6) Any legally nonconforming summer camp or cottage may be rebuilt if destroyed by fire or other casualty, subject to the following conditions:
 - a. Such reconstruction shall comply with all ordinances applicable to new construction. Such reconstruction need not, however, comply with zoning provisions which would otherwise be applicable except for the provisions of article XII of this chapter.
 - b. In cases where no minimum setback is established by division 5 of article XII of this chapter an open yard space of at least ten feet between the building as reconstructed and each of the property lines shall be maintained.

- (7) Rifle, pistol, skeet or trap shooting ranges, public or private.
- (8) Cemeteries, subject to the following conditions:
 - a. At least 20 acres in area.
 - b. Not located in any environmental overlay district or over any known aquifer.
- (9) Municipal sanitary landfills, subject to the following conditions:
 - a. Not located in any environmental overlay district or over any known aquifer.
 - b. Provisions shall be made to avoid surface water and groundwater pollution.
 - c. Provisions shall be made for frequent covering of deposited wastes with earth to counteract vermin, insects, odors, and windblown debris.
- (10) Radio, radar, television and radio telephone transmitting or broadcasting towers, but not studios or offices for such transmitting or broadcasting, provided that:
 - a. Every such tower shall be installed in a location and manner that ensures its safe operation and the safety of the surrounding residents, building occupants, land uses and properties.
 - b. In no case shall such tower be located less than one and one-half times its height from the nearest property line.
- (11) Wholesale nurseries, subject to the following conditions:
 - a. At least one-half of the area of the lot (up to a maximum of three acres) is in active nursery production in a husband type manner.
 - b. The plants and trees propagated, grown and nurtured in the nursery are used as the primary products by the owner/operator of the landscape service.
- (12) Processing and storage of compost and bulking agents from the municipal wastewater sewerage sludge facilities provided that:
 - a. All compost and amendments are to be stored undercover or screened from the public way and abutting property as determined by the planning board.
 - b. All federal, state and local ordinances and laws relating to the processing and storage of waste are complied with.
 - c. An end-use plan must be filed as part of the planning board process.
- (13) Licensed hospice care facility provided that it shall be licensed by the state as a Medicare certificate hospice.
- (14) Slaughterhouse, stockyard, abattoir, dressing plant in compliance with state and federal regulations subject to the following conditions:
 - a. The facility shall not be located within the Lake Auburn Watershed Overlay District, the Watershed of Taylor Pond, the Shoreland Overlay District or the Floodplain Overlay District.
 - b. The proposed use shall not occupy more than 10,000 square feet of building area.
 - c. The number of employees shall be limited to not more than 15.
 - d. Accessory retail sales shall be limited to 10 percent of building area or 1,000 square feet, whichever is smaller.
 - e. Hours of operation shall limited to between 6 a.m. and 8 p.m.
- (15) Compost operations, excluding municipal and industrial waste, to process products such as manure, bedding, animal mortalities, waste feed, produce, forestry by-products, leaves and yard trimmings in compliance with state and federal regulations, subject to the following conditions:

- a. All compost sites shall be evaluated for suitability by a properly qualified professional, including benchmark water testing prior to approval.
- b. Provisions shall be made to avoid surface and groundwater pollution.
- c. Provisions shall be made to counteract vermin, insects and odors.
- d. Must comply with all applicable state department of environmental protection and state department of agriculture rules and regulations and best management practices.
- e. Shall not be located within the Lake Auburn Watershed Overlay District.

(16) Licensed kennels subject to the following conditions:

- a. Minimum lot size of zoning district or three acres, whichever is greater
- b. No residential dwelling unit will be allowed as an accessory to the use of dog kennels

(Ord. of 9-21-2009, § 3.31B; Ord. No. 32-02072011-07, 2-7-2011; Ord. No. 06-08012011-07, 8-1-2011)

James Pross, Ward One
Robert Stone, Ward Two
Andy Titus, Ward Three
Ernestine Gilbert, Ward Four



Leroy Walker, Ward Five
Grady R. Burns, At Large
David C. Young, At Large

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDINANCE XX

BE IT ORDAINED, that the City Council hereby adopts a zoning ordinance text amendment to Article IV District Regulations, Division 2. Agriculture and Resource Protection District, Section 6-145 Use Regulations, (b) Special Exceptions (16), to allow Kennels as a Special Exception in the Agricultural and Resource Protection Zone.



City of Auburn City Council Information Sheet

Council Workshop or Meeting Date: August 21, 2017

Subject: Executive Session – Legal rights and responsibilities, pursuant to 1 M.R.S.A. §405(6)(E).

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

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

(1) An executive session may be held only if public discussion could be reasonably expected to cause damage to the individual's reputation or the individual's right to privacy would be violated;

(2) Any person charged or investigated must be permitted to be present at an executive session if that person so desires;

(3) Any person charged or investigated may request in writing that the investigation or hearing of charges or complaints against that person be conducted in open session. A request, if made to the agency, must be honored; and

(4) Any person bringing charges, complaints or allegations of misconduct against the individual under discussion must be permitted to be present.

This paragraph does not apply to discussion of a budget or budget proposal;

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

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

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

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

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

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

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

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



City of Auburn City Council Information Sheet

Council Workshop or Meeting Date: August 21, 2017

Executive Session – Regarding a real estate matter, pursuant to 1 M.R.S.A. §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 of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: August 21, 2017

Order: 72-08212017

Author: Sue Clements-Dallaire, City Clerk

Subject: Setting the time for opening the polls for the November 7, 2017 Election

Information:

State law requires the Municipal Officers to set the time to open the polls for each election. The polls must be opened no earlier than 6 a.m. and no later than 8 a.m. on Election Day, except that in municipalities with a population of less than 500, the polls must be opened no later than 10:00 a.m. It is recommended that the polls open at 7:00 A.M. in Auburn for the November 7, 2017 Election.

§626. Polling times

The following provisions apply to polling times at any election.

1. Opening time flexible. The polls must be opened no earlier than 6 a.m. and no later than 8 a.m. on election day, except that in municipalities with a population of less than 500, the polls must be opened no later than 10:00 a.m. The municipal officers of each municipality shall determine the time of opening the polls within these limits. The municipal clerk shall notify the Secretary of State of the poll opening times at least 30 days before each election conducted under this Title.

Advantages: Opening the polls at 7:00 A.M. is consistent with past practice in Auburn and it allows additional time in the morning for people to have an opportunity to vote.

Disadvantages: It is a long day for City Clerk staff and Election Workers who are working the full day.

City Budgetary Impacts: Minimal – the cost for Election workers to start one hour early (under \$100).

Staff Recommended Action: Recommend passage of this order.

Previous Meetings and History: N/A

Attachments:

Order 72-08212017

James Pross, Ward One
Robert Stone, Ward Two
Andy Titus, Ward Three
Adam R. Lee, Ward Four



Leroy Walker, Ward Five
Grady R. Burns, At Large
David C. Young, At Large

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 72-08212017

ORDERED, that the City Council hereby sets the time for opening the polls for the November 7, 2017 election to be 7:00 A.M.

IN COUNCIL REGULAR MEETING AUGUST 7, 2017 VOL. 35 PAGE 56

Mayor LaBonté called the meeting to order at 7:03 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

I. Consent Items

1. Order 64-08072017*

Accepting the transfer of \$2,933.00 forfeiture assets in U.S. Currency to the Auburn Police Department (Unified Criminal Court Docket No. CR-17-1566 Justin St. Pierre).

2. Order 65-08072017*

Accepting the transfer of \$912.20 forfeiture assets in U.S. Currency to the Auburn Police Department (Unified Criminal Court Docket No. CR-17-141 Donna Marie Pagnani).

3. Order 66-08072017*

Confirming Chief Crowell's appointments of Tyler A.P. Barnies and David P. Morin as Constables with firearm for the Auburn Police Department.

Motion was made by Councilor Titus and seconded by Councilor Walker and to move consent items 64-08072017 and 65-08072017 to new business. Passage 7-0.

Motion was made by Councilor Titus and seconded by Councilor Lee for passage of the remaining consent item (Order 66-08072017). Passage 7-0.

II. Minutes

- July 17, 2017 Regular Council Meeting

Motion was made by Councilor Burns and seconded by Councilor Walker to approve the minutes of the July 17, 2017 Council meeting. Passage 7-0.

III. Communications, Presentations and Recognitions

- **Proclamation** – Children's Cancer Awareness Month – Kerri Childs and her son Chance reached out to Mayor LaBonte and city staff in an effort to raise awareness and to proclaim September as Children's Cancer Awareness month in Auburn. She reached out on behalf of Hailey Steward who has been battling cancer. Kerri and Chance have been helping Hailey and her mom Tabaitha with their effort for the State of Maine to "Go Gold" and to raise childhood cancer awareness. Tabaitha Steward has a facebook page where more information can be found including a video.

Kailie Sullivan, Youth and Family Services Coordinator for the Dempsey Center was also invited to attend. She spoke about childhood cancer and some of the services provided at the Dempsey Center.

- **Presentation** – Auburn Student, Elliot Dowd was recognized for his efforts when he reached out to the CEO of NET Sports group about the poor condition of the playground at Washburn School. After receiving a letter from Elliot, NET Sports group agreed to donate \$100,000 toward the artificial turf for the playground field.
- **Communication** – A Community Meeting with residents of Taylor Pond and the Auburn Fire Department will be held on Tuesday, August 22, 2017 at 6:00 PM in Council Chambers. Other residents are invited to attend as well.

IN COUNCIL REGULAR MEETING AUGUST 7, 2017 VOL. 35 PAGE 57

- **Recognition – John Bubier.** The Mayor and City Manager wanted to recognize John Bubier for his assistance during his temporary position with the City. He served as Acting Assistant City Manager and Acting City Manager. Tonight is his last Auburn City Council meeting. His last day in Auburn will be August 11, 2017.

IV. 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*.

Mamie Anthoine Ney, Auburn Public Library Director reminded everyone that on 8/21/2017 there will be a solar eclipse adding that eclipse glasses are still available at the library.

Audrey Tripp, 40 Merrow Road thanked the Council for working with them and allowing them to keep their goats. As a token of their appreciation to the City of Auburn, she presented an award that they had special made (a goat trophy).

V. Unfinished Business - None

VI. New Business

Order 64-08072017* and Order 65-08072017* which were removed from the consent agenda;

Order 64-08072017*

Accepting the transfer of \$2,933.00 forfeiture assets in U.S. Currency to the Auburn Police Department (Unified Criminal Court Docket No. CR-17-1566 Justin St. Pierre).

Order 65-08072017*

Accepting the transfer of \$912.20 forfeiture assets in U.S. Currency to the Auburn Police Department (Unified Criminal Court Docket No. CR-17-141 Donna Marie Pagnani).

Motion was made by Councilor Burns and seconded by Councilor Walker for passage of Orders 64-08072017 and 65-08072017.

Passage 5-2 (Councilors Burns and Lee opposed).

1. Order 67-08072017

Authorizing the City Manager to execute the Collective Bargaining Agreement with Teamster Local 340 for 07/01/2017 through 06/30/2020.

Motion was made by Councilor Stone and seconded by Councilor Burns for passage.

Public comment – no one from the public spoke.

Passage 7-0.

2. Order 68-08072017

Approving the request to waive the \$50 fee for the Team McKesson Flea Market fundraiser for the Dempsey Center.

IN COUNCIL REGULAR MEETING AUGUST 7, 2017 VOL. 35 PAGE 58

Motion was made by Councilor Titus and seconded by Councilor Pross for passage.

Motion failed 3-4 (Councilors Burns, Lee, Pross, and Titus opposed).

3. Ordinance 07-08072017

Adopting the proposed food sovereignty ordinance. First reading.

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

Public comment – no one from the public spoke.

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

4. Order 69-08072017

Authorizing \$110,000 in Home funds to be reserved for the 477 Minot Avenue workforce housing project.

Motion was made by Councilor Lee and seconded by Councilor Burns for passage.

Public comment – no one from the public spoke.

Passage 7-0.

5. Order 70-08072017

Directing staff to schedule the First Reading and Public Hearing for the attached Draft Recreational Planned Unit Development Ordinance for an upcoming Council meeting, with options to address public comments.

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

Passage 7-0.

Motion was made by Councilor Stone and seconded by Councilor Walker to suspend the rules and add Order 71-08072017 to the agenda. Passage 6-1 (Councilor Titus opposed).

Motion was made by Councilor Stone and seconded by Councilor Walker for passage of Order 71-08072017.

*Authorizing the City Manager and the Assistant City Manager to execute an asset purchase agreement for concessions restaurant equipment itemized in an inventory list received by City Staff for the total purchase price of \$90,000; and that the City Manager and Assistant City Manager be authorized to grant an option for Slap Shot, LLC, to purchase the same equipment from the City at fair market value, in the event the City's master lease for Norway Savings Bank Arena should terminate for reasons **other** than the City exercising its option to purchase the Arena.*

Public comment – no one from the public spoke.

Passage 6-1 (Councilor Titus opposed).

VII. Reports

Mayor's Report – no report

Councilor Young – Reminded residents that the Great Falls Balloon Festival is going to be held the weekend of August 19, 2017 and the Androscoggin Historical Society will be opening up the Knight House and will have a program for children.

Councilor Pross – Reported that on August 12, 2017, the Androscoggin Land Trust will be hosting the annual river clean up event. More info can be found on the Androscoggin Land Trust's website www.androscogginlandtrust.org. He also reported on the School Committee meeting and the committee that is being formed that will discuss professional development time for middle and high school teachers.

Councilor Stone – reported on the Airport Board meeting. They received a \$645,000 grant from the FAA to maintain the taxi way. He reported on an event they held called Campers Weekend. He also reported on the rail study group. They are looking at an expansion of passenger rail service to Auburn/Lewiston.

Councilor Titus – reported that he had attended the National Night Out event and said that he had a great time and it was a fabulous event. He reported that the Sewer District meeting was scheduled for August 15, 2017 and the Water District meetings will be held on the 16th.

Councilor Lee – echoed councilor Titus' sentiments on the National Night Out event and thanked the Police Department. He said after the event, he met some folks out that were from out of state who had the best impression of our community adding that it was a good reflection on our community.

Councilor Walker – reported that channel 13 just covered the story about the goats, and he thanked the City Manager for making it happen. He thanked National Night Out organizers. He thanked everyone that came out for the yard sale at Rolly's parking lot and thanked all that donated to the COLAC. Over \$225 was raised.

Councilor Burns – no report

City Manager Report – he deferred the first item to the Mayor who reported on the status of the Lower Barker Mill Dam relicensing. Eric Cousens has been the staff lead on this project. He asked if Council was interested in having a workshop to discuss the status of the program and he is looking for support to file as an intervener.

The City Manager reported that he and the Assistant City Manager, Denise Clavette attended the national night out adding that it was a nice and well organized event that was well attended. He also reported that there would be a City Council workshop on Wednesday, September 13th at 5:30 to 8:30 PM to develop the workplan for FY2018. The meeting will be facilitated by Craig Freshley. There will also be a workshop on October 12, 2017 from 5:30 PM to 8:30 PM with the Fire Department to discuss overtime.

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

No one from the public spoke .

IX. Executive Session

- A. Executive Session: Real Estate discussion, pursuant to 1 M.R.S.A. §405(6)(C).

Motion was made by Councilor Titus and seconded by Councilor walker to enter into executive session regarding a real estate discussion, pursuant to 1 M.R.S.A. §405(6)(C).

Passage 7-0, time 8:17 P.M.

Council was declared out of executive session at 8:41 P.M.

- B. Executive Session: Economic Development discussion (Kassbehrer), pursuant to 1 M.R.S.A. §405(6)(C).

Motion was made by Councilor Titus and seconded by Councilor Walker to enter into executive session regarding economic development, pursuant to 1 M.R.S.A. §405(6)(C).

Passage 6-0 (Councilor Stone was not in the room for the vote), time 8:42 P.M.

Council was declared out of executive session at 9:01 P.M.

- C. Executive Session: Economic Development discussion (Income Utilization), pursuant to 1 M.R.S.A. §405(6)(C).

Motion was made by Councilor Titus and seconded by Councilor Pross to enter into executive session regarding economic development, pursuant to 1 M.R.S.A. §405(6)(C).

Passage 4-0-1 (Councilor Lee abstained, Councilors Stone and Walker were not in the room for the vote), time 9:02 P.M.

Council was declared out of executive session at 9:23 P.M.

X. Adjournment

Motion was made by Councilor Burns and seconded by Councilor Titus to adjourn.
Passage 4-0-3 (Councilors Young, Stone, and Walker were not in the room for the vote).
Time adjourned 9:24 PM.

A True Copy.

ATTEST


Susan Clements-Dallaire, City Clerk



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: 8-21-17

Ordinance: 07-08072017

Author: Eric J. Cousens, Deputy Director of Economic and Community Development

Subject: Act To Recognize Local Control Regarding Food Systems

Information: A number of Maine towns have passed food sovereignty ordinances that didn't accomplish much until a recent bill titled "An Act To Recognize Local Control Regarding Food Systems" passed; The bill passed with unanimous Senate approval on May 24, 2017 and was signed into Law by Governor LePage on June 16, 2017. In early November the law will take effect and allow producer to consumer transactions for locally grown food without being subject to government oversight or inspections if a municipality chooses to allow that. Accessing USDA inspected slaughter or processing facilities has been a major hurdle for smaller local producers bringing their products to the local market. Wholesale transactions or transactions outside of the municipality where the food is produced would continue to require the all inspections that are currently required. Councilor Lee has provided a draft ordinance that is cleaner, shorter and more concise than the model ordinance that has been used by other communities. Making this option available to farmers and consumers that are comfortable with purchasing from an uninspected facility could be a major boost to small local farms. Farms must also take their responsibility to slaughter, process and store foods appropriately to prevent risking to their consumers safety. City Attorney Michael Malloy has provided an opinion that the City is not taking on additional liability by adopting an ordinance that allows people to follow the new State Law. The State and Federal Government will determine exactly how their rules will be impacted by the new State Law but the proposed ordinance will allow farmers to do what is allowed by law and not impose further local restrictions.

Advantages: Opens a new local option for sales between producers and consumers within our municipal boundaries and may help build relationships with producers. Allows people to make their own decisions about buying uninspected products from their neighbors or local farms as an option while continuing to allow for traditional markets to sell inspected products.

Disadvantages: If producers do not process products safely there could be a higher risk of food related illness.

City Budgetary Impacts: None

Staff Recommended Action: Consider this as an option for promoting agriculture on small farms in Auburn and determine if the community supports it. Hold public hearing and vote to pass second reading.

Previous Meetings and History: Council workshop on 7/17/2017 and passage of first reading on 8/7/2017.

Attachments: Council Agenda Request, Copy of An Act To Recognize Local Control Regarding Food Systems , Livermore ordinance example, Draft concise ordinance prepared by Councilor Lee, Portland Press Herald Article.

James Pross, Ward One
Robert Stone, Ward Two
Andy Titus, Ward Three
Adam R. Lee, Ward Four



Leroy Walker, Ward Five
Grady R. Burns, At Large
David C. Young, At Large

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDINANCE 07-08072017

Be it Ordained, that the City Council hereby adopt First Reading of the following ordinance:

Sec. 14-50 -- FOOD SOVEREIGNTY LICENSE EXEMPTION

a. Intent and Purpose

The intent and purpose of Auburn's Food Sovereignty Ordinance is to ensure that residents are provided unimpeded access to local food and to reduce governmental regulation of the local food system to the fullest extent permitted by home rule authority under Title 30-A M.R.S. § 3001, the Constitution of Maine, Article VIII, Part Second, and pursuant to 7-A M.R.S. §201, et. Seq.

b. Definitions

As used in this Ordinance, the following words and phrases shall have the meanings indicated:

“Consumer” means any individual who purchases or otherwise receives local food or food products from a producer, grower or processor.

“Grower” means any individual who grows local food or food products.

“Local food system” means a community food system within a municipality that integrates food production, processing, consumption, direct producer-to-consumer exchanges and other traditional foodways to enhance the environmental, economic, social and nutritional health and well-being of Auburn and its residents.

“Local food or food products” means food, food products or drink grown, produced and processed by individuals within Auburn who sell or provide directly to consumers.

“Processor” means any individual who processes or prepares local food or food products.

“Producer” means any individual who produces local food or food products.

c. Exemption

James Pross, Ward One
Robert Stone, Ward Two
Andy Titus, Ward Three
Adam R. Lee, Ward Four



Leroy Walker, Ward Five
Grady R. Burns, At Large
David C. Young, At Large

Jonathan P. LaBonte, Mayor

Producers, growers, and processors of local food or food products in the City of Auburn are exempt from licensure and inspection with respect to their provision or sale of local food and food products to consumers within the local food system of the City of Auburn. To the extent this Section conflicts with any portion of the Code of Ordinances of the City of Auburn, this Section shall prevail and, as it pertains to this Section, that portion of Code shall be inapplicable.

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND AND SEVENTEEN

—
S.P. 242 - L.D. 725

An Act To Recognize Local Control Regarding Food Systems

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 7-A MRSA §101, sub-§2-B is enacted to read:

2-B. Local food system. "Local food system" means a community food system within a municipality that integrates food production, processing, consumption, direct producer-to-consumer exchanges and other traditional foodways to enhance the environmental, economic, social and nutritional health and well-being of the municipality and its residents.

Sec. 2. 7-A MRSA §201-B is enacted to read:

§201-B. Local authority to regulate food systems

Pursuant to the home rule authority granted to municipalities by Title 30-A, section 3001 and by the Constitution of Maine, Article VIII, Part Second, and pursuant to section 201-A, and notwithstanding any other provision of law to the contrary, a municipal government may regulate by ordinance local food systems, and the State shall recognize such ordinances.

An ordinance adopted by a municipality pursuant to this section must apply only to food or food products that are grown, produced or processed by individuals within that municipality who sell directly to consumers.

Any food or food products grown, produced or processed in the municipality intended for wholesale or retail distribution outside of the municipality must be grown, produced or processed in compliance with all applicable state and federal laws, rules and regulations.



City Council Workshop Agenda Item Request Form

City of Auburn

Requesting Councilor's Name: Adam R. Lee

Second Councilor Name: Grady Burns

Policy: Enactment of Food Sovereignty Ordinance

Summary of Issue: LD 725, An Act to Recognize Local Control Regarding Food Systems, was recently enacted by the legislature and signed by the Governor. It recognizes that municipalities, through their home rule authority, have regulatory control over local food systems. This Ordinance establishes that those foods grown, produced, or processed in Auburn sold or provided directly to consumers are exempt from local licensing and inspection obligations, and ensures that access to local food for residents is as unimpeded as the limits of home rule authority and the statute allow.

Recommended Action for Consideration: Passage of Ordinance

Existing Policy References (Comp. Plan, etc):

Committees of Jurisdiction (if applicable):

In order for a workshop item to be considered for an upcoming Auburn City Council Workshop agenda, please complete the above and present it at any time to the Mayor and City Manager. Our goal is to have items requested on a workshop agenda within 90 days of the date received.

DO NOT WRITE BELOW THIS LINE

Date Received: _____ Received By: _____
(City Manager)

Date Received: _____ Received By: _____
(Mayor)

90 Day Date: _____

Staff Assigned: _____



THE MALLOY FIRM

Attorney. Advisor. Advocate.

MEMORANDUM

To: Eric Cousens
CC: Peter Crichton, Denise Clavette
From: Michael Malloy
Date: August 3, 2017
Re: Food Sovereignty – Draft Ordinance

We have reviewed the proposed “Food Sovereignty Ordinance” as requested by the City Council on July 10, 2017, for the limited purpose of determining whether adoption of this ordinance as proposed, is likely to create liability risk to the City. Based upon our review of the City’s current ordinances, as well as the new and existing sections of Title 7-A of the Maine Revised Statutes and other relevant sections of state and federal law, we are of the opinion that adoption of the proposed ordinance will not create additional public liability risk to the City.

When it Takes Effect

The new statute was not enacted as emergency legislation, which means that it will take effect 90 days from the date of adjournment. The Legislature adjourned yesterday, which means it will take effect the first week of November.

The Maine Tort Claims Act

In general, the City enjoys protection from personal injury lawsuits under the Maine Tort Claims Act:

1. Immunity. Except as otherwise expressly provided by statute, all governmental entities shall be immune from suit on any and all tort claims seeking recovery of damages.

14 M.R.S. § 8103. The Maine Tort Claims Act waives this immunity with respect to property damage or personal injury involving machinery and equipment (including vehicles), negligent construction, operation, or maintenance of public buildings, the municipality’s own environmental contamination, and limited acts and omissions pertaining to road construction, street cleaning and repair. 14 M.R.S. § 8104. It does not waive immunity with respect to personal injury arising out of the consumption or purchase of locally grown food.

Accordingly, we are of the opinion that, should a member of the public suffer a personal injury or sickness due to consumption or other interaction with food that was grown, produced, or processed within the City of Auburn, the City would be immune from suit under the Maine Tort Claims Act.



THE MALLOY FIRM

Attorney. Advisor. Advocate.

MEMORANDUM

To: Eric Cousens
CC: Peter Crichton, Denise Clavette
From: Michael Malloy
Date: August 3, 2017
Re: Food Sovereignty – Draft Ordinance

We have reviewed the proposed “Food Sovereignty Ordinance” as requested by the City Council on July 10, 2017, for the limited purpose of determining whether adoption of this ordinance as proposed, is likely to create liability risk to the City. Based upon our review of the City’s current ordinances, as well as the new and existing sections of Title 7-A of the Maine Revised Statutes and other relevant sections of state and federal law, we are of the opinion that adoption of the proposed ordinance will not create additional public liability risk to the City.

When it Takes Effect

The new statute was not enacted as emergency legislation, which means that it will take effect 90 days from the date of adjournment. The Legislature adjourned yesterday, which means it will take effect the first week of November.

The Maine Tort Claims Act

In general, the City enjoys protection from personal injury lawsuits under the Maine Tort Claims Act:

1. Immunity. Except as otherwise expressly provided by statute, all governmental entities shall be immune from suit on any and all tort claims seeking recovery of damages.

14 M.R.S. § 8103. The Maine Tort Claims Act waives this immunity with respect to property damage or personal injury involving machinery and equipment (including vehicles), negligent construction, operation, or maintenance of public buildings, the municipality’s own environmental contamination, and limited acts and omissions pertaining to road construction, street cleaning and repair. 14 M.R.S. § 8104. It does not waive immunity with respect to personal injury arising out of the consumption or purchase of locally grown food.

Accordingly, we are of the opinion that, should a member of the public suffer a personal injury or sickness due to consumption or other interaction with food that was grown, produced, or processed within the City of Auburn, the City would be immune from suit under the Maine Tort Claims Act.

James Pross, Ward One
Robert Stone, Ward Two
Andy Titus, Ward Three
Adam R. Lee, Ward Four



Leroy Walker, Ward Five
Grady R. Burns, At Large
David C. Young, At Large

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDINANCE 07-08072017

Be it Ordained, that the City Council hereby adopts the following ordinance (Chapter 14, Article II, Sec. 14-50):

Sec. 14-50 -- FOOD SOVEREIGNTY LICENSE EXEMPTION

a. Intent and Purpose

The intent and purpose of Auburn's Food Sovereignty Ordinance is to ensure that residents are provided unimpeded access to local food and to reduce governmental regulation of the local food system to the fullest extent permitted by home rule authority under Title 30-A M.R.S. § 3001, the Constitution of Maine, Article VIII, Part Second, and pursuant to 7-A M.R.S. §201, et. Seq.

b. Definitions

As used in this Ordinance, the following words and phrases shall have the meanings indicated:

“Consumer” means any individual who purchases or otherwise receives local food or food products from a producer, grower or processor.

“Grower” means any individual who grows local food or food products.

“Local food system” means a community food system within a municipality that integrates food production, processing, consumption, direct producer-to-consumer exchanges and other traditional foodways to enhance the environmental, economic, social and nutritional health and well-being of Auburn and its residents.

“Local food or food products” means food, food products or drink grown, produced and processed by individuals within Auburn who sell or provide directly to consumers.

“Processor” means any individual who processes or prepares local food or food products.

“Producer” means any individual who produces local food or food products.

James Pross, Ward One
Robert Stone, Ward Two
Andy Titus, Ward Three
Adam R. Lee, Ward Four



Leroy Walker, Ward Five
Grady R. Burns, At Large
David C. Young, At Large

Jonathan P. LaBonte, Mayor

c. Exemption

Producers, growers, and processors of local food or food products in the City of Auburn are exempt from licensure and inspection with respect to their provision or sale of local food and food products to consumers within the local food system of the City of Auburn. To the extent this Section conflicts with any portion of the Code of Ordinances of the City of Auburn, this Section shall prevail and, as it pertains to this Section, that portion of Code shall be inapplicable.

Passage of first reading on
8/7/2017 7-0.



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: August 21, 2017 **Order:** 73-08212017

Author: Sue Clements-Dallaire, City Clerk

Subject: Authorizing the City Clerk to place the proposed consolidation agreement and charter question on the November 7, 2017 ballot as recommended by the Joint Charter Commission.

Information: The Joint Charter Commission has drafted a consolidation agreement between the cities of Auburn and Lewiston and they've submitted copies of the agreement to the Municipal Officers of both cities. A public hearing was held in Auburn on 7/31/2017. The agreement shall be submitted to the voters of each municipality at a municipal election to be held on November 7, 2017. The Joint Charter Commission has noted in their report that they recommend the ballot question to be:

"Do you approve the charter and consolidation agreement as recommended by the Lewiston Auburn Joint Charter Commission?"

The Lewiston City Council voted to authorize the City Clerk to place the proposed consolidation agreement before the Lewiston voters at the November 7, 2017 municipal election and approved the ballot question as recommended by the Joint Charter Commission (as stated above).

Advantages: Approving the ballot question that is recommended by the Joint Charter Commission will mean that Lewiston and Auburn voters will be voting on the same question. Approving the order will allow us to move forward with the process to submit the ballot layout to the vendor so ballots will be printed and received on time for absentee voting. In addition, it will allow sufficient time for getting the thumb drives programmed to so testing the machines and memory sticks can be done prior to the election.

Disadvantages:

City Budgetary Impacts: N/A

Staff Recommended Action: Recommending passage

Previous Meetings and History: On 7/17/2017 Council voted to set the date for the election to be held on 11/07/2017. The public hearing as required by State law was held on 7/31/2017.

Attachments: Order 73-08212017

Maine Revised Statutes
Title 30-A: MUNICIPALITIES AND COUNTIES
Chapter 113: CONSOLIDATION, SECESSION AND ANNEXATION

§2152. JOINT CHARTER COMMISSION

1. Petition. The voters of a municipality may file a petition in the municipal office that must:

A. Be addressed to the municipal officers; [1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD).]

B. Be signed by at least 10% of the voters of that municipality, except that only 1,000 signatures are necessary in municipalities of 10,000 or more voters; [1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD).]

C. Propose that the municipality be consolidated with another municipality, or other municipalities, named in the petition; and [1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD).]

D. Request that 3 persons be elected by the voters of the municipality to serve as members of a joint charter commission for the purpose of drafting a consolidation agreement. [1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD).]

[1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD) .]

2. Joint charter commission. If a petition is filed as required under subsection 1, the 3 members of a joint charter commission shall be elected at the next special or regular election in the manner provided for the election of municipal officers. The election of members by 2 or more municipalities authorizes the commission to draft the consolidation agreement. If a municipality does not elect members, it may not participate in the consolidation.

[1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD) .]

3. Consolidation agreement. The joint charter commission shall draft an agreement between the consolidating municipalities which includes:

A. The names of the municipalities; [1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD).]

B. The name under which it is proposed to consolidate, which must be distinguishable from the name of any other municipality in the State, other than the consolidating municipalities; [1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD).]

C. The property, real and personal, belonging to each municipality, and its fair value; [1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD).]

D. The indebtedness, bonded and otherwise, of each municipality; [1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD).]

E. The proposed name and location of the municipal office; [1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD).]

F. The proposed charter; [1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD).]

G. The terms for apportioning tax rates to service the existing bonded indebtedness of the respective municipalities; and [1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD).]

H. Any other necessary and proper facts and terms. [1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD).]

[1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD) .]

4. Submission of consolidation agreement. The consolidation agreement shall be submitted to the voters of each municipality at a municipal election after notice and hearing as provided in paragraphs A and B. The consolidation agreement may be amended, provided that the amended agreement meets the notice and hearing requirements of paragraphs A and B. Upon approval of a majority of those voting in each of 2 or more municipalities, the consolidation agreement becomes effective, according to its terms, in those municipalities.

A. The municipal officers of each municipality shall hold a public hearing on the consolidation agreement. The public hearing may be held on more than one day, provided that it adjourns permanently at least 10 days before the election. [1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD).]

B. The municipal officers shall notify the voters of each municipality of the consolidation agreement and of the time and place of the public hearing in the same manner that the voters of each municipality are notified of ordinances to be enacted. This notice must be given at least 30 days before the election and at least 10 days before the hearing. [1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD).]

[1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD) .]

SECTION HISTORY

1987, c. 737, §§A2,C106 (NEW). 1989, c. 6, (AMD). 1989, c. 9, §2 (AMD). 1989, c. 104, §§C8,10 (AMD).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the Second Regular Session of the 127th Maine Legislature and is current through October 1, 2016. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.

Public Hearing

The statute authorizing the Joint Charter Commission (30A MRSA 2152) states the following:

4. Submission of consolidation agreement. The consolidation agreement shall be submitted to the voters of each municipality at a municipal election after notice and hearing as provided in paragraphs A and B. The consolidation agreement may be amended, provided that the amended agreement meets the notice and hearing requirements of paragraphs A and B. Upon approval of a majority of those voting in each of 2 or more municipalities, the consolidation agreement becomes effective, according to its terms, in those municipalities.

A. The municipal officers of each municipality shall hold a public hearing on the consolidation agreement. The public hearing may be held on more than one day, provided that it adjourns permanently at least 10 days before the election.

B. The municipal officers shall notify the voters of each municipality of the consolidation agreement and of the time and place of the public hearing in the same manner that the voters of each municipality are notified of ordinances to be enacted. This notice must be given at least 30 days before the election and at least 10 days before the hearing.

Thus, we are providing this document set to the cities of Auburn and Lewiston to provide basis for public hearings the cities will hold.

Ballot Question

The Charter Commission recommends that the proposed charter and consolidation agreement go before voters in Lewiston and Auburn at the General Election on Tuesday, November 7, 2017.

Holding the vote at a regularly scheduled municipal election will ensure a higher turnout and give more voters the opportunity to participate.

We recommend the ballot question to be:

"Do you approve the charter and consolidation agreement as **recommended by the** Lewiston Auburn Joint Charter Commission?"

James Pross, Ward One
Robert Stone, Ward Two
Andy Titus, Ward Three
Adam R. Lee, Ward Four



Leroy Walker, Ward Five
Grady R. Burns, At Large
David C. Young, At Large

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 73-08212017

ORDERED, that the City Council hereby authorizes the City Clerk to place the proposed consolidation agreement and charter question on the November 7, 2017 municipal ballot as recommended by the Joint Charter Commission. The question shall appear as follows:

“Do you approve the charter and consolidation agreement as recommended by the Lewiston Auburn Joint Charter Commission?”



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: 8-21-17

Ordinance: 08-08212017

Author: Eric J. Cousens, Deputy Director of Economic and Community Development

Subject: Recreational Planned Unit Development Ordinance First Reading

Information: Councilors Walker and Stone have agreed to bring forward a proposal that was postponed at a meeting of a prior Council because there is a strong need to promote the viability of recreational uses if we are serious about sports tourism. The concept of allowing commercial or residential development around major recreational uses as a way to generate additional income, attract new visitors and residents and to help maintain the recreational assets by making them financially stable has been discussed for years. The 2010 Comprehensive recommended that we consider options to allow this nationally common flexibility within the City of Auburn. In 2011-2012 a lengthy public review of a proposal to allow this was conducted and the proposal was recommended for adoption by the Planning Board. At the time, the motivation for the discussion was for the success of existing recreational facilities and the users of those assets, advancement of the existing Comp Plan recommendations and for the advancement of a specific project opportunity at Martindale Country Club. A resident of the Martindale neighborhood promoted and organized neighborhood opposition to the proposal and the Council eventually postponed the item indefinitely. We now have a new opportunity for investment at another major recreational asset, Prospect Hill Golf Course, that the City should consider. The proposal provides a framework for the Planning Board to consider all benefits and impacts of individual proposals for customary commercial or residential uses that are not otherwise permitted in the zone to be considered adjacent to major recreational uses. Existing "Major Recreational Uses" as defined in the draft ordinance include and are limited to Lost Valley, Prospect Hill, Fox Ridge and Martindale. The Council reopened the discussion at the last meeting. Historic information, the latest draft ordinance and a memo summarizing comments from recreational business owners are attached.

Advantages: May encourage new recreational investment consistent with the Council priority to increase sports and recreational tourism, improve quality of life and increase valuation.

Disadvantages: Any known disadvantages (traffic was the main concern in the last review) can be addressed and mitigated through the Planning Board review process in the proposed ordinance.

City Budgetary Impacts: Increased investment and valuation.

Staff Recommended Action: Approve first reading and schedule second reading and public hearing.

Previous Meetings and History: Planning Board Workshop on October 25, 2011, Planning Board Public Hearings on September 13, October 11, and November 15, 2011, a meeting organized by the Beech Hill Road Neighborhood on October 4, 2011, City Council Workshop on April 30, 2012, Council Public Hearing on May 21, 2012, Council workshop July 17, 2017, Council Meeting August 7, 2017.

Attachments: August 16 Memo summarizing modifications to accommodate business concerns, Draft RR PUD Ordinance Draft recommended by Planning Board with modifications for private sewer and density, August 3 Memo regarding business feedback, Rec Sewer Survey from 2012, RR PUD Ordinance First Reading Order.



City of Auburn, Maine

Economic & Community Development

Michael Chammings, Director

60 Court Street | Auburn, Maine 04210

www.auburnmaine.gov | 207.333.6601

Date: August 17, 2017

To: Mayor LaBonte and Auburn City Council

From: Eric Cousens, Deputy Director of Economic and Community Development

Re: Recreational Planned Unit Development (RPUD) Ordinance Feedback from Businesses

Since the workshop on this topic we have spoken with the owners of the four Major Recreational Uses as defined by the ordinance and received feedback that they support the ordinance but it could be modified to allow additional flexibility. The owners asked for a meeting with Councilors Stone and Walker to discuss challenges faced by their facilities. The Councilors expressed support for bringing the ordinance and the businesses ideas/concerns to the full Council during the public process. The August 3, 2017 Memo included in the packet at the last meeting is also included in this packet for additional details.

The Planning Board unanimously recommended the draft ordinance that the Council reviewed at the last meeting. There have been two modifications made to the draft that the Council will review on August 21, 2017 to consider addressing concerns raised by recreational facility owners: 1) Residential Density; and 2) Public Sewer vs. Onsite Wastewater Disposal. All of the changes to the Planning Board recommended version are highlighted in yellow (pages 1, 2, 4 and 7 of the draft ordinance) and would accommodate the flexibilities explained in the August 3, 2017 Memo.

As you know this was postponed in 2012 and now we are working once again to accommodate a potential investment that could benefit the community. The uncertainty and delays of a zone change process while an investor is ready to invest can be an obstacle to attracting investment. Most communities allow residences and other commercial uses to accommodate guests and visitors near golf courses and ski areas so this is not an unusual concept. Staff encourages the Council to allow our major recreational uses the flexibility of the RR PUD Ordinance to let them and the City take advantage of their full economic potential. If industry standards and local history stay consistent, we will almost certainly see future requests for similar projects; with the ordinance in place we will be ready to carefully evaluate individual proposals as opportunities are presented.



City of Auburn, Maine

Economic & Community Development

Michael Chammings, Director

60 Court Street | Auburn, Maine 04210

www.auburnmaine.gov | 207.333.6601

Date: August 3, 2017

To: Mayor LaBonte and Auburn City Council

From: Eric Cousens, Deputy Director of Economic and Community Development

Re: Recreational Planned Unit Development (RPUD) Ordinance Feedback from Businesses

Since the workshop on this topic we have spoken with the owners of the four Major Recreational Uses as defined by the ordinance and received feedback that they support the ordinance but it could be modified to allow additional flexibility. The owners asked for a meeting with Councilors Stone and Walker to discuss challenges faced by their facilities. The Councilors expressed support for bringing the ordinance and the businesses ideas/concerns to the full Council during the public process. There have been two concerns raised that we are asking Council to consider addressing as part of the adoption of the proposed ordinance: 1) Residential Density; and 2) Public Sewer vs. Onsite Wastewater Disposal.

Residential Density

Based on the current draft ordinance the residential density allowed is equal to the density required by the zoning district. Two of the existing Major Recreational Uses are located in the Low Density Rural Residence (LDRR) District and the other two are split between the Agriculture and Resource Protection (AG/RP) and the LDRR or Low Density Country Residence. The number of residences that could be reviewed as part of the draft RPUD ordinance varies widely based on the lot size of the district. One way to address this inequity between recreational uses to provide a more even opportunity for each of them would be to allow the density of the district in which it is located as written, but to also allow the split zoned facilities to use the density of either zoning district that the parcel is partly located in. A chart showing what that modification would do as a simple function of dividing the lot by minimum required lot size is below.

<u>Facility Name</u>	<u>Lot Size (Acres)</u>	<u>Zoning District(s)</u>	<u>Maximum Possible Units Currently</u>	<u>Possible Units w/RPUD as Drafted</u>	<u>Possible Units w/ modified RPUD</u>
Lost Valley	194	AG/RP and LDCR	20 (17 AG use restricted)	20	65
Prospect Hill	110	LDRR	110	110	110
Martindale	215	LDRR	215	215	215
Fox Ridge	195	AG/RP and LDRR	20 (19 AG use	20	195

			restricted)		
--	--	--	-------------	--	--

The chart is a simple calculation and likely estimates substantially more units than could actually fit around the perimeter of most of the facilities to still meet the ordinance requirements of preserving the recreational use. Any RPUD Proposal would still need to meet the requirements of the ordinance and would be reviewed through a public process with the Planning Board carefully considering each proposal. It is staff's opinion that the Council could make the above modification to the draft ordinance to allow a more even opportunity for density across all four of the recreational uses and still have a good ordinance to review proposals and mitigate impacts.

Wastewater Disposal

Flexibility for recreational uses is recommended by the Comprehensive Plan. The proposed ordinance urgency during the last review was motivated by a potential project in an area that had access to public sewer. We have now heard concerns that the requirement for public sewer will make it cost prohibitive for Lost Valley or Prospect Hill to ever take advantage of the RPUD Ordinance. The owners of both facilities are supportive of the direction in the proposed ordinance and would not want any possible controversy over sewer to delay the adoption of the ordinance and prevent the City and Prospect Hill from taking advantage of current investment opportunities. That said they have asked us to consider amending the proposal to follow State Plumbing Code, environmental and industry standards for wastewater disposal instead of simply requiring connection to public sewer.

Sewer was discussed by the Planning Board and the requirement remained in the ordinance as part of their unanimous recommendation. As with any public process there are compromises made, but there was not unanimous agreement on whether connection to public sewer should be required. Attached is a wastewater disposal survey of recreational uses provided by a Planning Board Member during the discussion in 2012. As you might expect, many rural recreational resources like ski areas and rural golf courses rely on private wastewater disposal systems designed to meet State Plumbing Codes, not public sewer.

As part of the Council's consideration of the ordinance adoption the above input from the owners of recreational facilities should be considered. At the August 7th Council meeting we ask that the Council schedule this item for a new First Reading and Public Hearing at the next possible meeting and that the Council direct staff to draft amendments for the Council to consider at the hearing that would address the concerns raised by the businesses. The Council will then be able to get feedback from the public and move forward with a version that makes sense for the City. If the density and sewer discussions may delay the adoption of the current draft substantially the Council could adopt the version recommended by the Planning Board (after 2 readings and a public hearing) to allow a current opportunity to proceed and ask the Planning Board to consider an amendment to address the input from facility owners.

Town/City	contact info	major recreational attraction	zoning	acres	water/sewer
Auburn	GIS	Lost Valley	LDCR/AG&RP	194	private/private
Auburn	GIS	Martindale Country Club	RR	214	public/public
Auburn	GIS	Prospect Hill	RR	110	private/private
Auburn	GIS	Fox Ridge Golf Club	RR/AG&RP	195	private/private
Auburn	GIS	Pine Acres Golf Course/Roy's	LDCR/AG&RP	54	private/private
Auburn	GIS	Dragon Field Disc Golf	LDCR	45	private/private
Minot	Arlin Saunders (TM)	Hemonds Moto-X Park	Village District	35	private/private
Minot	345-3305	2.7 miles hiking trails	Residential District	n/a	n/a
Poland	Sue Therriault (Ass)	Poland Spring Resort-hotel/golf/driving/disc	Village	186	private/private
Poland	998-4601	Poland Preservation Park	Historical	5	n/a
Poland	Niki Pratt (CIO)	Summit Springs Golf-cottages	Residential	78	private/private
Poland	Scott Segal (Rec)	Fairlawn Golf	Farm & Forest	398	private/private
Poland	998-4650	Poland Spring Driving Range	Historical	180	n/a
Mc. Falls	Nick Richard (CIO)	Harvest Hill Farms	highway commercial	200	private/private
Mc. Falls	345-2871	Wolf Run Racing/Disc Golf	Downtown Business 3	17	public/public
Lewiston	Susan Ricker (Ass)	Casino (proposed) Bates Mill # 5	Mill	5	pubic/public

Lewiston	513-3122	Apple Valley Golf Course	Rural	50	private/private
Oxford	Rodney Smith (CIO)	Oxford Plains Speedway	Mixed use	30	public/private
Oxford	539-4431	4 Seasons Resort Casino (April 2012)	Mixed use	100	public/private
Oxford		Oxford County Fairgrounds	Mixed use	55	public/private
Leeds	Jennifer 524-5171	Spring Brook Golf Club	Commercial	183	private/private
Saco	Kendi (Ass)	Saco Bay Trails(charitable)	Resource Protection	11	public/public
Saco		Funtown Splashtown USA	Amusement	34	public/public
Saco		Deep Brook Golf Course	Resource Protection	83	private/private
Saco		Aquaboggan Waterpark	Amusement	40	public/public
Saco		Monkey Trunks (zipline/disc golf/climbing)	Resource Protection	15	public/public
Old Orchard Bch	Bill DiDonato (Ass)	Palace Playland	Downtown D#1	4	public/public
Old Orchard Bch	934-5714 ext 212	Dune Grass Country Club (condo subdiv)	Planned mixed use	166	public/public
Old Orchard Bch		Old Orchard Beach	Beach	3.7 miles	public/public
Old Orchard Bch		Ocean Park (Baptist private community)	Res 3/Neighbrhd	250 (est)	public/public
Old Orchard Bch		Salvation Army (camp meeting house)	Res 2	6 (est)	public/public
York Beach	Rick Mace (Ass)	York's Wild Kingdom	Rt 1 #1	59	public/public
York Beach	363-1005	York Beach	Beach	2 miles	public/public
York Beach		Ledges Golf Course	Residential	257	private/private

York Beach			York Golf and Tennis	Residential	185	public/private
York Beach			Cape Nedick Golf	Residential	247	private/private
Rumford	Rachel (Ass)	364.4576	Black Mountain of Maine	none	595	private/private
Greenwood	Kim	875-2773	Mount Abrams	none	500	private/private
Denmark	Bill	452-2356	Shawnee Peak (also in Bridgton)	unknown	??	private/private
Bridgton	Dawn Taft (Ass)		Shawnee Peak (also in Denmark) PUD	none	882	private/private
Bridgton		647-8786	Bridgton Highlands Country Club (subdv)	none	99	private/private
Jay		897-6785	Spruce Mountain	none		private/private
W. Farmington	Mark Caldwell (Ass)		Titcomb Mountain	Farm & Forest	197	private/private
Farmington		778-6538	Frankland County Fair Grounds	Village Residential	59	public/public
Farmington			Bonney Woods (community trails)	Village Residential	65	available
Camden	Beth	236-3353	Camden Snow Bowl	Rural Recreational	73	private/private
Skowhegan	Lisa (Ass)	474-6903	Eaton Mountain	none	99	private/private
Skowhegan			Loon Cove Golf	none	29	private/private
Skowhegan			Lake George Regional Park	none	133	private/private
Skowhegan			Run of the River (Kennebec Rvr) proposed			n/a

DRAFT PLANNING BOARD RECOMMENDATION ACCEPTED AS PART OF MINUTES AT 1/10/12
PLANNING BOARD MEETING-Modified for sewer and density requests (yellow).-

DIVISION 10. - PLANNED UNIT DEVELOPMENTS

Subdivision I. - In General
Subdivision II. - Types
Subdivision III. - Application Procedure

Subdivision I. - In General

[Sec. 60-359. - Purpose.](#)
[Sec. 60-360. - Scope.](#)
[Sec. 60-361. - General standards.](#)
[Secs. 60-362—60-380. - Reserved.](#)

Sec. 60-359. - Purpose.

The purpose of this section is to provide for a greater variety and choice of design for urban and suburban living, to gain efficiencies, to coordinate design development efforts, to conserve and make available open space, to utilize new technologies for ~~urban~~ land development and to ~~gain flexibilities over offer a flexible alternative to~~ conventional land control regulations. This section should not be used as a device for circumventing the city's development regulations and may be employed in instances where there is truly some benefit to be derived from its use for the community and for the developer. The type and amount of development permitted shall be based on the Planning Board's evaluation of the development proposal and the purposes standards and provisions set forth in this Division.

(Ord. of 3-16-2009, § 3.51(A); Ord. of 9-21-2009, § 3.51A)

Sec. 60-360. - Scope.

- (a) Application for a PUD-C Planned Unit Development, PUD-I Planned Unit Development or PUD-R Planned Unit Development ~~planned unit development~~ may be made for land located where public sewer is presently available or will be made available by the developer prior to certificates of occupancy being issued. Application for a for PUD-RR Planned Unit Development: Recreation/Residential may be made for land located where public sewer is presently available, will be made available by the developer prior to certificates of occupancy being issued or may utilize private wastewater disposal systems in compliance with State Plumbing Codes. ~~in all zoning districts except agriculture and resource protection districts.~~
- (b) ~~The requirements for setback, lot width, lot depth, lot area, street frontage and percentage of lot coverage stated in individual zoning classifications shall be subject to negotiation as they apply to planned unit developments, except the front yard setback from all dedicated rights of way shall not be reduced. In specific cases, the requirements for off street parking stated in article V of this chapter and minimum area as stated in individual zoning classifications may be reduced. These requirements shall be controlled by the criteria and~~

PART II - CODE OF ORDINANCES
Chapter 60 - ZONING
ARTICLE IV. - DISTRICT REGULATIONS
DIVISION 10. - PLANNED UNIT DEVELOPMENTS

~~standards of this division and as shown on the approved planned unit development plan.~~

~~The dimensional requirements stated in individual zoning districts and signs as stated in Article V of this Chapter may be increased or decreased by the Planning Board as they apply to planned unit developments, except the front yard setback from all public streets shall not be reduced. The dimensional requirements and provision of signs shall be controlled by the standards sets forth in Sec. 60-359 Purpose and Sec 60-361 General Standards.~~

(c) Coordination with subdivision regulations.

- (1) ~~It is the intent of this division that if~~ a plan review is required under division 4 of article XVI Subdivision of this chapter, ~~that it shall~~ be accomplished simultaneously with the review of the planned unit development plan under this division of this zoning chapter.
- (2) The final development plan shall be submitted in a form that is in accordance with the requirements of division 4 of article XVI Subdivision of this chapter relative to final plans where applicable.
- (3) Requirements of this division of this zoning chapter and those of division 4 of article XVI of this chapter shall apply to all planned unit developments.

(Ord. of 3-16-2009, § 3.51(B); Ord. of 9-21-2009, § 3.51B)

Sec. 60-361. - General standards.

The following provisions apply to all planned unit development districts:

- (1) The ~~setback, lot width and lot coverage~~dimensional requirements as stated in individual zoning ~~classification districts~~ shall apply within the PUD but may be ~~reduced-increased or decreased~~ due to individual site ~~limitations characteristics~~ as determined by the ~~planning board~~Planning Board to promote the purposes set forth in section 60-359 of this chapter.
- (2) ~~The number of off-street parking spaces in each planned unit development may not be less than the requirements as stated in article V of this chapter except that the~~The planning boardPlanning Board may increase or decrease the required number of off-street parking spaces as stated in Article V of this chapter in consideration of the following factors:
 - a. ~~Probably~~The probable number of cars owned by occupants of dwellings in the planned unit development;
 - b. ~~The~~Parking needs of any ~~non~~dwellling-nonresidential uses;
 - c. Varying time periods of use, and whatever joint use of common parking areas is proposed.
- (3) Whenever the number of off-street parking spaces are-is reduced because of the nature of the occupancy, the city shall obtain assurance that the nature of the occupancy will not change.
- (4) ~~In any~~A PUD involving residential uses ~~that receives a density bonus and has lot sizes that are reduced below the minimum required within the residential district,~~ shall reserve an amount of land equal to that ~~created through the reduction in required lot sizes,~~ required by section 60-1367 to be held as open space for the mutual use of the residents of the PUD or open to the public. ~~This shall be accomplished by either~~Land reserved to satisfy the open space requirement shall be:

PART II - CODE OF ORDINANCES
Chapter 60 - ZONING
ARTICLE IV. - DISTRICT REGULATIONS
DIVISION 10. - PLANNED UNIT DEVELOPMENTS

- a. ~~The land shall be a~~Administered through a homeowner's association; or
 - b. ~~The land shall be d~~Dedicated to and accepted by the city for public ~~use.~~use; or
 - c. Land occupied by a major recreational use adjacent to a PUD-RR; or
 - d. Managed by a non-profit organization or land trust deemed capable of management by the Planning Board; or
 - e. A combination of a, b, c and/or d above.
- (5) All of the requirements of the city code of ordinances applicable to the zoning district not addressed in this division, shall apply.
- (6) Before granting approval of the final development plans, the city-Planning Board must ~~be satisfied~~find that said ~~plan-plan~~incorporates ~~addresses~~ each of the following criteria or that one or more of the criteria are not applicable to the proposed development and/or that a practical substitute to one or more of the criteria has been achieved;~~or can demonstrate that:~~
- a. ~~One or more of the criteria are not applicable; or~~
 - b. ~~A practical substitute has been achieved for each of these elements consistent with the public interest:~~
 - 1. ~~There~~The proposed development has ~~is~~ an appropriate relationship to the surrounding area;
 - 2. Circulation, in terms of internal street circulation system, is designed for the type of traffic generated, safety, separation from living areas, convenience, access and control of noise and exhaust~~control~~. Proper circulation in parking areas is designed for safety, convenience, separation and screening;
 - 3. ~~Functional Adequate~~ open space has been provided~~in terms of~~with consideration given optimum preservation to preservation of natural features including trees and drainage areas, topographic features, recreation, and views, ~~density relief and convenience of functions;~~
 - 4. Privacy in terms of needs of individuals, families and neighbors;
 - 5. Pedestrian and bicycle traffic in terms of safety, separation, convenience and; access points ~~of destination and attractiveness;~~
 - 6. Building types in terms of appropriateness to density, site relationship and bulk;
 - 7. Building design in terms of orientation, spacing, ~~materials, color and texture~~character, storage, signs and lighting;
 - 8. Landscaping of total site in terms of purpose such as screening, ornamental types used, and materials uses, if any;
 - 9. Maintenance, suitability and effect on the neighborhood; Preservation of historically or architecturally significant buildings or places, if any;

PART II - CODE OF ORDINANCES
Chapter 60 - ZONING
ARTICLE IV. - DISTRICT REGULATIONS
DIVISION 10. - PLANNED UNIT DEVELOPMENTS

10. There is public sewer available to the lot or will be made available by the developer prior to certificates of occupancy being issued, except as allowed by Sec. 60-360(a) in the case of a PUD-RR.

11. That the proposal meets the requirements of Sec.60-1335, Special Exception of this Ordinance.

(Ord. of 3-16-2009, § 3.51(D); Ord. of 9-21-2009, § 3.51D)

Secs. 60-362—60-380. - Reserved.

Subdivision II. - Types

[Sec. 60-381. - Definitions.](#)

[Sec. 60-382. - PUDs established.](#)

[Sec. 60-383. - Zoning map indication.](#)

[Sec. 60-384. - Permitting.](#)

[Sec. 60-385. - Planned Unit Development-Residential \(PUD-R\).](#)

[Sec. 60-386. - ~~Planned Unit Development-Commercial \(PUD-C\).~~ **Planned Unit Development: Recreation/Residential \(PUD-RR\)**](#)

[Sec. 60-387. - ~~Planned Unit Development-Commercial \(PUD-IC\).~~](#)

[Sec. 60-388. - ~~Planned Unit Development-Industrial \(PUD-I\).~~](#)

[Secs. 60-389—60-417. - Reserved.](#)

Sec. 60-381. - Definitions.

The following words, terms and phrases, when used in this subdivision, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Planned includes plans, plats or any combination thereof.

(Ord. of 3-16-2009, § 3.51(C)(1); Ord. of 9-21-2009, § 3.51C)

Sec. 60-382. - PUDs established.

The following types of planned unit development may be established by special use approval in any existing zoning district as noted in this section. The options for use are as follows:

(1) PUD-R Planned Unit Development: Residential in LDCR, RR, SR, UR, MFS, MFU, GB and CB.

~~(2) PUD-C Planned Unit Development: Commercial in GB and CB.~~

~~(3) PUD-I Planned Unit Development: Industrial in ID.~~

(2) PUD-RR Planned Unit Development: Recreation/Residential in AG/RP, LDCR, RR, SR, UR, and GB.

PART II - CODE OF ORDINANCES
Chapter 60 - ZONING
ARTICLE IV. - DISTRICT REGULATIONS
DIVISION 10. - PLANNED UNIT DEVELOPMENTS

(3) PUD-C Planned Unit Development: Commercial in GB and CB.

(4) PUD-I Planned Unit Development: Industrial in ID.

(Ord. of 3-16-2009, § 3.51(C)(1); Ord. of 9-21-2009, § 3.51C)

Sec. 60-383. - Zoning map indication.

The area included in each approved planned unit development shall be indicated on the zoning map as PUD-R or ~~C~~, PUD-RR or PUD-C or PUD -I.

(Ord. of 3-16-2009, § (3.51)(C); Ord. of 9-21-2009, § 3.51C)

Sec. 60-384. - Permitting.

Phased planned unit developments shall be permitted where any type of PUD is otherwise allowed by this chapter with an additional review by the director of planning and permitting prior to recording at the Androscoggin County Registry of Deeds. It is the intent of this phasing to allow coordinated long term planning of a large scale development without the disincentives of taxation and financing for phases that will not be constructed in the short term. The final development plan shall be kept on file in the planning and permitting office and the developer shall meet the requirements of section 60-420(c) prior to declaration and recording of a phase. The developer shall declare and record the approved phase plan within 30 days after a written approval is issued by the director. The recorded plan shall contain a note referencing this chapter. This division may be applied to existing PUDs if said plan was approved by the ~~planning board~~Planning Board as a phased development.

(Ord. of 3-16-2009, § 3.51(C)(1); Ord. of 9-21-2009, § 3.51C)

Sec. 60-385. - Planned Unit Development-Residential (PUD-R).

It is the intent of this section that any residential property which is under single ownership and contains three acres or more area may be developed as PUD-R planned unit development: residential. Within the PUD-R the following uses and densities may be permitted subject to the approval of the ~~planning board~~Planning Board.

- (1) Uses permitted by right or permitted by special exception in the residential districts noted in ~~this section~~this section and the underlying zoning district.
- (2) Commercial uses may be permitted in the PUD-R district if the planned unit development contains 20 or more dwelling units. Such commercial ~~enters~~uses shall be subject to the following requirements:
 - a. Such ~~enters~~uses including parking shall be included as an integral part of the PUD and shall not occupy more than five percent of the total area of the PUD. Commercial uses in any development shall not be open to use prior to issuance of the certificates of occupancy for 50 percent of the dwelling units.
 - b. Except as stated in division 10 of article IV of this chapter all restrictions applicable to the NB district are applicable to the commercial center in the PUD-R district.

PART II - CODE OF ORDINANCES
Chapter 60 - ZONING
ARTICLE IV. - DISTRICT REGULATIONS
DIVISION 10. - PLANNED UNIT DEVELOPMENTS

- c. Such establishments shall be located, designed and operated primarily to serve the needs of the persons within the planned development. These buildings shall be architecturally compatible with the dwellings they serve using similar materials, geometry, topographic relationships, color and lighting to minimize its effect on the environment of existing or future residential uses adjacent to them.
- d. Sign.
1. Any part of the sign for a commercial use shall not project above the eaves or protrude from the face of the building more than 12 inches. A premise-commercial use shall have not more than one sign for every street frontage. ~~All Any~~ free standing signs may not exceed 20 feet in height and must have a minimum setback of 25 feet. Portable flashing and moving signs are not permitted. All emblems, shields or logos are considered part of the total allowable sign area.
 2. A Residential subdivision may have one sign for each newly created entry to the subdivision, not to exceed 40 square feet in size.
- (3) The total number of dwellings units permitted in the PUD-R district shall be determined by dividing the total project acreage (not including public rights-of-way) by the area required per unit in ~~that the~~ underlying zoning district or as approved by the city-Planning Board pursuant to ~~section 60-361(3)-the standards in the underlying zoning district~~.
- (4) If common open space remaining is offered to the city and is acceptable to the city, such dedication ~~shall may not~~ be considered as partial or total fulfillment of park and open space dedication.
- (5) Upon review of a PUD-R proposal, ~~if special circumstances exist in regard to land usability, topographical characteristics, or natural assets of the site to be preserved,~~ the city-Planning Board may authorize up to a 20 percent increase in density over ~~the that otherwise allowed in the underlying~~ requirement if the following criteria are met:
- a. *Architecture*. Utilization of existing topography, recognition of the character of the area reflected in materials and layout.
 - b. *Siting*. Preservation of unique natural features, separation of pedestrian and vehicular circulation and integration of open space.
 - c. *Design*. A unified cohesive development, focal points ~~(cluster of seating, art forms, water feature)~~ for orientation and interaction, variety of scale.
 - d. *Landscaping*. The compatibility with natural landscape, the separation of individual units for privacy.
 - e. *Convenient*. A convenient well-defined access.
 - f. *Compatibility*. ~~The C~~ompatibility with ultimate- the adopted comprehensive plan and/or plans approved by City boards and departments for school service area and size of buildings, park system, police and fire protection standards and other facilities public or private.
- (6) All planned unit developments containing residential units shall comply with all city zoning and subdivision regulations.

PART II - CODE OF ORDINANCES
Chapter 60 - ZONING
ARTICLE IV. - DISTRICT REGULATIONS
DIVISION 10. - PLANNED UNIT DEVELOPMENTS

(Ord. of 3-16-2009, § 3.51(C)(2); Ord. of 9-21-2009, § 3.51C)

Sec. 60-386- Planned Unit Development: Recreation/Residential (PUD-RR)

The PUD-RR district is created to provide for the development of residential and commercial uses that are customary, complementary, and appropriate to major recreational uses on land located adjacent to them. Major recreation uses of land are designed for outdoor use of large land areas and have indoor facilities to accommodate groups of people. Major Recreation uses may be open year round or may operate seasonally and their economic viability and continued operation are recognized as assets to Auburn. Flexibility for the siting of homes, condominiums, hotels or motels and accessory uses that are of a scale that is compatible with the surrounding area will help support the economics of a major recreation use.

Any major recreation use containing one hundred (100) acres or more area may be developed as a Planned Unit Development: Recreation/Residential- PUD-RR. Within a PUD-RR the following uses and densities may be permitted subject to the approval of the Planning Board.

(1) Uses permitted by right or permitted by special exception in the underlying zoning district.

(2) Attached single-family dwellings with direct access to the outside at ground level may be permitted, provided that they are approved as part of a Planned Unit Development and as a Subdivision under Sec.60-359 and Sec. 60-1359 of this chapter.

(3) Hotels or motels adjacent to an existing major recreation use or a major recreation use if construction of the major recreational use is complete and open for use, provided that they are approved by the Planning Board as a Site Plan and as a Special Exception under Sec.60-1276 and Sec.60-1335 of this chapter. The size and scale of a hotel, motel, or accessory commercial uses shall be determined by the Planning Board at the time of PUD and/or Special Exception review. In making their determination, the Planning Board shall consider the appropriate relationship of the hotel, motel or accessory buildings and structures to the major recreation use and the surrounding neighborhood in terms of bulk, location or operation of proposed buildings and structures, traffic impact, access management, parking requirements, internal circulation, vehicular and pedestrian connections to adjacent property, external lighting, landscaping, signage using the standards of Sec.60-385(2)d as a guide, provisions for water and public sewer, and the preservation of scenic and natural beauty to the extent possible.

(4) Accessory commercial uses provided that they are approved as a Site Plan and as a Special Exception under Sec. 60-1276 and Sec. 60-1335. Building and structures shall be architecturally compatible using similar materials, topographic relationships, color and lighting, landscaping, and signage to minimize its effect on the environment of existing or future recreation and residential uses adjacent to it.

(5) The total number of dwelling units permitted in the PUD-RR district shall be determined by dividing the total project acreage including the major recreational use (not including public rights-of-way) by the area required per unit in that zoning district or as approved by the Planning Board pursuant to section 60-361(4). For the purpose of determining the number of dwelling units permitted on parcels located within more than one zoning district, the higher density district standard may be applied to the entire parcel and adjacent major recreational use in the case of a PUD-RR Planned Unit Development.

(6) The requirements of a Planned Unit Development, Sec. 60-361(4) and as a Subdivision, Sec.60-1367 to provide recreation and/or open space may be satisfied by the principal recreation, entertainment, and social uses of the adjacent major recreation use.

PART II - CODE OF ORDINANCES
Chapter 60 - ZONING
ARTICLE IV. - DISTRICT REGULATIONS
DIVISION 10. - PLANNED UNIT DEVELOPMENTS

(7) Access to the property shall be located on an arterial or collector street to minimize congestion or unsafe conditions and unreasonable deterioration of the local road system. Access to individual house lots shall be from an internal street system to retain the character of the area.

(8) The requirements of this chapter applicable to the underlying district or districts, not addressed in this section, shall apply.

Sec. 60-3876. - Planned Unit Development-Commercial (PUD-C).

The PUD-C district is created to provide for the development of planned business and shopping centers and mixtures thereof. It is intended to promote the grouping of professional offices and retail commercial uses and to provide areas of sufficient size to establish harmonious relationships between structures, people and vehicles through the use of well planned parking access, pedestrian walkways, courtyards, walls and other open spaces. This district should offer a wide variety of goods and services. Any commercially zoned area three acres or more in size may be developed as a PUD-C district. Uses permitted in the ~~commercial zoning~~underlying zoning districts are permitted in the PUD-C district.

(Ord. of 3-16-2009, § 3.51(C)(3); Ord. of 9-21-2009, § 3.51C)

Sec. 60-3878. - Planned Unit Development-Industrial (PUD-I).

The PUD-I district is created to provide for the development of planned industrial areas. It is intended to promote the grouping of industrial uses and to group these uses in such a manner that they provide well planned parking and access, landscaped open areas and harmonious relationships between structures. Any industrial area over five acres may be developed as a PUD-I district. Uses permitted in the ~~industrial~~underlying zoning district are permitted in the PUD-I district.

Secs. 60-3898—60-417. - Reserved.

Subdivision III. - Application Procedure

[Sec. 60-418. - Compliance.](#)

[Sec. 60-419. - Submission and review.](#)

[Sec. 60-420. - Final development plan.](#)

[Secs. 60-421—60-438. - Reserved.](#)

Sec. 60-418. - Compliance.

All applicants for planned unit development shall comply with procedures set forth in this subdivision and in accordance with division 2 of article XVI of this chapter site plan review.

(Ord. of 3-16-2009, § 3.51(E)(intro. ¶); Ord. of 9-21-2009, § 3.51E)

PART II - CODE OF ORDINANCES
Chapter 60 - ZONING
ARTICLE IV. - DISTRICT REGULATIONS
DIVISION 10. - PLANNED UNIT DEVELOPMENTS

Sec. 60-419. - Submission and review.

- (a) An applicant shall make application for the approval of the planned unit development to the planning department. The applicant shall present his completed application and fee, in the amount provided in the city fee schedule, along with the development plan outline as specified in this division.
- (b) The development plan outline shall include both the site plan map and a written statement of procedures. The plan shall indicate sufficient areas surrounding the proposed planned unit development to demonstrate the relationship of the planned unit development to adjoining existing and proposed uses.
- (c) The site plan must contain the following information:
 - (1) All site plans shall conform to the provisions as contained in division 2 of article XVI of this chapter;
 - (2) The type and character of proposed development to include general architectural design, types of building materials to be used and, when appropriate, the proposed number of dwelling units per acre;
 - (3) The proposed location and size of public uses including schools, parks, playgrounds, swimming pools and other common open spaces.
- (d) The written statement to accompany the development plan outline map must contain the following information:
 - (1) A brief description of unique project design needs that make the planned unit approach advantageous to the city and developer;
 - (2) An anticipated schedule of development and a conceptual phase plan where the developer intends to phase the declaration of portions of the development;
 - (3) Proposed agreements, provisions or covenants which govern the use, maintenance and continued protection of the PUD and any of its common areas.
- (e) The number of copies of the written statement must be consistent with the provisions of section 60-1300
- (f) The applicant may be requested to submit any other information or exhibits deemed pertinent in evaluating the proposed planned unit development.

(Ord. of 3-16-2009, § 3.51(E)(1); Ord. of 9-21-2009, § 3.51E)

Sec. 60-420. - Final development plan.

- (a) The final development plan shall be submitted in accordance with section 60-419 of the municipal code relative to final plans.
- (b) The ~~planning board~~ **Planning Board** shall approve the final development plan if it is in substantial compliance with the approved preliminary development plan. The final development plan shall be recorded as if it were a final subdivision plan except in the case of a phased development which shall follow the standards of subsection (c) of this section.
- (c) For phased developments the final development plan shall be kept on file in the planning and permitting office. The developer shall provide a phase plan and letter of intent to declare a phase for review and approval

PART II - CODE OF ORDINANCES
Chapter 60 - ZONING
ARTICLE IV. - DISTRICT REGULATIONS
DIVISION 10. - PLANNED UNIT DEVELOPMENTS

by the director of planning and permitting prior to recording at the registry of deeds. The director shall consider the following standards before approving a phased plan for recording:

- (1) The remaining undeveloped land/phases shall be considered as one lot for frontage purposes. The phase plan shall provide the required frontage for the remaining land/phases.
 - (2) Common open space, roadway improvements and/or access to utilities may be completed without opening a phase provided that the director determines that the work is necessary or beneficial to an open phase of the development or to the city.
 - (3) The phased plan must be determined by the director of planning and permitting to be consistent with and progress towards completion of the long term final development plan.
- (d) From time to time the ~~planning board~~Planning Board shall compare the actual development accomplished in the planned unit development with the approved development schedule. If the owner of property in the PUD has failed to meet the approved development schedule without cause, the ~~planning board~~Planning Board may initiate proceedings. The ~~planning board~~Planning Board, for good cause shown by the property owner, may extend the limits of the development schedule.
- (e) The ~~planning board~~Planning Board may require adequate assurance in a form consistent in a form acceptable to the ~~planning board~~Planning Board, that the common open space shown in the final development plan shall be provided and developed.
- (f) Final development plan contents:
- (1) The final development plan shall contain the information provided on the preliminary development plan ~~or any logical part thereof and any additional information requested by the Planning Board;~~ and must be submitted within one year following the approval of the preliminary development plan unless written request is made for an extension of up to one year and approved d by the ~~planning board~~Planning Board.
 - (2) The final development plan, with supplemental information in report form, shall be prepared in conformity with the provisions of section 60-419
 - (3) Copies of any special agreements, conveyances, deed restrictions, or covenants, which will govern the use, maintenance and continued protection of the planned unit development and any of its common area must accompany the final development plan.
 - (4) The applicant may submit any other information or exhibits he deems pertinent in evaluating his proposed planned unit development.
- (g) Control of planned unit development following completion.
- (1) The ~~planning board~~Planning Board shall review and take action on the competed final plan.
 - (2) After final approval has been granted the use of the land and the construction, modification or alteration of any building or structure within the planned development shall be governed by the approved final development plan rather than by any other provisions of this zoning chapter.
 - (3) After final approval, no changes may be made in the approved final development plan except upon application to the appropriate agency under the following procedures:

PART II - CODE OF ORDINANCES
Chapter 60 - ZONING
ARTICLE IV. - DISTRICT REGULATIONS
DIVISION 10. - PLANNED UNIT DEVELOPMENTS

- a. Any minor extension, alteration, or modification of existing buildings or structures may be authorized by the ~~planning board~~Planning Board if they are consistent with the purposes and intent of the final plan. No change authorized by this division may decrease or increase the dimension of any building or structure by more than ten percent.
- b. Any uses not authorized by the approved final plan, but allowable in the PUD as a permitted ~~principale~~principal, accessory, or special use under the provisions of the underlying zoning district in which the planned development is located may be authorized by the planning director and added to the final development plan provided that such an addition does not adversely impact the approved development plan.
- c. A building or structure that is totally or substantially destroyed may be reconstructed only in compliance with the final development plan or amendments thereof approved under subsection (g)(3)a and b of this section.
- d. Changes in use of common open spaces may be authorized by an amendment to the final development plan under subsection (g)(3)a and b of this section.
- e. All other changes in the final development plan must be made by the ~~planning board~~Planning Board under the procedures authorized by this chapter. No changes may be made in the final development plan unless found to be required for:
 - 1. Continued successful functioning of the planned unit development;
 - 2. By changes in conditions that have occurred since the final plan was approved; or
 - 3. By changes in the development of the community.

No changes in the final development plan which are approved under this division are to be considered as a waiver of the provisions limiting the land use, buildings, structures, and improvements within the area of the planned unit development, and all rights to enforce these provisions against any changes permitted in this division are expressly reserved.

(Ord. of 3-16-2009, § 3.51(E)(2); Ord. of 9-21-2009, § 3.51E)

Secs. 60-421—60-438. - Reserved.

PART II - CODE OF ORDINANCES
Chapter 60 - ZONING
ARTICLE IV. - DISTRICT REGULATIONS
DIVISION 10. - PLANNED UNIT DEVELOPMENTS

PART II - CODE OF ORDINANCES
Chapter 60 - ZONING
ARTICLE I. – IN GENERAL

Sec. 60-2. - Definitions.

For the purposes of this chapter, the following words and terms as used herein shall have the meanings or limitations of meaning hereby defined, explained or assigned:

Dwelling ~~or *dwelling unit*~~ means a building or portion thereof arranged or designed to provide living facilities for one or more families.

Dwelling, multifamily, means a residence designed for or occupied by three or more families with separate housekeeping and cooking facilities for each.

Dwelling, one-family detached, means a dwelling unit singly and apart from any other building and intended and designed to be occupied and used exclusively for residential purposes by one family only, excluding those forms of temporary housing permitted by section 60-666. Each one-family detached dwelling shall contain not less than 700 square feet of net floor area of habitable space.

Dwelling, one-family attached, means a residential structure designed to house a single-family unit from lowest level to roof, with private outside entrance, but not necessarily occupying a private lot, and sharing a common wall or walls with an adjoining dwelling unit or units. Each one-family attached dwelling shall contain not less than 700 square feet of net floor area of habitable space.

Dwelling, seasonal, means a dwelling occupied for not more than six months of any year.

Dwelling, two-family, means a freestanding building intended and designed to be occupied and used exclusively for residential purposes by two families only, with separate housekeeping and cooking facilities for each.

Dwelling unit means a room or group of rooms located within a building and forming a single habitable unit, physically separated from any other rooms or dwelling units which may be in the same structure, with facilities which are used for or intended to be used for independent living, sleeping, cooking and eating purposes. Dwelling units available for rental or occupancy for periods of less than one week shall be considered boarding/lodging units.

Major Recreational use of land means permanent use of at least 100 acres of outdoor space limited to ski areas with at least 2 lifts and public and private golf courses with a minimum of 18 holes.

Open space, common means land within or related to a development which is not individually owned and is designed and intended for the common use or enjoyment of the residents of a development and may include such complementary structures and improvements as are necessary and appropriate.

Recreational uses of land means permanent uses of outdoor space which are intended or designed for public use and include but are not limited to ski areas, golf courses (both public and private), driving ranges, horse boarding and riding facilities, miniature golf, paintball, horse and dog racing, snowmobile races, motorhome or recreational vehicle parks or commercial campgrounds and facilities for mass gatherings when used for two or more events during a calendar year.

(Ord. of 9-21-2009, § 2.2)

James Pross, Ward One
Robert Stone, Ward Two
Andy Titus, Ward Three
Adam R. Lee, Ward Four



Leroy Walker, Ward Five
Grady R. Burns, At Large
David C. Young, At Large

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 08-08072017

BE IT ORDAINED, that the City Council hereby adopts the Recreational Planned Unit Development Ordinance amendments (Chapter 60, Article IV, Division 10, Sec. 60-359 through Sec. 60-361 and Sec. 60-382 through Sec. 60-389, Sec. 60-421, and Sec. 60-2) as attached.

PART II - CODE OF ORDINANCES
Chapter 60 - ZONING
ARTICLE IV. - DISTRICT REGULATIONS
DIVISION 10. - PLANNED UNIT DEVELOPMENTS

DRAFT PLANNING BOARD RECOMMENDATION ACCEPTED AS PART OF MINUTES AT 1/10/12
PLANNING BOARD MEETING-Modified for sewer and density requests (yellow).-

DIVISION 10. - PLANNED UNIT DEVELOPMENTS

Subdivision I. - In General
Subdivision II. - Types
Subdivision III. - Application Procedure

Subdivision I. - In General

[Sec. 60-359. - Purpose.](#)
[Sec. 60-360. - Scope.](#)
[Sec. 60-361. - General standards.](#)
[Secs. 60-362—60-380. - Reserved.](#)

Sec. 60-359. - Purpose.

The purpose of this section is to provide for a greater variety and choice of design for urban and suburban living, to gain efficiencies, to coordinate design development efforts, to conserve and make available open space, to utilize new technologies for ~~urban~~ land development and to ~~gain flexibilities over offer a flexible alternative to~~ conventional land control regulations. This section should not be used as a device for circumventing the city's development regulations and may be employed in instances where there is truly some benefit to be derived from its use for the community and for the developer. The type and amount of development permitted shall be based on the Planning Board's evaluation of the development proposal and the purposes standards and provisions set forth in this Division.

(Ord. of 3-16-2009, § 3.51(A); Ord. of 9-21-2009, § 3.51A)

Sec. 60-360. - Scope.

- (a) Application for a PUD-C Planned Unit Development, PUD-I Planned Unit Development or PUD-R Planned Unit Development ~~planned unit development~~ may be made for land located where public sewer is presently available or will be made available by the developer prior to certificates of occupancy being issued. Application for a for PUD-RR Planned Unit Development: Recreation/Residential may be made for land located where public sewer is presently available, will be made available by the developer prior to certificates of occupancy being issued or may utilize private wastewater disposal systems in compliance with State Plumbing Codes. ~~in all zoning districts except agriculture and resource protection districts.~~
- (b) ~~The requirements for setback, lot width, lot depth, lot area, street frontage and percentage of lot coverage stated in individual zoning classifications shall be subject to negotiation as they apply to planned unit developments, except the front yard setback from all dedicated rights of way shall not be reduced. In specific cases, the requirements for off-street parking stated in article V of this chapter and minimum area as stated in individual zoning classifications may be reduced. These requirements shall be controlled by the criteria and~~

PART II - CODE OF ORDINANCES
Chapter 60 - ZONING
ARTICLE IV. - DISTRICT REGULATIONS
DIVISION 10. - PLANNED UNIT DEVELOPMENTS

~~standards of this division and as shown on the approved planned unit development plan.~~

~~The dimensional requirements stated in individual zoning districts and signs as stated in Article V of this Chapter may be increased or decreased by the Planning Board as they apply to planned unit developments, except the front yard setback from all public streets shall not be reduced. The dimensional requirements and provision of signs shall be controlled by the standards sets forth in Sec. 60-359 Purpose and Sec 60-361 General Standards.~~

(c) Coordination with subdivision regulations.

- (1) ~~It is the intent of this division that if~~ a plan review is required under division 4 of article XVI Subdivision of this chapter, ~~that it shall~~ be accomplished simultaneously with the review of the planned unit development plan under this division of this zoning chapter.
- (2) The final development plan shall be submitted in a form that is in accordance with the requirements of division 4 of article XVI Subdivision of this chapter relative to final plans where applicable.
- (3) Requirements of this division of this zoning chapter and those of division 4 of article XVI of this chapter shall apply to all planned unit developments.

(Ord. of 3-16-2009, § 3.51(B); Ord. of 9-21-2009, § 3.51B)

Sec. 60-361. - General standards.

The following provisions apply to all planned unit development districts:

- (1) The ~~setback, lot width and lot coverage~~dimensional requirements as stated in individual zoning ~~classification districts~~ shall apply within the PUD but may be ~~reduced-increased or decreased~~ due to individual site ~~limitations-characteristics~~ as determined by the ~~planning board~~Planning Board to promote the purposes set forth in section 60-359 of this chapter.
- (2) ~~The number of off-street parking spaces in each planned unit development may not be less than the requirements as stated in article V of this chapter except that the~~The planning boardPlanning Board may increase or decrease the required number of off-street parking spaces as stated in Article V of this chapter in consideration of the following factors:
 - a. ~~Probably~~The probable number of cars owned by occupants of dwellings in the planned unit development;
 - b. ~~The~~Parking needs of any ~~non~~dwellling-nonresidential uses;
 - c. Varying time periods of use, and whatever joint use of common parking areas is proposed.
- (3) Whenever the number of off-street parking spaces are is reduced because of the nature of the occupancy, the city shall obtain assurance that the nature of the occupancy will not change.
- (4) ~~In any~~A PUD involving residential uses ~~that receives a density bonus and has lot sizes that are reduced below the minimum required within the residential district,~~ shall reserve an amount of land equal to that ~~created through the reduction in required lot sizes,~~required by section 60-1367 to be held as open space for the mutual use of the residents of the PUD or open to the public. ~~This shall be accomplished by either~~Land reserved to satisfy the open space requirement shall be:

PART II - CODE OF ORDINANCES
Chapter 60 - ZONING
ARTICLE IV. - DISTRICT REGULATIONS
DIVISION 10. - PLANNED UNIT DEVELOPMENTS

- a. ~~The land shall be a~~Administered through a homeowner's association; or
 - b. ~~The land shall be d~~Dedicated to and accepted by the city for public ~~use.~~use; or
 - c. Land occupied by a major recreational use adjacent to a PUD-RR; or
 - d. Managed by a non-profit organization or land trust deemed capable of management by the Planning Board; or
 - e. A combination of a, b, c and/or d above.
- (5) All of the requirements of the city code of ordinances applicable to the zoning district not addressed in this division, shall apply.
- (6) Before granting approval of the final development plans, the city-Planning Board must ~~be satisfied~~find that said ~~plan-plan~~incorporates-addresses each of the following criteria or that one or more of the criteria are not applicable to the proposed development and/or that a practical substitute to one or more of the criteria has been achieved;~~or can demonstrate that:~~
- a. ~~One or more of the criteria are not applicable; or~~
 - b. ~~A practical substitute has been achieved for each of these elements consistent with the public interest:~~
 - 1. ~~There~~The proposed development has is an appropriate relationship to the surrounding area;
 - 2. Circulation, in terms of internal street circulation system, is designed for the type of traffic generated, safety, separation from living areas, convenience, access and control of noise and exhaust~~control~~. Proper circulation in parking areas is designed for safety, convenience, separation and screening~~;~~;
 - 3. ~~Functional-Adequate~~ open space has been provided~~in terms of~~with consideration given optimum preservation to preservation of natural features including trees and drainage areas, topographic features, recreation, and views~~,-density relief and convenience of functions;~~
 - 4. Privacy in terms of needs of individuals, families and neighbors;
 - 5. Pedestrian and bicycle traffic in terms of safety, separation, convenience and; access points ~~of destination and attractiveness;~~
 - 6. Building types in terms of appropriateness to density, site relationship and bulk;
 - 7. Building design in terms of orientation, spacing, ~~materials, color and texture~~character, storage, signs and lighting;
 - 8. Landscaping of total site in terms of purpose such as screening, ornamental types used, and materials uses, if any;
 - 9. ~~Maintenance, suitability and effect on the neighborhood;~~ Preservation of historically or architecturally significant buildings or places, if any;

PART II - CODE OF ORDINANCES
Chapter 60 - ZONING
ARTICLE IV. - DISTRICT REGULATIONS
DIVISION 10. - PLANNED UNIT DEVELOPMENTS

10. There is public sewer available to the lot or will be made available by the developer prior to certificates of occupancy being issued, except as allowed by Sec. 60-360(a) in the case of a PUD-RR.

11. That the proposal meets the requirements of Sec.60-1335, Special Exception of this Ordinance.

(Ord. of 3-16-2009, § 3.51(D); Ord. of 9-21-2009, § 3.51D)

Secs. 60-362—60-380. - Reserved.

Subdivision II. - Types

Sec. 60-381. - Definitions.

Sec. 60-382. - PUDs established.

Sec. 60-383. - Zoning map indication.

Sec. 60-384. - Permitting.

Sec. 60-385. - Planned Unit Development-Residential (PUD-R).

Sec. 60-386. - ~~Planned Unit Development-Commercial (PUD-C).~~ Planned Unit Development: Recreation/Residential (PUD-RR)

Sec. 60-387. - Planned Unit Development-Commercial (PUD-IC).

Sec. 60-388. - Planned Unit Development-Industrial (PUD-I).

Secs. 60-389—60-417. - Reserved.

Sec. 60-381. - Definitions.

The following words, terms and phrases, when used in this subdivision, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Planned includes plans, plats or any combination thereof.

(Ord. of 3-16-2009, § 3.51(C)(1); Ord. of 9-21-2009, § 3.51C)

Sec. 60-382. - PUDs established.

The following types of planned unit development may be established by special use approval in any existing zoning district as noted in this section. The options for use are as follows:

(1) PUD-R Planned Unit Development: Residential in LDCR, RR, SR, UR, MFS, MFU, GB and CB.

~~(2) PUD-C Planned Unit Development: Commercial in GB and CB.~~

~~(3) PUD-I Planned Unit Development: Industrial in ID.~~

(2) PUD-RR Planned Unit Development: Recreation/Residential in AG/RP, LDCR, RR, SR, UR, and GB.

PART II - CODE OF ORDINANCES
Chapter 60 - ZONING
ARTICLE IV. - DISTRICT REGULATIONS
DIVISION 10. - PLANNED UNIT DEVELOPMENTS

(3) PUD-C Planned Unit Development: Commercial in GB and CB.

(4) PUD-I Planned Unit Development: Industrial in ID.

(Ord. of 3-16-2009, § 3.51(C)(1); Ord. of 9-21-2009, § 3.51C)

Sec. 60-383. - Zoning map indication.

The area included in each approved planned unit development shall be indicated on the zoning map as PUD-R or ~~C~~, PUD-RR or PUD-C or PUD -I.

(Ord. of 3-16-2009, § (3.51)(C); Ord. of 9-21-2009, § 3.51C)

Sec. 60-384. - Permitting.

Phased planned unit developments shall be permitted where any type of PUD is otherwise allowed by this chapter with an additional review by the director of planning and permitting prior to recording at the Androscoggin County Registry of Deeds. It is the intent of this phasing to allow coordinated long term planning of a large scale development without the disincentives of taxation and financing for phases that will not be constructed in the short term. The final development plan shall be kept on file in the planning and permitting office and the developer shall meet the requirements of section 60-420(c) prior to declaration and recording of a phase. The developer shall declare and record the approved phase plan within 30 days after a written approval is issued by the director. The recorded plan shall contain a note referencing this chapter. This division may be applied to existing PUDs if said plan was approved by the ~~planning board~~Planning Board as a phased development.

(Ord. of 3-16-2009, § 3.51(C)(1); Ord. of 9-21-2009, § 3.51C)

Sec. 60-385. - Planned Unit Development-Residential (PUD-R).

It is the intent of this section that any residential property which is under single ownership and contains three acres or more area may be developed as PUD-R planned unit development: residential. Within the PUD-R the following uses and densities may be permitted subject to the approval of the ~~planning board~~Planning Board.

- (1) Uses permitted by right or permitted by special exception in the residential districts noted in ~~this section~~this section and the underlying zoning district.
- (2) Commercial uses may be permitted in the PUD-R district if the planned unit development contains 20 or more dwelling units. Such commercial ~~enters~~uses shall be subject to the following requirements:
 - a. Such ~~enters~~uses including parking shall be included as an integral part of the PUD and shall not occupy more than five percent of the total area of the PUD. Commercial uses in any development shall not be open to use prior to issuance of the certificates of occupancy for 50 percent of the dwelling units.
 - b. Except as stated in division 10 of article IV of this chapter all restrictions applicable to the NB district are applicable to the commercial center in the PUD-R district.

PART II - CODE OF ORDINANCES
Chapter 60 - ZONING
ARTICLE IV. - DISTRICT REGULATIONS
DIVISION 10. - PLANNED UNIT DEVELOPMENTS

- c. Such establishments shall be located, designed and operated primarily to serve the needs of the persons within the planned development. These buildings shall be architecturally compatible with the dwellings they serve using similar materials, geometry, topographic relationships, color and lighting to minimize its effect on the environment of existing or future residential uses adjacent to them.
- d. Sign.
1. Any part of the sign for a commercial use shall not project above the eaves or protrude from the face of the building more than 12 inches. A premise-commercial use shall have not more than one sign for every street frontage. ~~All Any~~ free standing signs may not exceed 20 feet in height and must have a minimum setback of 25 feet. Portable flashing and moving signs are not permitted. All emblems, shields or logos are considered part of the total allowable sign area.
 2. A Residential subdivision may have one sign for each newly created entry to the subdivision, not to exceed 40 square feet in size.
- (3) The total number of dwellings units permitted in the PUD-R district shall be determined by dividing the total project acreage (not including public rights-of-way) by the area required per unit in ~~that the~~ underlying zoning district or as approved by the city-Planning Board pursuant to ~~section 60-361(3)-the standards in the underlying zoning district~~.
- (4) If common open space remaining is offered to the city and is acceptable to the city, such dedication ~~shall may not~~ be considered as partial or total fulfillment of park and open space dedication.
- (5) Upon review of a PUD-R proposal, ~~if special circumstances exist in regard to land usability, topographical characteristics, or natural assets of the site to be preserved,~~ the city-Planning Board may authorize up to a 20 percent increase in density over ~~the~~ that otherwise allowed in the underlying district ~~requirement~~ if the following criteria are met:
- a. *Architecture*. Utilization of existing topography, recognition of the character of the area reflected in materials and layout.
 - b. *Siting*. Preservation of unique natural features, separation of pedestrian and vehicular circulation and integration of open space.
 - c. *Design*. A unified cohesive development, focal points ~~(cluster of seating, art forms, water feature)~~ for orientation and interaction, variety of scale.
 - d. *Landscaping*. The compatibility with natural landscape, the separation of individual units for privacy.
 - e. *Convenient*. A convenient well-defined access.
 - f. *Compatibility*. ~~The C~~ompatibility with ultimate- the adopted comprehensive plan and/or plans approved by City boards and departments for school service area and size of buildings, park system, police and fire protection standards and other facilities public or private.
- (6) All planned unit developments containing residential units shall comply with all city zoning and subdivision regulations.

PART II - CODE OF ORDINANCES
Chapter 60 - ZONING
ARTICLE IV. - DISTRICT REGULATIONS
DIVISION 10. - PLANNED UNIT DEVELOPMENTS

(Ord. of 3-16-2009, § 3.51(C)(2); Ord. of 9-21-2009, § 3.51C)

Sec. 60-386- Planned Unit Development: Recreation/Residential (PUD-RR)

The PUD-RR district is created to provide for the development of residential and commercial uses that are customary, complementary, and appropriate to major recreational uses on land located adjacent to them. Major recreation uses of land are designed for outdoor use of large land areas and have indoor facilities to accommodate groups of people. Major Recreation uses may be open year round or may operate seasonally and their economic viability and continued operation are recognized as assets to Auburn. Flexibility for the siting of homes, condominiums, hotels or motels and accessory uses that are of a scale that is compatible with the surrounding area will help support the economics of a major recreation use.

Any major recreation use containing one hundred (100) acres or more area may be developed as a Planned Unit Development: Recreation/Residential- PUD-RR. Within a PUD-RR the following uses and densities may be permitted subject to the approval of the Planning Board.

(1) Uses permitted by right or permitted by special exception in the underlying zoning district.

(2) Attached single-family dwellings with direct access to the outside at ground level may be permitted, provided that they are approved as part of a Planned Unit Development and as a Subdivision under Sec.60-359 and Sec. 60-1359 of this chapter.

(3) Hotels or motels adjacent to an existing major recreation use or a major recreation use if construction of the major recreational use is complete and open for use, provided that they are approved by the Planning Board as a Site Plan and as a Special Exception under Sec.60-1276 and Sec.60-1335 of this chapter. The size and scale of a hotel, motel, or accessory commercial uses shall be determined by the Planning Board at the time of PUD and/or Special Exception review. In making their determination, the Planning Board shall consider the appropriate relationship of the hotel, motel or accessory buildings and structures to the major recreation use and the surrounding neighborhood in terms of bulk, location or operation of proposed buildings and structures, traffic impact, access management, parking requirements, internal circulation, vehicular and pedestrian connections to adjacent property, external lighting, landscaping, signage using the standards of Sec.60-385(2)d as a guide, provisions for water and public sewer, and the preservation of scenic and natural beauty to the extent possible.

(4) Accessory commercial uses provided that they are approved as a Site Plan and as a Special Exception under Sec. 60-1276 and Sec. 60-1335. Building and structures shall be architecturally compatible using similar materials, topographic relationships, color and lighting, landscaping, and signage to minimize its effect on the environment of existing or future recreation and residential uses adjacent to it.

(5) The total number of dwelling units permitted in the PUD-RR district shall be determined by dividing the total project acreage including the major recreational use (not including public rights-of-way) by the area required per unit in that zoning district or as approved by the Planning Board pursuant to section 60-361(4). For the purpose of determining the number of dwelling units permitted on parcels located within more than one zoning district, the higher density district standard may be applied to the entire parcel and adjacent major recreational use in the case of a PUD-RR Planned Unit Development.

(6) The requirements of a Planned Unit Development, Sec. 60-361(4) and as a Subdivision, Sec.60-1367 to provide recreation and/or open space may be satisfied by the principal recreation, entertainment, and social uses of the adjacent major recreation use.

PART II - CODE OF ORDINANCES
Chapter 60 - ZONING
ARTICLE IV. - DISTRICT REGULATIONS
DIVISION 10. - PLANNED UNIT DEVELOPMENTS

(7) Access to the property shall be located on an arterial or collector street to minimize congestion or unsafe conditions and unreasonable deterioration of the local road system. Access to individual house lots shall be from an internal street system to retain the character of the area.

(8) The requirements of this chapter applicable to the underlying district or districts, not addressed in this section, shall apply.

Sec. 60-3876. - Planned Unit Development-Commercial (PUD-C).

The PUD-C district is created to provide for the development of planned business and shopping centers and mixtures thereof. It is intended to promote the grouping of professional offices and retail commercial uses and to provide areas of sufficient size to establish harmonious relationships between structures, people and vehicles through the use of well planned parking access, pedestrian walkways, courtyards, walls and other open spaces. This district should offer a wide variety of goods and services. Any commercially zoned area three acres or more in size may be developed as a PUD-C district. Uses permitted in the ~~commercial-zoning~~underlying zoning districts are permitted in the PUD-C district.

(Ord. of 3-16-2009, § 3.51(C)(3); Ord. of 9-21-2009, § 3.51C)

Sec. 60-3878. - Planned Unit Development-Industrial (PUD-I).

The PUD-I district is created to provide for the development of planned industrial areas. It is intended to promote the grouping of industrial uses and to group these uses in such a manner that they provide well planned parking and access, landscaped open areas and harmonious relationships between structures. Any industrial area over five acres may be developed as a PUD-I district. Uses permitted in the ~~industrial-underlying~~ zoning district are permitted in the PUD-I district.

Secs. 60-3898—60-417. - Reserved.

Subdivision III. - Application Procedure

[Sec. 60-418. - Compliance.](#)

[Sec. 60-419. - Submission and review.](#)

[Sec. 60-420. - Final development plan.](#)

[Secs. 60-421—60-438. - Reserved.](#)

Sec. 60-418. - Compliance.

All applicants for planned unit development shall comply with procedures set forth in this subdivision and in accordance with division 2 of article XVI of this chapter site plan review.

(Ord. of 3-16-2009, § 3.51(E)(intro. ¶); Ord. of 9-21-2009, § 3.51E)

PART II - CODE OF ORDINANCES
Chapter 60 - ZONING
ARTICLE IV. - DISTRICT REGULATIONS
DIVISION 10. - PLANNED UNIT DEVELOPMENTS

Sec. 60-419. - Submission and review.

- (a) An applicant shall make application for the approval of the planned unit development to the planning department. The applicant shall present his completed application and fee, in the amount provided in the city fee schedule, along with the development plan outline as specified in this division.
- (b) The development plan outline shall include both the site plan map and a written statement of procedures. The plan shall indicate sufficient areas surrounding the proposed planned unit development to demonstrate the relationship of the planned unit development to adjoining existing and proposed uses.
- (c) The site plan must contain the following information:
 - (1) All site plans shall conform to the provisions as contained in division 2 of article XVI of this chapter;
 - (2) The type and character of proposed development to include general architectural design, types of building materials to be used and, when appropriate, the proposed number of dwelling units per acre;
 - (3) The proposed location and size of public uses including schools, parks, playgrounds, swimming pools and other common open spaces.
- (d) The written statement to accompany the development plan outline map must contain the following information:
 - (1) A brief description of unique project design needs that make the planned unit approach advantageous to the city and developer;
 - (2) An anticipated schedule of development and a conceptual phase plan where the developer intends to phase the declaration of portions of the development;
 - (3) Proposed agreements, provisions or covenants which govern the use, maintenance and continued protection of the PUD and any of its common areas.
- (e) The number of copies of the written statement must be consistent with the provisions of section 60-1300
- (f) The applicant may be requested to submit any other information or exhibits deemed pertinent in evaluating the proposed planned unit development.

(Ord. of 3-16-2009, § 3.51(E)(1); Ord. of 9-21-2009, § 3.51E)

Sec. 60-420. - Final development plan.

- (a) The final development plan shall be submitted in accordance with section 60-419 of the municipal code relative to final plans.
- (b) The ~~planning board~~ **Planning Board** shall approve the final development plan if it is in substantial compliance with the approved preliminary development plan. The final development plan shall be recorded as if it were a final subdivision plan except in the case of a phased development which shall follow the standards of subsection (c) of this section.
- (c) For phased developments the final development plan shall be kept on file in the planning and permitting office. The developer shall provide a phase plan and letter of intent to declare a phase for review and approval

PART II - CODE OF ORDINANCES
Chapter 60 - ZONING
ARTICLE IV. - DISTRICT REGULATIONS
DIVISION 10. - PLANNED UNIT DEVELOPMENTS

by the director of planning and permitting prior to recording at the registry of deeds. The director shall consider the following standards before approving a phased plan for recording:

- (1) The remaining undeveloped land/phases shall be considered as one lot for frontage purposes. The phase plan shall provide the required frontage for the remaining land/phases.
 - (2) Common open space, roadway improvements and/or access to utilities may be completed without opening a phase provided that the director determines that the work is necessary or beneficial to an open phase of the development or to the city.
 - (3) The phased plan must be determined by the director of planning and permitting to be consistent with and progress towards completion of the long term final development plan.
- (d) From time to time the ~~planning board~~Planning Board shall compare the actual development accomplished in the planned unit development with the approved development schedule. If the owner of property in the PUD has failed to meet the approved development schedule without cause, the ~~planning board~~Planning Board may initiate proceedings. The ~~planning board~~Planning Board, for good cause shown by the property owner, may extend the limits of the development schedule.
- (e) The ~~planning board~~Planning Board may require adequate assurance in a form consistent in a form acceptable to the ~~planning board~~Planning Board, that the common open space shown in the final development plan shall be provided and developed.
- (f) Final development plan contents:
- (1) The final development plan shall contain the information ~~provided on~~ the preliminary development plan ~~or any logical part thereof and any additional information requested by the Planning Board; and~~ must be submitted within one year following the approval of the preliminary development plan unless written request is made for an extension of ~~up to~~ one year and approved ~~d~~ by the ~~planning board~~Planning Board.
 - (2) The final development plan, with supplemental information in report form, shall be prepared in conformity with the provisions of section 60-419
 - (3) Copies of any special agreements, conveyances, deed restrictions, or covenants, which will govern the use, maintenance and continued protection of the planned unit ~~development~~ and any of its common area must accompany the final development plan.
 - (4) The applicant may submit any other information or exhibits he deems pertinent in evaluating his proposed planned unit development.
- (g) Control of planned unit development following completion.
- (1) The ~~planning board~~Planning Board shall review and take action on the competed final plan.
 - (2) After final approval has been granted the use of the land and the construction, modification or alteration of any building or structure within the planned development shall be governed by the approved final development plan rather than by any other provisions of this zoning chapter.
 - (3) After final approval, no changes may be made in the approved final development plan except upon application to the appropriate agency under the following procedures:

PART II - CODE OF ORDINANCES
Chapter 60 - ZONING
ARTICLE IV. - DISTRICT REGULATIONS
DIVISION 10. - PLANNED UNIT DEVELOPMENTS

- a. Any minor extension, alteration, or modification of existing buildings or structures may be authorized by the ~~planning board~~Planning Board if they are consistent with the purposes and intent of the final plan. No change authorized by this division may decrease or increase the dimension of any building or structure by more than ten percent.
- b. Any uses not authorized by the approved final plan, but allowable in the PUD as a permitted ~~principale~~principal, accessory, or special use under the provisions of the underlying zoning district in which the planned development is located may be authorized by the planning director and added to the final development plan provided that such an addition does not adversely impact the approved development plan.
- c. A building or structure that is totally or substantially destroyed may be reconstructed only in compliance with the final development plan or amendments thereof approved under subsection (g)(3)a and b of this section.
- d. Changes in use of common open spaces may be authorized by an amendment to the final development plan under subsection (g)(3)a and b of this section.
- e. All other changes in the final development plan must be made by the ~~planning board~~Planning Board under the procedures authorized by this chapter. No changes may be made in the final development plan unless found to be required for:
 - 1. Continued successful functioning of the planned unit development;
 - 2. By changes in conditions that have occurred since the final plan was approved; or
 - 3. By changes in the development of the community.

No changes in the final development plan which are approved under this division are to be considered as a waiver of the provisions limiting the land use, buildings, structures, and improvements within the area of the planned unit development, and all rights to enforce these provisions against any changes permitted in this division are expressly reserved.

(Ord. of 3-16-2009, § 3.51(E)(2); Ord. of 9-21-2009, § 3.51E)

Secs. 60-421—60-438. - Reserved.

PART II - CODE OF ORDINANCES
Chapter 60 - ZONING
ARTICLE IV. - DISTRICT REGULATIONS
DIVISION 10. - PLANNED UNIT DEVELOPMENTS

PART II - CODE OF ORDINANCES
Chapter 60 - ZONING
ARTICLE I. – IN GENERAL

Sec. 60-2. - Definitions.

For the purposes of this chapter, the following words and terms as used herein shall have the meanings or limitations of meaning hereby defined, explained or assigned:

Dwelling ~~or *dwelling unit*~~ means a building or portion thereof arranged or designed to provide living facilities for one or more families.

Dwelling, multifamily, means a residence designed for or occupied by three or more families with separate housekeeping and cooking facilities for each.

Dwelling, one-family detached, means a dwelling unit singly and apart from any other building and intended and designed to be occupied and used exclusively for residential purposes by one family only, excluding those forms of temporary housing permitted by section 60-666. Each one-family detached dwelling shall contain not less than 700 square feet of net floor area of habitable space.

Dwelling, one-family attached, means a residential structure designed to house a single-family unit from lowest level to roof, with private outside entrance, but not necessarily occupying a private lot, and sharing a common wall or walls with an adjoining dwelling unit or units. Each one-family attached dwelling shall contain not less than 700 square feet of net floor area of habitable space.

Dwelling, seasonal, means a dwelling occupied for not more than six months of any year.

Dwelling, two-family, means a freestanding building intended and designed to be occupied and used exclusively for residential purposes by two families only, with separate housekeeping and cooking facilities for each.

Dwelling unit means a room or group of rooms located within a building and forming a single habitable unit, physically separated from any other rooms or dwelling units which may be in the same structure, with facilities which are used for or intended to be used for independent living, sleeping, cooking and eating purposes. Dwelling units available for rental or occupancy for periods of less than one week shall be considered boarding/lodging units.

Major Recreational use of land means permanent use of at least 100 acres of outdoor space limited to ski areas with at least 2 lifts and public and private golf courses with a minimum of 18 holes.

Open space, common means land within or related to a development which is not individually owned and is designed and intended for the common use or enjoyment of the residents of a development and may include such complementary structures and improvements as are necessary and appropriate.

Recreational uses of land means permanent uses of outdoor space which are intended or designed for public use and include but are not limited to ski areas, golf courses (both public and private), driving ranges, horse boarding and riding facilities, miniature golf, paintball, horse and dog racing, snowmobile races, motorhome or recreational vehicle parks or commercial campgrounds and facilities for mass gatherings when used for two or more events during a calendar year.

(Ord. of 9-21-2009, § 2.2)



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: August 21, 2017

Ordinance: 09-08212017

Author: Doug Greene, Urban Development Specialist

Subject: Troy Street Zoning Map Amendment

Information: At their July 17, 2017 meeting, the City Council initiated a zoning map amendment (zone change) and instructed the Planning Board to make a recommendation to the City Council on the proposal. The staff is recommending a block of properties bounded by Union Street, Library Street, Troy Street and the Central Maine Railroad right of way. The properties are currently zoned General Business (GB) and the proposed zoning would be changed to Traditional Downtown Center (T-5.1). The zone change would make the properties easier to redevelopment and also complement the design of the Hampshire Street reconstruction project.

Advantages: Rezoning the Troy Street block of properties to Traditional Downtown Center (T-5.1) would provide the property owners the benefits of Form Based Code:

- More building area is allowed with smaller set-backs.
- Reduced parking requirements.
- Greater flexibility how you can use your property.
- New construction that follows the Form Based Code creates a predictable built environment that protects investment in new development.
- Most new development that follows all the Form Based Code requirements can apply directly for a building permit.

Disadvantages: There is a learning curve for property owners to understand the advantages.

City Budgetary Impacts: None

Staff Recommended Action: Staff recommends the City Council schedule a 2nd reading and public hearing at the September 11, 2017 meeting.

Previous Meetings and History: The Form Based Code went through a 2 year process by the Planning Board leading to adoption by the City Council in May of 2016. The Planning Board voted unanimously to forward a recommendation of APPROVAL to the City Council at their August 8, 2017 meeting, a day after staff presented the zone change at a City Council workshop.

Attachments:

1. Staff Report for the Planning Board's August 8, 2017 meeting.
2. Planning Board Report to the City Council on the Troy Street zone change.
3. Mapping of existing and proposed zoning.
4. Traditional Downtown Center (T-5.1) section from Auburn Zoning Ordinance.
5. Photos of the proposed zone change area.



PLANNING BOARD STAFF REPORT

To: Auburn Planning Board

From: Douglas M. Greene; AICP, RLA
Urban Development Specialist

Re: Zoning Map Amendment for Troy Street Properties

Date: August 8, 2017

I. PROPOSAL –, The City Council initiated a Zoning Map Amendment (zone change) at their July 17, 2017 meeting request. The Staff is recommending the block of properties bounded by Union Street, Hampshire St., Library St. and Troy St. be rezoned at the same time. The parcels are: PID 249-211 (52 Hampshire St.), 240-210 (50 Hampshire St.), 240-213 (43 Union St.), 240-214 (39 Union St.), 240-201 (31 Library St.), 240-202 (29 Library St.), 240-212 (Troy St.) and 240-215 (35 Union St.). These properties are currently zoned General Business (GB) and the Staff feels this area would benefit from a zone change to a Form Based Code, Downtown Traditional Center (T-5.1).

BACKGROUND and STAFF COMMENTS - During the Planning Board’s deliberation in 2015 on the initial Form Based Code zone change for Downtown Auburn and New Auburn, the downtown Minot Avenue corridor, northeast of the railroad tracks was discussed and considered to be included in the overall zone change. Ultimately, the Planning Board chose to limit the boundaries of the Form Based Code to the Central Business District and not extend beyond the rail road tracks. In particular the Downtown Traditional Center (T-5.1) would allow a zero set back along Union Street, Hampshire Street and Troy Street, decrease the parking requirement and allow a greater density, building height and coverage. The Staff is supportive of this change and would also be interested in discussing future expansions of Form Based Code at a later date.

- II. DEPARTMENT REVIEW - The proposed zoned change was reviewed at the July 19, 2017 Plan Review Committee.
- a. Police - No Comments.
 - b. Auburn Water and Sewer - No Comments.
 - c. Fire Department - No Comments.
 - d. Engineering – No Comments.

- e. Public Services – No Comments.
- f. Economic and Community Development – Staff presented the zone change request to the Plan Review Committee.

III. PLANNING BOARD ACTION- The Planning Board is being asked to use Chapter 60-1445, *Amendments to the Zoning Ordinance Map*. The Planning Board should reference A.) The Comprehensive Plan Goals and Objectives and B.) The Future Land Use Map designations and descriptions when considering whether a zone change is appropriate and in compliance with the 2010 Comprehensive Plan.

A. The 2010 Comprehensive Plan has the following sections described in the Chapter 1, Goals, Policies and Strategies that support this zone change:

Community Development Policies- H1- Neighborhood Actions and H2 Housing

- a) “To carry out these housing policies, Auburn will maintain and enhance existing neighborhoods and housing, and provide opportunities for a wide range of new housing development in appropriate locations.” (Vision Statement pg. 56)
- b) “Promote various housing options to meet the needs of Auburn residents and support neighborhood stability.” (Goal H.2 pg. 58)
- c) “Encourage investment in higher-density downtown multi-family and mixed-use neighborhoods to develop a balance of rental and ownership options that serve a wide range of households.” (Housing Objective-H. 2. 4 pg. 61)
- d) “Assure that the City’s zoning and land use regulations allow private owners to improve property in these neighborhoods.” (Housing Strategy, H. 2. 4. a pg. 61)
- e) “Review and revise the zoning requirements, as needed, to allow for redevelopment and infill development on vacant lots that is in character with the neighborhood in terms of lot sizes and density, frontage, setbacks, and similar dimension. (Housing Strategy, H. 2. 4. a, ii pg. 61)
- f) “Create flexible zoning provisions such as variable density requirements (bedroom-based density or building envelope provisions) that allow for the coordinated reuse or rehabilitation of a series of adjacent buildings in order to create expanded housing opportunities. (Housing Strategy, H. 2. 4. a, iii pg. 61)

B. Future Land Use Map- The 2010 Comprehensive Plan’s Future Land Use Map designates this area as a Limited Business Development Area (LBD) (See attachment 1 for map)

Limited Business Development District (LBD) (pg. 89-90)

Objective – Allow for the development and redevelopment of small and moderate scale nonresidential uses in areas that have good vehicle access and are served or can be served by public water and sewerage (see Figures 2.3, 2.4, and 2.5). Since these districts are often located adjacent to existing residential neighborhoods or residentially zoned areas, the allowed uses and development standards are intended to assure that activity within these districts have minimal adverse impact on the adjacent residential areas. In addition to



non-residential activity, the Limited Business Development District should allow for both existing and new residential uses at a density of up to 10-12 units per acre.

Allowed Uses – The following general types of uses should be allowed in the Limited Business Development District:

- small and moderate size retail uses (<40,000 square feet)
- personal and business services
- business and professional offices
- restaurants excluding drive-thru service
- hotel, motels, inns, and bed & breakfast establishments
- residential uses (including single and two-family, townhouses, and multi-family housing)
- community services and government uses
- small and moderate size (<20,000 square feet) fully-enclosed research, light manufacturing, assembly, and wholesale uses
- contractors and similar activities
- motor vehicle service
- motor vehicle sales limited to a subordinate or accessory use where the principal use is motor vehicle service
- recreational uses and facilities

Development Standards – The focus of the City’s development standards for the Limited Business Development District should be on assuring that new development or redevelopment/expansion of existing uses is done in a manner the results in well designed, attractive projects that minimize the potential for undesirable impacts. To ensure that redevelopment/conversion of residential buildings to nonresidential uses is compatible with the design and character of the community, these projects should require site plan review. The review standards should include provisions to manage the amount and location of vehicular access to the site, minimize stormwater runoff and other potential environmental impacts, require an attractive treatment along the boundary between the lot and the street, and provide for the buffering of adjacent residential districts. Multifamily housing and townhouse style development should be allowed at a density of up to 10-12 units per acre, while single and two-family housing should be allowed at a density of up to 6-8 units per acre. Conversion of older single family units to duplexes is encouraged, as well as the full utilization of all established units within multi-unit buildings, provided that the building will be renovated and meet the City’s requirements for residential units, including the provision of appropriate parking and green space.

IV. STAFF COMMENTS-

Context- The proposed zone change area, while not officially part of “Downtown Auburn”, is adjacent and similar in character and visual appearance to an area rezoned to Traditional Downtown Center (T-5.1) in May of 2016 located across the railroad tracks at

Spring, Hampshire and Library Streets. Re-zoning these properties to Traditional Downtown Center (T-5.1) would provide the affected property owners the benefits of Form Based Code:

- More building area is allowed.
- Smaller set-backs.
- Reduced parking requirements.
- Greater flexibility how you can use your property.
- New construction will have to follow the Form Based Code creating a predictable built environment that protects investment.
- Additions of less than 50% to existing buildings, will be exempt from Form Based Code.
- Most new development that follows all the Form Based Code requirements can apply directly for a building permit.

The Traditional Downtown Center (T-5.1) zoning to the proposed properties will be a positive incentive for redevelopment by taking advantage of the increased density and building size that the Form Based Code allows. In addition, Hampshire Street is undergoing a complete reconstruction and re-design that will make the surrounding neighborhood more pedestrian friendly, walkable and desirable for rehabilitation and investment.

Density- When the Central Business District was replaced by the Form Based Code, the density limits as recommended in the 2010 Comprehensive Plan were replaced by the Form Based Code regulations of building placement, configuration and parking. For each site or property, the density of a project will be determined by how it meets the Form Based Code prescriptive requirements. A developer that abides by the Form Based Code regulations and standards typically can create more dwelling units than previously allowed in traditional zoning districts. With that in mind, the Staff is recommending that the density recommendations contained in the city's future land use designations be replaced by a finding that states *"Densities for properties zoned in a Form Base Code district will be determined by compliance with the underlying Form Based Code requirements."*

V. STAFF RECOMMENDATION

The Staff recommends the Planning Board forward a motion of **APPROVAL** to the City Council of the Zoning Map Amendment for the properties listed as: PID 249-211 (52 Hampshire St.), 240-210 (50 Hampshire St.), 240-213 (43 Union St.), 240-214 (39 Union St.), 240-201 (31 Library St.), 240-202 (29 Library St.), 240-212 (Troy St.) and 240-215 (35 Union St.) from General Business (GB) to Traditional Downtown Center (T 5.1).

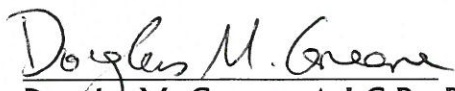
This recommendation is made with the following findings:

1. The zoning request is in compliance with the 2010 Comprehensive Plan's goals, policies and objectives for Housing by meeting the following:

- a) Rezoning the properties to the Traditional Downtown Center (T-5.1) district would be in agreement with the 2010 Comprehensive Plan's Housing

Objective H.2.4 to “encourage investment in higher-density downtown multi-family and mixed-use neighborhoods to develop a balance of rental and ownership options that serve a wide range of households.”

- b) Rezoning the properties to the Traditional Downtown Center (T-5.1) district would be in agreement with the 2010 Comprehensive Plan’s Housing Strategy: H.2.4.a, “Assure that the City’s zoning and land use regulations allow private owners to improve property in these neighborhoods.”
 - c) Rezoning the properties to the Traditional Downtown Center (T-5.1) district would be in agreement with the 2010 Comprehensive Plan’s Housing Strategy H.2.4.a.ii “Review and revise the zoning requirements, as needed, to allow for redevelopment and infill development on vacant lots that is in character with the neighborhood in terms of lot sizes and density, frontage, setbacks, and similar dimension.”
 - d) Rezoning the properties to the Traditional Downtown Center (T-5.1) district would be in agreement with the 2010 Comprehensive Plan’s Housing Strategy H.2.4.a.iii “Create flexible zoning provisions such as variable density requirements (bedroom-based density or building envelope provisions) that allow for the coordinated reuse or rehabilitation of a series of adjacent buildings in order to create expanded housing opportunities.”
2. Rezoning the properties to Traditional Downtown Center (T-5.1) will allow future redevelopment to be constructed in a manner consistent with the existing character and visual appearance of the immediate neighborhood.
3. Densities for the properties being rezoned to the Form Base Code Downtown Traditional Center district (T-5.1) will be determined by compliance with the underlying Form Based Code requirements.

A handwritten signature in black ink that reads "Douglas M. Greene".

Douglas M. Greene, A.I.C.P., R.L.A.
Urban Development Specialist

C: File
ATTACHMENT 1 - 2010 Future Land Use Map



PLANNING BOARD REPORT TO THE CITY COUNCIL

To: Honorable Mayor Jonathan LaBonte and the Auburn City Council
From: Daniel Philbrick, Chairman, Auburn Planning Board
Re: Zoning Map Amendment for Troy Street Properties
Date: August 16, 2017

The Auburn Planning Board held a public hearing and made a recommendation to the City Council on a Zoning Map Amendment (zone change) at their August 8, 2017 meeting. The Planning Board considered a zone change on the block of properties bounded by Union Street, Hampshire St., Library St. and Troy St.. The parcels are: PID 249-211 (52 Hampshire St.), 240-210 (50 Hampshire St.), 240-213 (43 Union St.), 240-214 (39 Union St.), 240-201 (31 Library St.), 240-202 (29 Library St.), 240-212 (Troy St.) and 240-215 (35 Union St.). These properties are currently zoned General Business (GB) and the Staff recommended this area would benefit from a zone change to a Form Based Code, Downtown Traditional Center (T-5.1).

The Staff made a presentation on the proposed zone change and described the current block of properties as being a good candidate for Form Based Code as the properties were more in line with the character that Form Based Code required. In addition, the current structures on these properties were a better fit to meet Form Based Code regulations. In particular, the proposed Downtown Traditional Center (T-5.1) would allow a zero building set back along Union Street, Hampshire Street and Troy Street, decrease the parking requirement and allow greater density, building height and coverage.

The Planning Board also considered the Staff's discussion on how the proposed zone change is in compliance with the 2010 Comprehensive Plan's Housing Goals, Policies and Strategies. The Staff explained that the 2010 Comprehensive Plan's Future Land Use Map was in general compliance with the area's designation as a Limited Business Development Area. The Planning Board discussed how the Form Based Code would allow greater density if the zone change was approved, just as what happened to the Central Business District when it was rezoned to Form Based Code.

The Staff's presentation continued describing the context of the proposed zoned change surroundings. They suggested that the proposed zone change area, while not officially part of "Downtown Auburn", is adjacent and similar in character and visual appearance to an area

rezoned to Traditional Downtown Center (T-5.1) in May of 2016 that is located across the railroad tracks at Spring, Hampshire and Library Streets. Re-zoning these properties to Traditional Downtown Center (T-5.1) would provide an incentive to redevelop or rehabilitate the affected properties. In addition, Hampshire Street is undergoing a complete reconstruction and re-design that will make the surrounding neighborhood more pedestrian friendly, walkable and desirable for rehabilitation and investment.

No one spoke during the public hearing. After some discussion, the Planning Board voted unanimously to forward a recommendation of **APPROVAL** to the City Council of the Zoning Map Amendment with the following findings :

1. The zoning request is in compliance with the 2010 Comprehensive Plan's goals, policies and objectives for Housing by meeting the following:
 - a) Rezoning the properties to the Traditional Downtown Center (T-5.1) district would be in agreement with the 2010 Comprehensive Plan's Housing Objective H.2.4 to "encourage investment in higher-density downtown multi-family and mixed-use neighborhoods to develop a balance of rental and ownership options that serve a wide range of households."
 - b) Rezoning the properties to the Traditional Downtown Center (T-5.1) district would be in agreement with the 2010 Comprehensive Plan's Housing Strategy: H.2.4.a, "Assure that the City's zoning and land use regulations allow private owners to improve property in these neighborhoods."
 - c) Rezoning the properties to the Traditional Downtown Center (T-5.1) district would be in agreement with the 2010 Comprehensive Plan's Housing Strategy H.2.4.a.ii "Review and revise the zoning requirements, as needed, to allow for redevelopment and infill development on vacant lots that is in character with the neighborhood in terms of lot sizes and density, frontage, setbacks, and similar dimension."
 - d) Rezoning the properties to the Traditional Downtown Center (T-5.1) district would be in agreement with the 2010 Comprehensive Plan's Housing Strategy H.2.4.a.iii "Create flexible zoning provisions such as variable density requirements (bedroom-based density or building envelope provisions) that allow for the coordinated reuse or rehabilitation of a series of adjacent buildings in order to create expanded housing opportunities."
2. Rezoning the properties to Traditional Downtown Center (T-5.1) will allow future redevelopment to be constructed in a manner consistent with the existing character and visual appearance of the immediate neighborhood.



Dan Philbrick
Planning Board Chair

ATTACHMENT 3- MAPS

2010 Future Land Use Map

Area Proposed for T-5.1 zoning

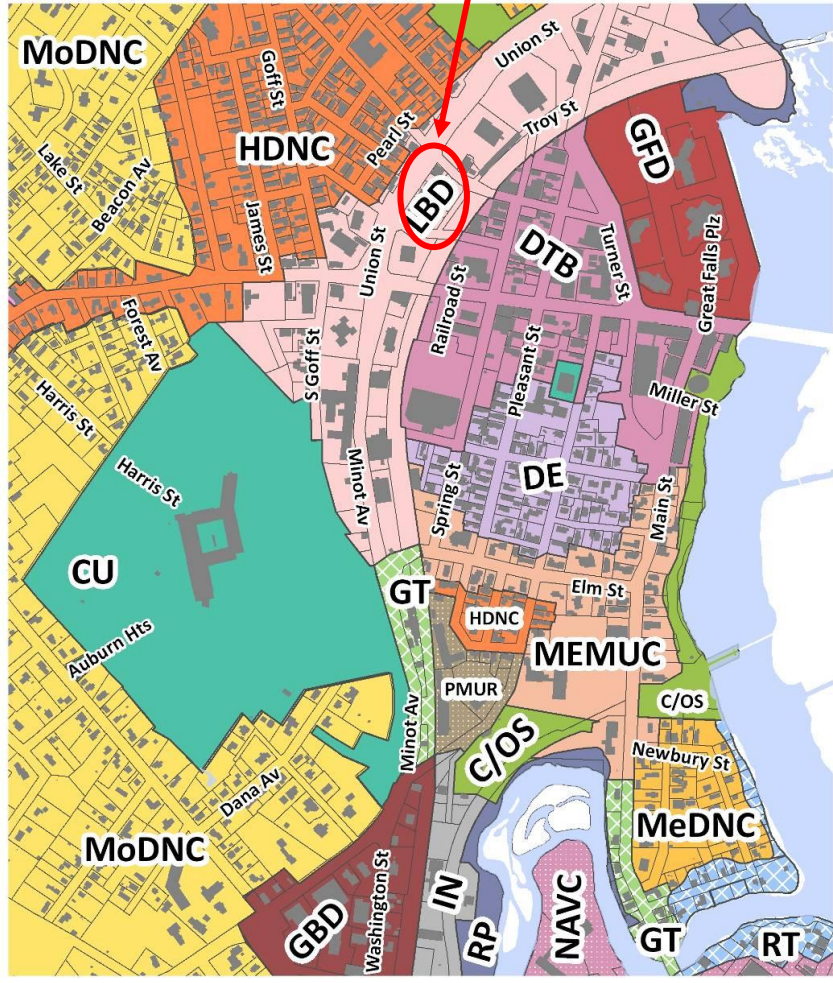
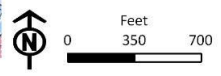
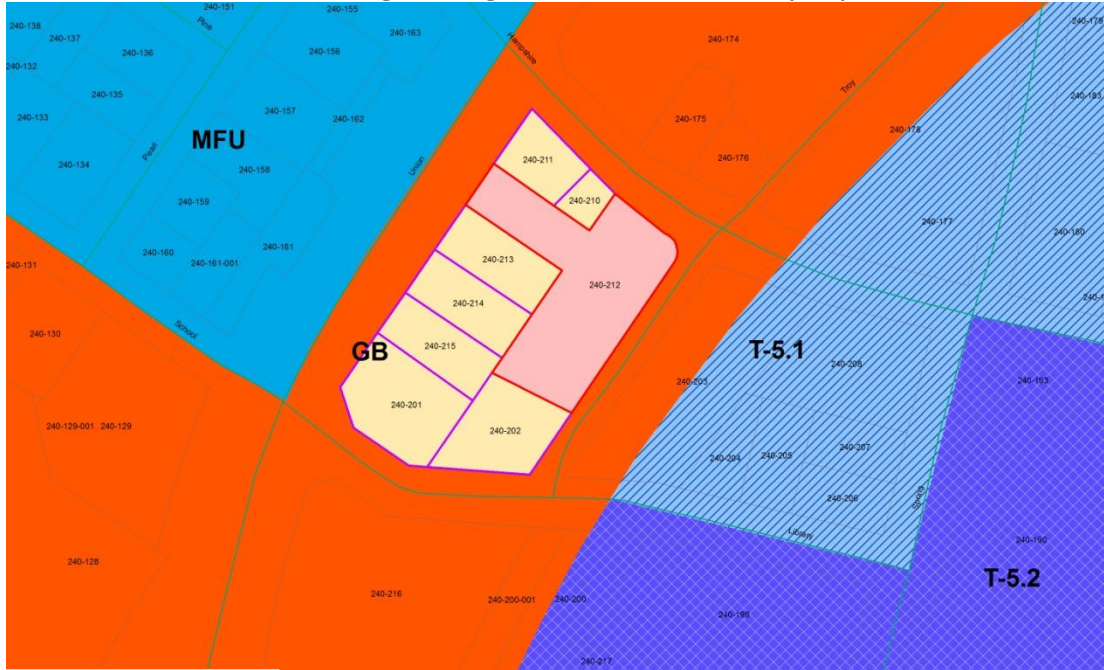


Figure 2.4
Downtown Auburn Area

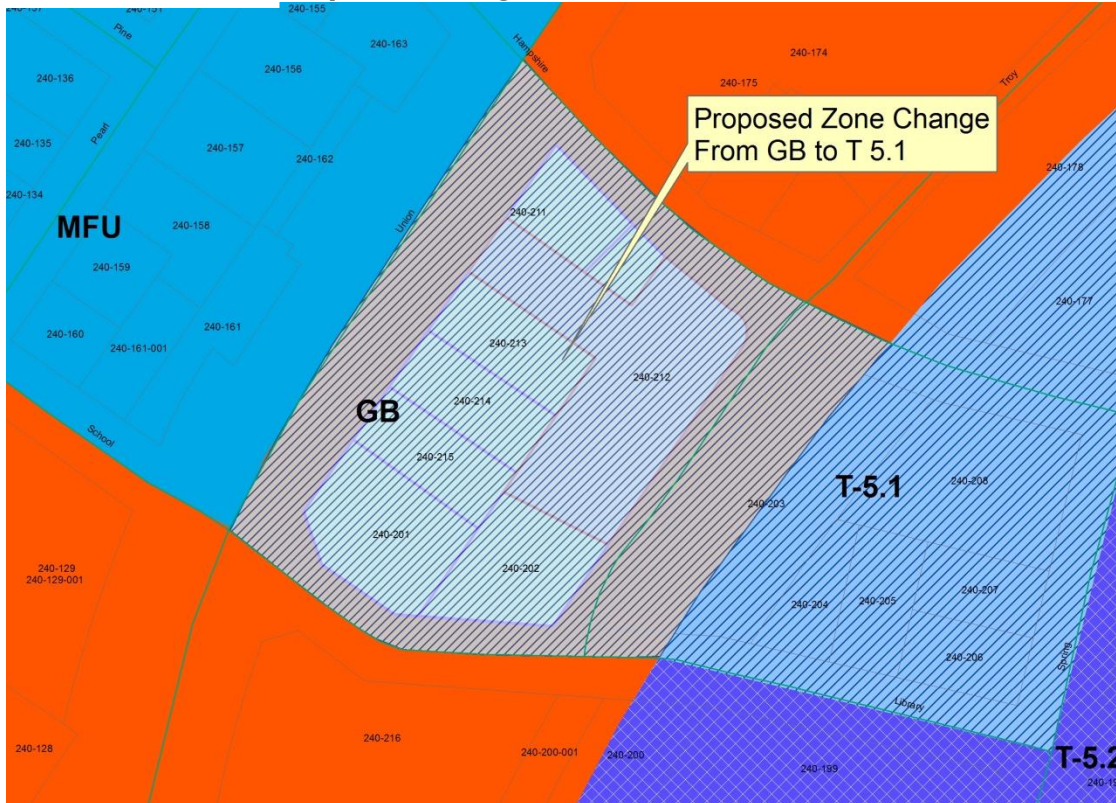
- LMoDRD-Low-Moderate Density Residential Development
- LDRPUD-Low Density Residential Planned Unit Development
- LDRD-Low Density Residential Development
- MoDNC-Moderate Density Neighborhood Conservation
- MoDRD-Moderate Density Residential Development
- MeDNC-Medium Density Neighborhood Conservation
- MeDRD-Medium Density Residential Development
- MeDPRD-Medium Density Planned Residential Development
- HDNC-High Density Neighborhood Conservation
- NB-Neighborhood Business
- DTB-Downtown Traditional Business
- NAVC-New Auburn Village Center
- DE-Downtown Enterprise
- NAE-New Auburn Enterprise
- MEMUC -Main/Elm Mixed Use Corridor
- CMUC-Corridor Mixed Use Development
- PMU-Planned Mixed Use Development
- PMUR-Planned Mixed Use Redevelopment
- LBD-Limited Business Development
- PCD-Planned Commercial Development
- RBD-Regional Business Development
- LAPBD-Lake Auburn Planned Business Development
- GFD-Great Falls Development
- GBD-General Business Development
- BXT-Business Expansion Transition
- IN-Industrial
- INT-Industrial Transition
- Community Use
- Conservation/Open Space
- GT-Gateway Transition
- RT-Riverfront Transition
- AG-Agriculture/Rural
- RP-Resource Protection



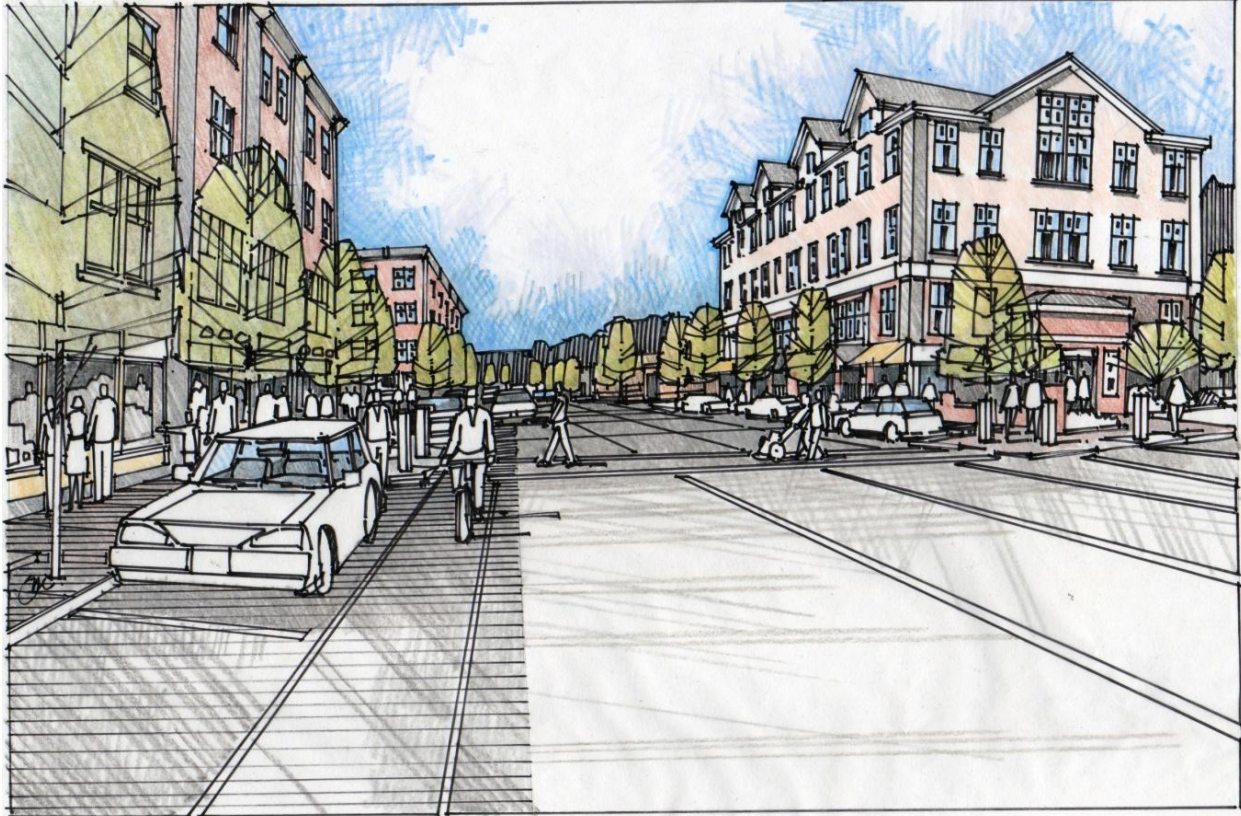
Existing Zoning of General Business (GB)



Proposed Zoning to T-5.1 Downtown Traditional Center



ATTACHMENT 4



Illustrative View of T- 5.1 (Future Great Falls Plaza)

Intent and Purpose:

Downtown Traditional Center (T- 5.1)

The Downtown Traditional Center zone is characterized by medium to larger sized buildings in a compact urban environment that generates an active street life. There is interplay between the Public Realm of the busy street and sidewalk, and the Private Realm of the residential stoops, commercial storefronts and gallery building fronts. The increased building widths form a more solid and compact street wall pattern, generating an energized traditional downtown feel.



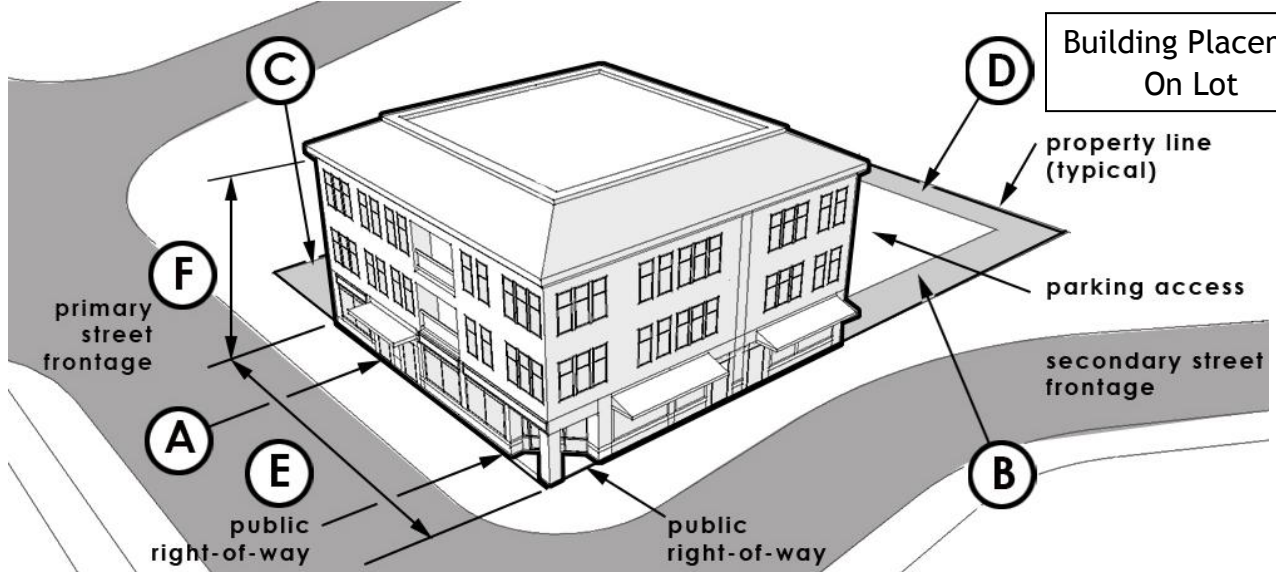
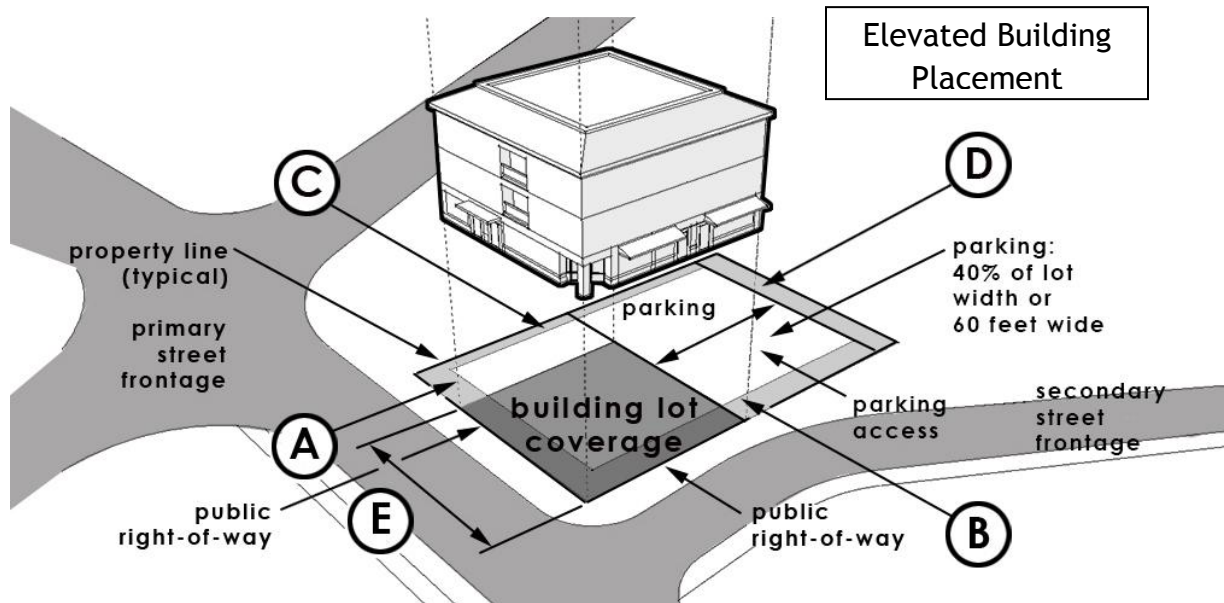
Key Features

- Vibrant and active interaction between public and private realms
- Larger buildings
- Front facade detailing
- Bay windows
- Balconies
- Street trees
- More urban density



Examples of Downtown Traditional Center – T- 5.1

Sec. 60-550.1 BUILDING PLACEMENT & CONFIGURATION T-5.1

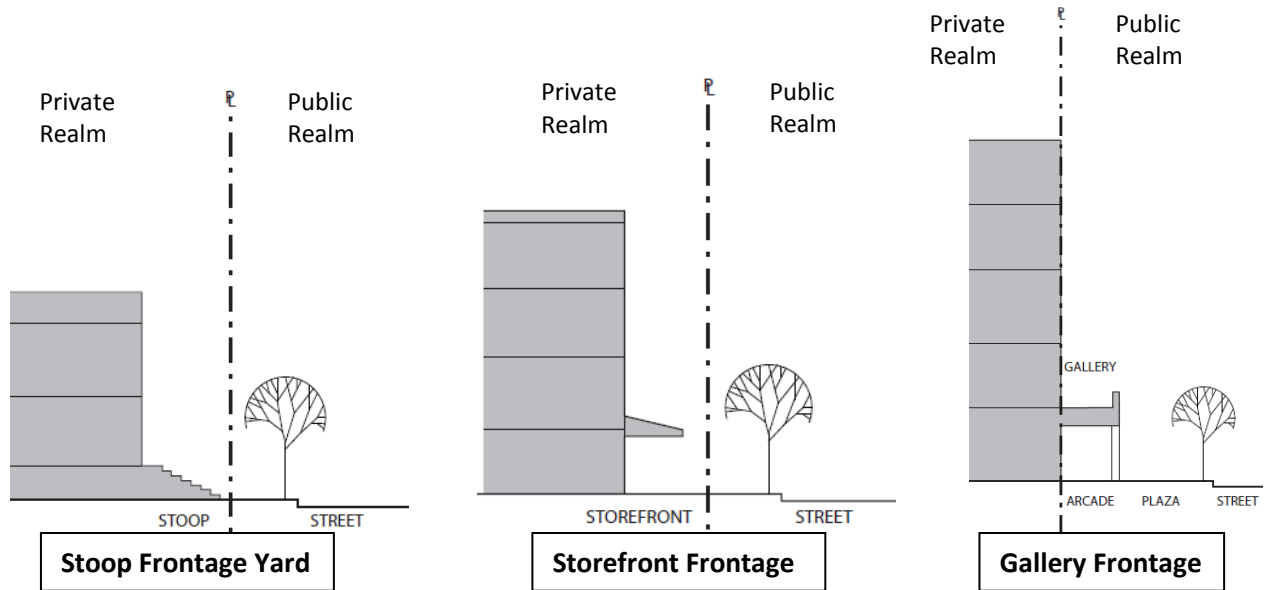


PRINCIPAL BUILDING PLACEMENT:

Front Setback, Principal:	0 ft Min, 10 ft Max	(A)
(Corner Lot) Front Setback, Secondary:	0 ft Min, 10 ft Max	(B)
Side Setback:	0*-5 ft Min	(C)
	*Subject to Building Permit Approval	
Rear Setback:	10 ft Min	(D)
Building Lot Coverage:	75% Max	
Useable Open Space:	5% Min	
Frontage Build-Out:	75% Min (along Front Setback, Primary)	
Lot Width:	24 ft Min, 160 ft Max	

PRINCIPAL BUILDING CONFIGURATION:

Building Width:	14 ft Min, 150 ft Max	(E)
Building Height Minimum:	2 Story Min	(F)
Building Height Maximum:	4 Story Max	(F)
	(excluding attic story)	



BUILDING FRONTAGE TYPES:	Stoop, Storefront and Gallery
BUILDING ENTRIES:	Primary entry door is encouraged along ground story facade facing a primary street.
BUILDING ENVELOPE ARTICULATION:	
Ground Story Building Frontage Facade:	Windows and doors shall comprise a minimum of 25% and maximum 60% coverage of the total ground story facade frontage.
Upper Story Building Frontage Facade:	Windows and doors shall comprise a minimum of 20% and maximum 40% coverage of the total upper story facade frontage.
Ground Story Finished Floor Elevation:	<u>Residential</u> - The ground story elevation must be a minimum of 2 feet minimum to 6 feet maximum above the front yard elevation (average grade). <u>Commercial</u> - The ground story elevation must be at a minimum of sidewalk grade to maximum of 2 feet.
Front Facade Wall:	Blank lengths of wall exceeding 10 linear feet are prohibited.

Front Yard Fence: (Residential)	<u>Residential</u> - A front yard fence a minimum of 2 feet and a maximum of 4 feet in height is encouraged to maintain spatial edge of street. No chain link, vinyl, split rail, or barbed wire is allowed.
Street Wall/Wall Opening:	A vehicle entry way, as part of a street wall, shall be a maximum width of 20 feet (residential) and 24 feet (commercial); a pedestrian entry way shall be a maximum width of 6 feet.
Building Projections:	No part of any building, except overhanging eaves, awnings, balconies, bay windows, stoops and other architectural features shall encroach beyond the minimum front setback line.
Stoop Encroachments:	Stoops may encroach upon the front setback line by the following distances but not encroach in the street right of way.
Garages:	Detached garages shall be located a minimum of 20 feet from any street right of way.
Driveways:	Driveways are encouraged to be on the secondary street frontage. Driveways shall be paved and a minimum of 8 feet wide and a maximum of 20 feet wide.
Parking:	<u>Residential</u> -Vehicle parking areas shall be located only on driveways or designated parking areas and shall not extend into the street right of way or sidewalk. <u>Commercial</u> - Parking shall be located to rear of the property to the greatest extent possible. Parking on a side yard is limited to no more than 60 feet wide or 40% of the lot width. Screening and/or street wall is required for parking areas along a street.
Accessory Structures:	Accessory structures shall be located a minimum of 20 feet from any street right of way and 5 feet from either side or rear property line.
Landscaping:	Landscaping is encouraged but shall not extend into any street sidewalk or travel way. Street trees are encouraged.
Foundation Planting:	Foundation plantings are encouraged but should be pruned and maintained with enough clearance from the building facade to encourage air circulation.

Sec. 60-554 FORM BASED CODE USE and PARKING MATRIX

* * * (2)

USE (1)	T-4.1	T-4.2	T 5.1	T-5.2	T-6	PARKING REQUIREMENTS (2)
Residential Type Use						
Single Family	P	P	P	P	P	1 sp/DU
Duplex	P	P	P	P	P	1 sp/DU
Townhouse	P	P	P	P	P	1 sp/DU
Multi-Family	P	P	P	P	P	1 sp/DU plus 1 guest space/4 DU
Bed & Breakfast < 4 Rooms	S	P	P	P	P	1 sp/employee plus 1 sp/guest
Bed & Breakfast > 4 Rooms	S	S	P	P	P	1 sp/employee plus 1 sp/guest
Hotel	X	X	S	S	P	1/2 sp /employee plus 1 sp /room
Elderly/Child Care Facility	S	S	S	S	P	1/2 sp /employee plus 1 sp/ 8 users
Home Occupation	P	P	P	P	P	Based on Use Type (Sec. 60-673-10)
Community Based Residential Facilities	P	P	P	P	P	1 sp/employee plus 1 sp/client
Boarding House/Lodginghouse	P	P	P	S	X	1 sp/guestroom plus 1 sp/employee
Office/Service Type Use						
Professional Offices	S	S	P	P	P	1 sp/400 sf
Medical and Dental Clinics	S	S	P	P	P	1 sp./400 sf
Personal Services	S	P	P	P	P	1 sp./400 sf
Retail Type Use						
General Retail	S	S	P	P	P	1 sp/400 sf
Age Restricted Retail (3)	S	S	S	S	S	1 sp/400 sf
Specialty Shops	S	P	P	P	P	1 sp/400 sf
Restaurant up to 30 seats w/16 outdoor	X	S	P	P	P	1 sp/4 seats
Restaurant over 30 seats w/16 outdoor	X	S	S	P	P	1 sp/4 seats
Halls, Private Clubs, Indoor Amusement	S	S	S	P	P	1 sp/400 sf
Artist Studios, Performing Art Center	S	S	P	P	P	1 sp/400 sf
Civic						
Church or Places of Worship	S	S	P	P	P	1 sp/5 seats
Government Offices	X	X	P	P	P	1 sp/400 sf
Art Galleries	S	P	P	P	P	1 sp/400 sf
Transportation Facilities	X	X	S	S	S	1 sp/400 sf

Notes:

- (1) Uses not listed are considered prohibited unless deemed similar by the Director of Planning or by the Planning Board through a special exception approval.
- (2) Parking requirements in T-5.1, T- 5.2 and T-6 may be provided by the municipality or private parking resources within 1,000 feet of the principal building, subject to Planning Board approval.
- (3) Where more than 50% of floor space is devoted to Age Restricted Goods

S = Special Exception
sp = parking space

P = Permitted
sf = square foot of gross floor space

X-Prohibited
DU = Dwelling Unit

Attachment 5

Photos of the proposed Troy Street area zone change from GB to T-5.1



Looking at the block from Union Street



Looking at potential redevelopment area from Hampshire Street



View from the corner of Library Street and Troy Street



View from Union Street median looking down Library Street.

James Pross, Ward One
Robert Stone, Ward Two
Andy Titus, Ward Three
Ernestine Gilbert, Ward Four



Leroy Walker, Ward Five
Grady R. Burns, At Large
David C. Young, At Large

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDINANCE 09-08212017

BE IT ORDAINED, that the City Council hereby amends the Auburn Zoning Map from General Business (GB) to Traditional Downtown Center (T-5.1) for the following properties: 52 Hampshire St., (PID 249-211); 50 Hampshire St., (PID 240-210); 43 Union St., (PID 240-213); (39 Union St., (PID 240-214); 31 Library St., (PID 240-201); 29 Library St., (PID 240-202); Troy Street (PID 240-212); and 35 Union St. (PID 240-215).

City of Auburn, Maine

"Maine's City of Opportunity"

Financial Services

TO: Peter Crichton, City Manager
FROM: Jill Eastman, Finance Director
REF: June 2017 Financial Report (pre audit)
DATE: August 14, 2017

The following is a discussion regarding the significant variances found in the City's June 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 the final month of the current fiscal year. As a guideline for tracking purposes, revenues and expenditures should amount to approximately 100% of the annual budget. The attached reports are where we are right now. We are still processing invoices for FY 17 and there are some revenues that haven't been received that belong in FY 17. This report shows you where we are today. When the audit is complete, the auditors will give a formal presentation of the final year end picture.

Revenues

Revenues collected through June 30th, including the school department were \$79,583,305, or 98.82%, of the budget. The municipal revenues including property taxes were \$57,440,219 or 100.01% of the budget which is more than the same period last year by 1.89%. The accounts listed below are noteworthy.

- A. Property Tax collections that are received for the first 60 days following fiscal year end are posted to the prior year. What this means is that any property taxes collected in July and August will be posted to FY 17. As of June 30th property tax collections were at 98.64% of the budget which is 0.94% higher than last year at this time.
- B. Excise tax for the month of June is at 118.68%. This is a \$149,375 increase from FY 16. Our excise revenues for FY17 are \$628,456 above projections as of June 30, 2017.
- C. State Revenue Sharing for the month of June is 101.18% or \$1,485,600.

- D. Business and Non-Business Licenses and Permits are at 118.82% of budget due to both Commercial Licenses and non-business licenses coming in higher than anticipated.

Expenditures

City expenditures through June 2017 were \$39,262,293 or 98.68%, of the budget. Noteworthy variances are:

- A. Legal Service is at 327.31% or \$103,765 over budget. There is an offset of \$100,000 in the City Manager’s budget that was budgeted for a staff attorney that was not hired.
- B. Health and Social services is over budget this year. The major contributing factors this year is the amount of assistance provided. The City had an increase in clients for FY 17.
- C. At this time the overall expenditures (City and School combined) are less than budget by \$1,957,317.

Investments

This section contains an investment schedule as of June 30th. Currently the City’s funds are earning an average interest rate of .722%.

Respectfully submitted,



Jill M. Eastman
Finance Director

CITY OF AUBURN, MAINE
BALANCE SHEET - CITY GENERAL FUND, WC AND UNEMPLOYMENT FUND
AS of June 2017 (UNAUDITED), May 2017, and June 2016

	UNAUDITED June 30 2017	UNAUDITED May 31 2017	Increase (Decrease)	AUDITED JUNE 30 2016
ASSETS				
CASH	\$ 11,269,639	\$ 21,417,398	\$ (10,147,759)	\$ 10,809,594
RECEIVABLES			-	
ACCOUNTS RECEIVABLES	2,465,997	2,016,731	449,266	2,561,677
TAXES RECEIVABLE-CURRENT	1,051,346	1,224,826	(173,480)	1,015,068
DELINQUENT TAXES	612,972	622,456	(9,484)	613,248
TAX LIENS	562,272	603,553	(41,281)	473,362
NET DUE TO/FROM OTHER FUNDS	2,998,515	1,125,579	1,872,936	2,298,596
	TOTAL ASSETS \$ 18,960,742	\$ 27,010,543	\$ (8,049,801)	\$ 17,771,545
LIABILITIES & FUND BALANCES				
ACCOUNTS PAYABLE	\$ (770,940)	\$ (20,062)	\$ (750,878)	\$ (643,393)
PAYROLL LIABILITIES	(1,204,837)	(67,342)	(1,137,495)	-
ACCRUED PAYROLL	(2,501,981)	-	(2,501,981)	(3,934,340)
STATE FEES PAYABLE	-	(70,821)	70,821	-
ESCROWED AMOUNTS	(2,826)	(8,283)	5,457	(12,981)
DEFERRED REVENUE	(2,167,006)	(2,362,610)	195,604	(1,970,197)
	TOTAL LIABILITIES \$ (6,647,588)	\$ (2,529,118)	\$ (4,118,470)	\$ (6,560,911)
FUND BALANCE - Unassigned	\$ (10,446,184)	\$ (22,614,455)	\$ 12,168,271	\$ (6,158,083)
FUND BALANCE - Assigned	\$ (783,311)	\$ (783,311)	\$ -	\$ (2,084,993)
FUND BALANCE - Nonspendable-long term receivables				\$ (1,341,590)
FUND BALANCE - Restricted	(1,083,659)	(1,083,659)	-	(1,625,968)
	TOTAL FUND BALANCE \$ (12,313,153)	\$ (24,481,425)	\$ 12,168,271	\$ (11,210,634)
TOTAL LIABILITIES AND FUND BALANCE	\$ (18,960,742)	\$ (27,010,543)	\$ 8,049,801	\$ (17,771,545)

CITY OF AUBURN, MAINE
EXPENDITURES - GENERAL FUND COMPARATIVE
THROUGH June 30, 2017 VS June 30, 2016

DEPARTMENT	FY 2017 BUDGET	Unaudited EXP THRU JUNE 2017	% OF BUDGET	FY 2016 BUDGET	Unaudited EXP THRU JUNE 2016	% OF BUDGET	VARIANCE
ADMINISTRATION							
MAYOR AND COUNCIL	\$ 78,464	\$ 80,986	103.21%	\$ 77,366	\$ 76,139	98.41%	\$ 4,847
CITY MANAGER	\$ 378,880	\$ 283,361	74.79%	\$ 269,340	\$ 289,238	107.39%	\$ (5,877)
CITY CLERK	\$ 177,906	\$ 183,631	103.22%	\$ 165,053	\$ 172,319	104.40%	\$ 11,312
FINANCIAL SERVICES	\$ 637,754	\$ 643,411	100.89%	\$ 619,855	\$ 629,732	101.59%	\$ 13,679
HUMAN RESOURCES	\$ 150,435	\$ 100,012	66.48%	\$ 143,526	\$ 143,526	100.00%	\$ (43,514)
INFORMATION TECHNOLOGY	\$ 479,324	\$ 521,144	108.72%	\$ 390,190	\$ 386,059	98.94%	\$ 135,085
LEGAL SERVICES	\$ 45,650	\$ 149,415	327.31%	\$ 65,000	\$ 97,535	150.05%	\$ 51,880
TOTAL ADMINISTRATION	\$ 1,948,413	\$ 1,961,960	100.70%	\$ 1,730,330	\$ 1,794,548	103.71%	\$ 167,412
COMMUNITY SERVICES							
ECONOMIC & COMMUNITY DEVELOPMENT	\$ 1,938,437	\$ 1,249,651	64.47%	\$ 1,267,711	\$ 1,294,804	102.14%	\$ (45,153)
HEALTH & SOCIAL SERVICES	\$ 171,474	\$ 248,392	144.86%	\$ 184,711	\$ 151,703	82.13%	\$ 96,689
RECREATION & SPECIAL EVENTS*	\$ 341,772	\$ 291,306	85.23%	\$ 338,871	\$ 287,221	84.76%	\$ 4,085
PUBLIC LIBRARY	\$ 979,516	\$ 969,116	98.94%	\$ 979,516	\$ 980,916	100.14%	\$ (11,800)
TOTAL COMMUNITY SERVICES	\$ 3,431,199	\$ 2,758,465	80.39%	\$ 2,770,809	\$ 2,714,644	97.97%	\$ 43,821
FISCAL SERVICES							
DEBT SERVICE	\$ 6,406,845	\$ 6,340,680	98.97%	\$ 6,324,864	\$ 6,247,014	98.77%	\$ 93,666
FACILITIES	\$ 645,756	\$ 611,206	94.65%	\$ 653,080	\$ 559,026	85.60%	\$ 52,180
WORKERS COMPENSATION	\$ 522,088	\$ 522,088	100.00%	\$ 496,536	\$ 496,536	100.00%	\$ 25,552
WAGES & BENEFITS	\$ 5,274,528	\$ 5,271,715	99.95%	\$ 5,171,309	\$ 4,964,674	96.00%	\$ 307,041
EMERGENCY RESERVE (10108062-670000)	\$ 375,289	\$ -	0.00%	\$ 375,289	\$ -	0.00%	\$ -
TOTAL FISCAL SERVICES	\$ 13,224,506	\$ 12,745,689	96.38%	\$ 13,021,078	\$ 12,267,250	94.21%	\$ 478,439
PUBLIC SAFETY							
FIRE DEPARTMENT	\$ 4,049,396	\$ 4,447,163	109.82%	\$ 4,099,634	\$ 4,399,287	107.31%	\$ 47,876
FIRE EMS	\$ 590,997	\$ 534,699	90.47%	\$ 549,801	\$ 359,002	65.30%	\$ 175,697
POLICE DEPARTMENT	\$ 3,875,113	\$ 3,956,465	102.10%	\$ 3,870,995	\$ 3,784,769	97.77%	\$ 171,696
TOTAL PUBLIC SAFETY	\$ 8,515,506	\$ 8,938,327	104.97%	\$ 8,520,430	\$ 8,543,058	100.27%	\$ 395,269
PUBLIC WORKS							
PUBLIC SERVICES DEPARTMENT	\$ 4,496,349	\$ 4,526,467	100.67%	\$ 4,525,898	\$ 4,151,679	91.73%	\$ 374,788
SOLID WASTE DISPOSAL	\$ 932,689	\$ 911,281	97.70%	\$ 927,278	\$ 805,457	86.86%	\$ 105,824
WATER AND SEWER	\$ 599,013	\$ 610,559	101.93%	\$ 599,013	\$ 599,013	100.00%	\$ 11,546
TOTAL PUBLIC WORKS	\$ 6,028,051	\$ 6,048,307	100.34%	\$ 6,052,189	\$ 5,556,149	91.80%	\$ 492,158
INTERGOVERNMENTAL PROGRAMS							
AUBURN-LEWISTON AIRPORT	\$ 106,000	\$ 105,688	99.71%	\$ 105,000	\$ 103,888	98.94%	\$ 1,800
E911 COMMUNICATION CENTER	\$ 1,088,857	\$ 1,073,212	98.56%	\$ 1,069,122	\$ 1,069,806	100.06%	\$ 3,406
LATC-PUBLIC TRANSIT	\$ 182,244	\$ 182,244	100.00%	\$ 209,244	\$ 209,244	100.00%	\$ (27,000)
LA ARTS	\$ -	\$ -	-	\$ -	\$ -	-	\$ -
TAX SHARING	\$ 270,000	\$ 245,721	91.01%	\$ 270,000	\$ 228,985	84.81%	\$ 16,736
TOTAL INTERGOVERNMENTAL	\$ 1,647,101	\$ 1,606,865	97.56%	\$ 1,653,366	\$ 1,611,923	97.49%	\$ (5,058)
COUNTY TAX							
TIF (10108058-580000)	\$ 2,167,824	\$ 2,167,824	100.00%	\$ 2,142,268	\$ 2,142,268	100.00%	\$ 25,556
OVERLAY	\$ 2,824,803	\$ 2,977,134	105.39%	\$ 2,599,914	\$ 2,824,802	108.65%	\$ 152,332
	\$ -	\$ 57,722	-	\$ -	\$ -	0.00%	\$ 57,722
	\$ -	\$ -	-	\$ -	\$ -	-	\$ -
TOTAL CITY DEPARTMENTS	\$ 39,787,403	\$ 39,262,293	98.68%	\$ 38,490,384	\$ 37,454,642	97.31%	\$ 1,807,651
EDUCATION DEPARTMENT							
	\$ 40,743,368	\$ 39,311,161	96.48%	\$ 39,062,197	\$ 31,149,902	79.74%	\$ 8,161,259
TOTAL GENERAL FUND EXPENDITURES	\$ 80,530,771	\$ 78,573,454	97.57%	\$ 77,552,581	\$ 68,604,544	88.46%	\$ 9,968,910

CITY OF AUBURN, MAINE
REVENUES - GENERAL FUND COMPARATIVE
THROUGH June 30, 2017 VS June 30, 2016 (Pre Audit)

REVENUE SOURCE	FY 2017 BUDGET	ACTUAL REVENUES THRU JUNE 2017	% OF BUDGET	FY 2016 BUDGET	ACTUAL REVENUES THRU JUNE 2016	% OF BUDGET	VARIANCE
TAXES							
PROPERTY TAX REVENUE- PRIOR YEAR TAX REVENUE	\$ 46,032,435	\$ 45,408,632	98.64%	\$ 44,021,283	\$ 43,010,262	97.70%	\$ 2,398,370
HOMESTEAD EXEMPTION REIMBURSEMENT ALLOWANCE FOR ABATEMENT	\$ -	\$ 716,241		\$ -	\$ 1,016,485		\$ (300,244)
ALLOWANCE FOR UNCOLLECTIBLE TAXES	\$ 750,000	\$ 750,000	100.00%	\$ 505,000	\$ 258,527	51.19%	\$ 491,473
EXCISE	\$ -	\$ -		\$ -	\$ -		\$ -
PENALTIES & INTEREST	\$ 3,365,000	\$ 3,993,456	118.68%	\$ 3,350,000	\$ 3,844,081	114.75%	\$ 149,375
TOTAL TAXES	\$ 50,297,435	\$ 51,019,906	101.44%	\$ 48,026,283	\$ 48,264,067	100.50%	\$ 2,755,839
LICENSES AND PERMITS							
BUSINESS	\$ 48,000	\$ 71,066	148.05%	\$ 48,300	\$ 74,661	154.58%	\$ (3,595)
NON-BUSINESS	\$ 427,384	\$ 493,783	115.54%	\$ 356,800	\$ 333,401	93.44%	\$ 160,382
TOTAL LICENSES	\$ 475,384	\$ 564,850	118.82%	\$ 405,100	\$ 408,062	100.73%	\$ 156,788
INTERGOVERNMENTAL ASSISTANCE							
STATE-LOCAL ROAD ASSISTANCE	\$ 400,000	\$ 399,292	99.82%	\$ 440,000	\$ 401,596	91.27%	\$ (2,304)
STATE REVENUE SHARING	\$ 1,468,313	\$ 1,485,600	101.18%	\$ 1,477,641	\$ 1,556,420	105.33%	\$ (70,820)
WELFARE REIMBURSEMENT	\$ 59,000	\$ 80,178	135.89%	\$ 70,000	\$ 50,914	72.73%	\$ 29,264
OTHER STATE AID	\$ 22,000	\$ 31,972	145.33%	\$ 22,000	\$ 3,555	16.16%	\$ 28,417
CITY OF LEWISTON	\$ 160,000	\$ 175,252	109.53%	\$ 155,000	\$ 169,775	109.53%	\$ 5,477
TOTAL INTERGOVERNMENTAL ASSISTANCE	\$ 2,109,313	\$ 2,172,294	102.99%	\$ 2,164,641	\$ 2,182,260	100.81%	\$ (9,966)
CHARGE FOR SERVICES							
GENERAL GOVERNMENT	\$ 132,640	\$ 115,439	87.03%	\$ 133,040	\$ 129,170	97.09%	\$ (13,731)
PUBLIC SAFETY	\$ 139,077	\$ 190,427	136.92%	\$ 239,138	\$ 155,962	65.22%	\$ 34,465
EMS TRANSPORT	\$ 1,250,000	\$ 1,090,536	87.24%	\$ 1,250,000	\$ 1,128,873	90.31%	\$ (38,337)
TOTAL CHARGE FOR SERVICES	\$ 1,521,717	\$ 1,396,402	91.76%	\$ 1,622,178	\$ 1,414,005	87.17%	\$ (17,603)
FINES							
PARKING TICKETS & MISC FINES	\$ 65,000	\$ 56,895	87.53%	\$ 60,000	\$ 67,502	112.50%	\$ (10,607)
MISCELLANEOUS							
INVESTMENT INCOME	\$ 10,000	\$ 61,093	610.93%	\$ 5,000	\$ 50,660	1013.20%	\$ 10,433
INTEREST-BOND PROCEEDS	\$ -	\$ -		\$ 2,000	\$ -	0.00%	\$ -
RENTS	\$ 18,000	\$ 22,339	124.10%	\$ 18,000	\$ 162,615	903.42%	\$ (140,276)
UNCLASSIFIED	\$ 10,000	\$ 10,001	100.01%	\$ 20,000	\$ 24,378	121.89%	\$ (14,377)
COMMERCIAL SOLID WASTE FEES	\$ -	\$ 45,090		\$ -	\$ 25,228		\$ 19,862
SALE OF PROPERTY	\$ 20,000	\$ 13,355	66.77%	\$ 20,000	\$ 503,063	2515.32%	\$ (489,708)
RECREATION PROGRAMS/ARENA	\$ -	\$ -		\$ -	\$ -		\$ -
MMWAC HOST FEES	\$ 210,000	\$ 320,092	152.42%	\$ 210,000	\$ 210,655	100.31%	\$ 109,437
TRANSFER IN: TIF	\$ 1,537,818	\$ 1,537,818	100.00%	\$ 545,000	\$ 545,000	100.00%	\$ 992,818
TRANSFER IN: POLICE	\$ -	\$ -		\$ 45,000	\$ -	0.00%	\$ -
TRANSFER IN: REC SPEC REVENUE	\$ 54,718	\$ 67,529	123.41%	\$ 42,718	\$ -	0.00%	\$ 67,529
TRANSFER IN: SPECIAL REVENUE	\$ -	\$ -		\$ -	\$ -		\$ -
ENERGY EFFICIENCY	\$ -	\$ 1,625		\$ -	\$ 3,600		\$ (1,975)
CDBG	\$ 254,127	\$ 132,919	52.30%	\$ 58,000	\$ 18,524	31.94%	\$ 114,395
UTILITY REIMBURSEMENT	\$ 27,500	\$ 18,013	65.50%	\$ 37,500	\$ 19,872	52.99%	\$ (1,859)
CITY FUND BALANCE CONTRIBUTION	\$ 825,000	\$ -	0.00%	\$ 1,650,000	\$ -	0.00%	\$ -
TOTAL MISCELLANEOUS	\$ 2,967,163	\$ 2,229,872	75.15%	\$ 2,653,218	\$ 1,563,595	58.93%	\$ 666,277
TOTAL GENERAL FUND REVENUES	\$ 57,436,012	\$ 57,440,219	100.01%	\$ 54,931,420	\$ 53,899,491	98.12%	\$ 3,540,728
SCHOOL REVENUES							
EDUCATION SUBSIDY	\$ 21,373,337	\$ 21,373,338	100.00%	\$ 20,854,672	\$ 19,591,258	93.94%	\$ 1,782,080
EDUCATION	\$ 814,540	\$ 769,748	94.50%	\$ 856,607	\$ 712,759	83.21%	\$ 56,989
SCHOOL FUND BALANCE CONTRIBUTION	\$ 906,882	\$ -	0.00%	\$ 906,882	\$ -	0.00%	\$ -
TOTAL SCHOOL	\$ 23,094,759	\$ 22,143,086	95.88%	\$ 22,618,161	\$ 20,304,017	89.77%	\$ 1,839,069
GRAND TOTAL REVENUES	\$ 80,530,771	\$ 79,583,305	98.82%	\$ 77,549,581	\$ 74,203,508	95.69%	\$ 5,379,797

**CITY OF AUBURN, MAINE
INVESTMENT SCHEDULE
AS OF June 30, 2017**

INVESTMENT		FUND	BALANCE June 30, 2017	BALANCE May 31, 2017	INTEREST RATE
ANDROSCOGGIN BANK	449	CAPITAL PROJECTS	\$ 4,184,979.31	\$ 4,183,259.95	0.45%
ANDROSCOGGIN BANK	502	SR-TIF	\$ 1,008,438.18	\$ 1,008,023.93	0.45%
ANDROSCOGGIN BANK	836	GENERAL FUND	\$ 4,090,593.35	\$ 4,078,019.23	0.45%
ANDROSCOGGIN BANK	801	WORKERS COMP	\$ 50,357.46	\$ 50,357.46	0.45%
ANDROSCOGGIN BANK	748	UNEMPLOYMENT	\$ 50,357.42	\$ 50,357.42	0.45%
ANDROSCOGGIN BANK	684	EMS CAPITAL RESERVE	\$ 231,362.88	\$ 231,267.84	0.45%
NORTHERN CAPITAL	02155	CAPITAL PROJECTS	\$ 750,000.00	\$ 750,000.00	1.15%
NORTHERN CAPITAL	02155	GENERAL FUND	\$ 500,000.00	\$ 500,000.00	0.70%
NORTHERN CAPITAL	02155	GENERAL FUND	\$ 500,000.00	\$ 500,000.00	1.00%
NORTHERN CAPITAL	02155	GENERAL FUND	\$ 500,000.00	\$ 500,000.00	1.15%
NORTHERN CAPITAL	02155	GENERAL FUND	\$ 250,000.00	\$ 250,000.00	1.25%
GRAND TOTAL			\$ 12,116,088.60	\$ 12,101,285.83	0.72%

EMS BILLING
SUMMARY OF ACTIVITY
July 1, 2016 - June 30, 2017
Report as of June 30, 2017 (Unaudited)

	Beginning Balance 06/01/17	New Charges	Payments	June 2017 Adjustments	Adjustments	Write-Offs	Ending Balance 6/30/2017
Bluecross	\$ 4,994.36	\$ 5,918.20	\$ (2,754.18)		\$ (3,112.54)		\$ 5,045.84
Intercept	\$ -	\$ 100.00					\$ 100.00
Medicare	\$ 61,021.31	\$ 86,752.40	\$ (38,018.29)		\$ (52,202.83)		\$ 57,552.59
Medicaid	\$ 27,476.90	\$ 43,186.00	\$ (16,269.86)		\$ (21,055.45)		\$ 33,337.59
Other/Commercial	\$ 69,516.62	\$ 43,800.00	\$ (24,665.43)		\$ (14,219.60)		\$ 74,431.59
Patient	\$ 606,172.86	\$ 6,550.00	\$ (7,094.59)	\$ (2,409.99)	\$ (2,459.94)	\$ (29,624.91)	\$ 571,133.43
Worker's Comp	\$ -	\$ 907.40	\$ (2,346.00)	\$ 2,409.99			\$ 971.39
TOTAL	\$ 769,182.05	\$ 187,214.00	\$ (91,148.35)	\$ -	\$ (93,050.36)		\$ 742,572.43

EMS BILLING
BREAKDOWN -TOTAL CHARGES
July 1, 2016 - June 30, 2017
Report as of June 30, 2017 (Unaudited)

	July 2016	August 2016	Sept 2016	Oct 2016	Nov 2016	Dec 2016	Jan 2017	Feb 2017	Mar 2017	Apr 2017	May 2017	June 2017	Adjustment	Totals	% of Total
No Insurance Information		\$ 4,649.80								\$ 6,824.40			\$ (11,474.20)	\$ -	0.00%
Bluecross	\$ 10,000.40	\$ 13,101.80	\$ 7,886.80	\$ 10,183.80	\$ 7,624.60	\$ 6,585.00	\$ 9,587.80	\$ 11,865.60	\$ 12,507.20	\$ 3,431.00	\$ 12,799.20	\$ 5,918.20	\$ 6,401.40	\$ 117,892.80	5.27%
Intercept	\$ 200.00	\$ 800.00	\$ 200.00	\$ 400.00	\$ 434.80	\$ 300.00	\$ 600.00	\$ 800.00	\$ 500.00	\$ 500.00	\$ 100.00	\$ 100.00	\$ 1,025.00	\$ 5,959.80	0.27%
Medicare	\$ 65,787.40	\$ 79,078.20	\$ 87,750.40	\$ 101,560.20	\$ 70,601.00	\$ 53,336.40	\$ 111,207.20	\$ 86,026.00	\$ 79,304.60	\$ 91,913.80	\$ 100,027.00	\$ 86,752.40	\$ 23,409.00	\$ 1,036,753.60	46.34%
Medicaid	\$ 34,317.20	\$ 36,679.60	\$ 25,523.80	\$ 34,320.80	\$ 35,292.20	\$ 24,267.60	\$ 29,678.80	\$ 24,905.20	\$ 28,541.20	\$ 32,648.40	\$ 33,057.60	\$ 43,186.00	\$ 11,829.60	\$ 394,248.00	17.62%
Other/Commercial Patient	\$ 54,548.80	\$ 49,906.40	\$ 44,401.40	\$ 39,102.00	\$ 34,393.20	\$ 34,834.60	\$ 49,913.80	\$ 40,053.60	\$ 48,240.00	\$ 51,531.20	\$ 61,023.00	\$ 43,800.00	\$ (3,182.80)	\$ 548,565.20	24.52%
Worker's Comp	\$ 16,125.40	\$ 20,867.80	\$ 12,572.60	\$ 13,732.00	\$ 20,298.20	\$ 6,623.80	\$ 15,335.40	\$ 16,101.40	\$ 14,046.40	\$ 9,979.40	\$ 7,483.80	\$ 6,550.00	\$ (30,151.20)	\$ 129,565.00	5.79%
	\$ 651.40				\$ 728.40							\$ 907.40	\$ 2,143.20	\$ 4,430.40	0.20%
TOTAL	\$ 181,630.60	\$ 205,083.60	\$ 178,335.00	\$ 199,298.80	\$ 169,372.40	\$ 125,947.40	\$ 216,323.00	\$ 179,751.80	\$ 183,139.40	\$ 196,828.20	\$ 214,490.60	\$ 187,214.00	\$ (0.00)	\$ 2,237,414.80	100.00%

EMS BILLING
BREAKDOWN -TOTAL COUNT
July 1, 2016 - June 30, 2017
Report as of June 30, 2017 (Unaudited)

	July 2016	August 2016	Sept 2016	Oct 2016	Nov 2016	Dec 2016	Jan 2017	Feb 2017	Mar 2017	Apr 2017	May 2017	June 2017	Totals	% of Total
No Insurance Information		6								8			14	0.49%
Bluecross	12	15	9	12	10	8	12	14	15	4	16	7	134	4.66%
Intercept	2	10	2	4	8	3	6	8	5	5	1	1	55	1.91%
Medicare	80	99	105	126	87	69	138	111	98	111	123	109	1256	43.66%
Medicaid	45	50	33	44	45	35	38	31	35	41	43	53	493	17.14%
Other/Commercial Patient	69	65	56	54	44	49	68	52	63	68	77	54	719	24.99%
Worker's Comp	20	25	16	17	25	15	19	20	17	12	9	8	203	7.06%
	1				1							1	3	0.10%
TOTAL	229	270	221	257	220	179	281	236	233	249	269	233	2877	100.00%

TOTAL REVENUE COLLECTED AS OF 6/30/17 \$ 1,090,536.

TOTAL EXPENDITURES AS OF 6/30/17 \$ 534,699.

**EMS BILLING
AGING REPORT
July 1, 2016 to June 30, 2017
Report as of May 31, 2017**

	Current		31-60		61-90		91-120		121+ days		Totals	
Bluecross	\$ 2,919.27	81%	\$ 1,132.82	31%	\$ -	0%	\$ -	0%	\$ (443.47)	-12%	\$ 3,608.62	0.49%
Intercept	\$ 100.00	100%	\$ -	0%	\$ -		\$ -		\$ -	0%	\$ 100.00	0.01%
Medicare	\$ 49,576.15	95%	\$ 1,605.84	3%	\$ 1,554.60	3%	\$ -	0%	\$ (385.51)	-1%	\$ 52,351.08	7.05%
Medicaid	\$ 26,424.42	39%	\$ 7,940.27	12%	\$ 4,219.64	6%	\$ -	0%	\$ 29,277.40	43%	\$ 67,861.73	9.14%
Other/Commercial	\$ 35,343.87	76%	\$ 15,437.32	33%	\$ 4,263.72	9%	\$ 5,007.29	11%	\$ (13,506.02)	-29%	\$ 46,546.18	6.27%
Patient	\$ 21,795.02	4%	\$ 25,028.92	4%	\$ 13,275.79	2%	\$ 20,021.80	4%	\$ 491,011.90	86%	\$ 571,133.43	76.91%
Worker's Comp	\$ 971.39	100%	\$ -		\$ -		\$ -		\$ -		\$ 971.39	0.13%
TOTAL	\$ 137,130.12		\$ 51,145.17		\$ 23,313.75		\$ 25,029.09		\$ 505,954.30		\$ 742,572.43	
	18%		7%		3%		3%		68%		100%	100.00%

CITY OF AUBURN
SPECIAL REVENUE FUNDS
As of June 30, 2017

	1902	1905	1909	1910	1913	1914	1915	1917	1922	1926	1927	1928	1929	1930		
	Riverwatch	Winter Festival	Kittyhawk Park	Community Service	Police Fitness Equipment	Oak Hill Cemeteries	Fire Training Building	Wellness Grant	Walmart Risk/Homeless	Healthy Androscoggin	Insurance Reimbursement	Vending	Fire Prevention	211 Fairview		
Fund Balance 7/1/16	\$ 998,289.00	\$ 3,504.80	\$ 44,875.00	\$ 3,822.59	\$ 5,932.53	\$ 27,084.76	\$ 3,511.16	\$ 4,657.35	\$ 7,158.93	\$ (169.41)	\$ (42,276.05)	\$ 97.26	\$ 4,094.47	\$ (566,303.71)		
Revenues FY17	\$ 91,568.17	\$ 9,300.00		\$ 605.70		\$ 258.63	\$ 67,950.00	\$ 6,182.00	\$ 2,416.13	\$ 8,682.46	\$ 80,163.53	\$ 1,702.97	\$ 2,500.00			
Expenditures FY17	\$ 117,434.25	\$ 14,335.10	\$ 44,875.00	\$ 47.95			\$ 72,950.00	\$ 6,257.08	\$ 3,196.88	\$ 6,729.00	\$ 36,962.27	\$ 1,884.11	\$ 1,803.35			
Fund Balance 6/30/17	\$ 972,422.92	\$ (1,530.30)	\$ -	\$ 4,380.34	\$ 5,932.53	\$ 27,343.39	\$ (1,488.84)	\$ 4,582.27	\$ 6,378.18	\$ 1,784.05	\$ 925.21	\$ (83.88)	\$ 4,791.12	\$ (566,303.71)		
	1931	2003	2005	2006	2007	2008	2010	2013	2014	2019	2020	2025	2030	2032		
	Donations	Byrne JAG	MDOT	PEACE	Seatbelt Grant	Homeland Security	State Drug Money	OUI Grant	Speed Grant	Law Enforcement Training	CDBG	Community Cords	Parking	HEAPP		
Fund Balance 7/1/16	\$ 4,030.22	\$ 5,601.31	\$ (300,767.41)	\$ 5,113.91	\$ 3,838.00	\$ (79,902.47)	\$ 32,161.49	\$ 20,076.97	\$ 9,286.00	\$ (2,764.26)	\$ 4,390,795.83	\$ 29,363.56	\$ 7,326.18	\$ (4,994.50)		
Revenues FY17	\$ -	\$ (1,365.00)	\$ -	\$ 4,756.44	\$ 20,140.38	\$ 102,245.77	\$ 5,636.48	\$ 25,250.00	\$ 12,005.00	\$ 6,106.00	\$ 960,173.91	\$ 3,437.10	\$ 171,630.16			
Expenditures FY17	\$ 1,961.09	\$ 1,427.74		\$ 5,714.93	\$ 21,780.76	\$ 95,977.05	\$ 23,365.90	\$ 39,116.60	\$ 20,476.00	\$ 9,011.46	\$ 940,313.51	\$ 3,484.05	\$ 167,265.48			
Fund Balance 6/30/17	\$ 2,069.13	\$ 2,808.57	\$ (300,767.41)	\$ 4,155.42	\$ 2,197.62	\$ (73,633.75)	\$ 14,432.07	\$ 6,210.37	\$ 815.00	\$ (5,669.72)	\$ 4,410,656.23	\$ 29,316.61	\$ 11,690.86	\$ (4,994.50)		
	2033	2036	2037	2038	2040	2041	2042	2044	2045	2046	2048	2050	2051	2052		
	Safe School/Health (COPS)	COPSAP Grant	Bulletproof Vests	Community Action Team	Great Falls TV	Blanche Stevens	High Visibility	Federal Drug Money	Forest Management	Joint Land Use Study	TD Tree Days Grant	Project Lifesaver	Project Canopy	Nature Conservancy		
Fund Balance 7/1/16	\$ (11,598.45)	\$ -	\$ 11,591.10	\$ 7,206.21	\$ 49,695.26	\$ 51,105.26	\$ 3,528.71	\$ 28,246.58	\$ 4,661.52	\$ 0.57	\$ -	\$ 100.00	\$ -	\$ 975.05		
Revenues FY17	\$ 6,893.21	\$ 11,349.00	\$ 5,323.50					\$ 8,810.35			\$ 12,500.00	\$ 50.00	\$ 12,970.00			
Expenditures FY17	\$ 11,200.83	\$ 11,349.00	\$ 8,435.94		\$ 4,375.38	\$ 4,067.53	\$ 3,528.71	\$ 20,068.39	\$ 225.00		\$ 12,500.00		\$ 12,970.00			
Fund Balance 6/30/17	\$ (15,906.07)	\$ -	\$ 8,478.66	\$ 7,206.21	\$ 45,319.88	\$ 47,037.73	\$ -	\$ 16,988.54	\$ 4,436.52	\$ 0.57	\$ -	\$ 150.00	\$ -	\$ 975.05		
	2053	2054	2055	2056	2057	2058	2059	2201	2500	2501						
	St Louis Bells	EMS Transport Capital Reserve	Work4ME-PAL	Lake Auburn Neighborhood	ASPCA Grant	Barker Mills Greenway	Distracted Driving	EDI Grant	Parks & Recreation	Recreation Donation						
Fund Balance 7/1/16	\$ 2,357.75	\$ 230,363.06	\$ (10,824.92)	\$ 125.00	\$ 800.00	\$ (36,787.03)	\$ (720.00)	\$ (1,336,528.99)	\$ 285,658.91	\$ 1,757.00						
Revenues FY17		\$ 100,999.82				\$ 34,189.60	\$ 24,671.00		\$ 304,577.13							
Expenditures FY17			\$ 2,867.49				\$ 23,650.00	\$ 875.00	\$ 398,365.64	\$ 1,757.00						
Fund Balance 6/30/17	\$ 2,357.75	\$ 331,362.88	\$ (13,692.41)	\$ 125.00	\$ 800.00	\$ (2,597.43)	\$ 301.00	\$ (1,337,403.99)	\$ 191,870.40	\$ -						
	2600	2600	2600	2600	2600	2600	2600	2600	2600	2600	2600	2600	2600	2600	2600	Total
	Tambrands TIF 4	J Enterprises TIF 5	Tambrands II TIF 6	J & A Properties TIF 7	Formed Fiber TIF 8	Mall TIF 9	Downtown TIF 10	Safe Handling TIF 11	Auburn Industrial TIF 12	Auburn Plaza TIF 13	Auburn Plaza II TIF 14	Webster School TIF 16	Bedard Pharm TIF 17	Slapshot LLC TIF 18	Hartt Transport TIF 19	Special Revenues
Fund Balance 7/1/16	\$ (127,347.23)	\$ 14,500.44	\$ (471,229.88)	\$ 2,558.27	\$ 134,174.73	\$ 538,642.58	\$ 700,419.73	\$ 50,183.21	\$ (373,286.94)	\$ 112,923.51	\$ (90,278.95)	\$ 360.91	\$ 388.80	\$ (111,372.97)	\$ (5.40)	\$ 4,275,786.91
Revenues FY17	\$ 576,638.32		\$ 176,598.53		\$ 77,185.73	\$ 372,780.12	\$ 860,885.79		\$ 188,171.36	\$ 159,825.02	\$ 387,537.85	\$ 29,290.12	\$ 30,977.99	\$ 134,178.23	\$ 29,945.42	\$ 5,127,693.92
Expenditures FY17	\$ 457,364.11		\$ 70,639.41		\$ 180,874.29	\$ 761,830.76	\$ 1,565,835.48	\$ 50,000.00	\$ 165,536.34	\$ 309,824.92	\$ 287,536.52	\$ 29,290.12		\$ (24,359.99)	\$ 29,945.42	\$ 6,036,922.85
Fund Balance 6/30/17	\$ (8,073.02)	\$ 14,500.44	\$ (365,270.76)	\$ 2,558.27	\$ 30,486.17	\$ 149,591.94	\$ (4,529.96)	\$ 183.21	\$ (350,651.92)	\$ (37,076.39)	\$ 9,722.38	\$ 360.91	\$ 31,366.79	\$ 47,165.25	\$ (5.40)	\$ 3,366,557.98

City of Auburn, Maine

"Maine's City of Opportunity"

Financial Services

To: Peter Crichton, City Manager
From: Jill Eastman, Finance Director
Re: Arena Financial Reports for June 30, 2017



Attached you will find a Statement of Net Assets and a Statement of Activities and budget to actual reports for Norway Savings Bank Arena for revenue and expenditures as of June 30, 2017.

NORWAY SAVINGS BANK ARENA

Statement of Net Assets:

The Statement of Net Assets lists current assets, noncurrent assets, liabilities and net assets and shows a comparison to the previous month, in this case, May 31, 2017.

Current Assets:

As of the end of June 2017 the total current assets of Norway Savings Bank Arena were (\$722,339). These consisted of cash and cash equivalents of \$91,189, accounts receivable of \$23,721, and an interfund payable of \$837,249, which means that Norway owes the General Fund \$837,249 at the end of June.

Noncurrent Assets:

Norway's noncurrent assets are equipment that was purchased, less depreciation (depreciation is posted at year end and has not been posted for FY17). The total value of the noncurrent assets as of June 30, 2017 was \$318,203.

Liabilities:

Norway Arena had accounts payable of \$6,949 as of June 30, 2017.

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 June 2017 are \$984,293. 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 June 2017 were \$1,257,237. These expenses include personnel costs, supplies, utilities, repairs, rent, capital purchases and maintenance.

As of June 2017 Norway Arena has an operating loss of \$272,944 compared to the June 2016 operating loss of \$216,251 an increase in the operating loss for the fiscal year of \$56,693.

As of June 30, 2017 Norway Arena has a decrease in net assets of \$272,944.

The budget to actual reports for revenue and expenditures, with comparison to the same period last year show that revenue for FY17 is \$30,880 more than in FY16 and expenditures in FY17 are \$87,573 more than last year in June.

CITY OF AUBURN, MAINE
Statement of Net Assets
Norway Savings Bank Arena
June 30, 2017
Business-type Activities - Enterprise Fund UNAUDITED

	June 30, 2017	May 31, 2017	Increase/ (Decrease)
ASSETS			
Current assets:			
Cash and cash equivalents	\$ 91,189	\$ 91,193	\$ (4)
Interfund receivables	\$ (837,249)	\$ (754,482)	\$ (82,767)
Prepaid Rent	\$ -	\$ -	\$ -
Accounts receivable	23,721	13,799	9,922
Total current assets	(722,339)	(649,490)	(72,849)
Noncurrent assets:			
Capital assets:			
Buildings	35,905	35,905	-
Equipment	417,455	417,455	-
Land improvements	-	-	-
Less accumulated depreciation	(135,157)	(135,157)	-
Total noncurrent assets	318,203	318,203	-
Total assets	(404,136)	(331,287)	(72,849)
LIABILITIES			
Accounts payable	\$ 6,949	\$ -	\$ 6,949
Net pension liability	77,298	77,298	-
Total liabilities	84,247	77,298	6,949
NET ASSETS			
Invested in capital assets	\$ 318,203	\$ 318,203	\$ -
Unrestricted	\$ (806,586)	\$ (726,788)	\$ (79,798)
Total net assets	\$ (488,383)	\$ (408,585)	\$ (79,798)

CITY OF AUBURN, MAINE
Statement of Revenues, Expenses and Changes in Net Assets
Norway Savings Bank Arena
Business-type Activities - Enterprise Funds
Statement of Activities
June 30, 2017

	Norway Savings Arena
Operating revenues:	
Charges for services	\$ 984,293
Operating expenses:	
Personnel	330,275
Supplies	67,903
Utilities	247,480
Repairs and maintenance	11,577
Rent	506,484
Depreciation	-
Capital expenses	53,744
Other expenses	39,774
Total operating expenses	1,257,237
Operating gain (loss)	(272,944)
Nonoperating revenue (expense):	
Interest income	-
Interest expense (debt service)	-
Total nonoperating expense	-
Gain (Loss) before transfer	(272,944)
Transfers out	-
Change in net assets	(272,944)
Total net assets, July 1	(215,439)
Total net assets, June 30, 2017	\$ (488,383)

CITY OF AUBURN, MAINE
REVENUES - NORWAY SAVINGS BANK ARENA
Through June 30, 2017 compared to June 30, 2016

REVENUE SOURCE	FY 2017 BUDGET	ACTUAL REVENUES THRU JUNE 2017	% OF BUDGET	FY 2016 BUDGET	ACTUAL REVENUES THRU JUNE 2016	% OF BUDGET	VARIANCE
CHARGE FOR SERVICES							
Concussions	\$ 18,000	\$ 4,870	27.06%	\$ 30,000	\$ 11,213	37.38%	\$ (6,343)
Sponsorships	\$ 230,000	\$ 229,391	99.74%	\$ 230,000	\$ 172,953	75.20%	\$ 56,438
Pro Shop	\$ 8,500	\$ 7,632	89.79%	\$ 8,500	\$ 6,931	81.54%	\$ 701
Programs	\$ 31,000		0.00%	\$ 280,000	\$ 302,442	108.02%	\$ (302,442)
Rental Income	\$ 672,250	\$ 648,398	96.45%	\$ 398,500	\$ 421,363	105.74%	\$ 227,035
Camps/Clinics	\$ 50,000	\$ 57,425	114.85%				\$ 57,425
Tournaments	\$ 50,000	\$ 36,577	73.15%	\$ 50,000	\$ 38,511	77.02%	\$ (1,934)
TOTAL CHARGE FOR SERVICES	\$ 1,059,750	\$ 984,293	92.88%	\$ 997,000	\$ 953,413	95.63%	\$ 30,880
INTEREST ON INVESTMENTS	\$ -			\$ -			
GRAND TOTAL REVENUES	\$ 1,059,750	\$ 984,293	92.88%	\$ 997,000	\$ 953,413	95.63%	\$ 30,880

CITY OF AUBURN, MAINE
EXPENDITURES - NORWAY SAVINGS BANK ARENA
Through June 30, 2017 compared to June 30, 2016 (pre audit)

DESCRIPTION	ACTUAL			ACTUAL			VARIANCE
	FY 2016 BUDGET	EXPENDITURES THRU JUNE 2017	% OF BUDGET	FY 2015 BUDGET	EXPENDITURES THRU JUNE 2016	% OF BUDGET	
Salaries & Benefits	\$ 311,000	\$ 330,275	106.20%	\$ 311,000	\$ 349,064	112.24%	\$ (18,789)
Purchased Services	\$ 87,306	\$ 44,361	50.81%	\$ 96,150	\$ 70,041	72.85%	\$ (25,680)
Supplies	\$ 37,150	\$ 74,893	201.60%	\$ 17,500	\$ 32,810	187.49%	\$ 42,083
Utilities	\$ 199,800	\$ 247,480	123.86%	\$ 200,200	\$ 209,665	104.73%	\$ 37,815
Capital Outlay	\$ 57,000	\$ 53,744	94.29%	\$ 57,000	\$ 1,600	2.81%	\$ 52,144
Rent	\$ 507,000	\$ 506,484	99.90%	\$ 507,000	\$ 506,484	99.90%	\$ -
	\$ 1,199,256	\$ 1,257,237	104.83%	\$ 1,188,850	\$ 1,169,664	98.39%	\$ 87,573
GRAND TOTAL EXPENDITURES	\$ 1,199,256	\$ 1,257,237	104.83%	\$ 1,188,850	\$ 1,169,664	98.39%	\$ 87,573

City of Auburn, Maine

"Maine's City of Opportunity"

Financial Services

To: Peter Crichton, City Manager
From: Jill Eastman, Finance Director
Re: Financial Reports for June, 2017



Attached you will find a Statement of Net Assets and a Statement of Activities and budget to actual reports for Ingersoll Turf Facility for revenue and expenditures as of June 30, 2017.

INGERSOLL TURF FACILITY

Statement of Net Assets:

The Statement of Net Assets lists current assets, noncurrent assets, liabilities and net assets as of June 30, 2017.

Current Assets:

As of the end of June 2017 the total current assets of Ingersoll Turf Facility were (\$3,894). This consisted of an interfund receivable of \$49,158, which means that the General Fund owes Ingersoll \$49,158 at the end of June.

Noncurrent Assets:

Ingersoll's noncurrent assets are the building and equipment that was purchased, less depreciation. The total value of the noncurrent assets as of June 30, 2017 was \$195,659.

Liabilities:

Ingersoll had accounts payable of \$401,335 as of June 30, 2017.

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 Ingersoll Turf Facility through June 2017 are \$180,222. This revenue comes from the sponsorships, programs, rental income and batting cages.

The operating expenses for Ingersoll Turf Facility through June 2017 were \$131,025. These expenses include personnel costs, supplies, utilities, repairs, capital purchases and maintenance.

As of June 2017 Ingersoll has an operating gain of \$49,197.

As of June 30, 2017 Ingersoll has an increase in net assets of \$49,197.

The budget to actual reports for revenue and expenditures, show a comparison budget to actual against FY16.

Statement of Net Assets
Ingersoll Turf Facility
June 30, 2017
Business-type Activities - Enterprise Fund UNAUDITED

	June 30 2017	May 31 2017	Increase/ (Decrease)
ASSETS			
Current assets:			
Cash and cash equivalents		\$ -	\$ -
Interfund receivables/payables	\$ 49,158	\$ 47,998	1,160
Accounts receivable	-	-	-
Total current assets	49,158	47,998	1,160
Noncurrent assets:			
Capital assets:			
Buildings	672,279	672,279	-
Equipment	86,625	86,625	-
Land improvements	18,584	18,584	-
Less accumulated depreciation	(581,829)	(581,829)	-
Total noncurrent assets	195,659	195,659	-
Total assets	244,817	243,657	1,160
LIABILITIES			
Accounts payable	\$ 401	\$ -	\$ 401
Total liabilities	401	-	401
NET ASSETS			
Invested in capital assets	\$ 195,659	\$ 195,659	\$ -
Unrestricted	\$ 48,757	\$ 47,998	\$ 759
Total net assets	\$ 244,416	\$ 243,657	\$ 759

CITY OF AUBURN, MAINE
Statement of Revenues, Expenses and Changes in Net Assets
Ingersoll Turf Facility
Business-type Activities - Enterprise Funds
Statement of Activities
May 31, 2017

	Ingersoll Turf Facility
Operating revenues:	
Charges for services	\$ 180,222
Operating expenses:	
Personnel	95,198
Supplies	10,483
Utilities	19,061
Repairs and maintenance	3,379
Rent	-
Depreciation	-
Capital expenses	-
Other expenses	2,904
Total operating expenses	131,025
Operating gain (loss)	49,197
Nonoperating revenue (expense):	
Interest income	-
Interest expense (debt service)	-
Total nonoperating expense	-
Gain (Loss) before transfer	49,197
Transfers out	-
Change in net assets	49,197
Total net assets, July 1	195,219
Total net assets, June 30, 2017	\$ 244,416

CITY OF AUBURN, MAINE
REVENUES - INGERSOLL TURF FACILITY
Through June 30, 2017

REVENUE SOURCE	FY 2017 BUDGET	ACTUAL REVENUES THRU JUNE 2017	% OF BUDGET	FY 2016 BUDGET	ACTUAL REVENUES THRU JUNE 2016	% OF BUDGET
CHARGE FOR SERVICES						
Sponsorship	\$ 15,000	\$ 12,100	80.67%	\$ 15,000	\$ 8,135	54.23%
Batting Cages	\$ 9,940	\$ 12,000	120.72%	\$ -	\$ 9,745	
Programs	\$ 90,000	\$ 50,839	56.49%	\$ 8,640	\$ 48,216	558.06%
Rental Income	\$ 100,000	\$ 105,283	105.28%	\$ 191,300	\$ 84,427	44.13%
TOTAL CHARGE FOR SERVICES	\$ 214,940	\$ 180,222	83.85%	\$ 214,940	\$ 150,523	70.03%
INTEREST ON INVESTMENTS	\$ -			\$ -		
GRAND TOTAL REVENUES	\$ 214,940	\$ 180,222	83.85%	\$ 214,940	\$ 150,523	70.03%

CITY OF AUBURN, MAINE
EXPENDITURES - INGERSOLL TURF FACILITY
Through June 30, 2017

REVENUE SOURCE	FY 2017 BUDGET	ACTUAL REVENUES THRU JUNE 2017	% OF BUDGET	FY 2016 BUDGET	ACTUAL REVENUES THRU JUNE 2016	% OF BUDGET
Salaries & Benefits	\$ 101,899	\$ 95,198	93.42%	\$ 102,719	\$ 53,286	51.88%
Purchased Services	\$ 20,750	\$ 6,283	30.28%	\$ 20,250	\$ 3,370	16.64%
Programs	\$ 5,000	\$ 7,819	156.38%	\$ -	\$ 6,142	
Supplies	\$ 6,750	\$ 2,664	39.47%	\$ 6,750	\$ 2,059	30.50%
Utilities	\$ 41,320	\$ 19,061	46.13%	\$ 44,320	\$ 14,550	32.83%
Insurance Premiums	\$ 2,383	\$ -	0.00%	\$ 4,600	\$ -	0.00%
Capital Outlay	\$ -	\$ -		\$ -		
	\$ 178,102	\$ 131,025	73.57%	\$ 178,639	\$ 79,407	44.45%
GRAND TOTAL EXPENDITURES	\$ 178,102	\$ 131,025	73.57%	\$ 178,639	\$ 79,407	44.45%

City of Auburn, Maine

"Maine's City of Opportunity"

Financial Services



TO: Peter Crichton, City Manager

FROM: Jill Eastman, Finance Director

REF: July 2017 Financial Report

DATE: August 14, 2017

The following is a discussion regarding the significant variances found in the City's July 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 first month of the current fiscal year. As a guideline for tracking purposes, revenues and expenditures should amount to approximately 8.33% 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 July 31st were \$731,138, or 1.22%, of the budget, which is lower than last year at this time by 0.3%. The accounts listed below are noteworthy.

- A. Excise taxes of \$331,517-up \$19,302 from last year.
- B. State Revenue Sharing for the month of July is 0.0% or \$0. This is down from last year by \$135,089. We receive revenue from the State by EFT and the revenue received in July was not posted when I ran the reports.
- C. \$137,956 was collected in July to pay off prior year property tax liens. This is \$28,089 more than the same period last year.

Expenditures

City expenditures through July 31st were \$2,186,035, or 5.24%, of the budget as compared to last year at \$1,945,853, or 4.89%. The majority of the departments are below last year at this time. Most of the activity in July is related to June, therefore it is posted to the prior fiscal year. You will see a leveling out of expenditures as the year progresses.

Investments

This section contains an investment schedule as of July 31st with a comparison to June 30th: Currently the City's funds are earning an average interest rate of .72%, which is higher than last July.

Respectfully submitted,

A handwritten signature in cursive script that reads "Jill M Eastman".

Jill M. Eastman
Finance Director

CITY OF AUBURN, MAINE
BALANCE SHEET - CITY GENERAL FUND, WC AND UNEMPLOYMENT FUND
AS of July 2017, June 2017, and June 2016

ASSETS	UNAUDITED July 31 2017	UNAUDITED June 30 2017	Increase (Decrease)	AUDITED JUNE 30 2016
CASH	\$ 9,642,275	\$ 11,269,639	\$ (1,627,364)	\$ 11,951,131
RECEIVABLES			-	
ACCOUNTS RECEIVABLES	2,312,484	2,465,997	(153,513)	2,429,419
TAXES RECEIVABLE-CURRENT	45,861,686	1,051,346	44,810,340	37,898
DELINQUENT TAXES	684,621	612,972	71,649	571,005
TAX LIENS	1,456,025	562,273	893,752	1,721,395
NET DUE TO/FROM OTHER FUNDS	3,606,954	2,998,515	608,439	266,370
TOTAL ASSETS	\$ 63,564,044	\$ 18,960,742	\$ 44,603,302	\$ 16,977,218
 LIABILITIES & FUND BALANCES				
ACCOUNTS PAYABLE	\$ (411,916)	\$ (770,940)	\$ 359,024	\$ (1,935,471)
PAYROLL LIABILITIES	(1,828,116)	(1,204,836)	(623,280)	-
ACCRUED PAYROLL	(2,501,981)	(2,501,981)	0	(2,329,832)
STATE FEES PAYABLE	(66,009)	-	(66,009)	-
ESCROWED AMOUNTS	(2,826)	(2,826)	0	(6,039)
DEFERRED REVENUE	(47,942,781)	(2,167,006)	(45,775,775)	(1,860,686)
TOTAL LIABILITIES	\$ (52,753,629)	\$ (6,647,589)	\$ (46,106,040)	\$ (6,132,028)
FUND BALANCE - UNASSIGNED	\$ (9,719,463)	\$ (10,446,184)	\$ 726,721	\$ (8,018,394)
FUND BALANCE - RESTRICTED FOR WORKERS COMP & UNEMPLOYMENT	776,017	(783,310)	1,559,327.00	
FUND BALANCE - RESTRICTED	(1,866,970)	(1,083,659)	(783,311)	(2,826,796)
TOTAL FUND BALANCE	\$ (10,810,415)	\$ (12,313,153)	\$ 1,502,738	\$ (10,845,190)
TOTAL LIABILITIES AND FUND BALANCE	\$ (63,564,044)	\$ (18,960,742)	\$ (44,603,302)	\$ (16,977,218)

CITY OF AUBURN, MAINE
REVENUES - GENERAL FUND COMPARATIVE
THROUGH July 31, 2017 VS July 31, 2016

REVENUE SOURCE	FY 2018 BUDGET	ACTUAL REVENUES THRU JULY 2017	% OF BUDGET	FY 2017 BUDGET	ACTUAL REVENUES THRU JULY 2016	% OF BUDGET	VARIANCE
TAXES							
PROPERTY TAX REVENUE-	\$ 48,061,530	\$ 193,414	0.40%	\$ 46,032,435	\$ 154,874	0.34%	\$ 38,540
PRIOR YEAR TAX REVENUE	\$ -	\$ 137,956		\$ -	\$ 109,867		\$ 28,089
HOMESTEAD EXEMPTION REIMBURSEMENT	\$ 1,015,000	\$ -	0.00%	\$ 750,000	\$ -	0.00%	\$ -
EXCISE	\$ 3,810,000	\$ 331,517	8.70%	\$ 3,365,000	\$ 312,215	9.28%	\$ 19,302
PENALTIES & INTEREST	\$ 150,000	\$ 8,450	5.63%	\$ 150,000	\$ 11,835	7.89%	\$ (3,385)
TOTAL TAXES	\$ 53,036,530	\$ 671,337	1.27%	\$ 50,297,435	\$ 588,792	1.17%	\$ 82,545
LICENSES AND PERMITS							
BUSINESS	\$ 62,000	\$ 375	0.60%	\$ 48,000	\$ 3,013	6.28%	\$ (2,638)
NON-BUSINESS	\$ 345,000	\$ 1,946	0.56%	\$ 427,384	\$ 15,622	3.66%	\$ (13,677)
TOTAL LICENSES	\$ 407,000	\$ 2,321	0.57%	\$ 475,384	\$ 18,635	3.92%	\$ (16,314)
INTERGOVERNMENTAL ASSISTANCE							
STATE-LOCAL ROAD ASSISTANCE	\$ 400,000	\$ -	0.00%	\$ 400,000	\$ -	0.00%	\$ -
STATE REVENUE SHARING	\$ 1,509,117	\$ -	0.00%	\$ 1,468,313	\$ 135,089	9.20%	\$ (135,089)
WELFARE REIMBURSEMENT	\$ 95,000	\$ -	0.00%	\$ 59,000	\$ -	0.00%	\$ -
OTHER STATE AID	\$ 32,000	\$ -	0.00%	\$ 22,000	\$ -	0.00%	\$ -
CITY OF LEWISTON	\$ 228,384	\$ -	0.00%	\$ 160,000	\$ -	0.00%	\$ -
TOTAL INTERGOVERNMENTAL ASSISTANCE	\$ 2,264,501	\$ -	0.00%	\$ 2,109,313	\$ 135,089	6.40%	\$ (135,089)
CHARGE FOR SERVICES							
GENERAL GOVERNMENT	\$ 144,440	\$ 12,983	8.99%	\$ 132,640	\$ 8,540	6.44%	\$ 4,443
PUBLIC SAFETY	\$ 236,277	\$ 2,572	1.09%	\$ 139,077	\$ 2,072	1.49%	\$ 500
EMS TRANSPORT	\$ 1,250,000	\$ 514	0.04%	\$ 1,250,000	\$ 84,135	6.73%	\$ (83,621)
TOTAL CHARGE FOR SERVICES	\$ 1,630,717	\$ 16,069	0.99%	\$ 1,521,717	\$ 94,748	6.23%	\$ (78,678)
FINES							
PARKING TICKETS & MISC FINES	\$ 70,000	\$ 2,688	3.84%	\$ 65,000	\$ 4,925	7.58%	\$ (2,238)
MISCELLANEOUS							
INVESTMENT INCOME	\$ 32,000	\$ 1,500	4.69%	\$ 10,000	\$ 16	0.16%	\$ 1,484
RENTS	\$ 35,000	\$ 3,858	11.02%	\$ 18,000	\$ 650	3.61%	\$ 3,208
UNCLASSIFIED	\$ 10,000	\$ 2,160	21.60%	\$ 10,000	\$ 2,090	20.90%	\$ 70
COMMERCIAL SOLID WASTE FEES	\$ -	\$ 11,393		\$ -	\$ 10,829		\$ 564
SALE OF PROPERTY	\$ 20,000	\$ 2,000	10.00%	\$ 20,000	\$ 239	1.19%	\$ 1,761
RECREATION PROGRAMS/ARENA	\$ -	\$ -		\$ -	\$ -		\$ -
MMWAC HOST FEES	\$ 215,000	\$ 17,814	8.29%	\$ 210,000	\$ 17,554	8.36%	\$ 260
TRANSFER IN: TIF	\$ 1,287,818	\$ -	0.00%	\$ 1,537,818	\$ -	0.00%	\$ -
TRANSFER IN: REC SPEC REVENUE	\$ 54,718	\$ -	0.00%	\$ 54,718	\$ -	0.00%	\$ -
ENERGY EFFICIENCY	\$ -	\$ -		\$ -	\$ -		\$ -
CDBG	\$ 214,430	\$ -	0.00%	\$ 254,127	\$ -	0.00%	\$ -
UTILITY REIMBURSEMENT	\$ 27,500	\$ -	0.00%	\$ 27,500	\$ -	0.00%	\$ -
CITY FUND BALANCE CONTRIBUTION	\$ 412,500	\$ -	0.00%	\$ 825,000	\$ -	0.00%	\$ -
TOTAL MISCELLANEOUS	\$ 2,308,966	\$ 38,724	1.68%	\$ 2,967,163	\$ 31,378	1.06%	\$ 7,345
TOTAL GENERAL FUND REVENUES	\$ 59,717,714	\$ 731,138	1.22%	\$ 57,436,012	\$ 873,566	1.52%	\$ (142,428)
SCHOOL REVENUES							
EDUCATION SUBSIDY	\$ 22,039,568	\$ -	0.00%	\$ 21,373,337	\$ 1,694,197	7.93%	\$ (1,694,197)
EDUCATION	\$ 811,744	\$ -	0.00%	\$ 814,540	\$ 40,316	4.95%	\$ (40,316)
SCHOOL FUND BALANCE CONTRIBUTION	\$ 906,882	\$ -	0.00%	\$ 906,882	\$ -	0.00%	\$ -
TOTAL SCHOOL	\$ 23,758,194	\$ -	0.00%	\$ 23,094,759	\$ 1,734,513	7.51%	\$ (1,734,513)
GRAND TOTAL REVENUES	\$ 83,475,908	\$ 731,138	0.88%	\$ 80,530,771	\$ 2,608,080	3.24%	\$ (1,876,942)

CITY OF AUBURN, MAINE
EXPENDITURES - GENERAL FUND COMPARATIVE
THROUGH July 31, 2017 VS July 31, 2016

DEPARTMENT	FY 2018 BUDGET	Unaudited EXP THRU JULY 2017	% OF BUDGET	FY 2017 BUDGET	Unaudited EXP THRU JULY 2016	% OF BUDGET	VARIANCE
ADMINISTRATION							
MAYOR AND COUNCIL	\$ 80,300	\$ 1,450	1.81%	\$ 78,464	\$ 8,445	10.76%	\$ (6,995)
CITY MANAGER	\$ 581,170	\$ 18,536	3.19%	\$ 378,880	\$ 26,073	6.88%	\$ (7,537)
CITY CLERK	\$ 181,332	\$ 11,835	6.53%	\$ 177,906	\$ 9,119	5.13%	\$ 2,716
FINANCIAL SERVICES	\$ 675,239	\$ 56,443	8.36%	\$ 637,754	\$ 39,242	6.15%	\$ 17,201
HUMAN RESOURCES	\$ 156,887	\$ 14,336	9.14%	\$ 150,435	\$ 8,785	5.84%	\$ 5,551
INFORMATION TECHNOLOGY	\$ 531,551	\$ 21,869	4.11%	\$ 479,324	\$ 13,361	2.79%	\$ 8,508
LEGAL SERVICES	\$ -	\$ -		\$ 45,650	\$ -	0.00%	\$ -
TOTAL ADMINISTRATION	\$ 2,206,479	\$ 124,469	5.64%	\$ 1,948,413	\$ 105,025	5.39%	\$ 19,444
COMMUNITY SERVICES							
ECONOMIC & COMMUNITY DEVELOPMENT	\$ 1,717,028	\$ 72,758	4.24%	\$ 1,938,437	\$ 68,649	3.54%	\$ 4,109
HEALTH & SOCIAL SERVICES	\$ 220,870	\$ 26,763	12.12%	\$ 171,474	\$ 14,197	8.28%	\$ 12,566
RECREATION & SPECIAL EVENTS*	\$ 388,581	\$ 21,430	5.51%	\$ 341,772	\$ 23,997	7.02%	\$ (2,567)
PUBLIC LIBRARY	\$ 998,189	\$ 11,269	1.13%	\$ 979,516	\$ -	0.00%	\$ 11,269
TOTAL COMMUNITY SERVICES	\$ 3,324,668	\$ 132,220	3.98%	\$ 3,431,199	\$ 106,843	3.11%	\$ 25,377
FISCAL SERVICES							
DEBT SERVICE	\$ 6,366,533	\$ -	0.00%	\$ 6,406,845	\$ -	0.00%	\$ -
FACILITIES	\$ 640,201	\$ 147,068	22.97%	\$ 645,756	\$ 258,981	40.11%	\$ (111,913)
WORKERS COMPENSATION	\$ 555,164	\$ -	0.00%	\$ 522,088	\$ -	0.00%	\$ -
WAGES & BENEFITS	\$ 5,960,970	\$ 416,024	6.98%	\$ 5,274,528	\$ 487,094	9.23%	\$ (71,070)
EMERGENCY RESERVE (10108062-670000)	\$ 415,454	\$ -	0.00%	\$ 375,289	\$ -	0.00%	\$ -
TOTAL FISCAL SERVICES	\$ 13,938,322	\$ 563,092	4.04%	\$ 13,224,506	\$ 746,075	5.64%	\$ (182,983)
PUBLIC SAFETY							
FIRE DEPARTMENT	\$ 4,227,575	\$ 346,964	8.21%	\$ 4,049,396	\$ 272,103	6.72%	\$ 74,861
FIRE EMS	\$ 708,828	\$ 130,515	18.41%	\$ 590,997	\$ 129,514	21.91%	\$ 1,001
POLICE DEPARTMENT	\$ 4,043,998	\$ 282,832	6.99%	\$ 3,875,113	\$ 227,792	5.88%	\$ 55,040
TOTAL PUBLIC SAFETY	\$ 8,980,401	\$ 760,311	8.47%	\$ 8,515,506	\$ 629,409	7.39%	\$ 130,902
PUBLIC WORKS							
PUBLIC SERVICES DEPARTMENT	\$ 4,611,116	\$ 215,631	4.68%	\$ 4,496,349	\$ 185,374	4.12%	\$ 30,257
SOLID WASTE DISPOSAL*	\$ 964,118	\$ -	0.00%	\$ 932,689	\$ -	0.00%	\$ -
WATER AND SEWER	\$ 632,716	\$ -	0.00%	\$ 599,013	\$ 146,627	24.48%	\$ (146,627)
TOTAL PUBLIC WORKS	\$ 6,207,950	\$ 215,631	3.47%	\$ 6,028,051	\$ 332,001	5.51%	\$ (116,370)
INTERGOVERNMENTAL PROGRAMS							
AUBURN-LEWISTON AIRPORT	\$ 167,800	\$ 167,112	99.59%	\$ 106,000	\$ 26,500	25.00%	\$ 140,612
E911 COMMUNICATION CENTER	\$ 1,088,857	\$ 33,251	3.05%	\$ 1,088,857	\$ -	0.00%	\$ 33,251
LATC-PUBLIC TRANSIT	\$ 189,949	\$ 189,949	100.00%	\$ 182,244	\$ -	0.00%	\$ 189,949
LA ARTS	\$ -	\$ -		\$ -	\$ -		\$ -
TAX SHARING	\$ 270,000	\$ -	0.00%	\$ 270,000	\$ -	0.00%	\$ -
TOTAL INTERGOVERNMENTAL	\$ 1,716,606	\$ 390,312	22.74%	\$ 1,647,101	\$ 26,500	1.61%	\$ 363,812
COUNTY TAX							
TIF (10108058-580000)	\$ 2,296,224	\$ -	0.00%	\$ 2,167,824	\$ -	0.00%	\$ -
OVERLAY	\$ 3,049,803	\$ -	0.00%	\$ 2,824,803	\$ -	0.00%	\$ -
	\$ -	\$ -		\$ -	\$ -	0.00%	\$ -
	\$ -	\$ -		\$ -	\$ -	0.00%	\$ -
TOTAL CITY DEPARTMENTS	\$ 41,720,453	\$ 2,186,035	5.24%	\$ 39,787,403	\$ 1,945,853	4.89%	\$ 240,182
EDUCATION DEPARTMENT	\$ 41,755,455	\$ -	0.00%	\$ 40,743,368	\$ 1,343,542	3.30%	\$ (1,343,542)
TOTAL GENERAL FUND EXPENDITURES	\$ 83,475,908	\$ 2,186,035	2.62%	\$ 80,530,771	\$ 3,289,395	4.08%	\$ (1,103,360)

**CITY OF AUBURN, MAINE
INVESTMENT SCHEDULE
AS OF July 31, 2017**

INVESTMENT		FUND	BALANCE July 31, 2017	BALANCE June 30, 2017	INTEREST RATE
ANDROSCOGGIN BANK	449	CAPITAL PROJECTS	\$ 2,186,263.46	\$ 4,184,979.31	0.45%
ANDROSCOGGIN BANK	502	SR-TIF	\$ 1,008,866.42	\$ 1,008,438.18	0.45%
ANDROSCOGGIN BANK	836	GENERAL FUND	\$ 3,981,466.15	\$ 4,090,593.35	0.45%
ANDROSCOGGIN BANK	801	WORKERS COMP	\$ 50,399.52	\$ 50,357.46	0.45%
ANDROSCOGGIN BANK	748	UNEMPLOYMENT	\$ 50,399.41	\$ 50,357.42	0.45%
ANDROSCOGGIN BANK	684	EMS CAPITAL RESERVE	\$ 331,487.16	\$ 231,362.88	0.45%
NORTHERN CAPITAL	02155	CAPITAL PROJECTS	\$ 750,000.00	\$ 750,000.00	1.15%
NORTHERN CAPITAL	02155	GENERAL FUND	\$ 500,000.00	\$ 500,000.00	0.70%
NORTHERN CAPITAL	02155	GENERAL FUND	\$ 500,000.00	\$ 500,000.00	1.00%
NORTHERN CAPITAL	02155	GENERAL FUND	\$ 500,000.00	\$ 500,000.00	1.15%
NORTHERN CAPITAL	02155	GENERAL FUND	\$ 500,000.00	\$ 250,000.00	1.25%
GRAND TOTAL			\$ 9,358,882.12	\$ 12,116,088.60	0.72%

EMS BILLING
SUMMARY OF ACTIVITY
July 1, 2017 - June 30, 2018
Report as of July 31, 2017

	Beginning	July 2017				Ending
	Balance 07/01/17	New Charges	Payments	Adjustments	Write-Offs	Balance 7/31/2017
Bluecross	\$ 5,045.84	\$ 7,616.80	\$ (2,866.70)	\$ (1,684.79)		\$ 8,111.15
Intercept	\$ 100.00	\$ 200.00	\$ (100.00)			\$ 200.00
Medicare	\$ 57,552.59	\$ 93,981.80	\$ (36,703.81)	\$ (51,449.40)		\$ 63,381.18
Medicaid	\$ 33,337.59	\$ 29,998.80	\$ (14,466.18)	\$ (17,170.26)		\$ 31,699.95
Other/Commercial	\$ 74,431.59	\$ 26,335.20	\$ (14,202.87)	\$ (1,888.17)		\$ 84,675.75
Patient	\$ 571,133.43	\$ 15,784.20	\$ (8,602.42)	\$ (353.90)	\$ (43,223.22)	\$ 534,738.09
Worker's Comp	\$ 971.39	\$ 872.40				\$ 1,843.79
TOTAL	\$ 742,572.43	\$ 174,789.20	\$ (76,941.98)	\$ (72,546.52)	\$ (43,223.22)	\$ 724,649.91

EMS BILLING
BREAKDOWN -TOTAL CHARGES
July 1, 2017 - June 30, 2018
Report as of July 31, 2017

	July 2017	Adjustment	Totals	% of Total
No Insurance Information			\$ -	0.00%
Bluecross	\$ 7,616.80		\$ 7,616.80	4.36%
Intercept	\$ 200.00		\$ 200.00	0.11%
Medicare	\$ 93,981.80		\$ 93,981.80	53.77%
Medicaid	\$ 29,998.80		\$ 29,998.80	17.16%
Other/Commercial	\$ 26,335.20		\$ 26,335.20	15.07%
Patient	\$ 15,784.20		\$ 15,784.20	9.03%
Worker's Comp	\$ 872.40		\$ 872.40	0.50%
TOTAL	\$ 174,789.20	\$ -	\$ 174,789.20	100.00%

EMS BILLING
BREAKDOWN -TOTAL COUNT
July 1, 2017 - June 30, 2018
Report as of July 31, 2017

	July 2017	Adjustment	Totals	% of Total
No Insurance Information			0	0.00%
Bluecross	9		9	4.02%
Intercept	2		2	0.89%
Medicare	117		117	52.23%
Medicaid	39		39	17.41%
Other/Commercial	36		36	16.07%
Patient	20		20	8.93%
Worker's Comp	1		1	0.45%
TOTAL	224	0	224	100.00%

TOTAL REVENUE COLLECTED AS OF 07/31/17 \$514.

TOTAL EXPENDITURES AS OF 07/31/17 \$130,515.

**EMS BILLING
AGING REPORT
July 1, 2017 to June 30, 2018
Report as of July 31, 2017**

	Current		31-60		61-90		91-120		121+ days		Totals	
Bluecross	\$ 7,537.90	87%	\$ -	0%	\$ 1,561.60	18%	\$ -	0%	\$ (443.47)	-5%	\$ 8,656.03	1.19%
Intercept	\$ 100.00	50%	\$ 100.00		\$ -		\$ -		\$ -		\$ 200.00	0.03%
Medicare	\$ 36,163.30	87%	\$ 5,184.68	12%	\$ 757.61	2%	\$ -	0%	\$ (365.51)	-1%	\$ 41,740.08	5.76%
Medicaid	\$ 22,763.64	56%	\$ 8,647.76	21%	\$ 3,207.80	8%	\$ 1,785.04	4%	\$ 4,016.20	10%	\$ 40,420.44	5.58%
Other/Commercial	\$ 42,863.86	56%	\$ 12,607.82	16%	\$ 7,145.89	9%	\$ 2,045.46	3%	\$ 12,432.53	16%	\$ 77,095.56	10.64%
Patient	\$ 35,611.85	6%	\$ 18,209.44	3%	\$ 23,816.89	4%	\$ 11,985.63	2%	\$ 466,041.59	84%	\$ 555,665.40	76.68%
Worker's Comp	\$ 872.40	100%	\$ -		\$ -		\$ -	0%	\$ -		\$ 872.40	0.12%
TOTAL	\$ 145,912.95		\$ 44,749.70		\$ 36,489.79		\$ 15,816.13		\$ 481,681.34		\$ 724,649.91	
	20%		6%		5%		2%		66%		100%	100.00%

CITY OF AUBURN
SPECIAL REVENUE FUNDS
As of June 30, 2087

	1902	1905	1910	1913	1914	1915	1917	1922	1926	1927	1928	1929	1930			
	Riverwatch	Winter Festival	Community Service	Police Fitness Equipment	Oak Hill Cemeteries	Fire Training Building	Wellness Grant	Walmart Risk/Homeless	Healthy Androscoggin	Insurance Reimbursement	Vending	Fire Prevention	211 Fairview			
Fund Balance 7/1/17	\$ 972,422.92	\$ (1,530.30)	\$ 4,380.34	\$ 5,932.53	\$ 27,343.39	\$ (1,488.84)	\$ 4,582.27	\$ 6,378.18	\$ 1,784.05	\$ 925.21	\$ (83.88)	\$ 4,791.12	\$ (566,303.71)			
Revenues FY18			\$ 77.00													
Expenditures FY18									\$ 786.00							
Fund Balance 6/30/18	\$ 972,422.92	\$ (1,530.30)	\$ 4,457.34	\$ 5,932.53	\$ 27,343.39	\$ (1,488.84)	\$ 4,582.27	\$ 6,378.18	\$ 998.05	\$ 925.21	\$ (83.88)	\$ 4,791.12	\$ (566,303.71)			
	1931	2003	2005	2006	2007	2008	2010	2013	2014	2019	2020	2025	2030	2032		
	Donations	Byrne JAG	MDOT	PEACE	Seatbelt Grant	Homeland Security	State Drug Money	OUI Grant	Speed Grant	Law Enforcement Training	CDBG	Community Cords	Parking	HEAPP		
Fund Balance 7/1/17	\$ 2,069.13	\$ 2,808.57	\$ (300,767.41)	\$ 4,155.42	\$ 2,197.62	\$ (73,633.75)	\$ 14,432.07	\$ 6,210.37	\$ 815.00	\$ (5,669.72)	\$ 4,410,656.23	\$ 29,316.61	\$ 11,690.86	\$ (4,994.50)		
Revenues FY18										\$ 750.00	\$ 2,033.00	\$ 160.02	\$ 800.00			
Expenditures FY18							\$ 315.00	\$ 2,016.00	\$ 2,280.00		\$ 10,696.09		\$ 3,978.86			
Fund Balance 6/30/18	\$ 2,069.13	\$ 2,808.57	\$ (300,767.41)	\$ 4,155.42	\$ 2,197.62	\$ (73,633.75)	\$ 14,117.07	\$ 4,194.37	\$ (1,465.00)	\$ (4,919.72)	\$ 4,401,993.14	\$ 29,476.63	\$ 8,512.00	\$ (4,994.50)		
	2033	2036	2037	2038	2040	2041	2042	2044	2045	2046	2048	2050	2051	2052		
	Safe School/Health (COPS)	COPSAP Grant	Bulletproof Vests	Community Action Team	Great Falls TV	Blanche Stevens	High Visibility	Federal Drug Money	Forest Management	Joint Land Use Study	TD Tree Days Grant	Project Lifesaver	Project Canopy	Nature Conservancy		
Fund Balance 7/1/17	\$ (15,906.07)	\$ -	\$ 8,478.66	\$ 7,206.21	\$ 45,319.88	\$ 47,037.73	\$ -	\$ 16,988.54	\$ 4,436.52	\$ 0.57	\$ -	\$ 150.00	\$ -	\$ 975.05		
Revenues FY18																
Expenditures FY18						\$ 710.56										
Fund Balance 6/30/18	\$ (15,906.07)	\$ -	\$ 8,478.66	\$ 7,206.21	\$ 45,319.88	\$ 46,327.17	\$ -	\$ 16,988.54	\$ 4,436.52	\$ 0.57	\$ -	\$ 150.00	\$ -	\$ 975.05		
	2053	2054	2055	2056	2057	2058	2059	2201	2500							
	St Louis Bells	EMS Transport Capital Reserve	Work4ME-PAL	Lake Auburn Neighborhood	ASPCA Grant	Barker Mills Greenway	Distracted Driving	EDI Grant	Parks & Recreation							
Fund Balance 7/1/17	\$ 2,357.75	\$ 331,362.88	\$ (13,692.41)	\$ 125.00	\$ 800.00	\$ (2,597.43)	\$ 301.00	\$ (1,337,403.99)	\$ 191,870.40							
Revenues FY18									\$ 35,948.94							
Expenditures FY18			\$ 1,012.50				\$ 1,248.00		\$ 48,120.17							
Fund Balance 6/30/18	\$ 2,357.75	\$ 331,362.88	\$ (14,704.91)	\$ 125.00	\$ 800.00	\$ (2,597.43)	\$ (947.00)	\$ (1,337,403.99)	\$ 179,699.17							
	2600	2600	2600	2600	2600	2600	2600	2600	2600	2600	2600	2600	2600	2600	2600	Total
	Tambrands TIF 4	J Enterprises TIF 5	Tambrands II TIF 6	J & A Properties TIF 7	Formed Fiber TIF 8	Mall TIF 9	Downtown TIF 10	Safe Handling TIF 11	Auburn Industrial TIF 12	Auburn Plaza TIF 13	Auburn Plaza II TIF 14	Webster School TIF 16	Bedard Pharm TIF 17	Slapshot LLC TIF 18	Hartt Transport TIF 19	Special Revenues
Fund Balance 7/1/17	\$ (8,073.02)	\$ 14,500.44	\$ (365,270.76)	\$ 2,558.27	\$ 30,486.17	\$ 149,591.94	\$ (4,529.96)	\$ 183.21	\$ (350,651.92)	\$ (37,076.39)	\$ 9,722.38	\$ 360.91	\$ 31,366.79	\$ 47,165.25	\$ (5.40)	\$ 3,366,557.98
Revenues FY18																\$ 39,768.96
Expenditures FY18																\$ 71,163.18
Fund Balance 6/30/18	\$ (8,073.02)	\$ 14,500.44	\$ (365,270.76)	\$ 2,558.27	\$ 30,486.17	\$ 149,591.94	\$ (4,529.96)	\$ 183.21	\$ (350,651.92)	\$ (37,076.39)	\$ 9,722.38	\$ 360.91	\$ 31,366.79	\$ 47,165.25	\$ (5.40)	\$ 3,335,163.76

City of Auburn, Maine

"Maine's City of Opportunity"

Financial Services

To: Peter Crichton, City Manager
From: Jill Eastman, Finance Director
Re: Arena Financial Reports for July 31, 2017

Attached you will find a Statement of Net Assets and a Statement of Activities and budget to actual reports for Norway Savings Bank Arena for revenue and expenditures as of July 31, 2017.

The Norway Savings Bank Arena report now includes a budget to actual comparison with last fiscal year for both revenues and expenditures.

NORWAY SAVINGS BANK ARENA

Statement of Net Assets:

The Statement of Net Assets lists current assets, noncurrent assets, liabilities and net assets and shows a comparison to the previous month, in this case, June 30, 2017.

Current Assets:

As of the end of July 2017 the total current assets of Norway Savings Bank Arena were (\$669,700). These consisted of cash and cash equivalents of \$91,189, accounts receivable of \$101,558, and an interfund payable of \$862,447, which means that Norway owes the General Fund \$862,447 at the end of July.

Noncurrent Assets:

Norway's noncurrent assets are equipment that was purchased, less depreciation (depreciation is posted at year end). The total value of the noncurrent assets as of July 31, 2017 was \$318,203.

Liabilities:

Norway Arena had no accounts payable as of July 31, 2017.

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 July 2017 are \$138,738. 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 July 2017 were \$79,150. These expenses include personnel costs, supplies, utilities, repairs, rent, capital purchases and maintenance.

As of July 2017 Norway Arena has an operating gain of \$59,588 compared to the July 2016 operating loss of \$12,996.

As of July 31, 2016 Norway Arena has a increase in net assets of \$59,588.

The budget to actual reports for revenue and expenditures, with comparison to the same period last year show that revenue for FY18 is \$65,518 more than in FY16 and expenditures in FY18 are \$4,384 more than last year in July.

CITY OF AUBURN, MAINE
Statement of Net Assets
Norway Savings Bank Arena
July 31, 2017
Business-type Activities - Enterprise Fund

	July 31, 2017	(Pre-Audit) June 30, 2017	Increase/ (Decrease)
ASSETS			
Current assets:			
Cash and cash equivalents	\$ 91,189	\$ 91,189	\$ -
Interfund receivables	\$ (862,447)	\$ (837,249)	\$ (25,198)
Prepaid Rent		\$ -	\$ -
Accounts receivable	101,558	23,721	\$ 77,837
Total current assets	(669,700)	(722,339)	52,639
Noncurrent assets:			
Capital assets:			
Buildings	35,905	35,905	-
Equipment	417,455	417,455	-
Land improvements	-	-	-
Less accumulated depreciation	(135,157)	(135,157)	-
Total noncurrent assets	318,203	318,203	-
Total assets	(351,497)	(404,136)	52,639
LIABILITIES			
Accounts payable	\$ -	\$ 6,949	\$ (6,949)
Net pension liability	77,298	77,298	-
Total liabilities	77,298	84,247	(6,949)
NET ASSETS			
Invested in capital assets	\$ 318,203	\$ 318,203	\$ -
Unrestricted	\$ (746,998)	\$ (806,586)	\$ 59,588
Total net assets	\$ (428,795)	\$ (488,383)	\$ 59,588

CITY OF AUBURN, MAINE
Statement of Revenues, Expenses and Changes in Net Assets
Norway Savings Bank Arena
Business-type Activities - Enterprise Funds
Statement of Activities
July 31, 2017

	Norway Savings Arena
Operating revenues:	
Charges for services	\$ 138,738
Operating expenses:	
Personnel	17,063
Supplies	1,051
Utilities	15,687
Repairs and maintenance	-
Rent	42,207
Depreciation	-
Capital expenses	-
Other expenses	3,142
Total operating expenses	79,150
Operating gain (loss)	59,588
Nonoperating revenue (expense):	
Interest income	-
Interest expense (debt service)	-
Total nonoperating expense	-
Gain (Loss) before transfer	59,588
Transfers out	-
Change in net assets	59,588
Total net assets, July 1	(488,383)
Total net assets, July 31, 2017	\$ (428,795)

CITY OF AUBURN, MAINE
REVENUES - NORWAY SAVINGS BANK ARENA
Through July 31, 2017 compared to July 31, 2016

REVENUE SOURCE	FY 2018 BUDGET	ACTUAL REVENUES THRU JULY 2017	% OF BUDGET	FY 2017 BUDGET	ACTUAL REVENUES THRU JULY 2016	% OF BUDGET	VARIANCE
CHARGE FOR SERVICES							
Concussions	\$ 18,000	\$ -	0.00%	\$ 18,000	\$ -	0.00%	\$ -
Sponsorships	\$ 275,000	\$ 66,560	24.20%	\$ 230,000	\$ 31,375	13.64%	\$ 35,185
Pro Shop	\$ 8,500	\$ 585	6.88%	\$ 8,500	\$ 560	6.59%	\$ 25
Programs	\$ 31,000		0.00%	\$ 31,000		0.00%	\$ -
Rental Income	\$ 705,250	\$ 60,143	8.53%	\$ 672,250	\$ 29,835	4.44%	\$ 30,308
Camps/Clinics	\$ 50,000	\$ 11,450	22.90%	\$ 50,000			
Tournaments	\$ 50,000	\$ -	0.00%	\$ 50,000	\$ -	0.00%	\$ -
TOTAL CHARGE FOR SERVICES	\$ 1,137,750	\$ 138,738	12.19%	\$ 1,059,750	\$ 61,770	5.83%	\$ 65,518
INTEREST ON INVESTMENTS	\$ -			\$ -			
GRAND TOTAL REVENUES	\$ 1,137,750	\$ 138,738	12.19%	\$ 1,059,750	\$ 61,770	5.83%	\$ 65,518

CITY OF AUBURN, MAINE
EXPENDITURES - NORWAY SAVINGS BANK ARENA
Through July 31, 2017 compared to July 31, 2016

DESCRIPTION	ACTUAL			ACTUAL			VARIANCE
	FY 2016 BUDGET	EXPENDITURES THRU JULY 2016	% OF BUDGET	FY 2016 BUDGET	EXPENDITURES THRU JULY 2016	% OF BUDGET	
Salaries & Benefits	\$ 344,000	\$ 17,063	4.96%	\$ 311,000	\$ 15,125	4.86%	\$ 1,938
Purchased Services	\$ 71,656	\$ 3,142	4.38%	\$ 87,306	\$ 2,359	2.70%	\$ 783
Supplies	\$ 37,100	\$ 1,051	2.83%	\$ 37,150	\$ 912	2.45%	\$ 139
Utilities	\$ 225,150	\$ 15,687	6.97%	\$ 199,800	\$ 14,163	7.09%	\$ 1,524
Capital Outlay	\$ 103,500	\$ -	0.00%	\$ 57,000	\$ -	0.00%	\$ -
Rent	\$ 507,000	\$ 42,207	8.32%	\$ 507,000	\$ 42,207	8.32%	\$ -
	\$ 1,288,406	\$ 79,150	6.14%	\$ 1,199,256	\$ 74,766	6.23%	\$ 4,384
GRAND TOTAL EXPENDITURES	\$ 1,288,406	\$ 79,150	6.14%	\$ 1,199,256	\$ 74,766	6.23%	\$ 4,384

City of Auburn, Maine

"Maine's City of Opportunity"

Financial Services

To: Peter Crichton, City Manager
From: Jill Eastman, Finance Director
Re: Financial Reports for July, 2017

Attached you will find a Statement of Net Assets and a Statement of Activities and budget to actual reports for Ingersoll Turf Facility for revenue and expenditures as of July 31, 2017.

INGERSOLL TURF FACILITY

Statement of Net Assets:

The Statement of Net Assets lists current assets, noncurrent assets, liabilities and net assets as of July 31, 2017.

Current Assets:

As of the end of July 2017 the total current assets of Ingersoll Turf Facility were \$41,582. This consisted of an interfund receivable of \$41,582, which means that the General Fund owes Ingersoll \$41,582 at the end of July.

Noncurrent Assets:

Ingersoll's noncurrent assets are the building and equipment that was purchased, less depreciation. The total value of the noncurrent assets as of July 31, 2017 was \$195,659.

Liabilities:

Ingersoll had no accounts payable as of July 31, 2017.

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 Ingersoll Turf Facility through July 2017 are \$652. This revenue comes from the sponsorships, programs, rental income and batting cages.

The operating expenses for Ingersoll Turf Facility through July 2017 were \$7,827. These expenses include personnel costs, supplies, utilities, repairs, capital purchases and maintenance.

As of July 2017 Ingersoll has an operating loss of \$7,175.

As of July 31, 2017 Ingersoll has a decrease in net assets of \$7,175.

The budget to actual reports for revenue and expenditures, show the revenue for FY18 compared to FY17.

Statement of Net Assets
Ingersoll Turf Facility
July 31, 2017
Business-type Activities - Enterprise Fund

	July 31 2017	June 30 2017	Increase/ (Decrease)
ASSETS			
Current assets:			
Cash and cash equivalents		\$ -	\$ -
Interfund receivables/payables	\$ 41,582	\$ 49,158	(7,576)
Accounts receivable	-	-	-
Total current assets	41,582	49,158	(7,576)
Noncurrent assets:			
Capital assets:			
Buildings	672,279	672,279	-
Equipment	86,625	86,625	-
Land improvements	18,584	18,584	-
Less accumulated depreciation	(581,829)	(581,829)	-
Total noncurrent assets	195,659	195,659	-
Total assets	237,241	244,817	(7,576)
LIABILITIES			
Accounts payable	\$ -	\$ 401	\$ (401)
Total liabilities	-	401	(401)
NET ASSETS			
Invested in capital assets	\$ 195,659	\$ 195,659	\$ -
Unrestricted	\$ 41,582	\$ 48,757	\$ (7,175)
Total net assets	\$ 237,241	\$ 244,416	\$ (7,175)

CITY OF AUBURN, MAINE
Statement of Revenues, Expenses and Changes in Net Assets
Ingersoll Turf Facility
Business-type Activities - Enterprise Funds
Statement of Activities
July 31, 2017

	Ingersoll Turf Facility
Operating revenues:	
Charges for services	\$ 652
Operating expenses:	
Personnel	6,935
Supplies	-
Utilities	424
Repairs and maintenance	-
Rent	-
Depreciation	-
Capital expenses	-
Other expenses	468
Total operating expenses	7,827
Operating gain (loss)	(7,175)
Nonoperating revenue (expense):	
Interest income	-
Interest expense (debt service)	-
Total nonoperating expense	-
Gain (Loss) before transfer	(7,175)
Transfers out	-
Change in net assets	(7,175)
Total net assets, July 1	244,416
Total net assets, July 31, 2017	\$ 237,241

CITY OF AUBURN, MAINE
REVENUES - INGERSOLL TURF FACILITY
Through July 31, 2016

REVENUE SOURCE	FY 2018 BUDGET	ACTUAL REVENUES THRU JULY 2017	% OF BUDGET	FY 2017 BUDGET	ACTUAL REVENUES THRU JULY 2016	% OF BUDGET
CHARGE FOR SERVICES						
Sponsorship	\$ 17,000		0.00%	\$ 15,000		0.00%
Batting Cages	\$ 11,520	\$ 40	0.35%	\$ 9,940	\$ 325	3.27%
Programs	\$ 80,000	\$ 359	0.45%	\$ 90,000	\$ 159	0.18%
Rental Income	\$ 103,650	\$ 253	0.24%	\$ 100,000	\$ 125	0.13%
TOTAL CHARGE FOR SERVICES	\$ 212,170	\$ 652	0.31%	\$ 214,940	\$ 609	0.28%
INTEREST ON INVESTMENTS	\$ -			\$ -		
GRAND TOTAL REVENUES	\$ 212,170	\$ 652	0.31%	\$ 214,940	\$ 609	0.28%

CITY OF AUBURN, MA
 EXPENDITURES - INGERSOLL TRUST
 Through July 31, 2017

DESCRIPTION	FY 2018 BUDGET	ACTUAL	
		EXPENDITURES THRU JULY 2017	% OF BUDGET
Salaries & Benefits	\$ 106,624	\$ 6,935	6.50%
Purchased Services	\$ 21,110	\$ 468	2.22%
Programs	\$ 7,000		0.00%
Supplies	\$ 5,000		0.00%
Utilities	\$ 39,720	\$ 424	1.07%
Insurance Premiums	\$ 2,431	\$ -	0.00%
Capital Outlay	\$ 42,490	\$ -	0.00%
	<u>\$ 224,375</u>	<u>\$ 7,827</u>	<u>3.49%</u>
GRAND TOTAL EXPENDITURES	<u>\$ 224,375</u>	<u>\$ 7,827</u>	<u>3.49%</u>