



# City Council Meeting and Workshop

## June 15, 2015

### Agenda

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

- A. LAEGC Progress report/Scope of Services – John Holden (40 minutes)
- B. Great Falls TV – Paul Fraser & Denis D’Auteuil (20 minutes)
- C. Executive Session - Discussion regarding a real estate matter, pursuant to 1 M.R.S.A. §405(6)(C) (10 minutes).

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

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

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

#### Pledge of Allegiance

- I. **Consent Items** – All items listed with an asterisk (\*) are considered as routine and will be approved in one motion. There will be no separate discussion of these items unless a Councilor or citizen so requests. If requested, the item will be removed from the consent agenda and considered in the order it appears on the agenda.
  1. **Order 51-06152015\***  
Confirming Chief Crowell’s appointment of Daniel D. Chabot as Constable with a Firearm for the Auburn Police Department.
- II. **Minutes**
  - June 1, 2015 Regular Council Meeting
- III. **Communications, Presentations and Recognitions**
  - Proclamation – Jim Wellehan, recipient of the Maddie Corson Community Catalyst Award
  - Metro Portland - Auburn/Lewiston Options (Greg Jordan)
  - County Commission/Budget – Andy Titus
- V. **Open Session** – Members of the public are invited to speak to the Council about any issue directly related to City business which is *not on this agenda*.
- VI. **Unfinished Business**
  1. **Resolve 03-06012015**  
Adopting the Appropriations Resolve for Fiscal Year 2016. Second reading.  
*Passage requires an affirmative vote of 4 Councilors.*

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## VII. New Business

2. **Order 45-06152015**  
Approving the Special Amusement Request for 84 Court Pizza & Restaurant.
3. **Order 46-06152015**  
Approving the Liquor License and Special Amusement request for the Harsh Hotel, LLC., D/B/A/ The Fireside Inn & Suites.
4. **Order 47-06152015**  
Approving the Special Amusement Request for The Penalty Box.
5. **Order 48-06152015**  
Approving the request from L/A Arts for funding Concerts in the Park (\$4,000) and Cultural Plan Lewiston/Auburn (\$5,000 in matching funds).
6. **Order 49-06152015**  
Approving the request to transfer \$2,240 of FY2015 unallocated “Art” funds for the Art Therapy Program.
7. **Order 50-06152015**  
Approving the Mass Gathering permit for the 2015 Liberty Festival. Public hearing.
8. **Ordinance 12-06152015**  
Adopting the proposed amendment to Part II, Code of Ordinance, Chapter 14, Business Licenses and Permits, Article XVII, Garage Sales, Section 14-632, to include Agricultural Barn Sale, Article I, In General, Section 14-2, Definitions, to include Agricultural Barn Sale, and Appendix A – Fees and Charges under Businesses and Business Regulations to include Agricultural Barn Sale. Public hearing and first reading.
9. **Ordinance 13-06152015**  
Adopting the proposed amendment to Part II, Code of Ordinance, Chapter 14, Business Licenses and Permits, Article I, In General, Section 14-2, Definitions, and Appendix A – Fees and Charges under Businesses and Business Regulations (Flea market, craft fairs, swap meets, and bazaars). Public hearing and first reading.

## VIII. Executive Session

## IX. Reports\*

**Mayor’s Report**

**City Councilors’ Reports**

**City Manager Report**

**Finance Director, Jill Eastman – May 2015 Monthly Finance Report**

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**X. 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*.

## **XI. Adjournment**

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

- A. Discussion of personnel issues
- B. Discussion or consideration by a school board of suspension or expulsion
- C. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency
- D. Labor contracts
- E. Contemplated litigation
- F. Discussions of information contained in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute;
- G. Discussion or approval of the content of examinations administered by a body or agency for licensing, permitting or employment purposes; consultation between a body or agency and any entity that provides examination services to that body or agency regarding the content of an examination; and review of examinations with the person examined; and
- H. Consultations between municipal officers and a code enforcement officer representing the municipality pursuant to Title 30-A, section 4452, subsection 1, paragraph in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.



## City Council Information Sheet

City of Auburn

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**Council Workshop or Meeting Date:** 6-15-2015

**Author:** Sue Clements-Dallaire

**Subject:** LAECG Progress report/Scope of Services

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**Information:** John Holden, President of the Lewiston Auburn Economic Growth Council will be providing a progress report that has been prepared as part of an agreement between the Cities of Auburn and Lewiston and LAEGC made in June of 2014. LAEGC is required to update the councils according to the Memorandum of Understanding.

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**Advantages:** It keeps the City Council and the public informed.

**Disadvantages:** None

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**City Budgetary Impacts:** N/A

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**Staff Recommended Action:** Discussion

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

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**Attachments:** Scope of Services Progress Report



# Scope of Services Progress Report June 3, 2015

## LAEGC and its Scope of Services

The Cities of Auburn and Lewiston jointly with LAEGC signed a Memorandum of Understanding and “Scope of Services” (attached) in June, 2014. That MOU and attached Scope of Services clarifies and defines LAEGC’s role and services to each City. This is a Progress Report prepared as per Section 1.5 of that Agreement. A draft of this Report was reviewed, as per Section 1.5, by the Auburn City Manager and Lewiston City Administrator.

## Issues

The following issues were identified as critical to transforming the economic development system in Lewiston Auburn:

- Building capacity for functioning within a system composed of many networks and building leadership capacity for economic and community development among organizations and networks
- Building capacity and resources for business intelligence, working smarter – data, research, digital technologies and information resources
- Incorporating new funding models – and reducing reliance on government entities
- Building capacity for understanding emerging trends and adapting accordingly
- Greater focus on workforce
- Greater focus on place based economic development and including worker and resident recruitment and retention strategies

The design of the **Economic Growth Strategy** (a “Level I Priority” within the Scope of Services) and its presentation is organized to address those issues. Furthermore, LAEGC has and will continue to evolve to meet these issues and implement the **Strategy** within the constraints of its funding. LAEGC has met many of the specific priority points in the Scope of Services as it has reorganized in the past five months. This has included significant transformation in its expertise, staff competencies, and a new model to contract for professional services as needed to meet needs of the Strategy. The Strategy itself, organized under the themes People, Place, and Prosperity (Expanding, Development, and Attracting Business) focuses attention on workforce and place based economic development.

## **Priorities**

The Scope of Services recognized limited financial and thus professional capacity at LAEGC and thus identified the following priorities. *We offer status and update on each here, in italics.*

### Level I Priority Hire New President

*LAEGC hired a new President who took his position January 1, 2015.*

### Level I Priority Economic Development Strategy (EDS)

*The Strategy is under development. As currently envisioned, the Strategy shall be a guiding document for LAEGC and all agencies and organizations working towards these common goals. It is intended as a living and working document and LAEGC will ensure the community is engaged. LAEGC will take on leadership for its continued advancement.*

### Level I Priority Organization Plan including staffing, management, financing, and communications

*Since hiring of the new President, LAEGC has reorganized and put into place new staff each with clear and new roles and responsibilities directed at meeting the intent of the Scope of Services. It has and will continue regular updates with each City Council. LAEGC has engaged the public through its Face Book and to some degree our web site. The President has reported to each City Council on at least two occasions and shared his comments publicly (and on the web site).*

*The agency is exploring two innovative avenues for alternate funding, in-line with our core mission of economic development in LA. As an example, LAEGC has also secured funding and collaboration as a Blackstone Accelerates Growth (BxG) Hub for Entrepreneurship and Innovation.*

### Level II Priority Hiring of additional staff to carry out work and organizational plan

*Management of LAEGC has become "flatter." Stephanie Lewis has been re-assigned and promoted to Vice President and Chief Financial Officer. LAEGC hired Maura Moody in March, 2015, as its Office Manager and Public Relations Coordinator. On April 27, 2015, Scott Benson was hired as Economic and Business Development Director. John Belisle remains on staff as Loan Officer and has, since July 1, 2014 (Fiscal Year 2015).*

*Together, with the Strategy in place, LAEGC staff will be revising and updating our internal organizational plan with input and collaboration from city economic development staff in Auburn and Lewiston.*

### Level II Priority Marketing plan

*A detailed marketing plan is underway. It was critical to focus on the larger Strategy before full detailed development of a marketing plan. At the same time there has been immediate marketing activities including a much strong presence on social media and outreach to new markets, business, and investors. LAEGC has also worked with the Chamber's Regional Image Committee and in cooperation with the Chamber taken on this initiative and established a Committee of its own to focus on the Regional Image*

*effort. That Committee was established in May, will reach out to the community for participation, and has a clear objective and timeline.*

#### Level II Priority Business visitation program

*A business visitation program will be systemized and coordinated with city staff and LAEGC as part of implementation of the Strategy. The formation of that Program has begun as the President has met with the Directors of Economic Development in each City and the LA Career Center Director and Staff. The Economic & Business Development Director will be taking on leadership for organizing a systemic method to coordinate business visits among these key economic development service providers.*

#### Level II Priority 3-year operating budget FY 2016, 2017, 2018

*An FY 2016 budget was submitted to each City Council on March 13, 2015. This budget meets the expectations in the Scope of Services, has no increase, and is designed to allow for direct economic development and marketing. A more detailed and projected FY 2017-20 operating budget will be completed as part of the FY 2017 budget request.*

## **Progress on Scope of Services by Service Area**

The Scope of Services outlines seven “Service Areas”. This Progress Report includes a summary of each Service Area, taken directly from the Scope of Services, *followed by a report and status of each service, activity, and tasks in italics.*

### 1. Economic Development Strategy

*As noted above the Strategy is under development. The Scope of Services noted that the development of such a Strategy would be a 4-6 month process and indeed, drafts of the Strategy will be under final (draft) development in June 2015. LAEGC has proposed that the Strategy will be a living, working document and intends to have semi-annual reviews on the status of implementation.*

The Scope of Services identified the following “**Functions/Services**”

- Collaborate with the Cities, economic development stakeholders, and partner organizations
- Monitor economic trends (local, state and national) to assess opportunities and priorities
- Coordinate the development of the joint Economic Development Strategy (EDS)
- Integrate with and clarify roles of L/A Future Forum and Benchmark L/A with regard to the EDS
- Track and measure progress of strategic goals and initiatives and communicate progress with the Cities, stakeholders, and public
- Periodically coordinate a review of the EDS

*We believe the current process and plans for on-going monitoring of the Strategy meets the above Services.*

The following “**Tasks/Projects**” were identified in the Scope of Services. *Following each, in italics is a report and current status of each as part of this Progress Report.*

1. Establish, in consultation with the LAEGC Board, and EDS Steering Committee  
*The LAEGC Board was used, in general, as the Steering Committee and was kept abreast of the development of the Strategy as it took place. We also used the input from the LA Future Forum to set forth the vision for the Strategy. Various other organizations and groups were engaged and asked for input to the Strategy including, for example but not limited to, the Auburn Business Development Corporation and Lewiston Development Corporation. The June LAEGC Board Meeting will include a status report and dialogue on the ongoing use of Benchmarks LA.*
2. Solicit and contract, in consultation with the Steering Committee, an independent, qualified economic development strategy consultant to provide research, analysis, and development support of the EDS  
*As a matter of practice and to preserve limited funds available, the task of preparing the Strategy was taken on by LAEGC staff. Some limited outside and consulting fees were paid for focused input, for example as part of the Build Maine Conference or for input of a business site consultant.*
3. Identify and engage stakeholders  
*This was the approach taken. A series of five community engagement sessions were held between March and the end of May. Additional meetings by LAEGC President and interested community groups, business, and organizations further influenced the input to the Strategy. As we continue to craft more specific action-oriented items within the Strategy, LAEGC will be engaging various “groups” of stakeholders including, for example but not limited to, City Staff, LA Arts, USM LAC, etc.*
4. LAEGC to assist EDS process with administrative, coordination and committee support services  
*See above. As LAEGC took on the role of creating the Strategy this activity was not required.*
5. Develop Draft EDS  
*As noted this is now under development.*
6. Review/adopt EDS by LAEGC Board, and City Councils  
*Presentations and review by the LAEGC Board will take place in July with follow up presentations to each Council in August or September. The definitive “roll out” of the Strategy is a matter of discussion at the June LAEGC Board Meeting and for input from each City. We want to restate, here, as has been stated publicly a number of times that LAEGC considers the Strategy a working-living document. It will be presented. It will, however, evolve with input from the community—most notably our primary clients, each City Council. To that end, LAEGC intends to “monitor” and actively communicate and report on the status of the Strategy and its evolution. As a matter of practice the “publishing” of the Strategy will be integrated into the revised LAEGC web site, the timing of which is planned for late summer or early fall launch to coincide with the work on the regional image effort.*



*We should note that the Scope of Services proposed that funding for the Strategy “will be separately identified and budgeted within LAEGC contracted services and will require additional funds than what is currently provided.” That has not and will not be the case and LAEGC incorporated the work of the preparing the Strategy within existing budget. LAEGC will continue to monitor progress on the Strategy as part of its base funding.*

## 2. Joint Economic Development Coordination

The Scope of Services calls for “LAEGC [to] work to coordinate efforts on projects, interests and/or issues that are deemed to be of a joint nature. LAEGC will act as steward of and monitor the application of the Joint Economic Development Protocol.”

The Scope of Services identified the following “**Functions/Services.**”

- Lead and support cities in joint economic development activities
- Establish a protocol and process for efficiently handling business inquiries. This should foster a “no wrong door” procedure for handling business and investor inquiries that recognizes that inquiries will come in from many sources/directions but need to be effectively referred to the persons(s) best in a position to address.
- Administer, Facilitate and Maintain the Joint Economic Development Protocol and TIF Policies

*LAEGC has continued to and expanded to foster these services. The Economic Growth Strategy, of course, represents the primary “joint” work at this time. At the same time, LAEGC has handled “leads” and projects as per the established protocol and has worked to reinforce that protocol. In the case of one business expansion, LAEGC has focused first on expansion in the “home community” with intent to meet the business client’s needs for space and desired building attributes in either city. LAEGC has discussed with City Staff review of each City TIF District and Development Programs and intends to offer recommendations to make the most use of the TIF program for each District and City.*

The Scope of Services further outlines “**Anticipated Activities.**” *Again, in italics, we comment on the approach and current status of each as part of this Progress Report.*

1. Facilitate periodic review of Joint Economic Development Protocol and TIF Policy  
*We have not yet offered any recommendations on the existing Protocol or Policy. We have reviewed both with City Staff and accepted it as presented. As we finalize the Growth Strategy we will review the Protocol and TIF Policy with City Staff and offer recommendations, if any. The new LAEGC staff looks forward to offering their combined years of experience on protocols and TIF Programs together with the years of experience of the cities’ economic development directors in reviewing and offering input on possible updates or innovative revisions to the joint TIF Policy and each city’s TIF Programs.*
2. Lead implementation of Joint Economic Development Protocol  
*See 1, above.*

3. Track client contacts and results  
*We have instituted new methods to track these and will report them as requested and certainly as part of our December Progress Report.*
4. Recommendation to Cities of issues, projects, processes or policies that would enhance joint economic development  
*We expect to make such recommendations following the release of the Strategy, as we implement the Strategy, and as it evolves. Recommendations on TIF Programs and other programs have been subject of some meetings but formal recommendations will be forthcoming.*

The following “**Tasks/Projects**” were identified in the Scope of Services. *We have added, in italics, the approach and current status of each as part of this Progress Report.*

- A. Review of Joint Economic Development Protocol and TIF Policy
- B. Work with Cities’ economic development staff to develop clear, efficient process for business referrals

The “**Expected Outcome**” for this Service Area was a “revised Joint Economic Development Protocol and TIF Policy including process for handling business inquiries.”

*As noted above, we have accepted the established Protocol and TIF Policy at this time. We intend to review these and make recommendations by December 31, 2015.*

### 3. Marketing and Promotion

The Scope of Services is clear that, “LAEGC shall be responsible for marketing and promoting of Lewiston and Auburn for economic development including business retention, expansion and attraction.” Yet it recognizes that there are many other organizations and agencies that promote or market LA. LAEGC’s role is to coordinate those efforts, reduce redundancies, and vest (and invest) in the brand for the community.

The Scope of Services identified the following “**Functions/Services.**”

- Marketing and promoting the communities and their assets
  - Develop marketing and collateral materials which promote the cities and their economic growth – with emphasis on web, digital, and social media
  - Coordinate with and support Visitor/Tourism promotion efforts within and outside of the community.
  - Assist in the marketing and promotion of the cities industrial/commercial parks, Auburn-Lewiston Municipal Airport, and key properties for redevelopment
  - Assist/support marketing and promotion activities of the Cities’ downtowns
- Share information that recognizes and celebrates the Cities’ economic progress
- Maintain of Economic Development/Community Promotion website and social media sites

- Actively lead/coordinate community branding “image” efforts
- Collaborate/Participate with other community promotion efforts
- Create an Advisory Group for Economic Development Marketing and Promotion and engage stakeholders, interested business representatives and marketing professionals to provide advice and guidance in marketing/promotion efforts
- Better utilize Great Falls TV for economic development communications, marketing, and promotion

*LAEGC has made significant improvements to our social media presence, primarily on Face Book. We have used that online presence to promote the community (Cities) and various economic and community development projects. The LAEGC website is in need of significant overhaul. That work is budgeted as part of our FY2016 budget and timed to coincide with progress on the regional branding initiative. That initiative is becoming clearer as this Progress Report is prepared.*

*LAEGC has established a Marketing Committee. That Committee is charged to “seek additional community members and is charged with oversight and selection of Consultants for Regional Image Brand, if funded; oversight and approval of Consultant recommendations; and other marketing or brand recommendations as requested by Board or President. The LAEGC Marketing Committee is to make its recommendations by December 31, 2015.*

*The current FY2016 City budgets do not include funding for study or focus groups (consulting) for the regional image. Yet, there have been a number of research projects including community surveys completed over the last 15 years, the most recent as late as August 2014. LAEGC is proposing to work with the Chamber, make use of the existing and recent studies to prepare brand and graphic materials for a ‘regional image.’ At the same time, LAEGC and the Chamber will update our brand, graphics, logos, websites, etc. to align with this regional image and brand. LAEGC will seek City and community input and acceptance of its new brand and “look” in a manner that will allow integration, coordination, and make most use of the renewed brand—for the LA Maine community and the cities. This will be coordinated through the LAEGC Marketing Committee. Thus, a new regional brand will be initiated within the currently available budget at LAEGC and the Chamber.*

*LAEGC has reached out to Great Falls TV and will revisit with them as the marketing plan is developed. GFTV took part in filming parts of the Build Maine Conference at the invite of LAEGC and as part of our community engagement effort.*

The Scope of Services further outlines “**Anticipated Activities.**” *Again, in italics, the approach and current status of each as part of this Progress Report.*

1. Develop and annual marketing and promotion plan  
*An LAEGC Marketing Plan will be prepared as part of and following the completion of the Economic Growth Strategy as LAEGC’s role in “marketing” is confirmed and clarified*
2. Maintenance and publication of joint marketing materials  
*These will be redeveloped as the new brand and logo is established.*

3. Creation and maintenance of websites and social media sites  
*These will be redeveloped as the new brand and logo is established. LAEGC's Face Book page has been update and is updated almost daily at this time.*
4. Development of and attendance at marketing and promotion events.  
*LAEGC has and is scheduled to attend various business and economic development marketing events. In the past six months that has included state events such as Maine Real Estate and Economic Development, Maine Trade Day, and others. The President has made one and will be making a second visit to reconnect with business and business contacts from Atlantic Canada before the end of June, 2015. Our FY2016 budget reflects plans to do more such events with intent to expand the breadth of these events.*
5. Facilitate/organize the annual business to business trade show, Annual Dinner, and Business Forum  
*We held LAEGC's Annual Dinner in May and plans are underway for the B2B Trade Show on June 18.*
6. Preparation and issuance of media releases/events  
*LAEGC has issued press releases in regards to the System Logistics and Elmet investments as well as re-posted these from our web site and Face Book. LAEGC also played a lead role in promoting the Build Maine conference and the 'Raising Ali' documentary.*
7. Creation and staff support for an economic development marketing advisory group  
*LAEGC reorganized its budget and staff to create a full time Office Manager and Public Relations Coordinator. The result has been the noted increase in social media and event coordination. At the same time, the realignment has and will allow for contractual services for specific marketing activities, such as event planning and leadership for the Annual Dinner and B2B Trade Show. LAEGC has also established a Marketing Committee (see above).*

The following **"Task/Project"** was identified in the Scope of Services. *We have added, in italics, the approach and current status of each as part of this Progress Report.*

[The] Cities will discuss and consider consolidating the services and resources of Great Falls TV (GFTV) under the LAEGC to provide for additional marketing, business and community promotion. *As noted above, LAEGC has met with GFTV and awaits the completion of its Growth Strategy and Marketing Plan to propose how best to integrate the use of GFTV into LAEGC Scope of Services.*

*We would like to add that the Scope of Services noted that, "LAEGC currently budgets approximately \$15,000 for Marketing and Promotion beyond staff costs. This level of funding is insufficient to fully implement the activities specified above." LAEGC has proposed an additional budget allocation for direct Foreign Direct Investment and the regional branding (marketing) initiative. The proposed FDI marketing funds will be directly used as leverage and "match" to a 1-time grant program. LAEGC will return to each City Council as it prepares for its application for those funds.*

#### 4. Business Development; Retention, Expansion, and Attraction

The Scope of Services stated that, “LAEGC shall be responsible for leading, coordinating and supporting public sector and private sector efforts to grow, improve, retain, and attract businesses in Lewiston-Auburn.” *This has been and is a basic tenet of LAEGC’s role and continues to be.*

Specifically, The Scope of Services identified the following “**Functions/Services.**”

- Assist existing business with retention and/or expansion
- Lead the development, coordination, and support of a business visitation program to identify existing businesses needs and concerns
- Lead the provision and coordination of services and activities to support business attraction to the Cities
- Work with workforce development partners (education, workforce, labor, and training stakeholders) to develop, support, and implement programs, policies, and services to meet the workforce needs to grow the economy in the two Cities
- Work with local, state, and regional partners/stakeholders for support of entrepreneurs and business start-ups
- Encourage the involvement of the private and non-governmental sectors in economic development efforts

*To date, since January 1, LAEGC has continued to work with existing business clients and reach out to others. Additionally, LAEGC has met with City Staff and the LA Career Center to propose how to systematically establish a business visitation program. To date that process is still in development. To date, LAEGC has met with approximately 45 existing business as part of specific business visits. In each case, refers have been made, as requested, to appropriate agencies and contacts. At the same time, we have kept City staff in direct communications with these visits.*

*LAEGC has continued to serve as the direct point of contact for new business interests and state agencies with “leads” of business seeking new or expanded locations. Since January 1, LAEGC has responded or is currently working with six such contacts.*

*LAEGC has secured funding to support the establishment of LA as a “hub” of the statewide Blackstone Accelerates Growth program—to deliver entrepreneurial development programming to the community. Under BxG LAEGC has begun to reach out and will coordinate various entrepreneurial projects and programs in place around LA and sponsor additional programs.*

Specific “**Anticipated Activities**” identified in the Scope of Services include, *with our current progress in italics:*

1. Seek and support new business development. Track #'s of businesses assisted, outcomes, common trends and noted community needs/issues  
*LAEGC has reached out to a number of businesses since January (see above), in coordination or follow up communication and coordination with City Staff. A report of business issues will be part of our December 31, 2015 Progress Report.*
2. Jointly maintain and update inventory of developable properties (land and buildings) in the industrial, commercial and downtown sectors of the cities and make information available through the LAEGC website  
*This is under development as is a complete overhaul of LAEGC website.*
3. Lead the development, coordination, and support of a Business Visitation Program  
*As noted above, a systematic and coordinated business visitation program is under development while LAEGC conducts business visits.*
4. Provide an Annual Report of Business Development  
*This will be presented in our December 31 Progress Report.*
5. Lead the provision and coordination of services, activities, and information to support business attraction to the Cities  
*This is under development as we complete the first round of the Economic Growth Strategy, consider the regional branding effort, and redevelopment LAEGC website(s). As part of this activity we expect to (and have briefed the cities) apply for funds from the Maine International Trade Center for support of "Foreign Direct Investment"—one component of business attraction.*
6. Provide information and links to resources on the LAEGC website to support workforce, entrepreneurial, and business start-up development  
*This will be provided when the LAEGC website is redeployed (as part of FY 2016 budget).*

The “**Tasks/Projects**” that were further identified, in the Scope of Services, under the Business Development; Retention, Expansion, and Attraction Service Area, follow directly the above referenced “**Activities**”. *Thus we have no more to report.*

##### 5. Targeted Growth Opportunities

The Scope of Services noted that the **Economic Growth Strategy** should include “targeted “growth and industrial sector opportunities.” The Scope of Services identifies some sectors recommended for targeting. *LAEGC has completed an Economic Development Profile. The Profile was used, in part, to help identify target sectors and was presented as part of the community meetings around the development of the Strategy. At the time of this Progress Report additional analysis and research is underway. The Strategy will identify “targeted growth strategies.”*

Specific “**Anticipated Activities**” identified in the Scope of Services include, *with our current progress in italics follow:*

1. Create advisory committee(s) to oversee the EDS for targeted opportunities  
*LAEGC has not established such committees. LAEGC is anticipating the creation of a business development advisory committee to serve in such a capacity but has not yet fully developed the role or focus of such a committee.*
2. Selection of and working with professional consultant as part of the EDS  
*As noted earlier in this Report, LAEGC chose to internalize the development of the Strategy, making use of the experience of the new President and more recently newly hired Economic & Business Development Director.*

*The **tasks and expected outcomes** of this Service Area includes a “targeted industry analysis” as part of the Economic Development Strategy and a focused efforts and plans to address the retention, expansion, and attraction for those targeted opportunities. Those outcomes are under development at this time and will be included in the **Strategy**.*

#### 6. Project Financing and Portfolio Management

The Scope of Services states that, “the LAEGC shall develop and manage financing resources and programs designed to provide ‘gap’ and other financing for businesses locating or expanding in Lewiston Auburn.” It continues and states, “The LAEGC shall administer and manage the Cities’ business lending/grant programs, as assigned. The LAEGC will endeavor to identify, develop and expand the amount and availability of business support resources in the community.”

*LAEGC has continued to manage its loan portfolio and has deployed eight loans of \$790,610 and approved two loan modifications resulting in eleven new jobs and 116 retained jobs since July 1, 2014. LAEGC has, prior to January 1 had talks with the City of Auburn in regards to administering or developing new lending or grant programs. LAEGC has assisted with underwriting of Lewiston loan funds. LAEGC is positioned to review, advise, and recommend or develop increased efficiencies and loan programs within each city and expects that work to be a component of implementing the **Strategy**.*

Specific “**Anticipated Activities**” identified in the Scope of Services include, *with our current progress in italics:*

- Act as a business financing clearinghouse for the Cities
- Serve as a navigator to businesses seeking financial resources in support of growth or development
- Seek and advocate for additional community resources, including private and/or grant funding, targeted for economic development financing and projects
- Manage assigned loan/grant programs from the Cities, development corporations, State/Federal agencies or private institutions
- Staff support of LAEGC Loan Committee/Business Financing Advisory group

*LAEGC has continued to act as this “clearinghouse.” As a result of meetings in Lewiston a draft “guide” to starting and financing your local business is in development. This guide is a simple “one pager” that will help guide and channel business investment inquiries. LAEGC has applied for additional loan capital from the Finance Authority of Maine. As noted earlier, LAEGC is prepared to review and make recommendations on creative financing using tax increment financing or other funding sources.*

Specific “**Anticipated Activities**” included activities directly related to the above and LAEGC has continued to provide those activities.

The Scope of Services called for a “**task**” that included the “expansion of the LAEGC Loan Committee to a Business Financing Advisory group which will not only providing loan review but also business financing assistance and advice to businesses and the LAEGC.” *We have not proceeded on this at this time.*

The “**expected outcome(s)**” include an “annual Report of loan program(s) activity and results” and a “review and recommendation (as appropriate) to Cities of Loan Program Guidelines. *These will be undertaken as part of our December 31, 2015 Progress Report.*

#### 7. Administration, Advocacy and Governance

This service area recognized the overall leadership, coordination, and partnerships LAEGC has in the community. It references LAEGC’s role in providing “administrative support for other development related agencies serving Lewiston Auburn including, but not limited to, the Auburn Business Development Corporation (ABDC), Lewiston Development Corporation (LDC), and the Lewiston and Auburn Railroad Company (LARC).”

Specifically, The Scope of Services identified the following “**Functions/Services.**”

- Provide logistical support (meetings/agendas/minutes/accounting, etc.) to the LAEGC and development corporations
  - Auburn Business Development Corporation, Lewiston Development Corporation, Lewiston and Auburn Railroad Company
  - Staff and support numerous (currently 10) standing committees of the LAEGC and Development Corporations
- Provide technical assistance/support to city staff and airport manager in negotiating incentives/lease terms relating to economic development projects
- Administer the Foreign-Trade Zone (F-TZ)
- Serve as Liaison for economic development to the Auburn-Lewiston Municipal Airport Committee
- Support and coordinate the goals and efforts of L/A Future Forum and Benchmark L/A
- Support other economic/community development-related issues, initiatives and projects that arise and as requested by the Cities



- Monitor regional and state policies and inform Cities of issues that may impact economic development

*LAEGC has continued to manage the above as well as review and consider alternative approaches and its own role in each. LAEGC has engaged each “group” in the development of the Economic Growth Strategy, in part, to help define its own role and strategic opportunities for the implementation of the Strategy. For example, ABDC, LDC, and LARC have had more than two Board Meetings, each, discussing their own current and strategic future direction. LAEGC will continue to facilitate these strategic discussions in order to establish the most efficient and effective economic development “team” in Maine.*

*LAEGC has and will continue to emphasize community engagement in the Growth Strategy, its implementation, and evolution. To that end, staff have supported and coordinated with other organizations and agencies including, to only name a few, USM Lewiston Auburn College, Bates College, Kaplan University, Central Maine Community College, Tree Street Youth, Museum LA, LA Arts, Grow L+A, and others.*

*LAEGC has monitored state and regional policies but, frankly, in this first five months of transition, has not played a major role. LAEGC will expand its monitoring, leadership, and engagement in the coming year as the Strategy is put forth.*

Specific “**Anticipated Activities**” identified in the Scope of Services include:

1. Coordinated and efficient administration of the Cities’ joint economic development programs, development corporations and activities  
*As noted above in this Report, LAEGC has begun to explore and discuss with City Staff and other organizations ways to become most efficient and effective in our collective economic development efforts. Many more of these details will be identified as we begin to outline specific action within the Growth Strategy and many more will evolve over time.*
2. Conduct annual briefing to Cities and stakeholders on regional, state, and federal issues and policies that may impact economic development in the Cities  
*LAEGC will propose a briefing on such issues in November, 2015 as part of its reorganization and plans to move its “annual dinner” to the fall. This move is being made as a matter of efficiency for the organization, to spread out the timing and planning necessary for the “annual dinner” and the B2B Trade Show.*

The expected outcome under this Service Area is “annual reporting to the Cities on LAEGC operations, use of funds, and outcomes. *This Progress Report is the first of those with subsequent and then annual reports to be issued in December of this year and then annually thereafter.*



## City Council Information Sheet

City of Auburn

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**Council Workshop or Meeting Date:** 6-15-2015

**Author:** Sue Clements-Dallaire

**Subject:** Great Falls TV

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**Information:** This is a continuation of the discussion from the June 1, 2015 Council meeting with updated information from Denis D'Auteuil and Paul Fraser.

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**Advantages:** Discussed on 6-1-2015

**Disadvantages:**

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**City Budgetary Impacts:**

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**Staff Recommended Action:** Continue discussion

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**Previous Meetings and History:** June 1, 2015

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**Attachments:** None



## City Council Information Sheet

City of Auburn

**Council Meeting Date:** 6-15-2015

**Subject:** Executive Session

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

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

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

- (1) An executive session may be held only if public discussion could be reasonably expected to cause damage to the individual's reputation or the individual's right to privacy would be violated;
- (2) Any person charged or investigated must be permitted to be present at an executive session if that person so desires;
- (3) Any person charged or investigated may request in writing that the investigation or hearing of charges or complaints against that person be conducted in open session. A request, if made to the agency, must be honored; and
- (4) Any person bringing charges, complaints or allegations of misconduct against the individual under discussion must be permitted to be present.

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

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

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

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

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

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

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

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

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



## City Council Information Sheet

City of Auburn

**Council Meeting Date:** June 15, 2015

**Order** 51-06152015\*

**Author:** Phillip L. Crowell, Jr., Chief of Police

**Subject:** Confirm Chief Crowell's appointment of Daniel D. Chabot as a Constable with a firearm for the Auburn Police Department.

**Information:** The Auburn Police Department requests City Council appointment of Daniel D. Chabot as a Constable with a firearm for the City of Auburn.

**Advantages:**

**Disadvantages:**

**City Budgetary Impacts:** n/a

**Staff Recommended Action:** Motion to confirm Chief Crowell's appointment of Daniel D. Chabot as a Constable with a firearm for the Auburn Police Department.

**Previous Meetings and History:**

**Attachments:**

- Memo from the Chief
- Order 51-06152015



# Auburn Police Department



## Memorandum

Phillip L. Crowell  
Chief of Police

Jason D. Moen  
Deputy Chief

Rita P. Beaudry  
Executive Assistant

**To:** Honorable Mayor Jonathan Labonte and Members of the City Council  
**From:** Phillip L. Crowell, Jr., Chief of Police  
**Date:** June 15, 2015  
**Re:** CONSTABLE

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We request that the following named person be named a Constable for the Auburn Police Department:

Daniel D. Chabot                      with Firearm    New Hire            Police Officer

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



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

Jonathan P. LaBonte, Mayor

## IN CITY COUNCIL

ORDER 51-06152015

Ordered, that the City Council hereby names Daniel D. Chabot as a Constable with a firearm for the Auburn Police Department.

**IN COUNCIL REGULAR MEETING JUNE 01, 2015 VOL. 34 PAGE 138**

Mayor LaBonté called the meeting to order at 7:05 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Councilor Hayes had an excused absence. All other councilors were present.

**I. Consent Items** – There were none.

**II. Minutes**

- May 11, 2015 Special Council Meeting
- May 18, 2015 Regular Council Meeting

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to accept the minutes of May 11, 2015 & May 18, 2015 as presented. Passage 6-0.

**III. Communications, Presentations and Recognitions**

- Art Therapy – Chief Crowell presented the “Art Therapy Program.”
- Josh Vink, LA Arts presented a proposal to the City of Auburn for 2015-16 funding for two Auburn based initiatives.
- Recognition – Mayor LaBonté publically recognized John Storer, Auburn Water and Sewer District Superintendent for his 13 years of dedicated service to the City of Auburn.

**IV. Open Session** –

No one from the public spoke.

**VII. Unfinished Business**

**1. Order 40-05182015**

Authorizing the Finance Director to reallocate of unspent proceeds in the amount of \$766,000 from the City’s general obligation bonds. Second reading.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to authorize the Finance Director to reallocate unspent proceeds in the amount of \$766,000 from the City’s general obligation bonds.

Public Comment – No one spoke

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

**2. Order 41-05182015**

Authorizing the Finance Director to execute issuance of general obligation bonds and a tax levy therefore. Second reading.

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley authorizing the Finance Director to execute issuance of general obligation bonds and a tax levy therefore.

Public Comment – No one spoke

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

**VIII. New Business**

Motion was made by Councilor Gerry and seconded by Councilor LaFontaine to suspend rules to add a Resolve supporting the Joint Charter Commission. There was a 3-3 tie vote (Councilors Lee, LaFontaine, and Crowley opposed) and the Mayor voted in favor to break the tie. Passage 4-3. It will be placed on the agenda as Item #5 under New Business.

**3. Order 44-06012015**

Approving the liquor license for CAVU Restaurant, LLC., DBA CAVU Café located at 80 Airport Drive, Auburn, Maine. Public Hearing.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to approve the liquor license for CAVU Restaurant, LLC., DBA CAVU Café located at 80 Airport Drive, Auburn, Maine.

Public Hearing –

- Delian Valeriani, Manager at CAVU Café.
- Chip Morrison, 46 Lake St. Auburn.

Passage 6-0

**4. Resolve 03-06012015**

Approving the Appropriations Resolve for Fiscal Year 2016. Public Hearing and first reading.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to approve the Appropriations Resolve for Fiscal Year 2016.

Public Hearing – No one spoke.

Motion was made by Councilor Crowley and seconded by Councilor Gerry to postpone the vote to the next regular Council Meeting.

Motion fails 2-3-1 (Councilor Lee, Councilor LaFontaine and Councilor Young oppose; Councilor Walker abstained)

Passage of original motion 4-2 (Councilor Crowley and Councilor Gerry opposed)  
A roll call vote was taken.



5. **Resolve 04-06012015**

**Resolve, Expressing the Support of the City Council of the \_\_\_\_\_ for the Process Now Underway to develop a Plan and Charter for the Possible Consolidation of the cities of Lewiston and Auburn for Presentation to the voters in November 2016.**

Whereas, the Cities of Lewiston and Auburn are recognized leaders in the State of Maine for intergovernmental cooperation, working together to cost effectively provide a wide range of services from water pollution control to public transportation; and

Whereas, at a joint Lewiston Auburn City Council meeting held on May 1, 2013, the Councils discussed the concept of municipal consolidation as the next step in cooperation; and

Whereas, following the discussion held at this joint meeting, residents of both Lewiston and Auburn organized successful petition campaigns for the purpose of creating a Joint Charter commission to explore and formalize a consolidation effort; and

Whereas, members of a Joint Charter Commission were elected in June 2014 and have been working diligently since then; and

Whereas, the Commission has tentatively selected the general election of November 2016 as the date where the communities will vote on a charter that would formally consolidate the two communities into a single local government; and

Whereas, it is right and appropriate that the residents of Lewiston and Auburn have the opportunity to vote on whether to approve a joint charter and consolidate the two communities;

**Now, therefore, be it resolved by the City Council of the \_\_\_\_\_ that:**

We support the process now underway to develop a plan and charter for a consolidated Lewiston Auburn that is tentatively scheduled to be presented to the voters of our community in November 2016. We urge all residents to become informed about and participate in this process in order to be prepared to vote on whether or not to adopt a joint charter and become one municipality.

Motion was made by Councilor Gerry and seconded by Councilor Walker to adopt the resolve as brought forward by the Joint Charter Commission.

Motion was made by Councilor Lee and seconded by Councilor LaFontaine to postpone until the next meeting.

Motion fails 2-4 (Councilor Young, Councilor Crowley, Councilor Walker and Councilor Gerry opposed)

Public Comment –

- Chip Morrison, 46 Lake St., Auburn.
- Andy Titus, 24 Rubellite Lane, Auburn
- Joe Gray, Sopers Mill Rd., Auburn

- Larry Pelletier, 129 Second St., Auburn

Original motion fails 3-3 (Councilor Crowley, Councilor Lee & Councilor Gerry opposed) Mayor LaBonté abstains from voting to break the tie. Motion failed.

## IX. Reports

**Mayor's Report** – Spoke about attending the groundbreaking at Good Shepherd Food Bank, he received a letter from the Human Rights Campaign stating that they have a ranking system for communities in the country and Auburn is on the list of communities they will be reviewing. He attended the Build Maine Conference that was hosted in Lewiston/Auburn and provided a brief presentation on how the work of place and economic development plays out in Auburn. On Wednesday, Howard and Eric and other staff members will be meeting with Commissioner Bernhardt to have a discussion around transportation priorities in the Auburn Community.

**Councilor Young** reported that he and his wife attended the Edward Little High School Graduation.

**Councilor LaFontaine** noted that the Special Municipal Election is being held on June 09, 2015, a few things going on with the Library – the Library has expanded funding sources by creating an on-line auction, the Library has started their summer hours closing at 6:00 pm on Thursday's and 1:00 pm on Saturday's, and a telescope was purchased with the Cornerstones Grant.

**Councilor Lee** commented on attending the Build Maine Conference.

**Councilor Walker** noted that he attended the Edward Little High School Graduation.

**Councilor Gerry** noted that the Special Municipal Election is June 9<sup>th</sup>, absentee ballots are still available, and commented on the School Budget.

**Councilor Crowley** wanted to say thank you to the Auburn Fire Department and the many volunteers who participated and presented in decoration day events, she appreciates the residents that attended the service at Oak Hill Cemetery and those that stopped by Central Fire Station, dates to watch – Friday June 5<sup>th</sup> is the Adult Education Graduation at Edward Little High School, Saturday, June 06 is National Trails Day, Tuesday, June 9<sup>th</sup> is Election Day, Absentee Ballots are still available, Thursday, June 11<sup>th</sup> at 5:30 pm there will be a neighborhood info session regarding the State plans for Rt. 4 at CMCC, Sunday June 14<sup>th</sup> Flag Day celebration and service at Lake Grove Park starting at 5 PM, watch for an announcement by the City of Auburn of a Downtown Auburn Architectural Walk, visiting hours will be Tuesday, June 16<sup>th</sup> from 2-4 and Thursday June 25<sup>th</sup> from 5-6 at the Auburn Public Library.

**Manager Report** – The City Manager wanted to thank the Fire Department, Public Services Department, Edward Little Students and educators that came out to Oak Hill Cemetery and placed flags on Veterans markers, next Tuesday, June 9<sup>th</sup> is the Special Municipal Election, he wanted to thank the Planning Staff for their ongoing effort of working with Community Little Theatre, Sunday June 14<sup>th</sup> a Flag Day celebration and service will be held at Lake Grove

Park starting at 5 PM, he congratulated John Storer for his new position he will be taking in Rochester, NH, he congratulated all Edward Little Graduates, he congratulated Jan Biron for her 30<sup>th</sup> Anniversary with the City of Auburn, and Norway Savings Bank secured the University of Maine Hockey Coach Red Gendron and Staff to facilitate a clinic a 4 day youth hockey camp from August 17-20.

**X. 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*.

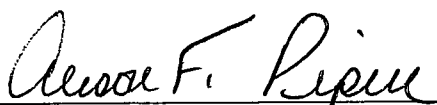
No one from the public spoke.

**XI. Adjournment**

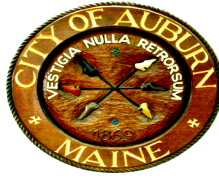
Motion was made by Councilor LaFontaine and seconded by Councilor Crowley to adjourn. All were in favor and the meeting adjourned at 8:58 PM.

A True Copy.

ATTEST

  
Alison F. Pepin, Deputy City Clerk

**OFFICE OF THE MAYOR  
CITY OF AUBURN**



**PROCLAMATION**

**TO RECOGNIZE AND CONGRATULATE JIM WELLEHAN, RECIPIENT OF  
THE 2015 MADDY CORSON COMMUNITY CATALYST AWARD**

WHEREAS, Jim Wellehan, is president and co-owner of Lamey Wellehan a successful 100 year old Auburn based family shoe store; and

WHEREAS, Lamey Wellehan has provided a four year scholarship to a Maine student committed to Maine's economy and/or environment as their chosen area of study at a Maine college or university for over twenty years; and

WHEREAS, Mr. Wellehan is passionate for the betterment of his community and encourages community involvement; and

WHEREAS, Mr. Wellehan is dedicated to protecting the environment and in 1993 Lamey Wellehan started a company-wide recycling program; and

WHEREAS, Mr. Wellehan collects and provides gently worn boots, shoes, and sneakers to the needy and for the Kids Running Program organized by the Police Activities League (PAL) in Auburn; and

NOW, THEREFORE, BE IT RESOLVED, that the City of Auburn herewith recognizes and thanks Jim Wellehan for his generosity, dedication, and commitment to the community and we congratulate him for the well deserved honor of being named the 2015 recipient of the Maddy Corson Community Catalyst Award.

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**Jonathan P. LaBonté - Mayor**



## City Council Information Sheet

City of Auburn

**Council Workshop or Meeting Date:** 15 June 15

**Order**

**Author:** Howard Kroll

**Subject:** County Budget issues and potential legal action

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### Information:

Androscoggin County Commissioners decided that the Budget Committee had advisory power only after the budget committee recommended that the Commissioners salary and benefits be reduced due to the future hiring of a County Administrator (yet to be hired). By doing this most if not all of the County municipalities felt that the commissioners have violated the law and that the budget committee does have authority based on the amended county charter of 2012.

While I feel that is an important component of this discussion the more pressing issue for the City of Auburn is the lack of service we get from the County for the lion share of the budget we pay and unfortunately had to cover this year (increase of over \$90,000).

On Wednesday, 10 June 2015 the City of Lewiston held a meeting with elected officials across the county and all were in favor of seeking legal action against the county if the Commissioners did not reverse their decision. The cost of the legal action would be split amongst each community based on valuation. Auburn having the second highest valuation would be paying \$2,563 based on a \$10,000 legal fund. Discussions during this meeting recommended that the legal fund be increased to a larger amount based on the potential length of time it would take to get this issue resolved.

I have prepared a resolve you should endorse tonight and seek a commitment to paying for legal fees out of the FY16 Legal Budget that will hopefully end the debate on the Budget Committee's status.

While I remain optimistic that resolution can occur the greater question still remains why are we not considering other options that can potentially save the City money? A great deal of money in fact.

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**Advantages:** Working with our neighboring community on similar issues such as this and more importantly fixing this problem so that it doesn't occur again.

**Disadvantages:** Potential legal costs that might be unforeseen and dragged out by the County.

**City Budgetary Impacts:** ~~Committing legal fees up to a certain amount.~~

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**Staff Recommended Action:** Approve the resolve and direct City Manager on his staff's role during this process. NO staff is appointed just to be there for support.

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**Previous Meetings and History:** NONE

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### Attachments:

Council Resolve;  
County Charter- proposed Amendment; and  
Financial Breakdown by municipality

City Manager or Assistant City Manager signature: \_\_\_\_\_ Date: \_\_\_\_\_

## 5.5 BUDGET COMMITTEE

**5.5.1 General Procedures:** The Board shall submit its proposed budget to the Budget Committee in a timely fashion and, in no event, later than 90 days prior to the beginning of the fiscal year. The Board shall provide the Committee with necessary clerical assistance, office expenses, and with meeting space, as well as access to County files and information needed to carry out its functions. Requests for such assistance shall be channeled through the County Administrator.

**5.5.2 First Meeting of the Budget Committee:** On the call of the Board, the Budget Committee shall, after public notice, hold a meeting at the County Building or at such other location as is designated in the call, at least 90 days prior to the commencement of the fiscal year. All meetings of the Budget Committee shall be open to the public except that the Budget Committee may hold executive sessions where permitted by 1 M.R.S.A. § 405 (the Freedom of Access Law). The Committee shall elect a chairperson from its membership and may also appoint such other officers as it may deem necessary. The Budget Committee may create such sub-committees as may be necessary to effectively perform its duties. A majority of the entire membership of the Budget Committee shall constitute a quorum.

5.5.2.1 Budget Review Process: The Budget Committee shall review the itemized budget submitted by the Commission, together with any supplementary materials prepared by the County Administrator, County Commission, or head of each county department or office. The Budget Committee shall prepare a proposed final budget, which may increase, decrease, or alter the Commission's proposed budget, provided that:

- a. The Budget Committee records in its minutes an explanation for any suggested change in the proposed budget as submitted by the Commission; and
- b. The total estimated revenues, together with the amount of county tax to be levied, equals the total estimated expenditures in the proposed final budget.

~~The Budget Committee shall have the authority to reject or modify any line item in the budget by the affirmative vote of 11 of its members. The Budget Committee's proposed budget shall include proposed salaries and benefits for elected officials.~~

**5.5.3 Submission of Proposed Budget to Board:** When the Budget Committee has completed its deliberations, it shall hold a public hearing to present its proposed budget not less than 30 days before the beginning of the fiscal year. Notice of the hearing must be given in all newspapers of general circulation within the County at least 10 days before the hearing. Written notice of the hearing and a copy of the proposed budget shall also be sent by regular or electronic mail or delivered in person to each of the municipal clerks in the county who shall be responsible for notifying the municipal officials in their municipalities of the proposed budget as well as the date and time of the budget hearing. After the public hearing, the Budget Committee may further increase, decrease, or alter the proposed budget based on information obtained during the public hearing. The proposed budget must be approved by a majority vote of the full budget committee membership not later than 15 days prior to the beginning of the county's fiscal year. The Board of Commissioners may not further increase, decrease, alter or revise the final budget as approved by the Budget Committee, except by a 2/3 vote of the full Board of Commissioners. If the final

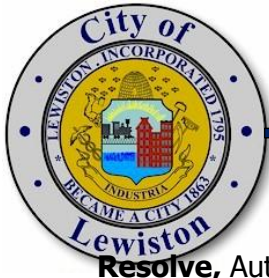
budget approved by the Budget Committee is changed by the Board of Commissioners, the Budget Committee may reject that change by the affirmative vote of 11 of its members. Those actions shall be final and not subject to further action by either the Board of Commissioners or Budget Committee. shall approve a final proposed budget and transmit the same to the Board for its approval.

**5.5.4 Adoption of Budget; Tax Levy:** ~~The Board has the authority to modify the proposed budget and the authority to adopt the final budget for the County. The Board shall act on the proposed budget in a timely fashion and, in any event, shall vote to adopt the final budget not later than 15 days prior to the end of the fiscal year.~~ The budget as adopted shall be the final authorization for the assessment of county taxes which shall be apportioned and collected in accordance with 30-A M.R.S.A. § 706. A copy of the final approved budget shall be filed with the State Auditor as provided by law.

Potential Legal Cost Allocation

Municipality	2015 % AV	Cumulative Percentage	Share at \$ 10,000
Lewiston	28.38%	28.4%	\$ 2,838
Auburn	25.63%	54.0%	\$ 2,563
Poland	8.57%	62.6%	\$ 857
Lisbon	6.97%	69.6%	\$ 697
Turner	5.93%	75.5%	\$ 593
Durham	4.59%	80.1%	\$ 459
Greene	4.06%	84.1%	\$ 406
Sabattus	3.68%	87.8%	\$ 368
Livermore	2.41%	90.2%	\$ 241
Minot	2.36%	92.6%	\$ 236
Leeds	2.19%	94.8%	\$ 219
Livermore Falls	1.98%	96.8%	\$ 198
Mechanic Falls	1.88%	98.6%	\$ 188
Wales	1.36%	100.0%	\$ 136
	99.99%		\$ 9,999





**COUNCIL RESOLVE**

**Resolve,** Authorizing Legal Action Against Androscoggin County Regarding Certain Elements of the County Charter Relating to Elected Official Compensation and Benefits and the Authority of the County Budget Committee.

Whereas, in 2012, the voters of Androscoggin County approved a new county charter changing the nature, responsibilities, and composition of both the Board of County Commissioners (the Board) and the County Budget Committee (the Committee); and

Whereas, the Committee's role was redefined from approving all county budget expenditures to advising on such expenditures, but with two exceptions: a requirement that the County elected officials' compensation and benefits be approved by the Committee (County Charter section 3.7) and authorizing the Committee to override specific line items recommended by the Board by an affirmative vote of 11 of its members (County Charter Section 5.5.2); and

Whereas, when the new charter went into effect, the newly constituted Committee and the transitional Board agreed that Section 3.7 of the Charter ultimately meant that the Board could not set its own salaries or benefits since final authority remained with the Committee; and

Whereas, this same understanding was reiterated without objection at the outset, during, and at the conclusion of this year's budget process; and

Whereas, only following final presentation of the budget and the adjournment of the Committee did the Board (upon an opinion solicited from the County's legal counsel) disregard the Committee's action on Commissioner compensation; and

Whereas, the official version of the charter provided to the municipal clerks prior to the charter election and upon which the voters cast their ballots clearly indicated that the County Budget Committee had the authority to change line items in the budget proposed by the Commissioners with a supermajority vote of 11 of its members; and

Whereas, subsequent to the approval of the charter, the Commissioners requested the legislature to make certain "non-substantive" changes to the voter approved charter to address practical problems in implementing the new charter; and

Whereas, one of the changes requested – to amend the charter to transform the Budget Committee into an advisory body only – constituted a substantive change; and

Whereas, subsequent to the legislature's adoption of a resolve directing the Commissioners to amend the charter as requested by the Commissioners, the Commissioners amended the charter to eliminate the Budget Committee's authority to make changes in the budget by a supermajority vote; and

Whereas, Maine Revised Statutes, 30-A M.R.S.A. § 1353, states that a county charter may give the board the authority to appropriate money according to the budget so long as the budget is approved by the finance committee, and the Budget Committee functions as the finance committee under 30-A M.R.S.A. § 1353 ; and

Whereas, Maine Revised Statutes, 30-A M.R.S.A. §§ 725 and 1352 provide that the Androscoggin County Budget Committee has final approval of the budget unless otherwise provided in a charter adopted by the county.

Whereas, state law also requires that amendments to county charters adopted by referendum must be approved by referendum, a process that was not followed in this case; and

Whereas, the county's municipalities have strongly objected to the County Commission's interpretation of the county charter that, in effect, denies any meaning to Section 3.7 of the charter dealing with the compensation and benefits of elected officials; and

Whereas, the municipalities also object to the Commission taking unilateral action without consultation with its municipalities to pursue a substantive change in the charter to transform the budget committee into a purely advisory body; and

Whereas, the Commission's proposal to place an amendment to section 3.7 of the charter on the November ballot is unacceptable in that it continues to advance the Commission's position that the budget committee is and remains purely advisory; and

Whereas, when presented recently with a proposed charter amendment to clarify the ability of the Budget Committee to make line item budget changes with a supermajority vote, the Commission failed to take action; and

Whereas, these actions of the Commission have undermined the checks and balances intended by the framers of the Charter and the will of the public as expressed in their approval of a county charter that clearly and unequivocally provided authority to the Budget Committee to approve elected official salaries and benefits and to make changes in the county budget with a supermajority vote, actions that have served to undermine the legitimacy of the County's governance structure;

**Now, therefore, be it resolved by the City Council of the City of Lewiston** that the firm of Brann & Isaacson is hereby authorized to initial legal action against Androscoggin County in regard to certain actions of the Commissioners relating to elected official compensation and benefits and the authority of the county budget committee, subject to the participation of the lesser of seven other communities or communities representing two thirds or more of the total municipal assessed value of the county and to share costs and expenses in accordance with the formula used to allocate the County Tax; and

**Be It Further Resolved** that Lewiston is authorized to act as fiscal agent for the communities joining in this legal action, and the City Manager is authorized to enter into such agreements as the Manager deems necessary to implement the foregoing resolutions; and

**Be It Further Resolved** that the Council designates Councilor Gerry as its representative to any meetings of the communities participating in this effort.



## City Council Information Sheet

City of Auburn

**Council Workshop or Meeting Date:** 6-15-2015

**Resolve** 03-06012015

**Author:** Jill Eastman, Finance Director

**Subject:** Resolve Adopting the 2015—2016 Annual Appropriation and Revenue Resolve (First Reading and Public Hearing)

**Information:** In accordance with the city Charter, Article 8, Section 8.6, prior to the fiscal year the City Council shall adopt an annual appropriation resolve making appropriations by department, fund, services, strategy or other organizational unit and authorizing an allocation for each program or activity.

The Council has been supplied with a resolve to adopt the annual appropriations for the City of Auburn, which includes final figures for revenue, total appropriation and municipal budget.

The school appropriation resolve has been incorporated into this annual appropriation resolve for the City of Auburn.

Two readings are required for passage of this resolve. The second reading will be scheduled for the next Council meeting on June 15, 2015.

**Advantages:** By Charter the annual appropriation resolve must be passed before the end of the current fiscal year. The public hearing allows public comment and the second reading will not take place for 2 weeks, which would allow enough time to make amendments if necessary.

**Disadvantages:** None

**City Budgetary Impacts:** N/A

**Staff Recommended Action:** Staff recommends passage of the resolve on first reading.

**Previous Meetings and History:** Budget presentation on March 23, 2015, various budget workshops in April and May. Public hearing and passage of first reading on June 1, 2015.

**Attachments:**

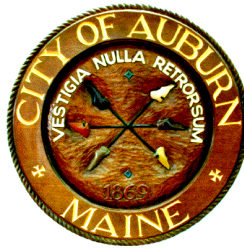
Resolve for the 2015-2016 Annual Appropriation and Revenue

Summary of Proposed Budget (with reductions of \$173,509 to cover the School Resource Officers and maintain the 1.8% increase)

Summary of Estimated Non Property Tax Revenue

List of Changes made to cover the School Resource Officers in the Municipal Budget

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



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

Jonathan LaBonte, Mayor

## IN CITY COUNCIL

### RESOLVE 03-06012015

RESOLVED, that the following be, and hereby is the Annual Appropriation and Revenue Resolve of the City of Auburn for the fiscal year 2015-2016, which includes the amounts appropriated herein and revenues from all sources beginning July 1, 2015 and ending June 30, 2016.

The estimated aggregate amount of non-property tax revenue is \$35,176,298 with a municipal revenue budget of \$12,558,137 and a School Department revenue budget of \$22,618,161.

The aggregate appropriation for the City of Auburn is \$77,552,581, with a municipal budget of \$36,348,116 County budget of \$2,142,268 and a School Department budget of \$39,062,197 which received School Committee approval on May 6, 2015, and school budget approved at the May 11, 2015 Council Meeting pursuant to the School Budget Validation vote on June 11, 2015, in accordance with Maine Revised Statues, Title 20-A § 1486 and based on the budget submitted to the Auburn City Council on March 23, 2015, by the City Manager, and notification was posted on the City of Auburn website on May 28, 2015 that a public hearing would be held on June 1, 2015 at 7:00 p.m. and said hearing having been held on that date, and as amended by the City Council, the same is hereby appropriated for the fiscal year 2015-2016 beginning July 1, 2015 for the lawful expenditures of the City of Auburn and the County of Androscoggin taxes, and said amounts are declared not to be in excess of the estimated revenue from taxation and sources other than taxation for the fiscal year of 2015-2016.

### SCHOOL BUDGET ARTICLES

1. That \$15,417,903.00 be authorized to be expended for Regular Instruction;
2. That \$8,693,851.00 be authorized to be expended for Special Education;
3. That \$-0- be authorized to be expended for Career and Technical Education;
4. That \$785,509.00 be authorized to be expended for Other Instruction;
5. That \$4,074,510.00 be authorized to be expended for Student and Staff Support;
6. That \$861,384.00 be authorized to be expended for System Administration;
7. That \$1,367,775.00 be authorized to be expended for School Administration;
8. That \$1,097,905.00 be authorized to be expended for Transportation and Buses;
9. That \$5,214,297.00 be authorized to be expended for Facilities Maintenance;
10. That \$1,128,505.00 be authorized to be expended for Debt Service and Other Commitments;
11. That \$420,558.00 be authorized to be expended for All Other Expenditures;

12. That \$39,062,197.00 be appropriated for the total cost of funding public education from Pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act and that \$16,444,036.00 be raised as the municipality's contribution to the total cost of funding public education from Pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act in accordance with the Maine Revised Statutes, Title 20-A, section 15688;

**Statutory Recommendation**    **\$16,566,669**  
**City Council Adopted**         **\$16,444,036**

***Explanation:** The city's contribution to the total cost of funding public education from Pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act is the amount of money determined by state law to be the minimum amount that a municipality must raise in order to receive the full amount of state dollars.*

13. That \$1,128,505.00 be raised and appropriated for the annual payments on debt service previously approved by the city's legislative body for non-state-funded school construction projects, non-state-funded portions of school construction projects and minor capital projects in addition to the funds appropriated as the local share of the city's contribution to the total cost of funding public education from Pre-kindergarten to grade 12;

***Explanation:** Non-state-funded debt service is the amount of money needed for the annual payments on the city's long-term debt for major capital school construction projects and minor capital renovation projects that are not approved for state subsidy. The bonding of this long-term debt was previously approved by the voters or other legislative body.*

14. That \$0.00 be raised and appropriated in additional local funds for school purposes under the Maine Revised Statutes, Title 20-A, section 15690;

***Explanation:** The additional local funds are those locally raised funds over and above the municipality's local contributions to the total cost of funding public education from Pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act and local amounts raised for the annual payment on non-state-funded debt service that will help achieve the school department budget for education programs.*

15. That the school committee be authorized to expend \$38,641,639.00 for the fiscal year beginning July 1, 2015 and ending June 30, 2016 from the city's contribution to the total cost of funding public education from Pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act, non-state-funded school construction projects, additional local funds for school purposes under the Maine Revised Statutes, Title 20-A, section 15690, unexpended balances, tuition receipts, fund balances, state subsidy and other receipts for the support of schools;

16. That the City of Auburn appropriate \$382,955.00 for adult education and raise \$189,080.00 as the local share, with authorization to expend any additional incidental or miscellaneous receipts in the interest for the well-being of the adult education program;

17. That the City of Auburn raise and appropriate \$37,603.00 for the services of Community Services-Crossing Guards.
18. That in addition to amount approved in the preceding articles, the school committee be authorized to expend such other sums as may be received from federal or state grants or programs or other sources during the fiscal year for school purposes, provided that such grants, programs or other sources do not require the expenditure of other funds not previously appropriated;
19. That the City of Auburn increase the amount of the total school budget and the amounts the school committee is authorized to expend under the previous article, to the extent of any unanticipated increase in the adjusted state contribution under the Essential Programs and Services funding model.

CITY OF AUBURN  
FY 2016 EXPENDITURES  
COMPARISON FY15 AND FY16 BUDGETS

	COUNCIL ADOPTED BUDGET FY 14-15	MANAGER PROPOSED BUDGET FY 15-16	\$ Change	% Change
<b>City Expenses</b>				
Operating Expenses	25,278,480	25,769,972	491,492	1.94%
Debt Service/TIF	8,847,968	8,924,778	76,810	0.87%
Intergovernmental	3,741,502	3,795,634	54,132	1.45%
<b>Total City Expenses</b>	<b>37,867,950</b>	<b>38,490,384</b>	<b>622,434</b>	<b>1.64%</b>
<b>School Expenses</b>				
Operating Expenses	35,534,192	36,220,126	685,934	1.93%
Debt Service	2,707,131	2,842,071	134,940	4.98%
<b>Total School Expenses</b>	<b>38,241,323</b>	<b>39,062,197</b>	<b>820,874</b>	<b>2.15%</b>
<b>Total Expenses</b>	<b>76,109,273</b>	<b>77,552,581</b>	<b>1,443,308</b>	<b>1.90%</b>
<b>Less: Non-Tax Revenues</b>				
City	12,390,584	12,558,137	167,553	1.35%
School	22,092,693	22,618,161	525,468	2.38%
<b>Total Non-Tax Revenues</b>	<b>34,483,277</b>	<b>35,176,298</b>	<b>693,021</b>	<b>2.01%</b>
<b>Tax Levy</b>				
City	23,430,486	23,789,979	359,493	1.53%
School	16,148,630	16,444,036	295,406	1.83%
County Overlay	2,046,880	2,142,268	95,388	4.66%
<b>Total Tax Levy</b>	<b>41,625,996</b>	<b>42,376,283</b>	<b>750,287</b>	<b>1.80%</b>
Total Assessed Value	1,984,917,378	1,976,187,978		
Tax Rate				
City	11.79	12.04	0.25	2.12%
School	8.13	8.32	0.19	2.35%
County	1.03	1.08	0.05	5.12%
<b>Total</b>	<b>20.95</b>	<b>21.44</b>	<b>0.49</b>	<b>2.36%</b>

CITY OF AUBURN  
FY 2016 EXPENDITURES  
COMPARISON FY15 AND FY16 BUDGETS

CLASSIFICATION	COUNCIL ADOPTED BUDGET FY 14-15	DEPARTMENT PROPOSED BUDGET FY 15-16	MANAGER PROPOSED BUDGET FY 15-16	COUNCIL ADOPTED BUDGET FY 15-16	Increase (Decrease) from Prior Year Budget	Percentage of Increase (Decrease)
<b><u>Administration</u></b>						
City Clerk	164,593	201,296	165,053		460	0.28%
City Manager	280,750	269,340	269,340		(11,410)	-4.06%
Economic Development	359,500	361,080	361,080		1,580	0.44%
Finance	605,135	621,705	619,855		14,720	2.43%
Human Resources	139,578	147,319	143,526		3,948	2.83%
IT	413,829	433,825	390,190		(23,639)	-5.71%
Legal Services	65,000	65,000	65,000		0	0.00%
Mayor & Council	78,532	82,133	77,366		(1,166)	-1.48%
<b>Total Administration</b>	<b>2,106,917</b>	<b>2,181,698</b>	<b>2,091,410</b>	<b>0</b>	<b>(15,507)</b>	<b>-0.74%</b>
<b><u>Community Services</u></b>						
Health & Social Services						
Administration	86,972	87,855	75,722		(11,250)	-12.94%
Assistance	105,982	108,989	108,989		3,007	2.84%
Planning & Permitting	902,494	1,000,215	906,631		4,137	0.46%
Recreation & Special Events	355,469	340,871	338,871		(16,598)	-4.67%
Public Library	960,692	987,516	979,516		18,824	1.96%
<b>Total Community Services</b>	<b>2,411,609</b>	<b>2,525,446</b>	<b>2,409,729</b>	<b>0</b>	<b>(1,880)</b>	<b>-0.08%</b>
<b><u>Fiscal Services</u></b>						
Debt Service	6,263,936	6,324,864	6,324,864		60,928	0.97%
Emergency Reserve	375,289	375,289	375,289		0	0.00%
Facilities	698,335	686,736	653,080		(45,255)	-6.48%
Transfer to TIF	2,584,032	2,599,914	2,599,914		15,882	0.61%
Fringe Benefits	4,737,117	5,318,296	5,171,309		434,192	9.17%
Workers' Compensation	468,081	496,536	496,536		28,455	6.08%
<b>Total Fiscal Services</b>	<b>15,126,790</b>	<b>15,801,635</b>	<b>15,620,992</b>	<b>0</b>	<b>494,202</b>	<b>3.27%</b>
<b><u>Public Safety</u></b>						
Fire	4,057,633	4,111,634	4,099,634		42,001	1.04%
Fire EMS Transport	635,468	622,801	549,801		(85,667)	-13.48%
Police	3,738,108	4,149,848	3,870,995		132,887	3.55%
<b>Total Public Safety</b>	<b>8,431,209</b>	<b>8,884,283</b>	<b>8,520,430</b>	<b>0</b>	<b>89,221</b>	<b>1.06%</b>
<b><u>Public Services</u></b>						
Public Services	4,628,839	4,576,189	4,525,898		(102,941)	-2.22%
Solid Waste	822,071	927,278	927,278		105,207	12.80%
Water & Sewer	599,013	599,013	599,013		0	0.00%
<b>Total Public Works</b>	<b>6,049,923</b>	<b>6,102,480</b>	<b>6,052,189</b>	<b>0</b>	<b>2,266</b>	<b>0.04%</b>



CITY OF AUBURN  
FY 2016 EXPENDITURES  
COMPARISON FY15 AND FY16 BUDGETS

CLASSIFICATION	COUNCIL ADOPTED BUDGET FY 14-15	DEPARTMENT PROPOSED BUDGET FY 15-16	MANAGER PROPOSED BUDGET FY 15-16	COUNCIL ADOPTED BUDGET FY 15-16	Increase (Decrease) from Prior Year Budget	Percentage of Increase (Decrease)
<b>Total Municipal</b>	<b>34,126,448</b>	<b>35,561,042</b>	<b>34,694,750</b>	<b>0</b>	<b>568,302</b>	<b>1.67%</b>
<b><u>Intergovernmental Programs</u></b>						
County Taxes	2,046,880	2,142,268	2,142,268		95,388	4.66%
Tax Sharing	270,000	270,000	270,000		0	0.00%
Auburn-Lewiston Municipal Airport	105,000	182,000	105,000		0	0.00%
Community Little Theater	0				0	0.00%
LA Arts	17,000	0			(17,000)	-100.00%
Museum LA	0	0			0	0.00%
Lew-Aub Economic Growth Council (see EconDev)		0			0	0.00%
Lew-Aug Transit Committee	211,377	209,244	209,244		(2,133)	-1.01%
Auburn Only Transportation	23,996				(23,996)	-100.00%
Lew-Aub 911 Communications Center	1,067,249	1,100,631	1,069,122		1,873	0.18%
<b>Total Intergovernmental Programs</b>	<b>3,741,502</b>	<b>3,904,143</b>	<b>3,795,634</b>	<b>0</b>	<b>54,132</b>	<b>1.45%</b>
<b>Grand Total Municipal</b>	<b>37,867,950</b>	<b>39,465,185</b>	<b>38,490,384</b>	<b>0</b>	<b>622,434</b>	<b>1.64%</b>
Education Operation	35,534,192	37,305,671	36,220,126		685,934	1.93%
Education Debt Service	2,707,131	2,842,071	2,842,071		134,940	4.98%
<b>Total School</b>	<b>38,241,323</b>	<b>40,147,742</b>	<b>39,062,197</b>	<b>0</b>	<b>820,874</b>	<b>2.15%</b>
<b>Total Budget</b>	<b>76,109,273</b>	<b>79,612,927</b>	<b>77,552,581</b>	<b>0</b>	<b>1,443,308</b>	<b>1.90%</b>

CITY OF AUBURN  
 FY 2016 EXPENDITURES  
 COMPARISON FY15 AND FY16 BUDGETS

CLASSIFICATION	COUNCIL ADOPTED BUDGET FY 14-15	DEPARTMENT PROPOSED BUDGET FY 15-16	MANAGER PROPOSED BUDGET FY 15-16	COUNCIL ADOPTED BUDGET FY 15-16	Increase (Decrease) from Prior Year Budget	Percentage of Increase (Decrease)
Non-Property Tax Revenue						
Municipal	12,390,584	12,558,137	12,558,137	0	167,553	1.35%
Education	22,092,693	22,618,161	22,618,161	0	525,468	2.38%
<b>Total</b>	<b>34,483,277</b>	<b>35,176,298</b>	<b>35,176,298</b>	<b>0</b>	<b>693,021</b>	<b>2.01%</b>
Property Tax Dollars Needed						
Municipal	25,477,366	26,907,048	25,932,247	0	454,881	1.79%
Education	16,148,630	17,529,581	16,444,036	0	295,406	1.83%
<b>Total</b>	<b>41,625,996</b>	<b>44,436,629</b>	<b>42,376,283</b>	<b>0</b>	<b>750,287</b>	<b>1.80%</b>
<b>Property Tax Rate Based on Assessed Values of :</b>	<b>20.95</b>	<b>22.49</b>	<b>21.44</b>	<b>0.00</b>	<b>0.49</b>	<b>2.36%</b>
	<b>1,984,917,378</b>	<b>1,976,187,978</b>	<b>1,976,187,978</b>	<b>1,976,187,978</b>		
<b>Property Tax Rate</b>						
Municipal Tax Rate	\$12.82	\$13.62	\$13.12	\$0.00	0.30	2.36%
Education Tax Rate	\$8.13	\$8.87	\$8.32	\$0.00	0.19	2.35%
	<b>20.95</b>	<b>22.49</b>	<b>21.44</b>	<b>0.00</b>	<b>0.49</b>	<b>2.36%</b>

CITY OF AUBURN  
 FY 2016 REVENUES  
 COMPARISON FY15 AND FY16 BUDGETS

CLASSIFICATION	COUNCIL ADOPTED BUDGET FY 14-15	MANAGER PROPOSED BUDGET FY 15-16	COUNCIL ADOPTED BUDGET FY 15-16	Increase (Decrease) from Prior Year Budget	Percentage of Increase (Decrease)
<b><u>General Government</u></b>					
Homestead Exemption Reimbursement	495,000	505,000		10,000	2.02%
Personal Property Reimbursement	1,350,000	1,555,000		205,000	0.00%
Tree Growth Reimbursement	10,000	10,000		-	0.00%
Veterans Reimbursement	18,000	18,000		-	0.00%
CDBG Reimbursement	8,000	8,000		-	0.00%
In Lieu of Taxes	80,000	90,000		10,000	12.50%
Excise Tax-Vehicles	3,160,000	3,315,000		155,000	4.91%
Excise Tax-Boats	15,000	15,000		-	0.00%
Excise Tax-Aircraft	10,000	20,000		10,000	100.00%
State Revenue Sharing	1,649,470	1,477,641		(171,829)	-10.42%
Other State Aid	4,000	4,000		-	0.00%
Penalties & Interest	145,000	150,000		5,000	3.45%
Investment Income	10,000	5,000		(5,000)	-50.00%
Interest from Bonds	2,000	2,000		-	0.00%
Transfer in from TIF	500,000	545,000		45,000	9.00%
Transfer in from Special Revenue Funds	310,000			(310,000)	-100.00%
Transfer in from Parking Program	55,000	-		(55,000)	-100.00%
Transfer in from Police Drug Money	45,000	45,000		-	0.00%
Transfer in from Recreation Special Revenue	41,720	42,718		998	2.39%
Rental Income (Intermodal)	122,000	18,000		(104,000)	-85.25%
Sale of Property	20,000	20,000		-	0.00%
Tax Sharing Revenue	155,000	155,000		-	0.00%
Cable Television Franchise	126,000	126,000		-	0.00%
MMWAC Host Fees	206,000	210,000		4,000	1.94%
Energy Efficiency	-	-		-	#DIV/0!
Reimbursement-Other	10,000	10,000		-	0.00%
Utility Reimbursement	27,500	27,500		-	0.00%
Unclassified	10,000	10,000		-	0.00%
Fund Balance Contribution	1,350,000	1,650,000		300,000	22.22%
<b>Total General Government</b>	<b>9,934,690</b>	<b>10,033,859</b>	<b>-</b>	<b>99,169</b>	<b>1.00%</b>

CITY OF AUBURN  
FY 2016 REVENUES  
COMPARISON FY15 AND FY16 BUDGETS

CLASSIFICATION	COUNCIL ADOPTED BUDGET FY 14-15	MANAGER PROPOSED BUDGET FY 15-16	COUNCIL ADOPTED BUDGET FY 15-16	Increase (Decrease) from Prior Year Budget	Percentage of Increase (Decrease)																																																																														
<b><u>City Clerk</u></b>																																																																																			
Hunting/Fishing/Dogs	2,000	2,000		-	0.00%																																																																														
Neutered Animals	3,000	3,000		-	0.00%																																																																														
Voter Reg List	100	100		-	0.00%																																																																														
Clerk/Sale of Copies	200	200		-	0.00%																																																																														
City Clerk Notary	1,800	1,800		-	0.00%																																																																														
Banner Hanging Fee	3,300	3,300		-	0.00%																																																																														
Garage Sale Permits	3,000	3,000		-	0.00%																																																																														
Commercial License	40,000	40,000		-	0.00%																																																																														
Taxi License	4,000	4,000		-	0.00%																																																																														
Marriage License	5,000	5,000		-	0.00%																																																																														
Birth/Death/Marriage Cert	25,000	25,000		-	0.00%																																																																														
Permits - Burial	7,000	7,000		-	0.00%																																																																														
Fines-Dog	3,000	3,000		-	0.00%	<b>Total City Clerk</b>	<b>97,400</b>	<b>97,400</b>	<b>-</b>	<b>-</b>	<b>0.00%</b>	<b><u>Finance</u></b>						Reg - Vehicles	60,000	60,000		-	0.00%	<b>Total Finance</b>	<b>60,000</b>	<b>60,000</b>	<b>-</b>	<b>-</b>	<b>0.00%</b>	<b><u>Community Services-ICT</u></b>						GIS/Data & Maps	20	20		-	0.00%	<b>Total Community Services-ICT</b>	<b>20</b>	<b>20</b>	<b>-</b>	<b>-</b>	<b>0.00%</b>	<b><u>Assessing</u></b>						Maps & Copies	20	20		-	0.00%	<b>Total Assessing</b>	<b>20</b>	<b>20</b>	<b>-</b>	<b>-</b>	<b>0.00%</b>	<b><u>Health &amp; Social Services</u></b>						GA Reimbursement	70,000	70,000		-	0.00%	<b>Total Health &amp; Social Services</b>	<b>70,000</b>	<b>70,000</b>	<b>-</b>	<b>-</b>	<b>0.00%</b>
<b>Total City Clerk</b>	<b>97,400</b>	<b>97,400</b>	<b>-</b>	<b>-</b>	<b>0.00%</b>																																																																														
<b><u>Finance</u></b>																																																																																			
Reg - Vehicles	60,000	60,000		-	0.00%																																																																														
<b>Total Finance</b>	<b>60,000</b>	<b>60,000</b>	<b>-</b>	<b>-</b>	<b>0.00%</b>																																																																														
<b><u>Community Services-ICT</u></b>																																																																																			
GIS/Data & Maps	20	20		-	0.00%																																																																														
<b>Total Community Services-ICT</b>	<b>20</b>	<b>20</b>	<b>-</b>	<b>-</b>	<b>0.00%</b>																																																																														
<b><u>Assessing</u></b>																																																																																			
Maps & Copies	20	20		-	0.00%																																																																														
<b>Total Assessing</b>	<b>20</b>	<b>20</b>	<b>-</b>	<b>-</b>	<b>0.00%</b>																																																																														
<b><u>Health &amp; Social Services</u></b>																																																																																			
GA Reimbursement	70,000	70,000		-	0.00%																																																																														
<b>Total Health &amp; Social Services</b>	<b>70,000</b>	<b>70,000</b>	<b>-</b>	<b>-</b>	<b>0.00%</b>																																																																														

CITY OF AUBURN  
FY 2016 REVENUES  
COMPARISON FY15 AND FY16 BUDGETS

CLASSIFICATION	COUNCIL ADOPTED BUDGET FY 14-15	MANAGER PROPOSED BUDGET FY 15-16	COUNCIL ADOPTED BUDGET FY 15-16	Increase (Decrease) from Prior Year Budget	Percentage of Increase (Decrease)
<b><u>Planning &amp; Permitting</u></b>					
Maps & Copies	500	500		-	0.00%
Departmental Reviews	16,000	16,000		-	0.00%
Planning/Codes & Ordinance	-	-		-	0.00%
Fire Alarm Inspections	29,000	29,000		-	0.00%
Citation Ordinance	2,000	2,000		-	0.00%
Advertising Costs	5,000	5,000		-	0.00%
Lisbon Reimbursement for Services	10,000	10,000		-	0.00%
Permits - Building	110,000	110,000		-	0.00%
CDBG Reimbursement for Services	50,000	50,000		-	0.00%
Permits - Electrical	16,000	18,000		2,000	12.50%
Permits - Plumbing	10,500	11,000		500	4.76%
Permits - Sign	5,000	5,000		-	0.00%
<b>Total Planning &amp; Permitting</b>	<b>254,000</b>	<b>256,500</b>	<b>-</b>	<b>2,500</b>	<b>0.98%</b>
<b><u>Parks &amp; Recreation</u></b>					
Arena	-	-	-	-	0.00%
Recreation Program	-	-	-	-	0.00%
<b>Total Parks &amp; Recreation</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>0.00%</b>
<b><u>Community Services-Engineering</u></b>					
Fees - Eng-Misc	-	-	-	-	0.00%
Fees - Inspection	5,000	6,000		1,000	20.00%
Fees - Drive Opening	200	200		-	0.00%
Fees - Bid Documents	1,000	1,000		-	0.00%
Permits - Fill	1,000	1,000		-	0.00%
Permits - Street Opening	25,000	40,000		15,000	60.00%
<b>Total Community Services-Engineering</b>	<b>32,200</b>	<b>48,200</b>	<b>-</b>	<b>16,000</b>	<b>49.69%</b>
<b><u>Fire Department</u></b>					
Copies of Reports	200	200		-	0.00%
Inspections	-	-		-	0.00%
EMS Transport	987,551	1,250,000		262,449	26.58%
EMS Agreement	-	-	-	-	0.00%
Salvage Calls	100	100		-	0.00%
Permits - Oil Burner	800	800		-	0.00%
<b>Total Fire Department</b>	<b>988,651</b>	<b>1,251,100</b>	<b>-</b>	<b>262,449</b>	<b>26.55%</b>

CITY OF AUBURN  
FY 2016 REVENUES  
COMPARISON FY15 AND FY16 BUDGETS

CLASSIFICATION	COUNCIL ADOPTED BUDGET FY 14-15	MANAGER PROPOSED BUDGET FY 15-16	COUNCIL ADOPTED BUDGET FY 15-16	Increase (Decrease) from Prior Year Budget	Percentage of Increase (Decrease)
<b><u>Police Department</u></b>					
Accident & Police	13,000	13,000		-	0.00%
Court	15,000	15,000		-	0.00%
Photos & Tapes	2,000	2,000		-	0.00%
False Alarms	15,000	15,000		-	0.00%
Animal Impound	1,000	1,000		-	0.00%
Veh Rel/Non Driver	2,000	2,000		-	0.00%
Veh Rel/Driver Licence	11,000	11,000		-	0.00%
ARRA Cops Grant	119,351	95,685		(23,666)	-19.83%
MDEA Reimbursement	60,102	61,000		898	1.49%
School Resource Officers	173,150	-		(173,150)	-100.00%
Computer Crimes	72,000	21,353		(50,647)	-70.34%
Permits - Alarms	-	-		-	0.00%
Permits - Firearms	4,000	4,000		-	0.00%
Fines - Parking Violations	26,000	60,000		34,000	130.77%
<b>Total Police Department</b>	<b>513,603</b>	<b>301,038</b>		<b>(212,565)</b>	<b>-41.39%</b>
<b><u>Public Works</u></b>					
Community Cords	-	-	-	-	
State/Local Road Assistance	440,000	440,000		-	0.00%
<b>Total Public Works</b>	<b>440,000</b>	<b>440,000</b>		<b>-</b>	<b>0.00%</b>
<b>Total Municipal</b>	<b>12,390,584</b>	<b>12,558,137</b>		<b>167,553</b>	<b>1.35%</b>

CITY OF AUBURN  
FY 2016 REVENUES  
COMPARISON FY15 AND FY16 BUDGETS

CLASSIFICATION	COUNCIL ADOPTED BUDGET FY 14-15	MANAGER PROPOSED BUDGET FY 15-16	COUNCIL ADOPTED BUDGET FY 15-16	Increase (Decrease) from Prior Year Budget	Percentage of Increase (Decrease)
<b>School Department</b>					
Reg Secondary Tuition	134,266	179,620		45,354	33.78%
SOS Tuition	90,000	107,576		17,576	19.53%
Adult Ed Tuition	93,300	93,300		-	0.00%
State Subsidy for Education	19,291,333	19,775,072		483,739	2.51%
Debt Service Reimbursement	1,119,906	1,079,600		(40,306)	-3.60%
PreK/CDS	55,000	40,000		(15,000)	-27.27%
Special Ed/Mainecare	125,000	125,000		-	0.00%
State Agency Clients	30,000	48,350		18,350	61.17%
State Aid for Adult Education	98,500	104,761		6,261	6.36%
Miscellaneous	98,506	108,000		9,494	9.64%
Daycare Rent	50,000	50,000		-	0.00%
Fund Balance	906,882	906,882		-	0.00%
<b>Total School</b>	<b>22,092,693</b>	<b>22,618,161</b>	<b>-</b>	<b>525,468</b>	<b>2.38%</b>
<hr/>					
Total Non-Property Tax Revenue - Municipal	12,390,584	12,558,137	-	167,553	1.35%
Total Non-Property Tax Revenue - School	<u>22,092,693</u>	<u>22,618,161</u>	-	<u>525,468</u>	<u>2.38%</u>
<b>Total Non-Property Tax Revenue</b>	<b>34,483,277</b>	<b>35,176,298</b>	<b>-</b>	<b>693,021</b>	<b>2.01%</b>
<hr/>					
Total Proposed Budget - Municipal	37,867,950	38,490,384	-	622,434	1.64%
Total Proposed Budget - School	<u>38,241,323</u>	<u>39,062,197</u>	-	<u>820,874</u>	<u>2.15%</u>
<b>Total Proposed Budget</b>	<b>76,109,273</b>	<b>77,552,581</b>	<b>-</b>	<b>1,443,308</b>	<b>1.90%</b>
<hr/>					
Total Property Tax Dollars Needed - Municipal	25,477,366	25,932,247	-	454,881	1.79%
Total Property Tax Dollars Needed - School	<u>16,148,630</u>	<u>16,444,036</u>	-	<u>295,406</u>	<u>1.83%</u>
<b>Total Property Tax Dollars Needed</b>	<b>41,625,996</b>	<b>42,376,283</b>	<b>-</b>	<b>750,287</b>	<b>1.80%</b>

## BUDGET CHANGES

### Manager Proposed to absorb the SROs after May 11, 2015 Council Meeting

#### Fire

MV Sup-Gasoline	\$	(500)	reduction in contract for 2/3 of FY 16
Diesel	\$	(1,500)	reduction in contract for 2/3 of FY 16

#### LA911

LA 911	\$	(31,509)	Vacant position the will not be filled
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#### Police

MV Sup-Gas & Oil	\$	(10,000)	reduction in contract for 2/3 of FY 16
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#### Public Services

MV Sup-Gasoline	\$	(5,000)	reduction in contract for 2/3 of FY 16
Diesel	\$	<u>(10,000)</u>	reduction in contract for 2/3 of FY 16

**Expenditure Reductions**                    \$    **(58,509)**

#### Estimated Revenue Increases

BETE Reimbursement	\$	(75,000)
Vehicle Excise	\$	(40,000)

**TOTAL OFFSET FOR SROs**                    \$    **(173,509)**





## City Council Information Sheet

City of Auburn

**Council Workshop or Meeting Date:** June 15, 2015

**Order** 45-06152015

**Author:** Sue Clements-Dallaire

**Subject:** Special Amusement Request for 84 Court Restaurant

**Information:** Enka and Genti Suli, owners of 84 Court Restaurant located at 84 Court Street have applied for a Special Amusement Permit to allow them to provide musical entertainment at their restaurant. The application was submitted to Police, Fire, Code, have granted approval of the request.

**Advantages:** Will likely attract additional patrons, both local and out of town and helps to promote Auburn as a business friendly community and a nice place to visit.

**Disadvantages:** Possible noise complaints.

**City Budgetary Impacts:** None

**Staff Recommended Action:** Public hearing and recommend passage.

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

**Attachments:**

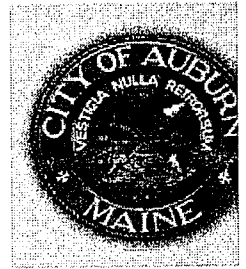
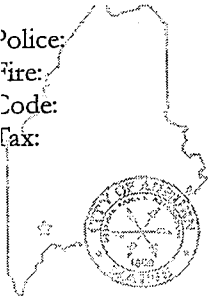
Application

Background check

Public notice

Order 45-06152015

Police:  
Fire:  
Code:  
Fax:



# City of Auburn Special Amusement Permit Application & Re-Application

LICENSE / APPLICATION FEE: \$125.00

DATE OF APPLICATION: 6-1-15

CLASS A – RESTAURANTS WITH ENTERTAINMENT, WHICH DOES NOT HAVE DANCING.

CLASS B – LOUNGES / BARS WITH ENTERTAINMENT, WHICH DOES NOT HAVE DANCING.

CLASS C – EITHER RESTAURANTS OR LOUNGES / BARS WITH ENTERTAINMENT, INCLUDING DANCING.

CLASS D – FUNCTION HALLS WITH ENTERTAINMENT, INCLUDING DANCING.

RENEWAL APPLICANTS: HAS ANY OR ALL OWNERSHIP CHANGED SINCE YOUR LAST APPLICATION? YES NO

BUSINESS NAME: 84 COURT PIZZA & RESTAURANT.

PHYSICAL ADDRESS: Same

(IF A NEW BUSINESS, WHAT WAS FORMERLY IN THIS LOCATION: \_\_\_\_\_)

MAILING ADDRESS: 84 COURT WHEEL ST. AUBURN ME 04210

BUSINESS TELEPHONE NUMBER: (207) 376-4940

OWNER(S): MUST LIST EVERY PERSON OR CORPORATION WHO HAS A FINANCIAL INTEREST IN THE BUSINESS. USE ADDITIONAL PAPER IF NECESSARY.

1. OWNER: GENTI Suli  
DATE OF BIRTH: 6/17/70  
ADDRESS: 60 Pleasant St. / LEWISTON ME 04240  
PRIMARY TELEPHONE NUMBER: (207) 376-4940  
SECONDARY TELEPHONE NUMBER (207) 450-2987.

2. OWNER: ENKA Suli  
DATE OF BIRTH: 2/16/73  
ADDRESS: 60 Pleasant St. Lewiston ME 04240  
PRIMARY TELEPHONE NUMBER: (207) 376-4940  
SECONDARY TELEPHONE NUMBER (207) 253-9335.

3. OWNER: —  
DATE OF BIRTH: —  
ADDRESS: —  
PRIMARY TELEPHONE NUMBER: —  
SECONDARY TELEPHONE NUMBER —

HAS THE APPLICANT / PARTNERS AND OR CORPORATION OFFICERS EVER BEEN ARRESTED, INDICTED OR CONVICTED OF ANY VIOLATION OF LAW? NO

IF YES, LIST WHO, THE DATE, THE LOCATION AND THE OFFENSE(S) CHARGED. —

DOES THE ISSUANCE OF THIS LICENSE DIRECTLY OR INDIRECTLY BENEFIT ANY CITY EMPLOYEE(S)? YES  NO

IF YES, LIST THE NAME(S) OF EMPLOYEE(S) AND DEPARTMENT(S): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

HAVE ANY OF THE APPLICANTS, INCLUDING THE CORPORATION IF APPLICABLE, EVER HELD A BUSINESS LICENSE WITH THE CITY OF AUBURN?  YES  NO

IF YES, PLEASE LIST THE BUSINESS NAME(S) AND LOCATION(S) \_\_\_\_\_

84 COURT 7122 # 5 RESTA. food services.

DESCRIBE IN DETAIL THE KIND AND NATURE OF BUSINESS AND PROPOSED ENTERTAINMENT AND / OR DANCING.

- live enterm. on the deck.  
- live enterm second floor  
- no bands

PLEASE CHECK OFF THE DAYS THAT YOU WILL BE OPEN AND FILL IN THE HOURS OF OPERATION.

SUNDAY	<input checked="" type="checkbox"/>	HOURS:	<u>11am - 10pm</u>
MONDAY	<input type="checkbox"/>	HOURS:	<u>-11- -11-</u>
TUESDAY	<input type="checkbox"/>	HOURS:	<u>-11- -11-</u>
WEDNESDAY	<input type="checkbox"/>	HOURS:	<u>-11- -11-</u>
THURSDAY	<input type="checkbox"/>	HOURS:	<u>-11- -11-</u>
FRIDAY	<input type="checkbox"/>	HOURS:	<u>-11- -11-</u>
SATURDAY	<input type="checkbox"/>	HOURS:	<u>-11- -11-</u>

DESCRIBE IN DETAIL THE ROOM(S) TO BE USED UNDER THE PERMIT.

*The live music area will be in patio (outside) of second floor of the business.*

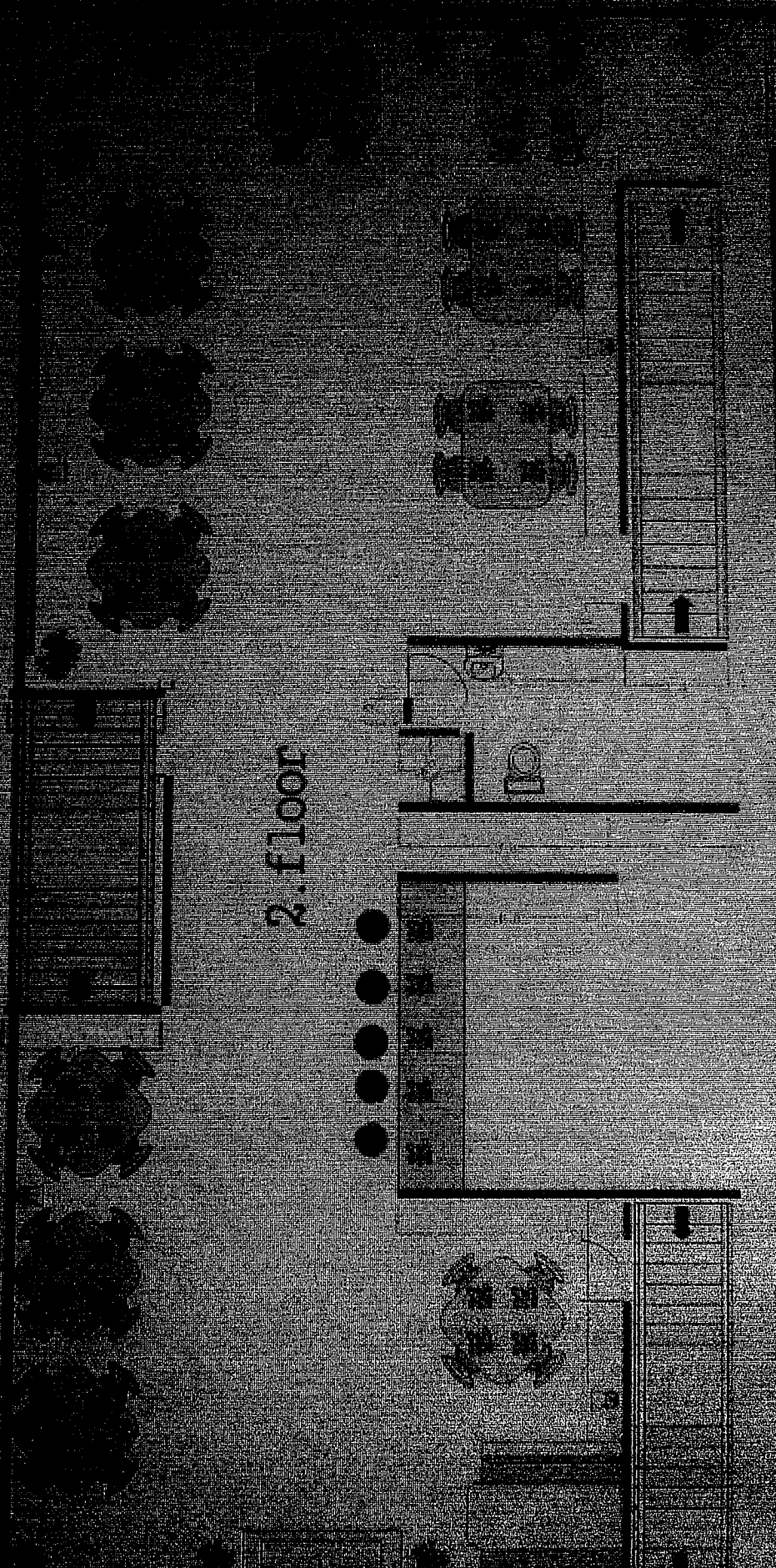
ATTACH A DIAGRAM OR FLOOR PLAN OF YOUR BUSINESS. ON THE DIAGRAM PLEASE LIST THE FOLLOWING:

1. MAIN ENTRANCE
2. SECONDARY ENTRANCES
3. FIRE ESCAPES
4. FIRE EXTINGUISHERS
5. DESIGNATED SMOKING AREAS
6. LOCATION OF STATIONARY SECURITY PERSONNEL
7. FOOD SERVING OR PREPARATION AREAS
8. THE DIRECTION OF ANY SPEAKERS
9. THE DANCING AREA
10. LOCATIONS WHERE ALCOHOL WILL BE SOLD

ATTACH A TYPED LIST OF ALL EMPLOYEES INCLUDING THE FOLLOWING INFORMATION:

- NAME (TO INCLUDE ALL PREVIOUS NAMES USED)
- DATE OF BIRTH
- ADDRESS
- IF THEY HAVE EVER BEEN EVER BEEN ARRESTED, INDICTED OR CONVICTED OF ANY VIOLATION OF LAW?

IF YES, LIST THE DATE, THE LOCATION AND THE OFFENSE(S) CHARGED.



2. floor

10/27/2011

ENTER-  
-TAI.

2

NO ALCOHOL  
BEHIND THIS  
POINT.

NO ALCOHOL  
BEHIND THIS  
POINT.

2  
ENTERTAIN.

HAS THE HAS THE APPLICANT / PARTNERS AND OR CORPORATION OFFICERS EVER HAD A SPECIAL AMUSEMENT LICENSE DENIED OR REVOKED? NO

IF YES, LIST THE DATE, THE LOCATION AND DESCRIBE THE CIRCUMSTANCES. \_\_\_\_\_

**PLEASE BE ADVISED THAT THE APPLICANT OR RE-APPLICANT  
MAY BE REQUIRED TO COMPLY WITH THE FOLLOWING  
CONDITIONS:**

1. APPLICANT AND OR RE-APPLICANT AGREES TO HAVE TWO COUNTERS OR CLICKERS AT EACH ENTRANCE. ONE WILL BE USED TO DOCUMENT THE PATRONS THAT HAVE ENTERED THE ESTABLISHMENT. THE SECOND WILL BE USED TO DOCUMENT THE PATRONS THAT HAVE EXITED THE ESTABLISHMENT. THIS WILL GIVE THE STAFF AND PUBLIC SAFETY PERSONNEL AN ACCURATE COUNT OF PATRONS IN THE ESTABLISHMENT.
2. APPLICANT AND OR RE-APPLICANT AGREES TO HAVE THE MAXIMUM SEATING AND OR OCCUPANCY CAPACITY CLEARLY LISTED IN EACH ROOM THAT IS OPEN TO THE PUBLIC.



3. APPLICANT AND OR RE-APPLICANT AGREES TO HAVE SECURITY AND OR STAFF STATIONED AT ALL TIMES AT ALL ENTRANCES AND EXISTS USED BY THE PUBLIC.

4. APPLICANT AND OR RE-APPLICANT AGREES TO KEEP THE DESIGNATED SMOKING AREA CLEAN AND HAVE APPROPRIATE RECEPTACLES AVAILABLE FOR THEIR PATRONS.

5. APPLICANT AND OR RE-APPLICANT AGREES TO, IF SO ORDERED BY THE CHIEF OF POLICE, TO HIRE SWORN MEMBERS OF THE AUBURN POLICE DEPARTMENT FOR SECURITY. THE RATE WILL BE AT THE CURRENT CITY OF AUBURN DETAIL RATE. THESE OFFICERS WILL SUPPLEMENT THE EXISTING STAFF OR SECURITY. THE BELOW CHART WILL BE USED AS A GUIDE IN DETERMINING THE NUMBER OF OFFICERS REQUIRED.

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

**SPECIAL AMUSEMENT PERMITS SHALL EXPIRE AT THE SAME TIME AS A STATE ISSUED LIQUOR LICENSE.**

**I / WE HEREBY CERTIFY THAT ALL STATEMENTS MADE IN THE APPLICATION ARE TRUE. I / WE AGREE AND UNDERSTAND THAT ANY MISSTATEMENTS OR OMISSIONS OF MATERIAL FACT HEREIN WILL RESULT IN REFUSAL OF LICENSE OR REVOCATION OF LICENSE IF ONE HAS ALREADY BEEN ISSUED.**

**IT IS UNDERSTOOD THAT THIS AND ANY APPLICATION(S) SHALL BECOME PUBLIC RECORD AND THE APPLICANT(S) HEREBY WAIVE(S) ANY RIGHTS TO PRIVACY WITH RESPECT THERETO.**

**I / WE HEREBY AUTHORIZE THE RELEASE OF ANY CRIMINAL HISTORY RECORD TO THE CITY OF AUBURN. I / WE WAIVE ANY RIGHTS TO PRIVACY WITH RESPECT THERETO.**

**I / WE AGREE TO NOT IMPLEMENT ANY CHANGES OR MODIFICATIONS AFTER RECEIVING APPROVAL OF THE SPECIAL AMUSEMENT PERMIT. (SOME EXAMPLES ARE HOURS OF OPERATION, DAYS OF OPERATION AND THE BUILDING LAYOUT)**

**ALL REQUESTS FOR MODIFICATION(S) OF THE APPROVED SPECIAL AMUSEMENT PERMIT MUST BE SUBMITTED IN WRITING TO THE CITY OF AUBURN. ANY CHANGES MADE WITHOUT APPROVAL FROM THE CITY OF AUBURN MAY RESULT IN AN IMMEDIATE SUSPENSION OF THE SPECIAL AMUSEMENT PERMIT.**

**PENALTY: (CITY OF AUBURN ORDINANCE, CHAPTER 14 SECTION 2.23, (8)-(h))**

**VIOLATION OF ANY PROVISION OF SECTION 2.23. SHALL BE PUNISHED BY A CIVIL PENALTY OF FIVE HUNDRED DOLLARS (\$500.00). EACH ACT OF VIOLATION AND EVERY DAY UPON**

WHICH ANY SUCH VIOLATION SHALL OCCUR SHALL CONSTITUTE A SEPARATE OFFENSE. IN ADDITION TO SUCH PENALTY, THE CITY MAY ENJOIN OR ABATE ANY VIOLATION OF SECTION 2.23 BY APPROPRIATE ACTION. IN THE EVENT THAT THE CITY SHALL PREVAIL IN ANY ACTION TO ENFORCE SECTION 2.23, THE CITY SHALL RECOVER ITS COSTS OF SUIT, INCLUDING REASONABLE ATTORNEY FEES.

IT IS UNDERSTOOD THAT I / WE WILL SUBMIT ANY ADDITIONS OR SUBTRACTIONS OF ANY FULL TIME, PART TIME OR VOLUNTEER STAFF MEMBERS WITHIN (7) SEVEN BUSINESS DAYS TO THE CITY OF AUBURN. I / WE AGREE TO SUPPLY THE REQUIRED INFORMATION ON ALL NEW EMPLOYEES. (INFORMATION REQUIRED IS FOUND ON PAGE (4) FOUR IN THIS APPLICATION.)

NAME (PRINTED) ENKELEDDA SUI

SIGNATURE OF INDIVIDUAL [Signature]

IF PARTNERSHIP, BY MEMBERS OF THE PARTNERSHIP.

NAME (PRINTED) MIKAÏLA ST. PIERRE

SIGNATURE OF INDIVIDUAL [Signature]

NAME (PRINTED) RACHEL GAGNE

SIGNATURE OF INDIVIDUAL \_\_\_\_\_

NAME (PRINTED) TYLER KIMBALL

SIGNATURE OF INDIVIDUAL [Signature]

NAME (PRINTED) MELINDA DUYER

SIGNATURE OF INDIVIDUAL \_\_\_\_\_

NAME (PRINTED) AMBER RANDY.

SIGNATURE OF INDIVIDUAL \_\_\_\_\_

ADMINISTRATIVE USE ONLY:

1. APPLICANT AND OR RE-APPLICANT AGREES TO HAVE TWO COUNTERS OR CLICKERS AT EACH ENTRANCE. ONE WILL BE USED TO DOCUMENT THE PATRONS THAT HAVE ENTERED THE ESTABLISHMENT. THE SECOND WILL BE USED TO DOCUMENT THE PATRONS THAT HAVE EXITED THE ESTABLISHMENT. THIS WILL GIVE THE STAFF AND PUBLIC SAFETY PERSONNEL AN ACCURATE COUNT OF PATRONS IN THE ESTABLISHMENT.
  
2. APPLICANT AND OR RE-APPLICANT AGREES TO HAVE THE MAXIMUM SEATING AND OR OCCUPANCY CAPACITY CLEARLY LISTED IN EACH ROOM THAT IS OPEN TO THE PUBLIC.
  
3. APPLICANT AND OR RE-APPLICANT AGREES TO HAVE SECURITY AND OR STAFF STATIONED AT ALL TIMES AT ALL ENTRANCES AND EXISTS USED BY THE PUBLIC.
  
4. APPLICANT AND OR RE-APPLICANT AGREES TO KEEP THE DESIGNATED SMOKING AREA CLEAN AND HAVE APPROPRIATE RECEPTACLES AVAILABLE FOR THEIR PATRONS.

5. APPLICANT AND OR RE-APPLICANT AGREES TO, IF SO ORDERED BY THE CHIEF OF POLICE, TO HIRE SWORN MEMBERS OF THE AUBURN POLICE DEPARTMENT FOR SECURITY. THE RATE WILL BE AT THE CURRENT CITY OF AUBURN DETAIL RATE. THESE OFFICERS WILL SUPPLEMENT THE EXISTING STAFF OR SECURITY. THE BELOW CHART WILL BE USED AS A GUIDE IN DETERMINING THE NUMBER OF OFFICERS REQUIRED.

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

**Chapter 14-Business Licenses & Permits-Article II Sec.14-34 Certification from City Officials** *Before a license is issued the City Clerk shall submit the application for certification to the Code Enforcement Officer, Fire Chief, Chief of Police and City Treasurer. Please allow at least 3 weeks for this process.*

File # 236203 : SULI, ENKLELJDA



**Background Screening Report**

Background Screeners of America  
 18344 Oxnard St Suite 101  
 Tarzana, CA 91356  
 Phone: 866-570-4949  
 Fax: 866-570-5656

FILE NUMBER	236203	REPORT DATE	06-01-2015
REPORT TO	Mid-Maine Drug Screening (105) 250 Center St #403 Auburn, Me 04210 Phone: 207-577-6000 Fax: 207-777-0052	ORDER DATE	06-01-2015 Mitchell Sweetser
		TYPE	Employment Searches Maine

**Application Information**

APPLICANT	SULI, ENKLELJDA	SSN	XXX-XX-9050	DOB	02-16-1973
ADDRESS(ES)	60 PLEASANT ST	CITY / STATE / ZIP	AUBURN, ME 04210		

**Identity Development**

**Person Search - SSN Trace**

RESULTS	<b>Records Found</b>	SEARCH DATE	06-01-2015 11:14 AM MDT
SSN SEARCHED	XXX-XX-9050		

FULL NAME / SSN ENKELEJDA SULI	DOB	<b>Applicant Information</b>		PHONE	REPORTED DATE(S)
	1973-02-16 Age: 42	ADDRESS	60 PLEASANT ST LEWISTON, ME 04240 County: ANDROSCOGGIN	(207)784-0511 (SUL)I, -ENKA	First: 2005-12 Last: 2015-06-01

ENKELEJDO SULI		60 PLEASANT ST LEWISTON, ME 04240 County: ANDROSCOGGIN	(207)784-0511 (SUL)I, -ENKA	First: 2015-04-21 Last: 2015-04-21
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ENLELEDJA SULI		60 PLEASANT ST LEWISTON, ME 04240 County: ANDROSCOGGIN	(207)784-0511 (SUL)I, -ENKA	First: 2008-12-06 Last: 2014-12-22
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ENKELEJDA SULI	1973-02-16 Age: 42	31 JUNIPER LEDGE YARMOUTH, ME 04096 County: CUMBERLAND		First: 2004-05-03 Last: 2005-12
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ENKELEJDA SULI	1973-02-16 Age: 42	60 PLEASANT ST PUTNAM, CT 06260 County: WINDHAM		First: 2005-11-17 Last: 2005-11-17
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ENKELEJDA SULI	1973-02-16 Age: 42	71 BRIDGTON RD WESTBROOK, ME 04092 County: CUMBERLAND		First: 2003-11 Last: 2004-12
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**SSN Information**

SSN	VALID	ISSUED LOCATION	ISSUED DATE RANGE
XXX-XX-9050	Y	MAINE	2002-2004

File # 236203 : SULI, ENKLELJDA

**WARNING:** This search may not be used as the basis for an adverse action on an applicant. It should only be used to verify or correct an applicant's information, or as a tool to further research of public records or other verifications.

Investigative			
ME SBI			
RESULTS	<b>No Reportable Records Found</b>		
NAME SEARCHED	SULI, ENKLELJDA	SEARCH DATE	06-01-2015 12:18 PM MDT
DOB SEARCHED	02-16-1973	SEARCH SCOPE	Not limited in years
JURISDICTION	MAINE		
MAINE STATE BUREAU OF IDENTIFICATION 45 Commerce Drive, Suite 1 / STATE HOUSE STATION # 42 AUGUSTA, ME 04333 (207) 624-7240 (VOICE) (207) 624-4478 (TDD)			
Transaction Response #: MIO99C510662			

### Criminal History Record

#### Introduction

This criminal history record was produced in response to the following request ( Produced on 2015-06-01 ) :

Inquiries Name(s) ENKELEJDA SULI (1973-02-16)

**NO MATCH WAS FOUND FOR YOUR REQUEST.**

**CAUTION:** Based on the information provided Background Screeners of America searched for public records in the sources referenced herein for criminal history information as permitted by federal and state law. 'No Reportable Records Found' means that our researchers could not locate a record that matched at least two personal identifiers (i.e., Name, SSN, Date of Birth, Address) for the subject in that jurisdiction. Further investigation into additional jurisdictions, or utilization of additional identifying information, may be warranted. Please call for assistance.

InstaCriminal National Search			
RESULTS	<b>No Reportable Records Found</b>		
NAME SEARCHED	SULI, ENKLELJDA	SEARCH DATE	06-01-2015 11:13 AM MDT
DOB SEARCHED	02-16-1973	SEARCH SCOPE	
JURISDICTION	NATIONWIDE		
JURISDICTION(S) SEARCHED			
The search you have selected is a search of our criminal database(s) and may not represent 100% coverage of all criminal records in all jurisdictions and/or sources. Coverage details available upon request.			

**CAUTION:** Based on the information provided Background Screeners of America searched for public records in the sources referenced herein for criminal history information as permitted by federal and state law. 'No Reportable Records Found' means that our researchers could not locate a record that matched at least two personal identifiers (i.e., Name, SSN, Date of Birth, Address) for the subject in that jurisdiction. Further investigation into additional jurisdictions, or utilization of additional identifying information, may be warranted. Please call for assistance.

File # 236203 : SULI, ENKLELJDA

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**Disclaimer**

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This report is furnished to you pursuant to the Agreement for Service between the parties and in compliance with the Fair Credit Reporting Act. This report is furnished based upon your certification that you have a permissible purpose to obtain the report. The information contained herein was obtained in good faith from sources deemed reliable, but the completeness or accuracy is not guaranteed.

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**\*\*\* End Of Report \*\*\***

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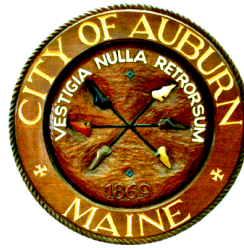
**CITY OF AUBURN  
PUBLIC NOTICE**

A public hearing will be held on Monday, June 15 at 7:00 p.m. or as soon as possible thereafter, in the Council Chambers of Auburn Hall, 60 Court Street, to consider the Special Amusement Application for:

**84 Court Pizza & Restaurant  
84 Court St., Auburn, Maine**

All interested persons may appear to show cause, if any they may have, why this license should not be granted.

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



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

Jonathan P. LaBonte, Mayor

## **IN CITY COUNCIL**

### **ORDER 45-06152015**

ORDERED, that the City Council hereby approves the Special Amusement Permit for 84 Court Pizza & Restaurant located at 84 Court Street.



## City Council Information Sheet

City of Auburn

**Council Workshop or Meeting Date:** June 15, 2015

**Order** 46-06152015

**Author:** Sue Clements-Dallaire

**Subject:** Liquor License and Special Amusement Request for Harsh Hotel, LLC., D/B/A The Fireside Inn

**Information:** Harsh Hotel, LLC., D/B/A The Fireside Inn located at 1777 Washington Street has changed ownership. The new owners are applying for a Liquor License (Food Service Class I -Spirituos, Vinous, Malt), and a Special Amusement Permit. Police, Fire, and Code have completed the necessary inspections and have all granted approval.

**Advantages:** Will likely attract additional patrons, both local and out of town and helps to promote Auburn as a business friendly community and a nice place to visit.

**Disadvantages:** The potential for disorderly conduct.

**City Budgetary Impacts:** None

**Staff Recommended Action:** Public hearing and recommend passage.

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

**Attachments:**

Applications

Background check

Public notice

Order 46-06152015

Police:  
Fire:  
Code:  
Tax:

# CITY OF AUBURN FOOD LICENSE APPLICATION

JUN 04 2015  
JUN 02 2015



New \_\_\_\_\_ Renewal \_\_\_\_\_ Change \_\_\_\_\_

Application date \_\_\_\_\_ Planned opening date \_\_\_\_\_ Expiration date \_\_\_\_\_

License applied for Food Service Establishment (FSE) – Class I

List changes from last license \_\_\_\_\_

Business Hours of operation 7 days 6 AM - 1 AM Sq Footage 6320  
Fee \$ 700 (Based on square footage and type of service)

- Fee \$500.00 (1-2999 square feet)
- Fee \$600.00 (3000-5999 square feet)
- Fee \$700.00 (6000-up)

Please attach a copy of the following: Floor Plan/facility diagram, menu or draft menu, certified food handler certificate with date of certification, and a copy of all state licenses applicable to this application or date of application.

### ALL QUESTIONS MUST BE ANSWERED IN FULL (Use back of application if necessary)

\*\*\*\*\*

BUSINESS

APPLICANT

Business name Danny Boys Iris Pub & Restaurant Owner's name Harsh Hotel LLC

Business address 1777 Washington St Maiden name/ A/K/A Danny Boys

City Auburn State ME Zip 04120 Date of birth \_\_\_\_\_

Mailing address 1777 Washington St Home address 1777 Washington St

City Auburn State ME Zip 04120 City Auburn State ME Zip 04120

Business phone 207-777-1777 Mailing Address 1777 Washington St

Email HPATEL@JHMVS.COM City Auburn State ME Zip 04120

Please indicate address to mail license: Business / Applicant Home phone 781-962-0563

\*\*\*\*\*

Is applicant a corporation or LLC in the State of Maine? Yes  No \_\_\_\_\_

(If answer is "Yes", complete Supplementary Questionnaire for Corporate Applicants)

List all residences, including all places of business, within the last 5 years:

Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ How long \_\_\_\_\_

Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ How long \_\_\_\_\_

Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ How long \_\_\_\_\_

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

Name \_\_\_\_\_ Date of conviction \_\_\_\_\_

Offense \_\_\_\_\_ Location \_\_\_\_\_

Disposition \_\_\_\_\_

If manager is to be employed, complete the following:

Name \_\_\_\_\_ Home address \_\_\_\_\_ Phone \_\_\_\_\_ Date of birth \_\_\_\_\_

Has manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States, within the past 5 year? Yes \_\_\_\_\_ No \_\_\_\_\_ (If yes, complete the following)

Name \_\_\_\_\_ Date of conviction \_\_\_\_\_

Disposition \_\_\_\_\_ Location \_\_\_\_\_

Does applicant(s) own the premises? Yes  No \_\_\_\_\_ (If "No", give name and address of owner)

Name \_\_\_\_\_ Address \_\_\_\_\_

Phone Number \_\_\_\_\_ Email \_\_\_\_\_

\*\*\*\*\*

Food Service Establishment, Seating \_\_\_\_\_ Occupancy load Max 150

Criminal record and/or revocation of driver's license (include driving violations) during the last 5 years:

Date                      Charge                      Court                      Disposition

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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



**BUREAU OF ALCOHOLIC BEVERAGES  
DIVISION OF LIQUOR LICENSING & ENFORCEMENT  
8 STATE HOUSE STATION  
AUGUSTA, ME 04333-0008**

COPY

Promise by any person that he or she can expedite a liquor license through influence should be completely disregarded.  
To avoid possible financial loss an applicant, or prospective applicant, should consult with the Division before making any substantial investment in an establishment that now is, or may be, attended by a liquor license.



DEPARTMENT USE ONLY	
LICENSE NUMBER:	CLASS:
DEPOSIT DATE	
AMT. DEPOSITED:	BY:
CK/MO/CASH:	

PRESENT LICENSE EXPIRES 4/21/15

INDICATE TYPE OF PRIVILEGE:  MALT  SPIRITUOUS  VINOUS

**INDICATE TYPE OF LICENSE:**

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> RESTAURANT (Class I,II,III,IV)   | <input type="checkbox"/> RESTAURANT/LOUNGE (Class XI)       |
| <input checked="" type="checkbox"/> HOTEL-OPTINONAL FOOD (Class I-A) | <input type="checkbox"/> HOTEL (Class I,II,III,IV)          |
| <input type="checkbox"/> CLASS A LOUNGE (Class X)                    | <input type="checkbox"/> CLUB-ON PREMISE CATERING (Class I) |
| <input type="checkbox"/> CLUB (Class V)                              | <input type="checkbox"/> GOLF CLUB (Class I,II,III,IV)      |
| <input type="checkbox"/> TAVERN (Class IV)                           | <input type="checkbox"/> OTHER: _____                       |

**REFER TO PAGE 3 FOR FEE SCHEDULE**

**ALL QUESTIONS MUST BE ANSWERED IN FULL**

<b>1. APPLICANT(S)</b> - (Sole Proprietor, Corporation, Limited Liability Co., etc.) <u>Lafayette Auburn Inc</u> DOB: _____			<b>2. Business Name (D/B/A)</b> <u>Fireade Inn &amp; Suite</u>		
DOB: _____			Location (Street Address) <u>1777 Washington St</u>		
Address <u>155 Littlefield Ave</u>			City/Town <u>Auburn</u>	State <u>Me</u>	Zip Code <u>04216</u>
City/Town <u>Bauger</u>			State <u>Me</u>	Zip Code <u>04401</u>	Mailing Address
Telephone Number <u>207 862 8000</u>		Fax Number <u>862 1465</u>	Business Telephone Number <u>207 777 1777</u>		Fax Number <u>777 1777</u>
Federal I.D. # <u>01-0499335</u>			Seller Certificate # <u>1015030</u>		

3. If premises is a hotel, indicate number of rooms available for transient guests: 100
4. State amount of gross income from period of last license: ROOMS \$ \_\_\_\_\_ FOOD \$ \_\_\_\_\_ LIQUOR \$ \_\_\_\_\_
5. Is applicant a corporation, limited liability company or limited partnership? YES  NO
- If YES, complete Supplementary Questionnaire
6. Do you permit dancing or entertainment on the licensed premises? YES  NO

7. If manager is to be employed, give name: Katheryn Kelly
8. If business is NEW or under new ownership, indicate starting date: \_\_\_\_\_  
 Requested inspection date: 1 Business hours: \_\_\_\_\_
9. Business records are located at: 1777 Washington St. Auburn Me 04210
10. Is/are applicants(s) citizens of the United States? YES  NO
11. Is/are applicant(s) residents of the State of Maine? YES  NO

12. List name, date of birth, and place of birth for all applicants, managers, and bar managers. Give maiden name, if married:  
 Use a separate sheet of paper if necessary.

Name in Full (Print Clearly)	DOB	Place of Birth
<u>Katheryn Kelly</u>	<u>9/31/65</u>	<u>San Diego, CA</u>

Residence address on all of the above for previous 5 years (Limit answer to city & state)  
Katheryn Kelly - Wells, Maine

13. Has/have applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States? YES  NO
- Name: \_\_\_\_\_ Date of Conviction: \_\_\_\_\_  
 Offense: \_\_\_\_\_ Location: \_\_\_\_\_  
 Disposition: \_\_\_\_\_

14. Will any law enforcement official benefit financially either directly or indirectly in your license, if issued?  
 Yes  No  If Yes, give name: \_\_\_\_\_

15. Has/have applicant(s) formerly held a Maine liquor license? YES  NO

16. Does/do applicant(s) own the premises? Yes  No  If No give name and address of owner: \_\_\_\_\_

17. Describe in detail the premises to be licensed: (Supplemental Diagram Required) Hotel, Restaurant,  
Lounge and Conference Center

18. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services?  
 YES  NO  Applied for: \_\_\_\_\_

19. What is the distance from the premises to the NEAREST school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? 3 1/2 Which of the above is nearest? Church

20. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES  NO

If YES, give details: Bank financing

The Division of Liquor Licensing & Inspection is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

NOTE: "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to \$2,000 or both."



Dated at: Hampden Maine on April 8, 20 15  
Town/City, State Date

Please sign in blue ink

Signature of Applicant or Corporate Officer(s)  
John David Lafayette III  
Print Name  
John David Lafayette III

Signature of Applicant or Corporate Officer(s)  
\_\_\_\_\_  
Print Name

**NOTICE - SPECIAL ATTENTION**

All applications for NEW or RENEWAL liquor licenses must contact their Municipal Officials or the County Commissioners unincorporated places for approval of their application for liquor licenses prior to submitting them to the bureau.

**THIS APPROVAL EXPIRES IN 60 DAYS.**

**FEE SCHEDULE**

- Class I Spirituous, Vinous and Malt ..... \$ 900.00  
CLASS I: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers; OTB.
- Class I-A Spirituous, Vinous and Malt, Optional Food (Hotels Only) ..... \$1,100.00  
CLASS I-A: Hotels only that do not serve three meals a day.
- Class II Spirituous Only ..... \$ 550.00  
CLASS II: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; and Vessels.
- Class III Vinous Only ..... \$ 220.00  
CLASS III: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.
- Class IV Malt Liquor Only ..... \$ 220.00  
CLASS IV: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.
- Class V Spirituous, Vinous and Malt (Clubs without Catering, Bed & Breakfasts) ..... \$ 495.00  
CLASS V: Clubs without catering privileges.
- Class X Spirituous, Vinous and Malt - Class A Lounge ..... \$2,200.00  
CLASS X: Class A Lounge
- Class XI Spirituous, Vinous and Malt - Restaurant Lounge ..... \$1,500.00  
CLASS XI: Restaurant/Lounge; and OTB.

FILING FEE..... \$ 10.00

UNORGANIZED TERRITORIES \$10.00 filing fee shall be paid directly to County Treasurer. All applicants in unorganized territories shall submit along with their application evidence of payment to the County Treasurer.

**All fees must accompany application, made payable to the Treasurer of Maine. This application must be completed and mailed to Bureau of Alcoholic Beverages and Lottery Operations, Division of Liquor Licensing and Enforcement, 8 State House Station, Augusta ME 04333-0008. Payments by check subject to penalty provided by Title 28A, MRS, Section 3-B.**

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STATE OF MAINE

Dated at: Auburn, Maine Androscoggin ss  
City/Town (County)

On: 04/17/2015 Date

The undersigned being: [X] Municipal Officers [ ] County Commissioners of the  
[X] City [ ] Town [ ] Plantation [ ] Unincorporated Place of: Auburn, Maine

Hereby certify that we have given public notice on this application and held public hearing thereon as required by Section 653 Title 28A, Maine Revised Statutes and hereby approve said application.

Susan Clements-Dallaire, City Clerk

*Susan Clements-Dallaire*

On Behalf of the Municipal Officers

THIS APPROVAL EXPIRES IN 60 DAYS

NOTICE - SPECIAL ATTENTION

§ 653. Hearings; bureau review; appeal

1. **Hearing.** The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, shall hold a public hearing for the consideration of applications for new on-premise licenses and applications for transfer of location of existing on-premise licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.
  - A. The bureau shall prepare and supply application forms. [1993, c.730, §27(amd).]
  - B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c.140, §4 (amd).]
  - C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premise license, for transfer of the location of an existing on-premise license or for renewal of an on-premise license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premise license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premise license that has been extended pending renewal with 120 days of the filing of the application. [1999, c589, §1 (amd).]
2. **Findings.** In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:
  - A. Conviction of the applicant of any Class A, Class B or Class c crime: [1987, c45, Pt.A§4 (new).]
  - B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control; [1987, c.45, Pt.A§4(new).]
  - C. Conditions of record such as waste disposal violations, health or safety violation or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner; [1993, c.730, §27 (amd).]
  - D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises; [1989, c.592,§3 (amd).]
  - E. A violation of any provision of this Title; and [1989, c.592, §3 (amd).]
  - F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601. [1989, c.592, §4 (new).]
3. **Appeal to bureau.** Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.
  - A. [1993, c.730, §27 (rp).]
4. **No license to person who moved to obtain a license. (REPEALED)**
5. **(TEXT EFFECTIVE 3/15/01) Appeal to District Court.** Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt of the written decision of the bureau. An applicant who files an appeal or who has an appeal pending shall pay the annual license fee the applicant would otherwise pay. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.

**MAINE DEPT OF  
PUBLIC SAFETY**

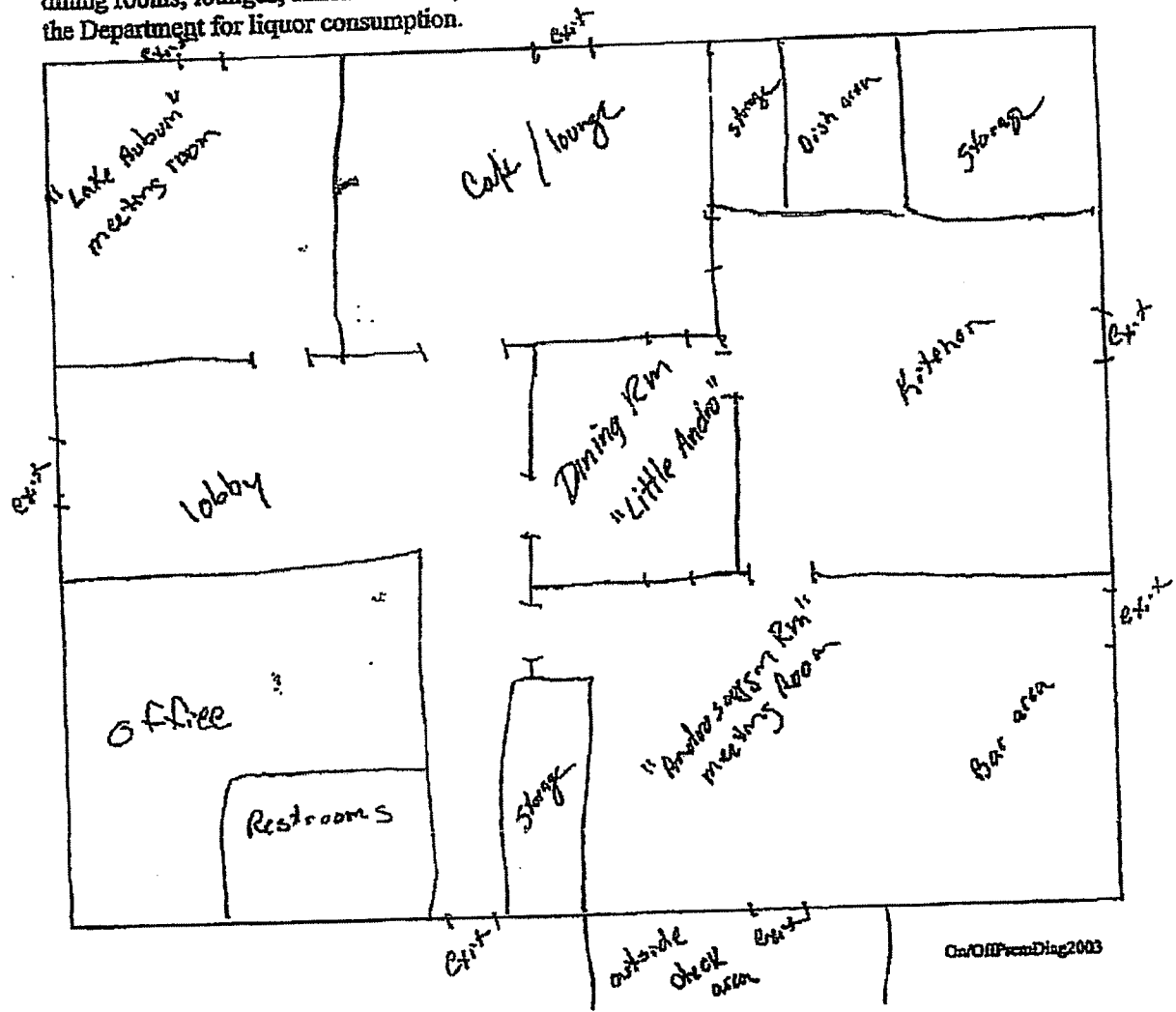
STATE OF MAINE  
*Liquor Licensing & Inspection Division*  
164 State House Station  
Augusta ME 04333-0164  
Tel: (207) 624-7220 Fax: (207) 287-3424



**SUPPLEMENTAL APPLICATION FORM  
ON-PREMISE DIAGRAM**

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

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





**State of Maine**  
 Bureau of Alcoholic Beverages  
 Division of Liquor Licensing and Enforcement

<b>For Office Use Only:</b>	
License #:	_____
Date Filed:	_____

**Supplemental Information Required for  
 Business Entities Who Are Licensees**

For information required for Questions 1 to 4, this information is on file with the Maine Secretary of State's office and must match their record information. Please clearly complete this form in its entirety.

- Exact legal name:  
Lafayette Auburn Inc
- Other business name for your entity (DBA), if any:  
Fireside Inn & Suites Danvers Bay Irish Pub
- Date of filing with the Secretary of State: 1995
- State in which you are formed: Maine
- If not a Maine business entity, date on which you were authorized to transact business in the State of Maine: \_\_\_\_\_
- List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list the percentage ownership: (attached additional sheets as needed)

Name	Address for Previous 5 years	Date of Birth	Ownership %
John D Lafayette	89 Main Rd N Hampden Me 04444	9/17/55	40 Prop
Carl J Lafayette	89 Main Rd N Hampden ME 04444	2/8/56	40 V.P
Jacqueline A Rawcliffe	P.O. Box 59 Hampden Me 04444	7/23/63	5 Prop
Peter H. Daisle	97 Garden Ridge Rd DeLorge Me	1/20/49	5 COO
Ralph Leonard	46 Sergeant Rd Oldtown Me	5/1/30	10

7. Is any principal person involved with the entity a law enforcement official?  
 Yes  No

8. If Yes to Question 7, please provide the name and law enforcement agency:

Name: \_\_\_\_\_ Agency: \_\_\_\_\_

9. Has any principal person involved in the entity ever been convicted of any violation of the law, other than minor traffic violations, in the United States?

Yes  No

10. If Yes to Question 9, please complete the following: (attached additional sheets as needed)

Name: \_\_\_\_\_

Date of Conviction: \_\_\_\_\_

Offense: \_\_\_\_\_

Location of Conviction: \_\_\_\_\_

Disposition: \_\_\_\_\_

**Signature:**

John Daniel Lafayette III  
Signature of Duly Authorized Person

4/8/05  
Date

John Daniel Lafayette III  
Print Name of Duly Authorized Person

---

If you have questions regarding the legal name or assumed (DBA) name on file with the Secretary of State's office, please call (207) 624-7752. The SOS can only speak to the information on file with their office, not the filing of this supplemental information – please direct any questions about this form to our office at the number below.

Submit Completed Forms To: Bureau of Alcoholic Beverages and Lottery  
Operations Division of Liquor Licensing Enforcement  
8 State House Station Augusta, Me 04333-0008  
Telephone Inquiries: (207) 624-7220  
Fax: (207) 287-3434  
Email Inquiries: [MaineLiquor@Maine.gov](mailto:MaineLiquor@Maine.gov)

---

Police:  
Fire:  
Code:  
Tax:



# City of Auburn Special Amusement Permit Application & Re-Application

LICENSE / APPLICATION FEE: \$125.00

DATE OF APPLICATION: 4/7/15

CLASS A – RESTAURANTS WITH ENTERTAINMENT, WHICH DOES NOT HAVE DANCING.

CLASS B – LOUNGES / BARS WITH ENTERTAINMENT, WHICH DOES NOT HAVE DANCING.

CLASS C – EITHER RESTAURANTS OR LOUNGES / BARS WITH ENTERTAINMENT, INCLUDING DANCING.

CLASS D – FUNCTION HALLS WITH ENTERTAINMENT, INCLUDING DANCING.

RENEWAL APPLICANTS: HAS ANY OR ALL OWNERSHIP CHANGED SINCE YOUR LAST APPLICATION?      YES      NO

BUSINESS NAME: Fireside Inn & Suites

PHYSICAL ADDRESS: 1777 Washington St. Auburn Me 04210

(IF A NEW BUSINESS, WHAT WAS FORMERLY IN THIS LOCATION: \_\_\_\_\_)

MAILING ADDRESS: 1777 Washington St. Auburn Me 04210

BUSINESS TELEPHONE NUMBER: 207 777 1777

**OWNER(S): MUST LIST EVERY PERSON OR CORPORATION WHO HAS A FINANCIAL INTEREST IN THE BUSINESS. USE ADDITIONAL PAPER IF NECESSARY.**

1. OWNER: John D Lafayette III  
DATE OF BIRTH: 9/17/55  
ADDRESS: 89 Main Rd N Hampton Me 04444  
PRIMARY TELEPHONE NUMBER: 207 862 8000  
SECONDARY TELEPHONE NUMBER \_\_\_\_\_

2. OWNER: Carl J Lafayette  
DATE OF BIRTH: 2/8/56  
ADDRESS: 89 Main Rd N Hampton Me 04444  
PRIMARY TELEPHONE NUMBER: 207 862 8000  
SECONDARY TELEPHONE NUMBER \_\_\_\_\_

3. OWNER: Jacqueline A Rowcliffe  
DATE OF BIRTH: 7/23/63  
ADDRESS: P.O. Box 58 Hampton Me 04444  
PRIMARY TELEPHONE NUMBER: 207 862 8000  
SECONDARY TELEPHONE NUMBER \_\_\_\_\_

HAS THE APPLICANT / PARTNERS AND OR CORPORATION OFFICERS EVER BEEN **ARRESTED, INDICTED OR CONVICTED** OF ANY VIOLATION OF LAW? NO

IF YES, LIST WHO, THE DATE, THE LOCATION AND THE OFFENSE(S) CHARGED. \_\_\_\_\_



**OWNER(S): MUST LIST EVERY PERSON OR CORPORATION WHO HAS A FINANCIAL INTEREST IN THE BUSINESS. USE ADDITIONAL PAPER IF NECESSARY.**

4. OWNER: Peter H. Daigle  
DATE OF BIRTH: 1/20/48  
ADDRESS: 97 Lander Ridge Rd Doham ME 04429  
PRIMARY TELEPHONE NUMBER: (207) 862-8000  
SECONDARY TELEPHONE NUMBER \_\_\_\_\_

5. OWNER: Ralph Leonard  
DATE OF BIRTH: 5/1/30  
ADDRESS: 46 Sargent Dr. Old Town ME 04468  
PRIMARY TELEPHONE NUMBER: 207-862-9000  
SECONDARY TELEPHONE NUMBER \_\_\_\_\_

3. OWNER: \_\_\_\_\_  
DATE OF BIRTH: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
PRIMARY TELEPHONE NUMBER: \_\_\_\_\_  
SECONDARY TELEPHONE NUMBER \_\_\_\_\_

HAS THE APPLICANT / PARTNERS AND OR CORPORATION OFFICERS EVER BEEN ARRESTED, INDICTED OR CONVICTED OF ANY VIOLATION OF LAW? \_\_\_\_\_

IF YES, LIST WHO, THE DATE, THE LOCATION AND THE OFFENSE(S) CHARGED. \_\_\_\_\_

DOES THE ISSUANCE OF THIS LICENSE DIRECTLY OR INDIRECTLY BENEFIT ANY CITY EMPLOYEE(S)?  YES  NO

IF YES, LIST THE NAME(S) OF EMPLOYEE(S) AND DEPARTMENT(S): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

HAVE ANY OF THE APPLICANTS, INCLUDING THE CORPORATION IF APPLICABLE, EVER HELD A BUSINESS LICENSE WITH THE CITY OF AUBURN?  YES  NO

IF YES, PLEASE LIST THE BUSINESS NAME(S) AND LOCATION(S) La Fayette Auburn, La

\_\_\_\_\_  
\_\_\_\_\_

DESCRIBE IN DETAIL THE KIND AND NATURE OF BUSINESS AND PROPOSED ENTERTAINMENT AND / OR DANCING

Live entertainment for functions or parties in the restaurant (Bands, DJ's, etc)

\_\_\_\_\_  
\_\_\_\_\_

PLEASE CHECK OFF THE DAYS THAT YOU WILL BE OPEN AND FILL IN THE HOURS OF OPERATION. \* Days & hours fluctuate based on function bookings

SUNDAY	<input checked="" type="checkbox"/>	_____	HOURS:	_____
MONDAY	<input checked="" type="checkbox"/>	_____	HOURS:	_____
TUESDAY	<input checked="" type="checkbox"/>	_____	HOURS:	_____
WEDNESDAY	<input checked="" type="checkbox"/>	_____	HOURS:	_____
THURSDAY	<input checked="" type="checkbox"/>	_____	HOURS:	_____
FRIDAY	<input checked="" type="checkbox"/>	_____	HOURS:	_____
SATURDAY	<input checked="" type="checkbox"/>	_____	HOURS:	_____

DESCRIBE IN DETAIL THE ROOM(S) TO BE USED UNDER THE PERMIT. Danny Boye Irish Pub, date Auburn 1  
heating room, little Androscegon heating room,  
Androscegon heating room

ATTACH A DIAGRAM OR FLOOR PLAN OF YOUR BUSINESS. ON THE DIAGRAM PLEASE LIST THE FOLLOWING:

1. MAIN ENTRANCE
2. SECONDARY ENTRANCES
3. FIRE ESCAPES
4. FIRE EXTINGUISHERS
5. DESIGNATED SMOKING AREAS
6. LOCATION OF STATIONARY SECURITY PERSONNEL
7. FOOD SERVING OR PREPARATION AREAS
8. THE DIRECTION OF ANY SPEAKERS
9. THE DANCING AREA
10. LOCATIONS WHERE ALCOHOL WILL BE SOLD

ATTACH A TYPED LIST OF ALL EMPLOYEES INCLUDING THE FOLLOWING INFORMATION:

- NAME (TO INCLUDE ALL PREVIOUS NAMES USED)
- DATE OF BIRTH
- ADDRESS
- IF THEY HAVE EVER BEEN EVER BEEN ARRESTED,  
INDICTED OR CONVICTED OF ANY VIOLATION OF  
LAW? \_\_\_\_\_

IF YES, LIST THE DATE, THE LOCATION AND THE OFFENSE(S) CHARGED. \_\_\_\_\_

HAS THE HAS THE APPLICANT / PARTNERS AND OR CORPORATION OFFICERS EVER HAD A SPECIAL AMUSEMENT LICENSE DENIED OR REVOKED? NO  
IF YES, LIST THE DATE, THE LOCATION AND DESCRIBE THE CIRCUMSTANCES. \_\_\_\_\_  
\_\_\_\_\_

**PLEASE BE ADVISED THAT THE APPLICANT OR RE-APPLICANT  
MAY BE REQUIRED TO COMPLY WITH THE FOLLOWING  
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5. APPLICANT AND OR RE-APPLICANT AGREES TO, IF SO ORDERED BY THE CHIEF OF POLICE, TO HIRE SWORN MEMBERS OF THE AUBURN POLICE DEPARTMENT FOR SECURITY. THE RATE WILL BE AT THE CURRENT CITY OF AUBURN DETAIL RATE. THESE OFFICERS WILL SUPPLEMENT THE EXISTING STAFF OR SECURITY. THE BELOW CHART WILL BE USED AS A GUIDE IN DETERMINING THE NUMBER OF OFFICERS REQUIRED.

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

**SPECIAL AMUSEMENT PERMITS SHALL EXPIRE AT THE SAME  
TIME AS A STATE ISSUED LIQUOR LICENSE.**

**I / WE HEREBY CERTIFY THAT ALL STATEMENTS MADE IN THE APPLICATION ARE TRUE. I / WE AGREE AND UNDERSTAND THAT ANY MISSTATEMENTS OR OMISSIONS OF MATERIAL FACT HEREIN WILL RESULT IN REFUSAL OF LICENSE OR REVOCATION OF LICENSE IF ONE HAS ALREADY BEEN ISSUED.**

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**I / WE AGREE TO NOT IMPLEMENT ANY CHANGES OR MODIFICATIONS AFTER RECEIVING APPROVAL OF THE SPECIAL AMUSEMENT PERMIT. (SOME EXAMPLES ARE HOURS OF OPERATION, DAYS OF OPERATION AND THE BUILDING LAYOUT)**

**ALL REQUESTS FOR MODIFICATION(S) OF THE APPROVED SPECIAL AMUSEMENT PERMIT MUST BE SUBMITTED IN WRITING TO THE CITY OF AUBURN. ANY CHANGES MADE WITHOUT APPROVAL FROM THE CITY OF AUBURN MAY RESULT IN AN IMMEDIATE SUSPENSION OF THE SPECIAL AMUSEMENT PERMIT.**

**PENALTY: (CITY OF AUBURN ORDINANCE, CHAPTER 14 SECTION 2.23, (8)-(h))**

**VIOLATION OF ANY PROVISION OF SECTION 2.23. SHALL BE PUNISHED BY A CIVIL PENALTY OF FIVE HUNDRED DOLLARS (\$500.00). EACH ACT OF VIOLATION AND EVERY DAY UPON**

WHICH ANY SUCH VIOLATION SHALL OCCUR SHALL CONSTITUTE A SEPARATE OFFENSE. IN ADDITION TO SUCH PENALTY, THE CITY MAY ENJOIN OR ABATE ANY VIOLATION OF SECTION 2.23 BY APPROPRIATE ACTION. IN THE EVENT THAT THE CITY SHALL PREVAIL IN ANY ACTION TO ENFORCE SECTION 2.23, THE CITY SHALL RECOVER ITS COSTS OF SUIT, INCLUDING REASONABLE ATTORNEY FEES.

IT IS UNDERSTOOD THAT I / WE WILL SUBMIT ANY ADDITIONS OR SUBTRACTIONS OF ANY FULL TIME, PART TIME OR VOLUNTEER STAFF MEMBERS WITHIN (7) SEVEN BUSINESS DAYS TO THE CITY OF AUBURN. I / WE AGREE TO SUPPLY THE REQUIRED INFORMATION ON ALL NEW EMPLOYEES. (INFORMATION REQUIRED IS FOUND ON PAGE (4) FOUR IN THIS APPLICATION.)

NAME (PRINTED) Matthew Kelly

SIGNATURE OF INDIVIDUAL 

**IF PARTNERSHIP, BY MEMBERS OF THE PARTNERSHIP.**

NAME (PRINTED) \_\_\_\_\_

SIGNATURE OF INDIVIDUAL \_\_\_\_\_

NAME (PRINTED) \_\_\_\_\_

SIGNATURE OF INDIVIDUAL \_\_\_\_\_

NAME (PRINTED) \_\_\_\_\_

SIGNATURE OF INDIVIDUAL \_\_\_\_\_

NAME (PRINTED) \_\_\_\_\_

SIGNATURE OF INDIVIDUAL \_\_\_\_\_

NAME (PRINTED) \_\_\_\_\_

SIGNATURE OF INDIVIDUAL \_\_\_\_\_

**ADMINISTRATIVE USE ONLY:**

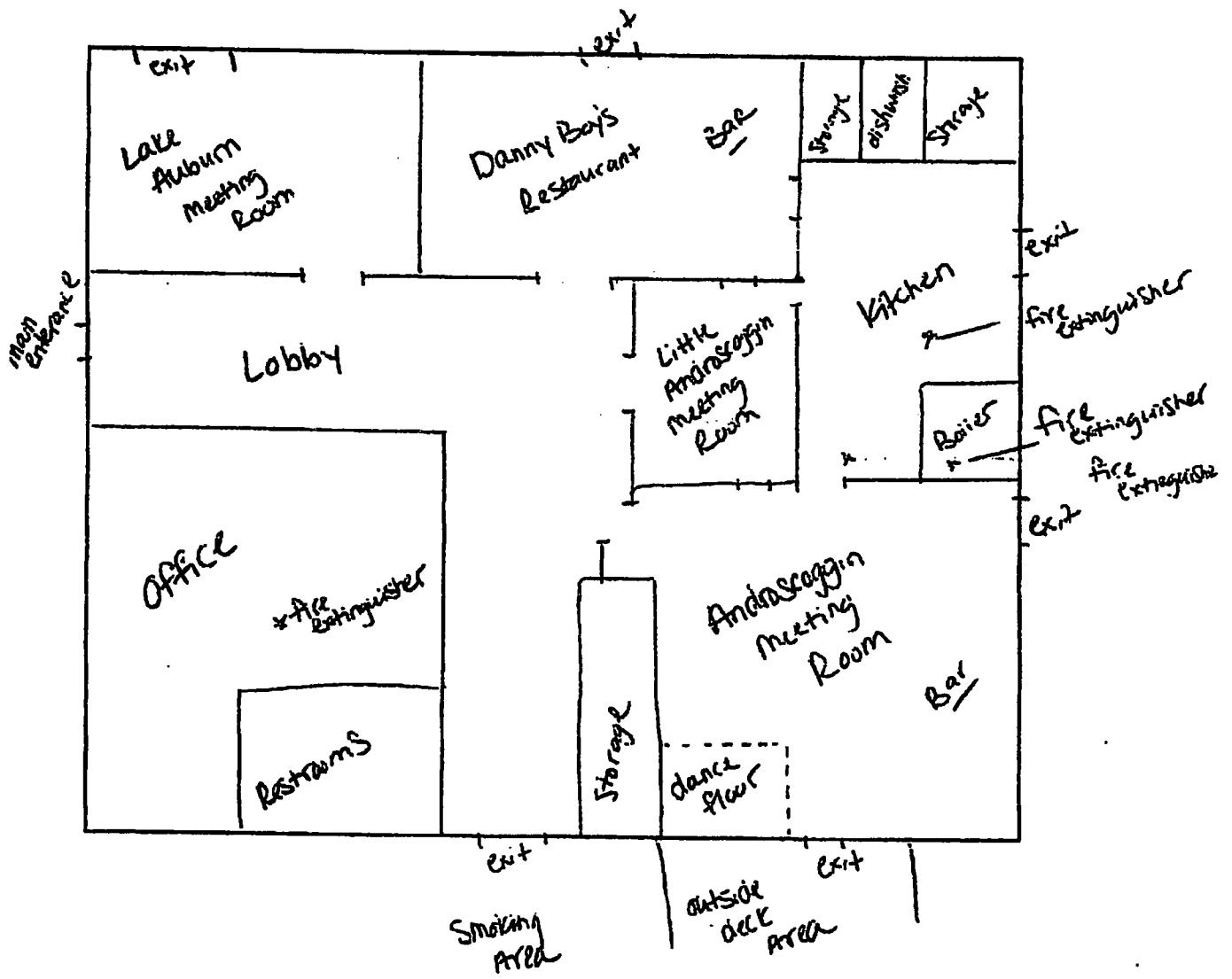
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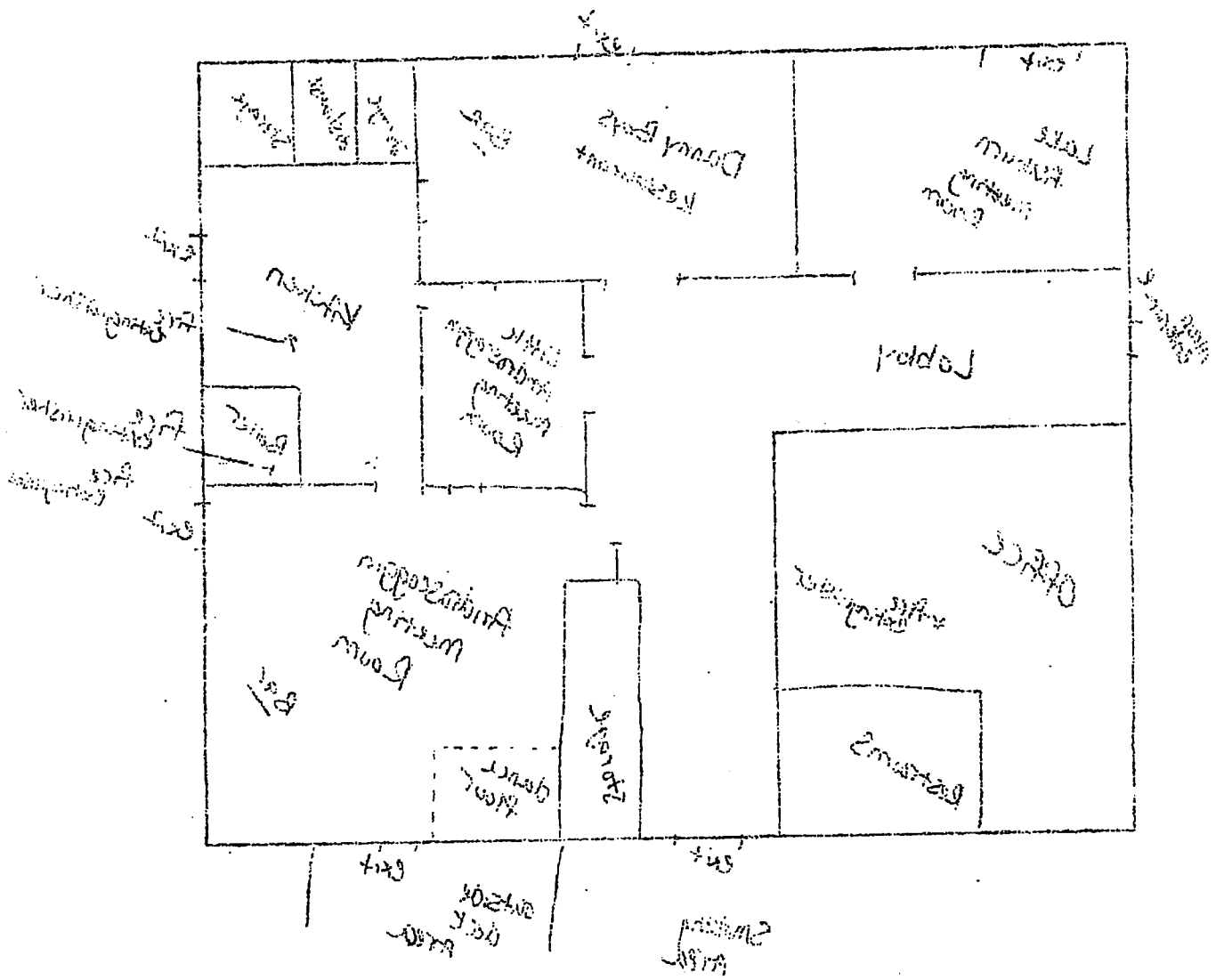


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1--200	2
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401--600	6
601+	One supervisor, and one additional officer for each 200 attendees or portion thereof in excess of 601

**Chapter 14-Business Licenses & Permits-Article II Sec.14-34 Certification from City Officials** *Before a license is issued the City Clerk shall submit the application for certification to the Code Enforcement Officer, Fire Chief, Chief of Police and City Treasurer. Please allow at least 3 weeks for this process.*





**CITY OF AUBURN  
PUBLIC NOTICE**

A public hearing will be held on Monday, June 15 at 7:00 p.m. or as soon as possible thereafter, in the Council Chambers of Auburn Hall, 60 Court Street, to consider the Liquor License application and Special Amusement application for:

**Harsh Hotel, LLC, dba Fireside Inn & Suites  
1777 Washington St., Auburn, Maine**

All interested persons may appear to show cause, if any they may have, why this license should not be granted.

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



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

Jonathan P. LaBonte, Mayor

## **IN CITY COUNCIL**

### **ORDER 46-06152015**

ORDERED, that the City Council hereby approves the Liquor License (Hotel-Optional Food, Class I-A) and Special Amusement Permit for Harsh Hotel, LLC., D/B/A Fireside Inn & Suites located at 1777 Washington Street.



## City Council Information Sheet

City of Auburn

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**Council Workshop or Meeting Date:** June 15, 2015

**Order** 47-06152015

**Author:** Sue Clements-Dallaire

**Subject:** Special Amusement Request for the Penalty Box

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**Information:** The Penalty Box located at The Norway Savings Bank Arena has applied for a Special Amusement Permit. They will be holding a 4<sup>th</sup> of July event in the Parking lot at the arena and they would like to include musical entertainment. Police, Fire, and Code have granted approval.

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**Advantages:** Will likely attract additional patrons, both local and out of town and helps to promote Auburn as a business friendly community and a nice place to visit.

**Disadvantages:** Possible noise complaints.

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**City Budgetary Impacts:** None

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**Staff Recommended Action:** Public hearing and recommend passage.

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

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**Attachments:**

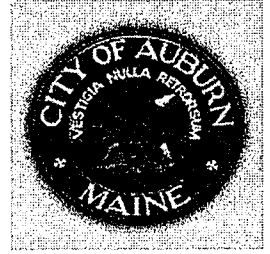
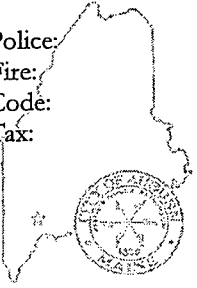
Applications

Background check

Public notice

Order 47-06152015

Police:  
Fire:  
Code:  
Tax:



# City of Auburn Special Amusement Permit Application & Re-Application LICENSE / APPLICATION FEE: \$125.00

DATE OF APPLICATION: 6/10/15

- CLASS A – RESTAURANTS WITH ENTERTAINMENT, WHICH DOES NOT HAVE DANCING.
- CLASS B – LOUNGES / BARS WITH ENTERTAINMENT, WHICH DOES NOT HAVE DANCING.
- CLASS C – EITHER RESTAURANTS OR LOUNGES / BARS WITH ENTERTAINMENT, INCLUDING DANCING.
- CLASS D – FUNCTION HALLS WITH ENTERTAINMENT, INCLUDING DANCING.

RENEWAL APPLICANTS: HAS ANY OR ALL OWNERSHIP CHANGED SINCE YOUR LAST APPLICATION?      YES      NO

BUSINESS NAME: Penalty Box Inc.

PHYSICAL ADDRESS: 985 Turner Street, Auburn, ME 04210

(IF A NEW BUSINESS, WHAT WAS FORMERLY IN THIS LOCATION: NSBA)

MAILING ADDRESS: PO Box 260, Auburn ME, 04212

BUSINESS TELEPHONE NUMBER: (207) 240-8334

**OWNER(S): MUST LIST EVERY PERSON OR CORPORATION WHO HAS A FINANCIAL INTEREST IN THE BUSINESS. USE ADDITIONAL PAPER IF NECESSARY.**

1. OWNER: Kevin Pratt

DATE OF BIRTH: 6-19-66

ADDRESS: 66 Hersey Hill Rd, Winot ME, 04258

PRIMARY TELEPHONE NUMBER: (207) 966-3263

SECONDARY TELEPHONE NUMBER (207) 240-9573

2. OWNER: \_\_\_\_\_

DATE OF BIRTH: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PRIMARY TELEPHONE NUMBER: \_\_\_\_\_

SECONDARY TELEPHONE NUMBER \_\_\_\_\_

3. OWNER: \_\_\_\_\_

DATE OF BIRTH: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PRIMARY TELEPHONE NUMBER: \_\_\_\_\_

SECONDARY TELEPHONE NUMBER \_\_\_\_\_

HAS THE APPLICANT / PARTNERS AND OR CORPORATION OFFICERS EVER BEEN ARRESTED, INDICTED OR CONVICTED OF ANY VIOLATION OF LAW? \_\_\_\_\_

IF YES, LIST WHO, THE DATE, THE LOCATION AND THE OFFENSE(S) CHARGED. \_\_\_\_\_



DOES THE ISSUANCE OF THIS LICENSE DIRECTLY OR INDIRECTLY BENEFIT ANY CITY EMPLOYEE(S)?  YES  NO

IF YES, LIST THE NAME(S) OF EMPLOYEE(S) AND DEPARTMENT(S): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

HAVE ANY OF THE APPLICANTS, INCLUDING THE CORPORATION IF APPLICABLE, EVER HELD A BUSINESS LICENSE WITH THE CITY OF AUBURN?  YES  NO

IF YES, PLEASE LIST THE BUSINESS NAME(S) AND LOCATION(S) Penalty Bar Inc.  
\_\_\_\_\_  
\_\_\_\_\_

DESCRIBE IN DETAIL THE KIND AND NATURE OF BUSINESS AND PROPOSED ENTERTAINMENT AND / OR DANCING.

We have a Tavern / Restaurant Lounge area. Serve Food. Looking to do special events on premise and parking lot of premise that may include DJ or Live Entertainment.  
\_\_\_\_\_  
\_\_\_\_\_

PLEASE CHECK OFF THE DAYS THAT YOU WILL BE OPEN AND FILL IN THE HOURS OF OPERATION.

SUNDAY	<u>7am - 1pm</u>	HOURS: <u>18</u>
MONDAY	<u>12pm - 1pm</u>	HOURS: <u>13</u>
TUESDAY	<u>12pm - 1pm</u>	HOURS: <u>13</u>
WEDNESDAY	<u>12pm - 1pm</u>	HOURS: <u>13</u>
THURSDAY	<u>12pm - 1pm</u>	HOURS: <u>13</u>
FRIDAY	<u>12pm - 1pm</u>	HOURS: <u>13</u>
SATURDAY	<u>7am - 1pm</u>	HOURS: <u>18</u>

DESCRIBE IN DETAIL THE ROOM(S) TO BE USED UNDER THE PERMIT. Have Current Diagram on File

Tavern / Mezzine Level  
Approximately 6,500 sq FT of Space

ATTACH A DIAGRAM OR FLOOR PLAN OF YOUR BUSINESS. ON THE DIAGRAM PLEASE LIST THE FOLLOWING: Have on file @ City

1. MAIN ENTRANCE
2. SECONDARY ENTRANCES
3. FIRE ESCAPES
4. FIRE EXTINGUISHERS
5. DESIGNATED SMOKING AREAS
6. LOCATION OF STATIONARY SECURITY PERSONNEL
7. FOOD SERVING OR PREPARATION AREAS
8. THE DIRECTION OF ANY SPEAKERS
9. THE DANCING AREA
10. LOCATIONS WHERE ALCOHOL WILL BE SOLD

ATTACH A TYPED LIST OF ALL EMPLOYEES INCLUDING THE FOLLOWING INFORMATION:

- NAME (TO INCLUDE ALL PREVIOUS NAMES USED)
- DATE OF BIRTH
- ADDRESS
- IF THEY HAVE EVER BEEN EVER BEEN ARRESTED, INDICTED OR CONVICTED OF ANY VIOLATION OF LAW? \_\_\_\_\_

IF YES, LIST THE DATE, THE LOCATION AND THE OFFENSE(S) CHARGED. \_\_\_\_\_

HAS THE HAS THE APPLICANT / PARTNERS AND OR CORPORATION OFFICERS EVER HAD A SPECIAL AMUSEMENT LICENSE DENIED OR REVOKED? NO  
IF YES, LIST THE DATE, THE LOCATION AND DESCRIBE THE CIRCUMSTANCES. \_\_\_\_\_  
\_\_\_\_\_

**PLEASE BE ADVISED THAT THE APPLICANT OR RE-APPLICANT  
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<b>Number of Attendees</b>	<b>Number of Police</b>
<b>1--200</b>	<b>2</b>
<b>201--400</b>	<b>4</b>
<b>401--600</b>	<b>6</b>
<b>601+</b>	<b>One supervisor, and one additional officer for each 200 attendees or portion thereof in excess of 601</b>

**SPECIAL AMUSEMENT PERMITS SHALL EXPIRE AT THE SAME  
TIME AS A STATE ISSUED LIQUOR LICENSE.**

**I / WE HEREBY CERTIFY THAT ALL STATEMENTS MADE IN THE APPLICATION ARE TRUE. I / WE AGREE AND UNDERSTAND THAT ANY MISSTATEMENTS OR OMISSIONS OF MATERIAL FACT HEREIN WILL RESULT IN REFUSAL OF LICENSE OR REVOCATION OF LICENSE IF ONE HAS ALREADY BEEN ISSUED.**

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**PENALTY: (CITY OF AUBURN ORDINANCE, CHAPTER 14 SECTION 2.23, (8)-(h))**

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**NAME (PRINTED)** \_\_\_\_\_

*Kevin Pratt*

**SIGNATURE OF INDIVIDUAL** \_\_\_\_\_

*Kevin Pratt*

**IF PARTNERSHIP, BY MEMBERS OF THE PARTNERSHIP.**

**NAME (PRINTED)** \_\_\_\_\_

**SIGNATURE OF INDIVIDUAL** \_\_\_\_\_

**NAME (PRINTED)** \_\_\_\_\_

**SIGNATURE OF INDIVIDUAL** \_\_\_\_\_

**NAME (PRINTED)** \_\_\_\_\_

**SIGNATURE OF INDIVIDUAL** \_\_\_\_\_

**NAME (PRINTED)** \_\_\_\_\_

**SIGNATURE OF INDIVIDUAL** \_\_\_\_\_

**NAME (PRINTED)** \_\_\_\_\_

# Manager / Employee Information

Name: Michael Berube

Address: 60 Vickery Rd, Auburn Me. 04210

Tel: (207) 240-8334

D.O.B 2/18/63

Signature: Michael Berube

SIGNATURE OF INDIVIDUAL \_\_\_\_\_

**ADMINISTRATIVE USE ONLY:**

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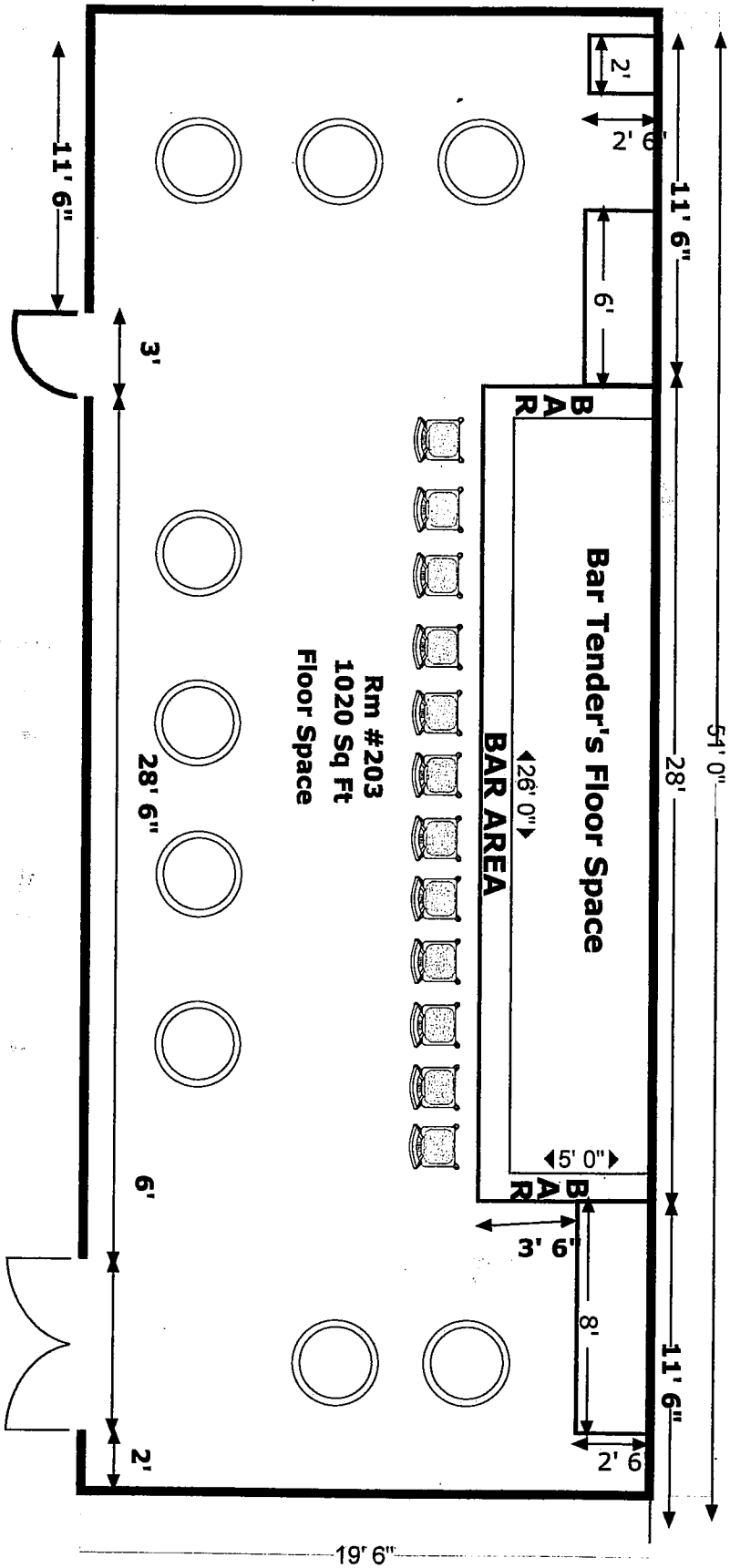
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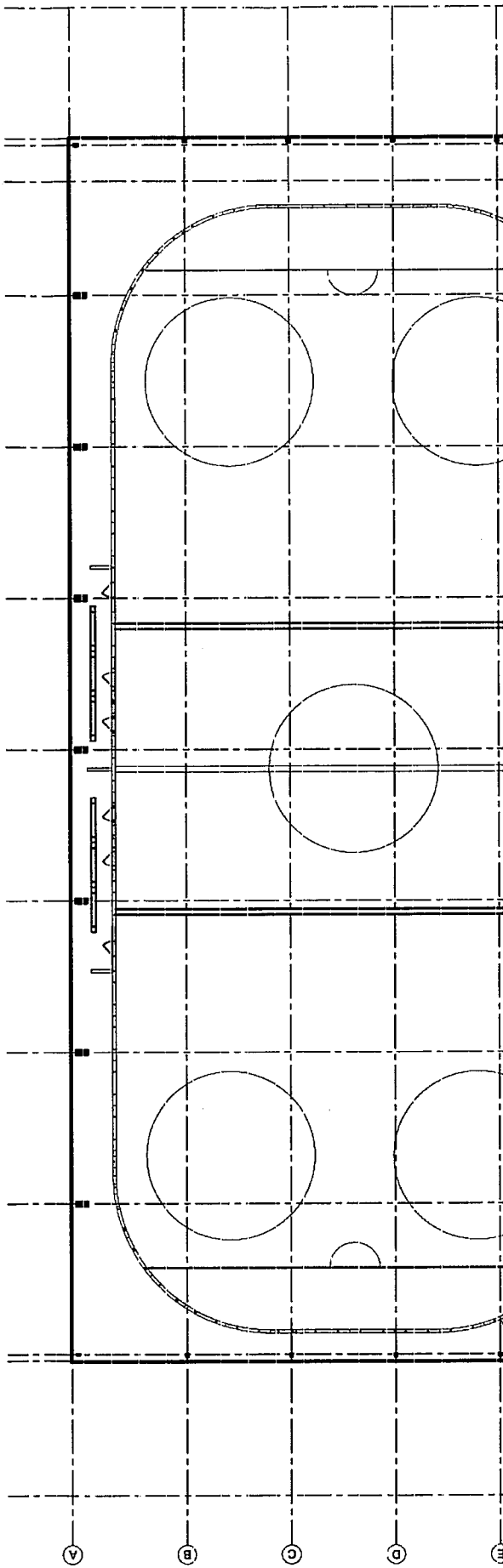
**NORWAY SAVINGS BANK ARENA**  
**BAR**  
 985 Turner Street  
 Auburn, Maine 04210

**DRAWING**  
**SCALE 1" : 6'**  
 January 6, 2014



Mezzanine 5,300 Sq Ft

TURNER SPACES



Mezzanine Space

NSBA

985 Turner St. Auburn, ME.

**CITY OF AUBURN  
PUBLIC NOTICE**

A public hearing will be held on Monday, June 15 at 7:00 p.m. or as soon as possible thereafter, in the Council Chambers of Auburn Hall, 60 Court Street, to consider the Special Amusement Application for:

**The Penalty Box, Inc  
985 Turner St., Auburn, Maine**

All interested persons may appear to show cause, if any they may have, why this license should not be granted.

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



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

Jonathan P. LaBonte, Mayor

## **IN CITY COUNCIL**

### **ORDER 47-06152015**

ORDERED, that the City Council hereby approves the Special Amusement Permit for The Penalty Box, Inc located at 985 Turner Street.



## City Council Information Sheet

City of Auburn

**Council Workshop or Meeting Date:** 6-15-2015

**Order** 48-06152015

**Author:** Sue Clements-Dallaire

**Subject:** Funding L/A Arts

**Information:** L/A Arts submitted a proposal to Council at the June 1<sup>st</sup>, 2015 meeting. The proposal was for Concerts in the Parks & Cultural Plan Lewiston/Auburn. For Concerts in the Parks they are seeking \$4,000 in funding, and for the Cultural Plan Lewiston/Auburn they are seeking \$5,000 in matching funds.

\$17,000 is available for Arts and Culture in the budget.

**Advantages:** Concerts in the Parks would be a nice community event providing fun and entertainment for all ages. It may attract visitors from other towns. For more detail, please see the attached proposal.

Cultural Plan Lewiston/Auburn – there are multiple advantages as noted on the attached proposal.

**Disadvantages:**

**City Budgetary Impacts:** \$9,000

**Staff Recommended Action:** Recommend passage.

**Previous Meetings and History:** June 1, 2015

**Attachments:**

Proposal

Order 48-06152015



[www.laarts.org](http://www.laarts.org)

**City Auburn Proposal - May 20th, 2015:**

L/A Arts is pleased to submit this proposal to the City of Auburn for 2015-16 funding for two Auburn based initiatives, Concerts in the Parks & Cultural Plan Lewiston/Auburn. For Concerts in the Parks (late summer 2015) L/A Arts seeks \$4,000, and for the Cultural Plan Lewiston/Auburn, (Fall 2015-Spring 2016) it seeks \$5,000 in matching funds for a Maine Arts Commission CCED grant it has applied for (if successfully received).

**Concerts in the Parks:**

L/A Arts believes in the need for highly visible and entertaining public art events in Auburn, and proposes to have four summer concerts in Festival Plaza and/or downtown Auburn areas during the late summer of 2015. These concerts will take place in the early evening and/or lunchtime, and be free to the public. The musicians represented will be high quality artists with local and Maine based regional roots, from across multiple musical genres. The series will extend the summer concerts model the organization has done in the past, with such notable artists as: Don Campbell, Robert Sylvain and Cajun Aces de Douce, Colwell Brothers, Veayo Twins, Maine Marimba Ensemble, Denny Breau and much more.

L/A Arts has actively listened to the community of Auburn and regards highly the need for the organization to bring high quality events to the city as an extension of its mission. This initiative will support local artists while bringing their high quality artistry to the public. The opportunity to bring people together and drive them to downtown Auburn will cultivate economic activity and build the strength of our city's social fabric. Music is an extremely popular art form which offers many personal opportunities for individuals to connect to the work. It will help express the distinctive features and dynamics of our Auburn community through the expressive forms which will be represented. This initiative will coincide with a series of concerts across the river in Lewiston, which L/A Arts hopes to make a mainstay of its programming and service to the Twin Cities into the future. Funding from the City of Auburn will go toward direct costs associated with performances in Auburn only and cover artist, technical and promotional expenses:

**Concerts in the Parks Budget Summary: Auburn City - 2015-16**

<b>Expenses:</b>	<b>Unit</b>	<b>In - Kind</b>	<b>Total</b>
Artist Fees	Average - 500 per band		2,000
Technical Fees	150 per show - Sound & Equipment		600
Spaces (Permits)	150 Total	150 - Auburn & Lewiston Cities	0
Liability	50/per show		200
Transportation/Travel	75/show - Artists & Technicians		300
Advertising/Marketing	125/show		500
Administrative (Indirect) 10%			360
<b>Total</b>			<b>3,960</b>
<b>Amount Requested - City Auburn</b>			<b>4,000</b>

**Cultural Plan Lewiston/Auburn:**

L/A Arts and Arts & Culture Lewiston Auburn (ACLA) are collaborating on a new initiative to develop a cultural plan for Lewiston and Auburn Maine. This project will bring together cross-sector leaders from our community to engage in a 12–18 month process of developing strategies that will elevate the arts and culture in the Twin Cities. This is an outstanding opportunity to establish new and meaningful partnerships between the arts and other sectors, strengthen L/A’s creative economy, and bolster funding and revenue for local arts projects. By pulling together rich and varied perspectives from cross sector leaders, the intended plan stands to tap into the rich intellectual and innovative resources of our community to realize best practices in arts and culture into the future.

The specific outcomes created in this plan, realized over 3 years following the plan’s creation, may include:

- Public art
- Arts in education
- Audience development
- Promotion and marketing for the arts and culture
- Retail space and housing for artists
- Arts and culture central building
- New and meaningful partnerships between the arts and culture and other sectors (including economic)
- Additional ideas, based on steering committee members and Twin City-wide survey data, for how to grow Lewiston / Auburn’s cultural landscape

**CCED Grant:**

L/A Arts and its partners are pleased to apply for Phase I of the CCED grant, a crucial piece of their development of a cultural plan. L/A Arts staff, ACLA members, and Maine based Reinholt Consulting from the High Peak’s Arts Council will administer the cultural planning process. To finance this initiative, L/A Arts and ACLA are applying for a Maine Arts Commission “Creative Communities = Economic Development” (CCED) grant, which will help to ensure funding for the project in two phases. *Reinholt Consulting was*



*recommended to L/A Arts by the Maine Arts Commission to be the consulting firm for this initiative.* The grant announcement will take place in the late summer/early fall of 2015. CCED Grant: <http://mainearts.maine.gov/Pages/Grants/CCED-Grant>

**The timeline for the plan:**

1. Cultural plan launching meeting - Fall 2015
2. Strategies and data collection meeting - Late Fall/Winter 2015
3. Data gathering and assessment meeting - Winter 2016
4. Task forces and draft recommendations - Spring 2016
5. Final draft and plan endorsement - Spring/Summer 2016

L/A Arts is pleased to have received letters of support from Auburn's Mayor Jonathan Labonte and Lewiston Mayor Robert MacDonald for the grant proposal. To be effective, this plan needs the support of a 20-25 member steering committee made up of community leaders who can lend insights and actions from their areas of expertise. Among an expert steering committee, the partnering organizations are proud to have confirmed one city councilor and city staff member from Auburn to participate.

**Cultural Plan L/A: Steering Committee**

**Confirmed Members - April 2015**

1. Chip Morrison, President, Androscoggin Chamber of Commerce
2. Lincoln Jeffers, Director of Economic & Community Development, City of Lewiston
3. Misty Parker, Economic Development Specialist, City of Lewiston
4. Grayling Cunningham, Artist; Founder, Artwalk L/A; Advisory Board President, Outright L/A; Co-Founder, Confess Studios; Creative Director, Orbit Hair Styling
5. Judy Andrucki, Attorney, Andrucki & King Law Offices
6. Mary LaFontaine, Councilor, City of Auburn, Auburn School Committee Member
7. Darby Ray, Director, Harvard Center for Community Partnerships, Bates College
8. Alan Manoiian, Economic Development Specialist, City of Auburn
9. John Holden, President and Co-Chair, Lewiston-Auburn Economic Growth Council
10. Dina Jackson, Economic Development Specialist, Androscoggin Valley Council of Governments; Grant Manager, Maine's Lakes & Mountains Tourism Council
11. Rick Speer, Director, Lewiston Public Library
12. Janet Mitchko, Co-Artistic Director, Public Theater
13. Chris L'Hommedieu, President, Community Little Theater; Attorney, L'Hommedieu Law
14. Jim Parakilas, Faculty, James L. Moody, Jr. Family Professor of Performing Arts at Bates College
15. Mike Davis, Principal, Walton Elementary School
16. Jill Hyland, Educator, Edward Little High School
17. Jana Mates, Assistant Principal, Longley Elementary School
18. Bill Low, Curator, Bates College Museum of Art
19. Charlie Hewitt, Artist; Developer
20. David Blocher, Board Director, Maine Music Society; Member, Arts & Culture Lewiston-Auburn
21. Heather Morin, Owner, She Doesn't Like Guthries Restaurant & Cafe
22. Margaret Craven, Senator, State of Maine
23. Rob Little, Artist
24. Corallina Breuer, Artist; Secretary, Downeast Friends of the Folk Arts
25. Sheri Withers, Owner, Downtown Handmade & Vintage
26. Jared Lussier, Editor, Current Magazine
27. Dianna Pozdniakov, Founder and Designer, SofiaFima
28. Kirsten Nunnery, Box Office Manager, Franco Center

## **Budget Summary: Cultural Plan Lewiston/Auburn 2015-16**

Income:
City Auburn: (Grant Match - Projected) \$5,000
City Lewiston: (Grant Match - Projected) \$5,000
ACLA Members (Projected): \$5,000
Foundations (Projected): \$7,500
Corporate Donations (Projected): \$12,500
<b>Total: \$35,000</b>

The CCED grant mandates that a reputable consultant is hired to lead the cultural planning process. Meeting space funding will be at L/A Arts, Bates College and other facilities necessary to effectively meet and prepare the plan, the expense for which will be donated in-kind. Postage and electronic distribution and social media costs will be incurred from data collection and analysis, while mileage and tolls will be paid to staff and leadership team for any essential travel to execute the proposal. Administrative costs will be incurred from the executive director and administrative program coordinator for L/A Arts.

### **Bidder's Organization Name: Reinholt Consulting**

#### **Fixed Costs**

##### **1. Research & Development** - Materials and research review -\$2,000

Seek L/A Arts inputs

Reinholt 1 day onsite plus prep and synthesis (includes travel) - \$1,500

Key sector convenings and interviews, plus prep and synthesis (includes travel) -\$1,500

Arts organization and artists convenings, plus prep and synthesis (includes travel) - \$1,500

Arts organization and artists surveying: design, vet, track, and synthesize data - \$2,000

Public opinion surveying, design, vet, track, and synthesize data -\$2,000

##### **2. Strategic Cultural Plan Report**

Synthesize cumulative results and write findings report - \$3,500

Reinholt on site to share assessment results, collect L/A Arts, Project Leadership Team, and stakeholder feedback with prep and follow-up (includes travel) - \$1,500

Write draft plan - \$3,500

Vet draft plan (includes travel) - \$1,000

Incorporate feedback and present final report and deliverables (includes travel) - \$2,000

**Total - \$23,000**

#### **Indirect Costs:**

Executive Director (5% + 10% taxes): \$3,460

Administrative Program Coordinator: (15% + 10% taxes): \$2,917

**Total: \$6,377**

#### **Direct Costs: General Cultural Planning**

Event, Studio, Meeting, or Office Space: \$750 In-Kind (L/A Arts, Bates College)

Print set-up, Postage (Data Collection): \$2,000

Electronic Distribution: Qualtrics/Lime/Survey Monkey Survey Software - \$250

Internet or Social Media Costs (Survey Monkey, Constant Contact, Other...): \$375

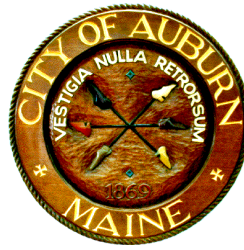
Travel, Mileage, Tolls, etc. (Data Collection, meetings): \$450

Advertisement: \$950

**Total Direct Expenses: \$4,595**

**Total Expenses: \$33,972**

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



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

Jonathan P. LaBonte, Mayor

## **IN CITY COUNCIL**

### **ORDER 48-06152015**

ORDERED, that the City Council hereby approves the request from L/A Arts for funding Concerts in the Park (\$4,000) and Cultural Plan Lewiston/Auburn (\$5,000 in matching funds).



## City Council Information Sheet

City of Auburn

**Council Meeting Date:** June 15, 2015

**Order** 49-06152015

**Author:** Phillip L. Crowell, Jr., Chief of Police

**Subject:** “Art Therapy Program”

**Information:** In 2014, Child Protective Services received reports/referrals of upwards of 200 children who have been sexually abused in Androscoggin County. Recently, CPS has been working with eight (8) young girls who have been sexually assaulted. This statistic is of utmost concern for the Auburn Police Department and social service providers.

In an effort to assist Auburn’s victims of child sex abuse, the Auburn Police Department is requesting that the City Council consider allocating \$2,240 from the unused local “Arts” funds that have been set aside to provide “hands on art therapy” to eight young girls. The “Art Therapy Program” will focus on a target population of 11 to 14 year old (pre-teens) victims and sessions will take place at the Sexual Assault Crisis Center.

The “Art Therapy Program” will consist of:

- Includes 2 licensed art therapists
- Begin on June 29<sup>th</sup> and end on August 28<sup>th</sup>
- Planning, materials and transportation
- Length of sessions: 2 hours total; 1.5 hours hands on art-making with .5 hours staff clean up and set up

A full description of the Mission and Goals as well as the history of the ArtVan is attached.

**Advantages:** By providing an alternative to general therapy sessions – where there are children of their own age who suffered similar experiences - they will more easily disclose the details of their assault, their feelings and will have an opportunity to move forward more quickly with their own trauma recovery.

**Disadvantages:** None

**City Budgetary Impacts:** Transfer \$2,240 of FY 2015 unallocated “Art” funds for this project.

**Staff Recommended Action:** Vote to transfer \$2,240 in FY 2015 unallocated “Art” funds to provide an “Art Therapy Program” for eight young girls who have been the recent victims of a sexual assault.

**Previous Meetings and History:** June 1, 2015

**Attachments:**

- ArtVan Mission and Goals
- Order 49-06152015



## ArtVan is...

Fun! Creative! Discovery! The ArtVan is a mobile arts therapy whose mission is to provide a creative and collaborative environment to encourage Youth who have little or no arts access to fully express their imaginations, relationships and experiences within themselves, among their peers and across our communities. ArtVan's hands-on projects allow children and teens ample time, materials, and support to create and explore their ideas. The results are tremendous! Children freely express their feelings, learn to work together, help each other, and communicate respectfully with one another. Youth discover new talents in themselves, pride in their accomplishments and pride in their neighborhoods.

## When the ArtVan rolls into a neighborhood....

The excitement is palpable! Youth jump and wave their arms to greet the ArtVan staff. They eagerly assist with unloading supplies. This scene can be found in public housing developments, head start centers, schools and group homes throughout Bath, Brunswick, Biddeford and Lewiston/Auburn. The art projects vary from basic activities such as drawing, weaving and explorations in color, to more complex undertakings such as sculpture and collage. ArtVan staff members consult with property managers, school officials and community leaders to determine the unique needs of each population being served and to design projects that address those needs. Participants are encouraged to take risks through the creative process, to express their own ideas, and to take ownership in their work - whether it is a work of art that they take home or a contribution to a public art display.

## Creating Art...

When guided by professional art therapists, participants learn to communicate thoughts and ideas directly and safely, building trust, and create healthy peer and adult friendships. Art activities are a fun and relaxed way to bring together participants of all ages, nationalities and artistic skills in a way that breaks down preconceptions, prejudices, judgments and rigid expectations.

The outcomes include individual growth and development.



community

The ArtVan Program  
7 Park Street  
Bath, ME 04530  
207-650-1608

[www.artvanprogram.org](http://www.artvanprogram.org)



ArtVan youth proudly display their creations!

## ArtVan Overview- ArtVan and Auburn PAL Center Collaboration

### MISSION AND GOALS

ArtVan is a mobile arts therapy with a mission to provide a creative and collaborative environment to encourage youth who have little or no arts access to fully express themselves, their imaginations, relationships and experiences within themselves, among their peers, and across our communities. ArtVan believes that by providing art therapy resources to low-income youth will give them the ability to process and heal in a safe environment. To this day, our goal is to improve the well-being of youth living in low-income neighborhoods and support community change through direct art therapy services.

### OUR HISTORY

In 2004, the Director of the Bath (Maine) Recreation Department, Jack Hart, and expressive art therapist, Jamie Silvestri, noticed an increase in scholarship assistance requests for afterschool and summer recreation activities, as well as a lack of arts programming in city schools. After performing a needs assessment, they applied for and were awarded a Community Development Block Grant to launch the ArtVan as an eight-week summer pilot project bringing no-cost arts a variety of under-resourced communities in Bath. In the eight weeks, ArtVan's work proved successful with all these populations. ArtVan decided to continue its work with low-income neighborhoods, with the mission of enriching the lives of youth with the least access to social services and extracurricular programming. During 2006-2007, ArtVan expanded to working with low-income housing neighborhoods in Lewiston, Auburn, Brunswick, and Biddeford. Our flagship core neighborhood program is composed of communities where we provide our art therapy services free of charge on a weekly basis all year; these sites include Broadview Acres (Auburn), Family Development (Lewiston), Hyde Park (Bath), Lewiston Public Library (Lewiston), Maritime Apartments (Bath), and Perryman Village (Brunswick). We also have experience working with organizations such as Tree Street Youth, River Valley Village, Lewiston Middle School, Center for Wisdom Women and others on a short term, fee for service basis in the Lewiston-Auburn area.

### WHAT IS ART THERAPY?

Art therapy is at the core of the work that we do at ArtVan. According to the American Art Therapy Organization, art therapy is "a mental health field in which clients, facilitated by art therapists use the creative process and the resulting artwork to... reconcile emotional conflicts, foster self-awareness, manage behavior and addictions, develop social skills... reduce anxiety, and increase self-esteem." Art Therapists do not try to seek interpretation from a work of art but instead facilitate the process of self-discovery, so youth are able to make sense of their experiences, feelings and perceptions. Telling their story through art helps youth to tap their senses as a source of stories and memories. Because thoughts and feelings are not strictly verbal and are not limited to storage as verbal language in the brain, art therapy is particularly useful in

helping to communicate aspects of memories and stories that may not be readily available through conversation. When we give permission to youth to identify, process and bring new awareness to unwanted, confused and unspoken experiences, art making offers creative and therapeutic approaches to redirect attention and focus, and alleviate emotional stress.

When at-risk youth begin to build trust with ArtVan staff and engage in art therapy practices, we find that they mirror healthy social relations, build self-esteem and address past traumatic and problematic experiences into present positive choices; consequently, the individual and the larger community benefits from these changes in behavior. Individually and collaboratively, we support the uniqueness of each youth, without labels, and move forward creating productive community members that will enhance the quality of their lives and those around them.

### OUR CORE PROGRAM

ArtVan's core program provides a venue for independent growth, empowerment and positive social interaction in 90-minute to two-hour afterschool and summer programs for youth ages 4-16. In these neighborhoods that are constantly in flux, family incomes are below the average means and youth have limited or no access to social services. We deal with transportation barriers by bringing free art-making directly to these youth in our colorful painted van.

When the ArtVan drives up, youth excitedly come help unload the van and set up the materials for the day. One of our art therapists leads a warm-up activity to gauge the needs of the group and introduce the session project along with a materials demonstration. We propose a preplanned theme directed towards overall neighborhood needs; for example, a recent theme: "Celebrate What's New", to address issues of anxiety starting school, new routines and to introduce their participation in ArtVan's 10-year anniversary. Each session concludes with an art "gallery" share and a collective clean-up effort.

ArtVan has a long lasting impact on youth, whether in one-time art-making experiences or an ongoing relationship. We plant seeds of change by giving youth opportunities to alter their perspectives and take healthy risks. One quiet, withdrawn youth was referred to us by a guidance counselor. In weekly sessions, we gently encouraged her to share her work, let her choose materials either challenging or familiar and gave her the space to work at her own pace. With this approach, she became more social and shined as an artist among her peers. Her parent said "ArtVan has done so much for her. Jayline usually stays in her room, but after ArtVan programs she is in a good mood, out of her room and talks more with everyone in the house." These stories indicate to us that we are making a profound, positive change in the lives of local youth.

Qualitative methods, such as testimonials and photographic documentation, and quantitative methods, such as attendance records and our kid-friendly Story Board evaluation forms, show program impact. We deeply believe in our opportunity and responsibility to provide youth with the arts' powerful, expressive tools to activate imaginations. Putting thoughts, ideas, and feelings into tangible, meaningful, creative forms energizes new hopes, empowers resolution of old conflicts, and offers motivation for positive growth and achievement.

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



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

Jonathan P. LaBonte, Mayor

## **IN CITY COUNCIL**

### **ORDER 49-06152015**

ORDERED, that the City Council hereby approves that \$2,240 in FY 2015 “Art” funds be allocated for an “Art Therapy Program” to assist eight young girls who have been recent victims of a sexual assault.





## City Council Information Sheet

City of Auburn

**Council Workshop or Meeting Date:** 6-15-2015

**Order** 50-06152015

**Author:** Sue Clements-Dallaire

**Subject:** Liberty Festival – Special Event/Mass Gathering Application

**Information:** We received an application on 5/27/2015 for a Mass Gathering to be held on July 4, 2015 (rain date July 5). Set up would begin on July 3<sup>rd</sup> and clean up would be completed on July 5<sup>th</sup> (rain date July 6<sup>th</sup>). The event will include fireworks, vendors, and a variety of entertainers.

Staff held a meeting (6/3/2015) with Cathy McDonald, President of the Liberty Festival/Independence Day Committee. Staff from Police, Fire, Code, Electrical, City Clerk and Public Services attended to review the application, ask questions and ensure things were in order.

A change was made to the original application under Parking Accommodations. There will be nobody requesting donations to park in the parking garage or public lots. Donation areas will be set up elsewhere within the Mass Gathering area.

The certificate of liability insurance (through Champoux Insurance Agency) will be provided approximately 10 days before the event.

**Advantages:** It is a nice community event that is fun for all ages. It may also attract visitors from other areas. Local businesses will likely benefit as well, particularly those within the Mass Gathering area.

**Disadvantages:** Potential complaints (traffic, noise, disruptive behavior).

**City Budgetary Impacts:** \$10,000 towards the cost of fireworks and \$1,800 for in kind services which have already been funded in the City budget.

**Staff Recommended Action:** Public hearing and approval.

**Previous Meetings and History:** This is a yearly event. The Mass Gathering application for 2015 was presented to Council under Communications at the June 1, 2015 Council Meeting.

**Attachments:**

Application

Map

Email from Insurance Company

Documentation regarding tax exempt status

Public notice

Order 50-06152015

Date received: \_\_\_\_\_  
Date approved: \_\_\_\_\_



## CITY OF AUBURN SPECIAL EVENT/MASS GATHERING APPLICATION

For any Special Event on City property that will attract up to 1,000 people, or any outdoor event with continued attendance of 1,000 or more persons for 2 or more hours.

\*\*\*\*\*

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

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

### SPONSOR INFORMATION

Name of Sponsoring Organization: Liberty Festival / Independence Day Committee

Name of Contact Person for Event: Cathy McDonald

Title of Contact Person: President

Mailing Address: POBox 97, Lewiston, ME 04240

Daytime Telephone: 786-3088 Cell Phone: 212-8227

Email Address: liberty.festival@aol.com

Contact Name and Cell Phone Number DURING the Event: Cathy McDonald - 212-8227

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

Non-Profit Number: 04-3358113

### EVENT INFORMATION

Name of Event: Liberty Festival

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

Date of Event: July 3rd - 7th, 2015 Rain Date: July 3rd - 7th, 2015

Times of Event: Start Time including set-up: 7am Ending time including clean up: 1am

Actual Event Start Time: 4pm Actual Event End Time: 11pm

Estimated Attendance: 3,000

Location of Event: Great Falls, Festival Plaza and surrounding areas

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

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

Yes  No  Pending  Date submitted to the Recreation Department: \_\_\_\_\_

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

Permit Fee	Permission/Permit Type	YES	NO	NOT SURE
Separate fee & application, conditions & restrictions may apply	Banner across Court Street  Non-profit groups only, \$100 fee per week, 2 week maximum. First come first serve basis, proof of insurance required.			X
Separate fee and permit possible	FOOD – Will food or beverages be sold? If yes, list what types of food or beverages: various vendor foods and beverages  Note - A food service license may be required and must be submitted 14 days prior to the event.	X		
Separate fee and permit possible	NON-FOOD ITEMS – Will products be sold or given away (such as t-shirts, crafts, souvenirs, etc.)? If yes, list what items: t-shirts and novelties  Note - A peddler permit may be required and must be submitted 14 days prior to the event.	X		
N/A	LIVE MUSIC – Will there be any outdoor musical performances? If yes, please describe: musical entertainers in Great Falls plaza area	X		
N/A	SOUND AMPLIFICATION – Will there be a microphone or speaker system to project sound?	X		
N/A	ALCOHOLIC BEVERAGES ARE NOT ALLOWED			
Separate fee and permit required	CARNIVAL – Will carnival rides be offered? If yes, attach a copy of the state permit. A city permit is required as well.		X	
Separate fee and permit required	FIREWORKS – Will there be a fireworks display? If yes, a permit from the Fire Department is required.	X		
N/A	PARADE – Will there be a parade? If yes, describe route:  Note – A permit from the Police Department is required.		X	
N/A	RUN/WALK/CYCLE – Will event involve participants doing a walk-a-thon, road race, etc? If yes, describe route:		X	
Separate permit required	BURN PERMIT – Will there be any open flame such as a bon fire? If yes, describe activity: Possible organized flag disposal ceremony  Note - A permit from the Fire Department is required.			X

N/A	TENT/CANOPY – Will you be setting up a tent or canopy? If yes, list number and sizes: <b>Small pop-up canopy tents around vendors and staging areas. Possible larger tent over stage area.</b>	x		
Separate fee and permit required	ELECTRICAL POWER/EQUIPMENT – Will electrically powered equipment be utilized, if so, provide a brief description of the equipment and the entity responsible for the installation of the electrical equipment? <b>vending booths, musical equipment and stage lighting.</b>	x		
N/A	ROAD/INTERSECTION CLOSURE – Will any roads need to be closed to accommodate your event? If yes, please list: <b>Main Street, Court Street, Longley Bridge and Great Falls Plaza.</b>	x		
N/A	MAP/DIAGRAM – Is a map or diagram attached detailing this event and depicting the placement of such items as tables, tents, port-a-potties, stage, parking, food service areas, etc.? This is a <b>mandatory</b> requirement for this application and must be included.			
N/A	PARKING ACCOMODATIONS – What will be the anticipated need for parking and what is your parking plan? <b>Great Falls plaza lots, Auburn City Hall parking garage. <del>We will be manning donation requested lots.</del></b>	x		
N/A	TOILETS – Please list amount at event and/or nearest location: <b>10 regular units and 2 handicap units between Lew &amp; Auburn</b>	x		
N/A	WASTE DISPOSAL – Please list process and location: <b>City provided trash cans and liners</b>	x		
N/A	HAND WASHING FACILITIES – Please list amount at event and/or nearest location: <b>1 at port-a-potties and 1 portable at each vending station.</b>	x		
N/A	POTABLE WATER – Please list amount at event and location: <b>1 hook up from TD Bank</b>	x		
N/A	FIRST AID FACILITIES – Please list location at event: <b>United Ambulance and Auburn Fire at Great Falls Plaza</b>	x		
\$	TOTAL FEE AMOUNT INCLUDED – Checks payable to the <b>City of Auburn</b>	0		

**EVENT LIABILITY INSURANCE COVERAGE FOR EVENT**

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

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

We will begin with set-up on 7/3 for the festival. The festival will occur on 7/4th

(rain date July 5th) and include fireworks, vendors and a variety of entertainers.

Clean up will be completed on 7/5 (rain date 7/6).

Signature of Applicant:

Printed Name:

Date Submitted:

Cathy McDonald

Cathy McDonald

3/13/15

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

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

MAIL: City Clerk's Office  
60 Court Street, Suite 150  
Auburn, ME 04210

FAX: 207-333-6623

EMAIL: [sdallaire@auburnmaine.gov](mailto:sdallaire@auburnmaine.gov)

PHONE: 207-333-6600

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

**DEPARTMENT COMMENTS AND RECOMMENDATIONS:**

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

COMMENTS/CONDITIONS from any of the above departments:

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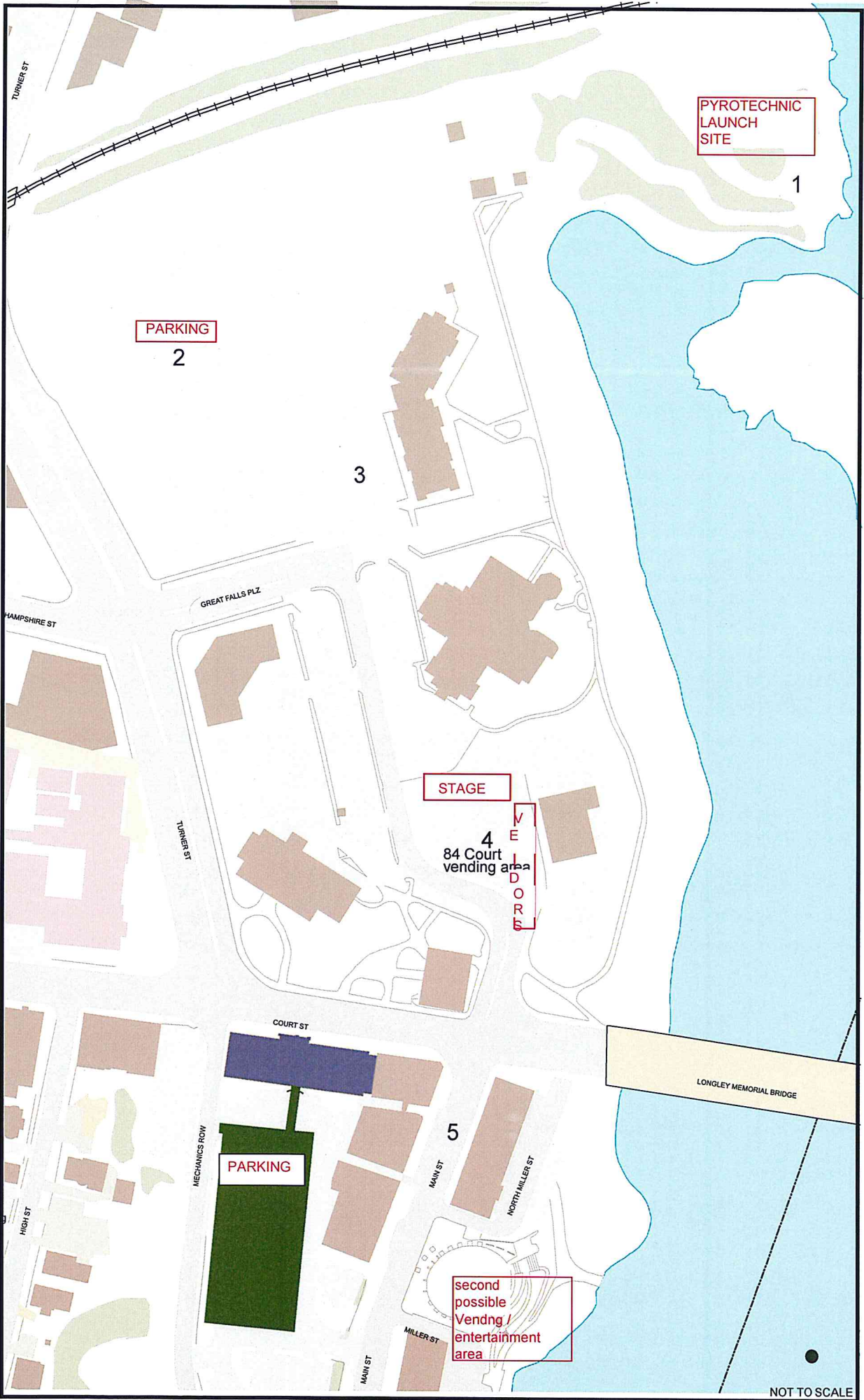
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City Council Public Hearing date, if applicable: \_\_\_\_\_

License Approved/Denied: \_\_\_\_\_ Date applicant notified: \_\_\_\_\_



**From:** [Diane Champoux](#)  
**To:** [Susan Clements-Dallaire](#)  
**Subject:** RE: Liberty Festival  
**Date:** Friday, June 05, 2015 3:05:22 PM  
**Attachments:** [image001.png](#)

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Hi Sue,

That is correct.

Diane ☺



**Diane M. Champoux, CIC AAI**  
**Champoux Insurance Agency**  
PO Box 220  
150 East Avenue  
Lewiston ME 04243-0220  
207-753-6206 - Direct Line  
207-782-7881 - Fax  
[diane@champoux-ins.com](mailto:diane@champoux-ins.com)  
[www.MaineInsuranceOnline.com](http://www.MaineInsuranceOnline.com)

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**From:** Susan Clements-Dallaire [mailto:[sdallaire@auburnmaine.gov](mailto:sdallaire@auburnmaine.gov)]  
**Sent:** Friday, June 05, 2015 2:24 PM  
**To:** Diane Champoux  
**Cc:** Cathy McDonald; Liberty Festival / Cathy McDonald  
**Subject:** RE: Liberty Festival

Thank you, Diane. I am assuming the liability will be \$1,000,000.00 per occurrence?

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**From:** Diane Champoux [mailto:[diane@champoux-ins.com](mailto:diane@champoux-ins.com)]  
**Sent:** Friday, June 05, 2015 12:41 PM  
**To:** Susan Clements-Dallaire  
**Cc:** Cathy McDonald; Liberty Festival / Cathy McDonald  
**Subject:** Liberty Festival

Hi Sue,

This e-mail is to confirm that the applications have been submitted for liability insurance for the Liberty Festival. The limit of Liability on the policy will be \$1,000,000. and the City of Auburn will be named as an additional insured on this event policy. I should be able to get you certificates the week of the event as I have been doing for you in the past. Let me know if you need anything else.

Diane



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**Champoux Insurance Agency**

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**P.O. Box 97, Lewiston, Me 04240**

Dear Mayor and Auburn City Councilors,

I am writing to inform you what I have found regarding our 501c6 tax exempt status.

Because of our group size and amount of gross receipts, we previously were not required to file annually. Although, we now know differently that failure in 2011 is what caused the automatic revocation. We have investigated and found through the IRS that we have to apply for retroactive reinstatement along with copies of our last 3 years 990-EZ forms.

As of today, all necessary documentation has been forwarded to the IRS. We are told that it can take up to 90 days for the process of reinstatement.

I apologize for not realizing this but have taken all the necessary steps to correct it.

Cathy McDonald

Liberty Festival

# State of Maine



## Department of the Secretary of State

*I, the Secretary of State of Maine, certify that according to the provisions of the Constitution and Laws of the State of Maine, the Department of the Secretary of State is the legal custodian of the Great Seal of the State of Maine which is hereunto affixed and of the reports of organization, amendment and dissolution of corporations and annual reports filed by the same.*

*I further certify that INDEPENDENCE DAY COMMITTEE is a duly organized nonprofit corporation without capital stock under the laws of the State of Maine and that the date of incorporation is June 20, 1997.*

*I further certify that on:*

*June 20, 1997            ARTICLES OF INCORPORATION were filed.*

*No further amendments have been filed to date.*

*I further certify that said nonprofit corporation has filed annual reports due to this Department, and that no action is now pending by or on behalf of the State of Maine to forfeit the charter and that according to the records in the Department of the Secretary of State, said nonprofit corporation is a legally existing nonprofit corporation in good standing under the laws of the State of Maine at the present time.*

*In testimony whereof, I have caused the Great Seal of the State of Maine to be hereunto affixed. Given under my hand at Augusta, Maine, this eighth day of June 2015.*



A handwritten signature in black ink, appearing to read 'Matthew Dunhvp'.

Matthew Dunhvp  
Secretary of State

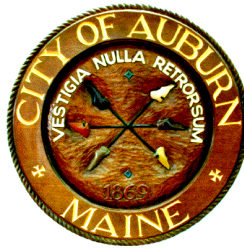
**CITY OF AUBURN  
PUBLIC NOTICE**

A public hearing will be held on Monday, June 15 at 7:00 p.m. or as soon as possible thereafter, in the Council Chambers of Auburn Hall, 60 Court Street, to consider the Liberty Festival/Independence Day Committee application for:

**The Liberty Festival to be held at Great Falls, Festival Plaza  
and surrounding areas July 3<sup>rd</sup>-7<sup>th</sup>, 2015.**

All interested persons may appear to show cause, if any they may have, why this license should not be granted.

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



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

Jonathan P. LaBonte, Mayor

## **IN CITY COUNCIL**

### **ORDER 59-06152015**

ORDERED, that the Auburn City Council hereby approves the Special Event/Mass Gathering application for Liberty Festival to be held between July 3, 2015 through July 7, 2015 at Great Falls, Festival Plaza, and surrounding areas.



## City Council Information Sheet

City of Auburn

**Council Workshop or Meeting Date:** June 15, 2015

**Ordinance** 12-06152015

**Author:** Sue Clements-Dallaire and Eric J. Cousens

**Subject:** Proposed amendment to Part II, Code of Ordinance, Chapter 14, Business Licenses and Permits, Article XVII, Garage Sales, Section 14-632, to include Agricultural Barn Sale, Article I, In General, Section 14-2, Definitions, to include Agricultural Barn Sale, and Appendix A – Fees and Charges under Businesses and Business Regulations to include Agricultural Barn Sale. Public hearing and first reading.

**Information:** The Garage Sale and Flea Market Ordinance and Fee issues have surfaced again. A meeting was held with two Auburn Residents, Howard Kroll, Sue Clements-Dallaire, Councilor Gerry and Councilor Walker to discuss possible changes to the Garage Sale ordinance. Staff was directed to draft changes and hold a public input meeting to discuss the Garage Sale and Flea Market ordinances and fees as well as a proposal from a resident for Agricultural Barn Sales. The meeting took place on April 7, 2015. Three members of the public attended as well as a reporter from the Sun Journal. Staff was directed to bring this back to the Council for discussion.

Roger Gauthier a resident in South Auburn and retired farmer is the proponent of this amendment and he attended the public meeting to express support. Currently yard sales are limited to twice in any 6 month period and Mr. Gauthier advocated for more frequent sales to earn extra income. The definition of a yard sale is limited to the sale of personal household items and not for the sale of items purchased with the intent to resell. Sale of items purchased with the intent to resell is not a Yard Sale based on City definitions. This proposal allows second hand sales on a limited 3-day per month basis if other criteria are met.

**Advantages:** Provides and income opportunity for a limited number of retired farmers while they continue to reside at the inactive farm property.

**Disadvantages:** Narrow exception with potential impacts for neighbors and opens the door to a small commercial operation where things are purchased with the intent of resale for profit.

**City Budgetary Impacts:** N/A

**Staff Recommended Action:** Hold public hearing and consider amendment. Staff is concerned that most residents would not want to see this type of limited commercial activity in their rural neighborhoods and for that reason does support the change.

**Previous Meetings and History:** Workshop on June 1, 2015.

**Attachments:**

Issues identified at the last meeting  
Press release for the Public Input Meeting  
Issues discussed at the 4-7-2015 Public Input Meeting  
Proposed change to the Garage Sale Ordinance  
Proposed change to definitions  
Proposed change to the fee schedule  
Ordinance 12-06152015

## Issues Identified at the Last Meeting

-Fees are too high for short duration Flea Markets - \$50 per table is fine for long term event but oppressive for short duration sale.

-Flea Market definition includes short term sales for charity and events at existing approved convention centers, auditoriums and gymnasiums – Create exemption for craft fairs, ski swaps, bazaar antique roadshow, etc.

## Proposal from Mr. Gauthier

Agricultural Barn Sales – income opportunity for retired farmers with limits to minimize impacts on neighbors, roadways etc to one sale per month for 3 days each during summer months.

City of Auburn, Maine  
Department of Planning and Development

**Press Release for Immediate Distribution**

Date: April 3, 2015

Contact Person:

Eric Cousens, Deputy Director  
City of Auburn, Planning and Development  
60 Court Street  
Auburn, Maine 04210  
Phone: (207) 333-6601 ext. 1154  
Email: [ecousens@auburnmaine.gov](mailto:ecousens@auburnmaine.gov)

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**City of Auburn to Hold Public Meeting on Yard Sales, Flea Markets and Barn Sales**

AUBURN, ME. – The City of Auburn has scheduled a public meeting on Tuesday, April 7<sup>th</sup> at 6 p.m. in the Auburn City Hall, 2<sup>nd</sup> floor Community Room. The purpose of the meeting is to discuss and receive public input on possible changes to the City's Code of Ordinances related to Yard Sales, Flea Markets and Barn Sales.

Some of the issues discussed will be the number and size of temporary sales, fees for these kinds of sales, status of applicant (for profit or non-profits), locations (private property, convention or event centers, churches or gymnasiums) a new type of sale proposed by a property owner, namely and agricultural barn sale and other related topics.

Interested citizens are invited to attend to learn more about the proposals or to express their opinions.

For more information contact:

Eric Cousens, Deputy Director, Department of Planning and Development  
Phone: 207-333-6601 ext. 1154  
Email: [ecousens@auburnmaine.gov](mailto:ecousens@auburnmaine.gov)

# Yard Sales, Flea Markets Barn Sale Meeting Notes 4.7.15

Issues discussed at the meeting

3 members from the public attended, 1 Sun Journal reporter , City Councilor Gerry and Eric Cousens from staff

-Fees are too high for short duration Flea Markets - \$50 per table is fine for long term event but oppressive for short duration sale. Proposed fee of \$50 for the first 25 tables for 1 day sales would be better but a smaller fee category for small one day sales should be added. Add \$25 fee for up to 10 tables for one day flea markets and other sales noted in the same category in the ordinances.

-Flea Market definition includes short term sales for charity and events at existing approved convention centers, auditoriums and gymnasiums – Create exemption for craft fairs, ski swaps, bazaar antique roadshow, etc. Clearly define craft fair, bazaar/Charity fund raiser etc.

- Neighborhood garage sales should not require the fee for each participant, but should be charged a reduced fee because the neighborhood coordination and single contact for the sale registering at City Hall saves the City time which reduces costs to process. Suggested one fee garage sale fee per 3 participants so that it is \$5 each instead of \$15 each if coordinated by neighborhood individual. – Confirmed with Clerks Office after meeting that they interpret it as a single fee per event and not per household as may have been done under previous clerks office staff. This change may not be necessary.

Proposal from Mr. Roger Gauthier

Agricultural Barn Sales – income opportunity for retired farmers with limits to minimize impacts on neighbors, roadways etc to one sale per month for 3 days each during summer months.



ARTICLE XVII. – GARAGE, YARD AND BARN SALES

Sec. 14-630. - Permit required.

No person shall sell or offer for sale personal property from any residential premises except as permitted by this article. Only the sale of donated personal property and the sale of personal property owned, used and maintained for personal use only by the seller, and not for resale to the public, shall be permitted to be sold from residential premises, and only after issuance to the seller of a permit for such purposes, as follows:

- (1) A permit may be obtained from the city. The fee for a permit shall be paid in accordance with the business fee schedule as established by the city council.
- (2) No permit shall be issued for sales of personal property upon residential premises for a period of more than three consecutive days, and no more than two permits shall be issued for such sales upon residential premises in any six month period. Permits required under this article shall be on forms furnished by the city. Two or more people may hold a garage sale jointly at one location upon obtaining a permit. The person who resides at the location where the yard sale is to be held shall be listed as the applicant.

(Ord. No. 38-02072011-05, att. § 24-460, 2-7-2011)

Sec. 14-631. - Neighborhood garage sales.

- (a) A neighborhood garage sale is permitted under this article. When applying for a garage sale permit, the organizer or one of the participants in the garage sale shall list his address as a the location of record where the garage sale shall take place. In addition, the names and addresses of all of the participants shall be listed on the permit application.
- (b) For the purposes of the article, a neighborhood garage sale shall be considered as a single event and the permit charge shall be the same as for a single garage sale.
- (c) Neighborhood garage sale permits are valid for the same periods as other garage sales and no more than one neighborhood garage sale on the same street may take place in any six month period.

(Ord. No. 38-02072011-05, att. § 24-462, 2-7-2011)

Sec. 14-632. Agricultural Barn Sale.

- (1) A permit may be obtained from the city. The fee for a permit shall be paid in accordance with the business fee schedule as established by the city council and shall be the same as a Garage Sale.
- (2) No permit shall be issued for the sale of property, personal or household goods or other used items upon the agricultural or formerly agricultural premises for a period of more than three consecutive days, and no more than one permit in any one month period between April and October. Permits required under this article shall be on forms furnished by the city. The person who resides at the location where the Agricultural Barn Sale is to be held shall be listed as the applicant and will provide information to confirm that they use or used the premises for agricultural purposes generating more that 50% of their household income for 5 years or more.

Sec. 14-63~~23~~3. - Signs.

Notwithstanding any other municipal provisions relating to signs, one single-faced sign containing not more than four square feet in total area may be placed upon a residential premise where the sale of personal property has been permitted for duration of the sale only.

(Ord. No. 38-02072011-05, att. § 24-463, 2-7-2011)

Sec. 14-63~~34~~4. - Exemption.

The provisions of this article shall not apply to sales of personal property made under court order or process.

(Ord. No. 38-02072011-05, att. § 24-464, 2-7-2011)

## ARTICLE I. - IN GENERAL

### Sec. 14-1. - Purpose and intent.

In order to promote the health, safety and general welfare of its citizens, this chapter is enacted by the city to control the licensing and regulate the conduct of certain businesses and business practices.

(Ord. No. 38-02072011-05, att. § 24-1, 2-7-2011)

### Sec. 14-2. - Definitions

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

Adult amusement device means any machine which, upon the insertion of a coin or the payment of consideration, operates or may be operated to depict, display, or project, obscene matter as defined in 17 M.R.S.A. § 2911(1).

Aftercare means instructions on how to care for a new tattoo.

Agricultural Barn Sale means a sale of property, personal or household goods or other used items from a barn or property that is or was used by the current owner, and operator of the barn sale, primarily for an agricultural use and is located in an Agriculture and Resource Protection or Residential Zoning District.

Antique means those items defined as antiques by the federal Tariff Act of 1930, 19 U.S.C. § 1337 et seq.

Aquifer means a geological formation composed of rock or sand and gravel that stores and transmits significant quantities of recoverable water, as mapped by the state geological survey.

Aseptic means free from pathogenic microorganisms.

Autoclave means pressure vessel using steam, pressure, heat and time to kill micro-organisms. It must be used according to the manufacturer's directions. A pressure cooker is not an autoclave.

Automobile graveyard means a yard, field or other area used as a place of storage, other than temporary storage, by an establishment or place of business that is engaged primarily in doing auto body repair work for the purpose of making repairs to render a motor vehicle serviceable, for three or more unserviceable, unregistered or uninspected, discarded, worn out or junked motor vehicles as defined in 29-A M.R.S.A. § 101(42), or parts thereof, referred to in this article as "vehicle" and includes an area used for automobile dismantling, salvage and recycling operations.

Beano or bingo means a specific kind of group game of chance, regardless of whether such a game is characterized by another name. In "beano," each participant is given or sold one or more tally cards, so-called, each of that contains preprinted numbers or letters and may or may not be arranged in vertical or horizontal rows. The participant covers or marks the numbers or letters as objects similarly numbered or lettered are drawn from a receptacle and the winner or winners are determined by the sequence in which those objects are drawn.

Billiard or pool hall means any place for the playing of any game of billiards, pool, bagatelle or similar game.

Blasting means the ignition, detonation or setting off of any charge or explosive or any solid, liquid or gaseous substance capable of any chemical reaction releasing energy or pressure in great force.

Bowling alley means any building, structure, enclosure or other place for the playing of bowls, candlepins, duckpins, tenpins or similar games, other than coin-operated amusement devices.



Mobile food distribution unit (roving diner):

Three months .....100.00

Six months .....125.00

Twelve months .....150.00

Vendor use of city property (each three-month period) .....50.00

Peddlers:

Per event .....75.00

30-day permit .....100.00

~~Garage sales—each (maximum of two three-day permits within six months):~~

~~On-line issuance .....10.00~~

~~In-office issuance .....15.00~~

Garage Sale (maximum of two 3 day permits within a 6 month period) - \$15.00 each

Agricultural Barn Sale (maximum of one 3 day permit per month between the months of April and October) - \$15.00 each

Secondhand dealer license—annually .....85.00

Pawnbroker license—annually plus actual cost of advertising hearing .....100.00

Junkyard/automobile graveyard (no on-line license)—annually plus actual cost of advertising hearing: .....100.00

Taxicabs:

Taxicab business license (police department inspection required)—annually per cab .....55.00

Taxicab driver's license (Lewiston permit required)—annually .....25.00

Call-out inspection fee (establishment requested outside normal hours)—each, plus inspector's overtime hourly rate .....100.00

Re-inspection fee .....100.00

Flea market, craft fairs, swap meets, and bazaars:—

One day event .... \$50.00 up to 25 tables, \$100 over 25 tables

Three months:

Per table .....50.00

Maximum per location .....500.00

Alcohol beverage establishments:

Class A Lounge (liquor)—annually (plus actual cost of advertising hearing) .....1,000.00

Up to 2,999 square feet .....1,300.00

From 3,000 to 5,999 square feet .....1,500.00

6,000 square feet and larger .....TBD

Tavern license—annually:

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



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

Jonathan P. LaBonte, Mayor

## IN CITY COUNCIL

### ORDINANCE 12-06152015

Be it ordained by the Auburn City Council, that Part II, Code of Ordinance, Chapter 14, Business Licenses and Permits, Article XVII, Garage Sales, Section 14-632, to include Agricultural Barn Sale, Article I, In General, Section 14-2, Definitions, to include Agricultural Barn Sale, and Appendix A – Fees and Charges under Businesses and Business Regulations to include Agricultural Barn Sale.

#### Article I, In General, Sec. 14-2. - Definitions

*Agricultural Barn Sale means a sale of property, personal or household goods or other used items from a barn or property that is or was used by the current owner, and operator of the barn sale, primarily for an agricultural use and is located in an Agriculture and Resource Protection or Residential Zoning District.*

#### Appendix A

*Agricultural Barn Sale (maximum of one 3 day permit per month between the months of April and October) - \$15.00 each*

Article XVII, Garage Sales, Section 14-632, to include Agricultural Barn Sale – attached.







## IN CITY COUNCIL

### ORDINANCE 12-06152015

#### ARTICLE XVII. -GARAGE, YARD AND BARN SALES

##### Sec. 14-630. - Permit required.

No person shall sell or offer for sale personal property from any residential premises except as permitted by this article. Only the sale of donated personal property and the sale of personal property owned, used and maintained for personal use only by the seller, and not for resale to the public, shall be permitted to be sold from residential premises, and only after issuance to the seller of a permit for such purposes, as follows:

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(Ord. No. 38-02072011-05, art.§ 24-460, 2-7-2011)

##### Sec. 14-631. - Neighborhood garage sales.

- (a) A neighborhood garage sale is permitted under this article . When applying for a garage sale permit, the organizer or one of the participants in the garage sale shall list his address as a the location of record where the garage sale shall take place. In addition, the names and addresses of all of the participants shall be listed on the permit application.
- (b) For the purposes of the article, a neighborhood garage sale shall be considered as a single event and the permit charge shall be the same as for a single garage sale.
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(Ord. No. 38-02072011-05, art.§ 24-462, 2-7-2011)

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- (2) No permit shall be issued for the sale of property, personal or household goods or other used items upon the agricultural or formerly agricultural premises for a period of more than

three consecutive days, and no more than one permit in any one month period between April and October. Permits required under this article shall be on forms furnished by the city. The person who resides at the location where the Agricultural Barn Sale is to be held shall be listed as the applicant and will provide information to confirm that they use or used the premises for agricultural purposes generating more that 50% of their household income for 5 years or more.

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



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

Jonathan P. LaBonte, Mayor



## City Council Information Sheet

City of Auburn

**Council Workshop or Meeting Date:** June 15, 2015

**Ordinance** 13-06152015

**Author:** Sue Clements-Dallaire and Eric J. Cousens

**Subject:** Proposed amendment to Part II, Code of Ordinance, Chapter 14, Business Licenses and Permits, Article I, In General, Section 14-2, Definitions, and Appendix A – Fees and Charges under Businesses and Business Regulations (Flea market to include craft fairs, swap meets, and bazaars). Public hearing and first reading.

**Information:** The Garage Sale and Flea Market Ordinance and Fee issues have surfaced again. A meeting was held with two Auburn Residents, Howard Kroll, Sue Clements-Dallaire, Councilor Gerry and Councilor Walker to discuss possible changes to the Garage Sale ordinance. Staff was directed to hold a public input meeting to discuss the Garage Sale and Flea Market ordinances and fees. The meeting took place on April 7, 2015. Three members of the public attended as well as a reporter from the Sun Journal. Staff was directed to bring this back to the Council for discussion.

**Advantages:** Reducing the fee for a one day event that falls under the Flea Market definition provides opportunities for individuals and organizations to hold their events at a reasonable cost. The change provides clarity for staff and the public on fees and sale types.

**Disadvantages:** Reduced revenue for short time sales.

**City Budgetary Impacts:** N/A

**Staff Recommended Action:** Hold public hearing and approve amendments.

**Previous Meetings and History:** Flea Market fees were discussed in a workshop on 5/20/2013, brought to Council for action on 6/3/2013, was postponed to 6/17/2013, postponed again to 7/15/2013, postponed again to 8/19/2013, and at that meeting, postponed to a date to be determined. On October 21, 2013 proposed changes to the Flea Market and Garage Sale Ordinances were work-shopped but not brought forward for further action until the workshop on June 1, 2015.

**Attachments:**

Issues identified at the last meeting  
Press release for the Public Input Meeting  
Issues discussed at the 4-7-2015 Public Input Meeting  
Proposed change to definitions  
Proposed change to the fee schedule  
Ordinance 13-06152015

## Sec. 14-2. - Definitions

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Aftercare means instructions on how to care for a new tattoo.

Antique means those items defined as antiques by the federal Tariff Act of 1930, 19 U.S.C. § 1337 et seq.

Aquifer means a geological formation composed of rock or sand and gravel that stores and transmits significant quantities of recoverable water, as mapped by the state geological survey.

Aseptic means free from pathogenic microorganisms.

Autoclave means pressure vessel using steam, pressure, heat and time to kill micro-organisms. It must be used according to the manufacturer's directions. A pressure cooker is not an autoclave.

Automobile graveyard means a yard, field or other area used as a place of storage, other than temporary storage, by an establishment or place of business that is engaged primarily in doing auto body repair work for the purpose of making repairs to render a motor vehicle serviceable, for three or more unserviceable, unregistered or uninspected, discarded, worn out or junked motor vehicles as defined in 29-A M.R.S.A. § 101(42), or parts thereof, referred to in this article as "vehicle" and includes an area used for automobile dismantling, salvage and recycling operations.

Beano or bingo means a specific kind of group game of chance, regardless of whether such a game is characterized by another name. In "beano," each participant is given or sold one or more tally cards, so-called, each of that contains preprinted numbers or letters and may or may not be arranged in vertical or horizontal rows. The participant covers or marks the numbers or letters as objects similarly numbered or lettered are drawn from a receptacle and the winner or winners are determined by the sequence in which those objects are drawn.

Billiard or pool hall means any place for the playing of any game of billiards, pool, bagatelle or similar game.

Blasting means the ignition, detonation or setting off of any charge or explosive or any solid, liquid or gaseous substance capable of any chemical reaction releasing energy or pressure in great force.

Bowling alley means any building, structure, enclosure or other place for the playing of bowls, candlepins, duckpins, tenpins or similar games, other than coin-operated amusement devices.

Business means any vocation, occupation, profession, enterprise, establishment or other kind of activity or matters, together with all devices, machines, equipment, vehicles and appurtenances used in connection therewith, any of which are conducted for profit or benefit, whether directly or indirectly, on any premises or location in this city or within its jurisdiction.

Carnival means any traveling amusement show, excluding circuses, with or without midway, rides, concessions or other specific attractions. For licensing purposes, the term "carnival" shall also include rodeos, thrill shows and freak shows.

Charitable purpose means any activity conducted without profit and for a public, medical, scientific, educational, fraternal or religious purpose.

Circus means any show in which feats of horsemanship, tumbling, strength, etc., are exhibited, excluding carnivals and harness or running horse races; any show with an enclosed ring for the exhibition of animals.

Class A Lounge means any business establishment which holds a class A lounge license issued by the state bureau of alcoholic beverages for the sale of spirituous, vinous and malt liquors.

Classified waterway means surface water, inland or tidal, and direct or indirect tributaries thereof, that is described and designated by distinct category by the state department of environmental protection pursuant to 38 M.R.S.A. § 363-A or 38 M.R.S.A. § 364.

Client means any person who receives a therapeutic massage.

Coin-operated amusement device means any machine or device which upon the insertion of a coin may be operated by the public generally for use as a game, entertainment or amusement, whether or not registering a score, and that is operated for amusement only and does not dispense any form of payoff, prize or reward except free replays. For the purpose of licensing, the owner of the establishment where the device is located shall be the party responsible for obtaining the license.

Critical violation means any violation of these rules which presents a clear risk of contamination, illness, or environmental health hazard. The commission of a critical violation of these rules is an aggravating factor which may warrant a greater fine, imprisonment, or license suspension or revocation.

Department means the city.

Disqualifying criminal conviction means any conviction for a criminal offense punishable by imprisonment whether or not the sentence was served, but shall not include any conviction which was set aside on appeal or collaterally, or for which a pardon, certificate of rehabilitation or equivalent under the law of the sentencing jurisdiction has been granted, or that is not rationally related to the licensing or operation for which a license is being applied.

Doing business means the selling of any goods or services, the soliciting of business or offering of goods or services for sale or hire, the maintenance or providing of any equipment or device, or the acquiring or using of any vehicle or other conveyance or any premises in the city for business purposes.

Donated personal property means the personal property of persons other than those residing on the residential premises where such sale is to take place, such personal property being donated to, or the sale being conducted by, a tax-exempt religious or charitable organization, and the entire proceeds from such sale being donated to, or retained by, the sponsoring tax-exempt religious or charitable organization.

Entertainment means any amusement, performance, exhibition, or diversion whether live, taped, or otherwise, for patrons or customers of the licensed premises whether provided by professional entertainers, by full-time or part-time employees of the licensed premises whose incidental duties include activities with an entertainment value, by patrons induced to win prizes or otherwise to act as entertainers, or by any other person.

Ethylene oxide means a method of sterilization, involving high pressure, conducted in a manufacturing facility.

Exhibitions, performances and shows means any person who shall conduct or operate any exhibitions, performances or shows, including trade shows, tattoo shows, or any other public gathering where a fee is charged to either the participants or the attendees.

Fill-in means any goods, wares and merchandise not mentioned in the original inventory for a sale filed with the application for an auction license.

Flea market means the selling or offering for sale, to the public, of any services, goods, wares and merchandise or personal property by three or more individuals, groups or organizations from or at one fixed location. Also known as a craft fair, swap meet, bazaar.

Floodplain means the low land and relatively flat areas adjoining inland and coastal waters, including flood prone areas of offshore islands, which are inundated by a flood that has a one percent or greater chance of recurring in any year or a flood of magnitude equaled or exceeded once in 100 years on the average as identified by the federal insurance administration.

Food means and includes all liquid or solid substances intended for human consumption.

Food service establishment (FSE) means any person who prepares, sells, serves or packages food for consumption on premises within the corporate limits of the city, including but not limited to restaurants, luncheonettes, diners, snack bars, drive-ins and concession stands. The term "food service

establishment," for the purpose of licensing, shall include any caterer doing business within the corporate limits of the city, any lessee or subtenant of any premises, business or dominant lessor (such as recreation or amusement areas, drive-in theaters, sports arenas or public exhibition halls) who prepares, serves, sells or packages food for consumption on the premises of any such business or dominant lessor, and any person, club or other establishment offering for sale malt, spirituous or vinous liquors for consumption on the premises. The city issues licenses for the following types of food service establishments:

- (1) Class I—Liquor—Beer, wine and spirits, and mixed drinks.
- (2) Class III—Liquor—Wine.
- (3) Class III/IV—Liquor—Beer and wine.
- (4) Class IV—Liquor—Beer.
- (5) Class On or Off Premises—No liquor.
- (6) Bottle Club/BYOB.
- (7) Temporary Food Service Establishment—Per event, maximum of 30 days.
- (8) Off Premises Retailer.

Garage sale means the sale of used household or personal goods held on the seller's own premises. Also known as a yard sale, barn sale, moving sale, tag sale.

Group care facility means a boarding care facility for more than eight individuals wherein children under 18 years of age or adults over 16 years of age and not legally related to the operator are provided personal care, supervision and social or rehabilitative services. Group care facilities within the meaning of this definition must be licensed by this state and may include, but are not limited to, group homes, half-way homes and congregate homes, but do not include foster family homes. No city License is required for group care facilities.

Itinerant Vendors means any person selling or with the intent of selling at a future date any merchandise or services by means of personal contact, i.e. door to door.

Junk means old iron, chains, brass, copper, tin, lead or other base metals, old rope, old bags, rags, wastepaper, paper clippings, scraps of woolens, clips, bagging, rubber and glass, and empty bottles of different kinds when less than one gross, and all articles discarded or no longer used, or a manufactured article composed of any one or more of the materials mentioned.

Junk collector means anyone dealing or trading in junk; anyone who engages in the collection, storage, transfer or sale of junk.

Junkyard means a yard, field or other area used as a place of storage for:

- (1) Discarded, worn-out or junked plumbing, heating supplies, household, appliances and furniture;
- (2) Discarded, scrapped and junked lumber;
- (3) Old or scrap copper, brass, rope, rags, batteries, paper trash, rubber debris, waste and all scrap iron, steel and other scrap ferrous or nonferrous material;
- (4) Garbage dumps, waste dumps and sanitary fills;

all of which are referred to in this article as "junk."

Licensee means any holder of a valid and current license or permit issued by the city.

Local means of or pertaining to this city.

Lodging house or rooming house means a dwelling which, for compensation, lodging or lodging and meals is provided to more than four persons and where a proprietor or owner may reside in the building. No provisions for cooking in individual rooms other than a main kitchen are allowed.



Malt liquors means all kinds and types of liquors intended for human consumption produced by the fermentation of malt wholly or partially, or from any substitute therefore, that contain more than one-half of one percent of alcohol by volume.

Mass gathering area means any place maintained, operated or used for a mass gathering, except an established permanent stadium, athletic field, arena, auditorium, coliseum, fairground, or other similar permanent places of assembly.

Mass outdoor gathering means any gathering held outdoors with the intent to attract the continued attendance of 1,000 or more persons for two or more hours.

Massage establishment or therapeutic massage establishment are used interchangeably to mean any business including, but not limited to, a sole proprietorship in which the business operations consist of providing or making available massage in the city for consideration or with the expectation of receiving consideration or any gratuity, whether or not the business has a fixed place of business within the city limits.

Massage or therapeutic massage are used interchangeably to mean any method of rubbing, kneading, tapping, vibration, compression, percussion, application of friction or manipulation of the external parts of the human body other than parts of the body above the neck, with the hands or other parts of the body or with the aid of any instrument or device.

Massage therapist means any person who performs therapeutic massage for consideration or gratuity or with the expectation of receiving consideration or any gratuity.

Minor means an individual under 18 years of age.

Motion picture theater means any building or area, including drive-in parks, arenas, exhibition halls or public buildings, where commercial films, movies or motion pictures, including previews of motion pictures, closed circuit telecasts and videotape replays, are shown, or where any cinematograph or similar apparatus is kept, used or exhibited for any commercial use whatsoever.

Motor bus means motor vehicles designed and equipped for the general transportation of passengers for hire which possess a manufacturer's rated seating capacity of 15 or more passengers.

Neighborhood garage sale means a garage sale where two or more households hold a garage sale which takes place on the same days and during the same hours as permitted in the ordinance. In order to be considered a neighborhood garage sale, the sponsors and participants must all reside on the same street.

Nursing home means a facility that is operated in connection with a hospital, or in which nursing care and medical services are prescribed by or performed under the general direction of persons licensed to practice medicine or surgery in the state, for the accommodation of convalescent or other persons who are not acutely ill and not in need of hospital care, but who do require skilled nursing care and related medical services. No municipal license is required for nursing homes.

Operator means the person responsible for managing the mass gathering area. In the event that no manager exists, the owner, or in the event of his unavailability, the lessee of the ground encompassing the mass gathering area, shall be deemed to be the "operator" under these regulations.

Outpatient addiction treatment clinic means a program or facility operated for the purpose of and specializing in the care, treatment or rehabilitation of persons suffering with addictions, including, but not limited to gambling addiction, alcohol or controlled substance addictions. This includes, but is not limited to, substance abuse treatment programs licensed by the state department of behavioral and developmental services office of substance abuse. Outpatient addiction treatment clinic does not include an inpatient or residential addiction treatment program, or a program consisting solely of support group activities without treatment by licensed health practitioners, such as Alcoholics Anonymous, Narcotics Anonymous, and similar programs.

Pawnbroker means any person engaged in the business of lending money on deposit or pledges of personal property or other valuable thing other than securities or printed evidence of indebtedness, or in the business of purchasing personal property, or chooses in action, or other valuable thing, and selling or

agreeing to sell the same back to the seller at a price other than the original price of purchase, or in the business of purchasing personal property such as articles containing gold, silver, platinum or other precious metals or jewels for the purpose of reducing or melting them into a different form and reselling the product.

Peddler means any person traveling by foot, wagon, automotive vehicle or any other type of conveyance from place to place, from house to house, or from street to street carrying, conveying or transporting goods, wares and merchandise and offering or exposing the same or any service for sale; or who without traveling from place to place shall sell, expose or offer any goods, wares, merchandise or service for sale from any portable, mobile or temporary structure, or from a wagon, automotive vehicle or other vehicle or conveyance; or who without traveling from place to place shall sell, expose or offer for sale the same in the entrances to buildings or other premises or upon vacant lots or other tracts of land within the corporate limits of the city. The term "peddler" shall not be construed to include the following: vendors of food sold by wagon, automotive vehicle or any other type of conveyance, vendors of merchandise by sample, list or catalogue for future delivery, vendors of farm, dairy, orchard, fish and forest products of their own production, vendors of newspapers and religious literature, route salesmen while engaged in making deliveries to their regular customers, commercial travelers or selling agents who, in the usual and customary course of business, make sales to dealers, or persons duly authorized to conduct tag days, sell poppies or otherwise solicit.

Pigment means the materials used in tattooing to implant a lasting pattern in the skin. Also, pigment may be referred to as "ink."

Plumbing means the art of installing in buildings the pipes, fixtures and other apparatus for bringing in the water supply and removing liquid and water-carried wastes, and shall include the necessary water piping and water connections to all types of heating apparatus using water.

Premises means all lands, buildings, structures, places and also the equipment and appurtenances connected or used therewith in any business, and also any personal property that is either affixed to, or is otherwise used in connection with, any such business conducted on such premises.

Racetrack means any fairgrounds, racetrack or field in the city which has on it any structure or grandstand with a capacity of over 100 persons and that is used by spectators at races.

Recognized school means any post secondary, academic institution for massage, bodywork, or somatic therapy which offers a course of training in the theory, method, profession and work of massage therapy consisting of 500 hours or more, such institution being approved by the state higher education department or an equivalent agency in another state. The 500 hours shall include at least 100 hours of anatomy/physiology; at least 100 hours devoted to professional aspects of the practice of massage including but not limited to ethics, draping, contraindications, first aid, CPR, and business management; and at least 200 hours of theory, practice and techniques of massage therapy.

Refuse means all combustible and non combustible, spoilable or non-spoilable solid or liquid waste.

Residential premises means a building or structure having at least one dwelling unit, the lot of land associated therewith, and any accessory structures; and any lot of land within a residential zone.

Roving diner and mobile food vendors means any portable, mobile or temporary structure, and any vehicle, cart, wagon, conveyance or carrier of any kind, from which food is sold or caused to be sold, at retail, from house to house, store to store, building to building, or along or upon any sidewalk, street, park or other public property in the city; lunch wagons. The term "roving diner" shall not be construed to include caterers, vendors of dairy products, ice, bakery products, or similarly employed route salesmen while engaged in making deliveries to their regular customers or persons making deliveries on order from customers of retail stores in the city.

Secondhand dealer means any person who engages in the purchase, collection, transfer or storage for later resale, or who engages in the trading or selling, unless such sale is by auction of less than four days' duration, of any article, vehicle or material, or portion thereof, of which prior use has been made in any manner whatsoever. The term "secondhand dealer" shall not be construed to include pawnbrokers, junk collectors, used car dealers; nor shall it include any person primarily engaged in the retail sale of

new and unused goods, who deals with used goods only incidentally, such as accepting such goods in trade as part of a transaction involving the sale of new goods, but only to the extent that such used goods are of the same type as the new goods sold by such person.

Sterilize means to render free from infectious organisms, specifically for tattoos by use of an autoclave used in accordance with accepted sterilizing procedures unless previously manufactured and packaged with ethylene oxide (E.O) form of sterilization.

Solicitor means any person using or upon any sidewalk, street park or other public place, or at any doorway or entranceway immediately abutting thereon, within the corporate limits of the city for the purpose of begging, collecting or soliciting alms for the poor or funds for any charitable, philanthropic, civic, musical, athletic, patriotic or related purposes.

Sound amplification means any private conveyance or carrier of any kind having, either mounted or un-mounted, any electronic, mechanical or other appliance, apparatus, equipment or device used to broadcast or otherwise amplify any announcement, voice, advertisement, recording, tape or other sound for any purpose other than use during a public emergency, and traveling upon or using any street, sidewalk, park or other public place within the corporate limits of the city. The term "sound amplification" shall not be construed to include any private or public emergency vehicles used to perform a public service.

Spirituous liquor means any alcoholic beverage produced by distillation or if produced by any other process, strengthened or fortified by the addition of distilled spirits of any kind, intended for human consumption, that contains more than one-half of one percent of alcohol by volume.

Takeout establishment means an establishment in which food is prepared on the premises to be licensed that is sold exclusively to customers to be consumed off the premises.

Tattoo establishment means permanent, non-dwelling premises where a Tattoo Practitioner performs tattooing.

Tattoo means to insert pigment under the skin of a human being by pricking with a needle or otherwise, so as to produce an indelible mark or figure visible through the skin.

Tattoo practitioner means the person who places a tattoo on a human being.

Tattoo trade show means an event held for the purpose of promoting the tattoo and other licensed body art industry, where a minimum of 20 licensed tattoo practitioners operate at an approved facility at a fixed location for a specified length of time of not more than seven days in conjunction with a single event or celebration, where the primary function of the event or celebration is tattooing.

Taxicab means a motor vehicle used for the conveyance of passengers for hire from place to place on the streets of the city, and shall include, in addition to such motor vehicles as are commonly known as taxicabs, all motor vehicles of every kind, character and description which are used as taxicabs, cabs, for-hire cars, or livery cars and engaged as such in the conveyance of passengers for hire. The term "taxicab" shall not be construed to include motor vehicles owned by undertakers and used for funeral services, motor vehicles for hire while being used for services at funerals or weddings or motorbuses.

Ultrasonic machine means a mechanical device that uses sound wave vibration through a liquid medium to clean soiled or used instruments or utensils before being sterilized.

Vinous liquor means wine.

Work Station means the actual area where a tattoo is being applied, including work surfaces and all sterile equipment being utilized during the application of a tattoo.

(Ord. No. 38-02072011-05, att. § 24-8, 2-7-2011; Ord. No. 14-11042013, 11-18-2013)

Mobile food distribution unit (roving diner):

Three months .....100.00

Six months .....125.00

Twelve months .....150.00

Vendor use of city property (each three-month period) .....50.00

Peddlers:

Per event .....75.00

30-day permit .....100.00

~~Garage sales—each (maximum of two three-day permits within six months):~~

~~On-line issuance .....10.00~~

~~In-office issuance .....15.00~~

Garage Sale (maximum of two 3 day permits within a 6 month period) - \$15.00 each

Agricultural Barn Sale (maximum of one 3 day permit per month between the months of April and October) - \$15.00 each

Secondhand dealer license—annually .....85.00

Pawnbroker license—annually plus actual cost of advertising hearing .....100.00

Junkyard/automobile graveyard (no on-line license)—annually plus actual cost of advertising hearing: .....100.00

Taxicabs:

Taxicab business license (police department inspection required)—annually per cab .....55.00

Taxicab driver's license (Lewiston permit required)—annually .....25.00

Call-out inspection fee (establishment requested outside normal hours)—each, plus inspector's overtime hourly rate .....100.00

Re-inspection fee .....100.00

Flea market, craft fairs, swap meets, and bazaars:—

One day event .... \$50.00 up to 25 tables, \$100 over 25 tables

~~†~~Three months:

Per table .....50.00

Maximum per location .....500.00

Alcohol beverage establishments:

Class A Lounge (liquor)—annually (plus actual cost of advertising hearing) .....1,000.00

Up to 2,999 square feet .....1,300.00

From 3,000 to 5,999 square feet .....1,500.00

6,000 square feet and larger .....TBD

Tavern license—annually:

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



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

Jonathan P. LaBonte, Mayor

## IN CITY COUNCIL

### ORDINANCE 13-06152015

Be it ordained by the Auburn City Council, that Part II, Code of Ordinance, Chapter 14, Business Licenses and Permits, Article I, In General, Section 14-2, Definitions, and Appendix A – Fees and Charges under Businesses and Business Regulations (Flea market, craft fairs, swap meets, and bazaars).

#### **Article I, In General, Section 14-2, Definitions**

*Flea market means the selling or offering for sale, to the public, of any services, goods, wares and merchandise or personal property by three or more individuals, groups or organizations from or at one fixed location. Also known as a craft fair, swap meet, bazaar.*

#### **APPENDIX A Fees and Charges under Businesses and Business Regulations**

*Flea market, craft fairs, swap meets, and bazaars:*

*One day event .... \$50.00 up to 25 tables, \$100 over 25 tables*

Three months:

Per table .....50.00

Maximum per location .....500.00



**PRELUDE- Auburn Ward 1 Report for Monday 2015.06.15**

**TO:** Residents of Auburn and the Auburn City Council  
**FROM:** Tizz E. H. Crowley- Auburn City Council Ward

**Tuesday June 16<sup>th</sup>** The first meeting of the Conservation Commission will start at 6:00pm in room 204 here at Auburn City Hall. The public is encouraged to attend. There are still two openings on the Commission and so I hope people will apply.

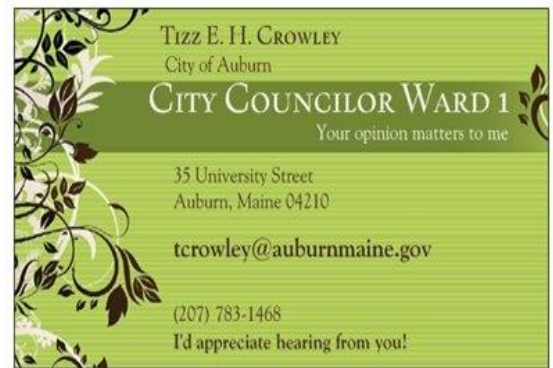
**Visiting Hours-** Thursday evening visiting hours during the summer are only from 5-6pm as the library closes early. Visiting hours are Thursday June 25<sup>th</sup> from 5-6pm and Tuesday July 24<sup>th</sup> from 2-4pm at the Auburn Public Library.

**From another vantage point:** There has been lots of talk regarding our last meeting and the subject of a resolve to support the work of the Joint Charter Commission. Sadly, too people were denying the subject was not in support of the merger- when the work on the Joint Commission is to present the documents necessary for the vote on the merger. There are people strongly opposed to the merger and there are people strongly in favor of the merger, but I think many of us want to have courteous conversations on the benefits and risks of such action and no one seems to want the “neutral” position to be involved in conversation and process. Clearly the public was left out of the Council meeting when rules were suspended, the item was presented as communication and presentation topic not on the agenda, and the public had no idea this was a subject for the meeting. Clear message- public doesn’t need to know, example of no transparency.

From my vantage point- I felt and saw lots of “politics” going on which left me with a frustration of helplessness and anger that the open process/transparency wasn’t important. The subject of such a resolve is an appropriate topic for the Council- although I had hoped it wouldn’t come forward until the community had materials and detailed documents. It’s the way this topic got to the table that I strongly object to... and the background actions to push a certain agenda.

The Council has a procedure where a new agenda item, especially one of importance, would be placed on the Council schedule for a workshop when two councilors completed a request form. The request should go in queue- which means that other Councilors, who have had completed requests pending for months, would come first. It has also been an agreed upon practice that the Council would not vote on a workshop item on the same night as the workshop, so Councilors and the public could have input, ask questions and such after receiving the detailed information. Finally, during budget session, it has been the understanding that new business topics would be limited. The resolve is a new subject on a “hot” topic for the community.

According to testimony and the Sun Journal, the meeting with the Governor was over a month before the Council meeting, so there was sufficient time to follow the process- bring the subject to workshop, create a resolve based on the position of the Council, and come back at another meeting for action. Why wasn’t this done? Instead, it’s coming in at the last moment and politics played out in the vote.





I received a call from a constituent, who is also a member of the Joint Charter Commission, who asked to meet with me the week before our Council meeting. When we didn't connect by phone I got an email and a copy of the proposed resolve. No it didn't ask for edits. On Friday, this Commissioner mentioned the resolve was on the Council agenda for Monday. I checked the agenda packet and it was not listed- as I would have expected. Reported this back and never heard from any Councilors about the subject.

I attended the Joint Charter Commission meeting on Thursday evening, May 28<sup>th</sup> - nothing was mentioned about the resolve or the interest in having support by the Council at the June 1<sup>st</sup> meeting. It is important for the community members to know the Commissioners want input and are very open at these Joint Charter Commission meetings. They encourage the audience to fully participate in the dialogue and they are listening. Unfortunately, few residents attend. I believe I was the only "audience" member on Thursday night. So why wasn't the resolve topic brought up? Why didn't one of the Commissioners ask for my support as a Councilor? Why didn't the plans to push the resolve through on Monday City Council be discussed at this public meeting?

Over the weekend, I heard more about the topic of this resolve being on the agenda for Monday. There were no updates for the agenda or the materials- I checked often. I spent most of Monday afternoon, tracking down the City Clerk (who has the authority regarding agendas) and the Assistant City Manager- who confirmed the resolve was not on the agenda, and the City Manager who said the topic was expected to come up from the public during open session. Instead, the Mayor brought the subject up under Communications and Presentations. This is the first City Council meeting I've attended where topics under presentation and communications were really workshop agenda topics- in my opinion- a way to "get around the system".

It is well documented that the subject of the merger and the work of the Joint Charter Commission have sufficient votes on Auburn's City Council for any related topic. Four members of the Council and the Mayor signed the form. I know I heard the comment that signing the petition did not mean support of the Commission. Really?! "We the undersigned" "hereby PROPOSE TO CONSOLIDATE the City of Auburn with the City of Lewiston." These signatures establish an election for members of a "joint charter commission for the purposed of drafting a consolidation agreement".

There are a number of members in the community who are very upset with recent actions of the Governor. Everyone is entitled to an opinion, based on the Governor's refusal to bills passed by the legislature sponsored by the opposing party, I'm being asked to behave in the same manner and not support what the Governor wants- the Auburn City Council to support the work of the Joint Charter Commission. I can see both sides of this argument.

Although, not a process or procedure issue, the members of the Charter Commission have said no taxpayer dollars for the work of the Commission. The funds from the Governor are tax payer dollars. The Council meeting comments regarding funding are just the type of community conversation we should have. I've asked many people who signed the merger petition how they expected pay for the Commission. No one thought about the cost and didn't realize the last round of consolidation of services cost \$165,000. I like some of the ideas mentioned about payment for the work and the influence contributors may have on the final documents. My suggestion, of course, would be to have all petition signers contribute \$50- put your money with your position of support.

It is my understanding that politics will play again on Monday as the resolve issue will be brought back- with no notice to the public. Since there are the sufficient number of votes to pass whatever is stated about the joint charter commission, the minority position will not be respected by waiting until we finish the budget work and follow the procedures outlined. Let's hope we don't waste a lot of time in discussion. Just take the necessary steps permitted under Roberts Rule and move on. I will be voting "no" again because of the failure to follow the process and inform the public. Yes, I know I also hold the minority position that "City Council meetings are for the public" and the "Council to conduct business in the open".

The way this resolve has been presented is just a demonstration of the future. The "fors" and the "againsts" will fight at every opportunity- while ignoring the residents who might need and want respectful dialogue on what the merger of the cities really means to the community.

Thank you for your attention.

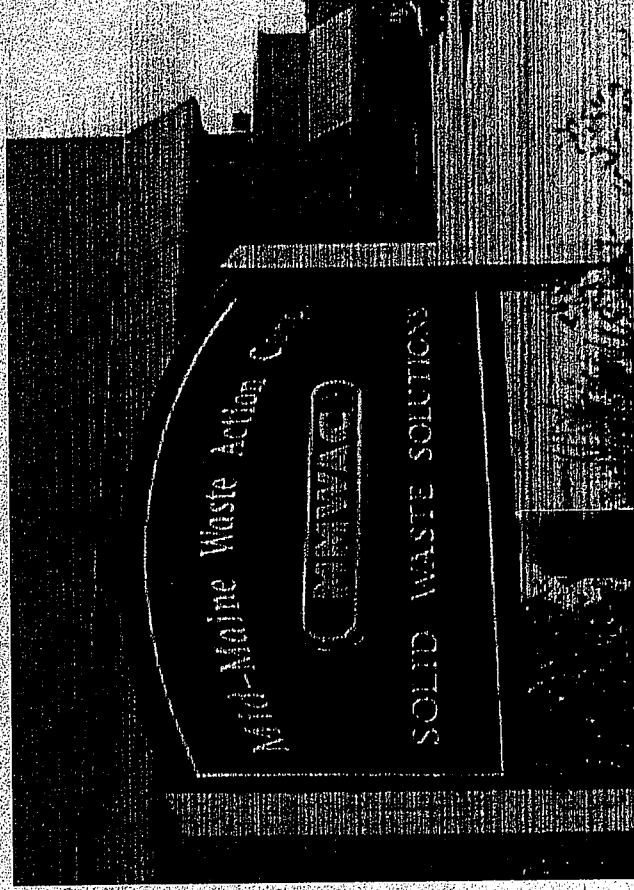
**THE FOLLOWING  
INFORMATION IS  
PROVIDED BY  
COUNCILOR  
LEROY WALKER  
AUBURN WARD 5**

# MONTHLY ACTIVITY REPORT

*Mid-Maine Waste Action Corporation*

*April 2015*

*2015 Fiscal Year*



*Member Communities*

*Auburn • Bowdoin • Buckfield • Lovell • Minot • Monmouth • New Gloucester • Poland  
Raymond • Sumner • Sweden • Wales*

**Draft - Minutes of the April 30, 2015  
Executive Committee Meeting**

The Executive Committee of the Mid-Maine Waste Action Corp. met on Thursday, April 30, 2015, at 5:05 PM, at MMWAC's offices in Auburn.

**1. Roll Call**

President Landry called the meeting to order. Members present were: Curtis Lunt, Eda Tripp, Bradley Plante and Leroy Walker, as well as staff Michael Daily, Joseph Kazar, John King, Daniel LaBrecque, and Marc Vachon.

**2. Minutes**

Mr. Plante made a motion, seconded by Mr. Walker, and approved 5/0 to accept the minutes of the March 17, 2015 Executive Committee meeting.

**3. Monthly Activity Reports**

Mr. Walker made a motion, seconded by Mr. Plante, and approved 5/0 to accept the March 2015 Monthly Activity Report.

**4. Finance**

Mr. Kazar recommended the Committee consider recommending that the Board update its October 2008 Generic Bank Resolution that is sometimes needed to open investment accounts at area banks and credit unions. The resolution authorizes investments at listed financial institutions. Mr. Lunt made a motion, seconded by Ms. Tripp, and approved 5/0 to recommend the Board adopt the updated resolution.

**5. Updates**


Staff deferred updates for the Board meeting that immediately follows.

There being no further business Ms. Tripp made a motion, seconded by Mr. Walker, and approved 5/0, to adjourn at 5:55 PM.

# Mid-Maine Waste Action Corporation

110 Goldthwaite Road  
P.O. Box 1750  
Auburn, Maine 04211-1750  
(207) 783-8805  
Fax (207) 783-9831  
[www.midmainewaste.com](http://www.midmainewaste.com)

## MEMORANDUM

To: Board of Directors  
From: Joseph E. Kazar, Executive Director   
Michael Daily, Finance Director  
Subject: April Financial/Activity Report - Unaudited  
Date: May 27, 2015

Enclosed please find the unaudited April Activity Report covering the period from April 1 through April 30, 2015.

### General Summary

Plant throughput for the month was 5,702 tons processed, or about 190 tons per day and running time throughput was 220 tons per day. Operating Revenues were below Expenses resulting in April having an operating loss of \$327,823, due to the week-long Spring plant maintenance outage (These figures do not reflect balance sheet expenses). Year-to-date operating loss is \$205,822 compared to a \$33,610 projected budget gain and a gain of \$478,288 in FY14. Cash and investments totaled \$5,924,704. Cash and investments are down \$329,799 from the start of FY15. The reserve goal established by the Board for FY15 is \$5,872,511 and is now at 100.9% of goal. The balance sheet shows current assets less liabilities at \$6,328,490, which is down \$289,210 from the beginning of the fiscal year.

### Waste Deliveries/Operations

A total of 5,952 tons were delivered to the pit for an average of 198 tons per day. 7,508 tons were received from all sources for the month. Details on deliveries are presented in the following table:

Waste Type	Year-To-Date Tons		Variance	
	FY15 Actual	FY14 Actual	Tons	%
MSW Member	13,223	13,117	106	0.8%
Comm Member	12,051	12,430	(379)	-3.0%
Municipal Non-Member	17,968	17,770	198	1.1%
Gate/Hauler	13,666	13,653	13	0.1%
OBW/Res TS	6,768	6,778	(10)	-0.1%
Other	8,468	8,029	439	5.5%
<b>Total</b>	<b>72,144</b>	<b>71,777</b>	<b>367</b>	<b>0.5%</b>

MEMBER COMMUNITIES:

AUBURN • BOWDOIN • BUCKFIELD • LOVELL • MINOT • MONMOUTH • NEW GLOUCESTER • POLAND • RAYMOND • SUMNER • SWEDEN • WALES

Waste flows to the plant and transfer station are 0.5% above last year. Waste processed in the plant during the month was recorded at 5,702 tons, or an average of 190 tons per day. The monthly running time thruput was 220 tons. Year-to-date tons processed in the plant are equal to 194 tons per day. Running time year-to-date throughput equaled 208 tons per day. The transfer station processed 1,404 tons during the month from all sources and averaging 58.5 tons per day for the month, (5.5 day receiving week) and 10,990 tons year-to-date. Recyclables totaled 155 tons for the month and 2,019 tons year-to-date. Prior year and budget comparisons of processing records as follows:

	Prior Year Comparison YTD				Budget Comparison YTD			
	FY15	FY14	Variance		FY15	FY15	Variance	
	Actual	Actual	Tons	%	Actual	Budget	Tons	%
Waste-To-Energy	58,997	57,375	1,622	2.8%	58,997	58,463	534	0.9%
Transfer Station	10,990	11,972	(982)	-8.2%	10,990	9,624	1,366	14.2%
Recycling	2,019	1,961	58	3.0%	2,019	1,902	117	6.2%
Total	72,006	71,308	698	1.0%	72,006	69,989	2,017	2.9%

### Cash Available to Operations

Cash balances in checking and investments total \$5,924,704 down \$203,308 from the prior month. The following is the status of the reserve goal:

Reserve Status		
	FY 15 Goal	As of 4/30/15
Operating	1,996,654	2,014,400
Capital Improvement	939,602	947,953
20-Year Plan	1,703,028	1,718,164
Rate Stabilization	1,233,227	1,244,188
Total	5,872,511	5,924,704
Total Cash		5,924,704
Surplus or (Deficit)		52,193

### Revenue

Revenue for the month totaled \$501,801. Major categories of revenue by month include: tipping fees, \$447,724; power contract, \$39,810; recycling, \$9,869; interest, \$3,873; other, \$525. Revenue for the month was \$4,822 above budget projections and \$15,638 above FY14. Year-to-date revenue is \$5,160,045, which is \$153,710 below budget and \$615,971 below FY14, primarily due to electric revenue declines.

The table that follows shows detail relative to electrical sale:

Month	Price per MWhr			Electrical Output MWhr			Electrical Revenue		
	FY14	FY15		FY14	FY15		FY14	FY15	
	Actual	Budget	Actual	Actual	Budget	Actual	Actual	Budget	Actual
Jul	\$85	\$54	\$35	1,465	1,465	1,421	\$124,723	\$79,223	\$49,759
Aug	\$93	\$38	\$32	1,525	1,525	1,514	\$141,545	\$57,549	\$48,475
Sep	\$83	\$38	\$38	1,518	1,518	1,528	\$126,235	\$57,300	\$58,184
Oct	\$87	\$41	\$34	1,401	1,401	1,256	\$121,927	\$57,347	\$42,871
Nov	\$90	\$49	\$46	1,536	1,536	1,564	\$138,618	\$75,555	\$72,501
Dec	\$93	\$100	\$45	1,488	1,488	1,503	\$138,284	\$149,538	\$67,378
Jan	\$139	\$115	\$67	1,558	1,558	1,422	\$216,906	\$178,901	\$94,846
Feb	\$149	\$130	\$120	1,383	1,383	1,255	\$205,601	\$180,249	\$151,233
Mar	\$120	\$57	\$59	1,222	1,298	1,332	\$146,458	\$74,312	\$79,086
Apr	\$46	\$47	\$30	735	1,136	1,349	\$33,542	\$53,496	\$39,810
YTD	\$101	\$67	\$50	13,831	14,307	14,145	\$1,393,839	\$963,470	\$704,143

Total gross kWh for the latest period was 1,896,420 of which 1,349,272 were sold to the grid. Net kWh per ton equaled 237, as compared to 193 for the comparable period in FY14.

### Expenditures

Operating expenses in all categories total \$829,624 for the month, which is \$93,045 above budget projections, and \$2,196 below last year. Year-to-date expenses are \$5,365,867 which is \$85,722 above budget and \$68,140 above FY14.

### Investments Status

As of April 30, MMWAC's investments totaled \$5,924,704. Table 8 details all of our investments.

### Capital Expenditures:

There were none for the month of April. Year-to-date expenditures total \$83,809.

cc: Member Municipalities  
Reference No.: 03629



# City of Auburn, Maine

*"Maine's City of Opportunity"*

## Financial Services



**TO: Howard Kroll, City Manager**  
**FROM: Jill Eastman, Finance Director**  
**REF: May 2015 Financial Report**  
**DATE: June 10, 2015**

The following is a discussion regarding the significant variances found in the City's May 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 eleventh month of the current fiscal year. As a guideline for tracking purposes, revenues and expenditures should amount to approximately 91.7% 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 May 31<sup>st</sup>, including the school department were \$68,105,203, or 89.49%, of the budget. The municipal revenues including property taxes were \$50,512,819, or 93.52% of the budget which is less than the same period last year by 0.27%. The accounts listed below are noteworthy.

- A. The current year tax revenue is at 97.25% as compared to 95.9% last year. The 30 day notice of liens were sent out in May. Tax liens will be filed in the middle of June on any properties that have unpaid taxes.
- B. Excise tax for the month of May is at 103.55%. This is a \$171,470 increase from FY 14. Our excise revenues for FY15 are 11.85% above projections as of May 31, 2015. As of May 31<sup>st</sup> we are \$112,968 over the anticipated revenue for the year of \$3,185,000.
- C. State Revenue Sharing for the month of May is 81.5% or \$1,344,291.

## **Expenditures**

City expenditures through May 2015 were \$34,100,030 or 90.05%, of the budget. This is 2.14% lower than last year at this time.

Noteworthy variances are:

- A. The transfer to the Workers Compensation Fund has not been done this fiscal year. It will be done in June.

## **Investments**

This section contains an investment schedule as of May 31st. Currently the City's funds are earning an average interest rate of .36%. I will be moving all of the City's investments out of TD Bank and into Androscoggin Bank or Northern Capital to maximize our return. I have moved a large portion in May and the balance will be moved in June.

Respectfully submitted,



Jill M. Eastman  
Finance Director

**CITY OF AUBURN, MAINE**  
**BALANCE SHEET - CITY GENERAL FUND, WC AND UNEMPLOYMENT FUND**  
**AS of May 2015, April 2015, and June 2014**

<b>ASSETS</b>	<b>UNAUDITED May 31 2015</b>	<b>UNAUDITED April 30 2015</b>	<b>Increase (Decrease)</b>	<b>AUDITED JUNE 30 2014</b>
CASH	\$ 15,554,717	\$ 18,662,621	\$ (3,107,904)	\$ 5,319,835
RECEIVABLES			-	
ACCOUNTS RECEIVABLES	1,831,522	1,875,825	(44,303)	1,447,551
TAXES RECEIVABLE-CURRENT	1,292,007	1,713,230	(421,224)	140,913
DELINQUENT TAXES	576,846	583,267	(6,421)	533,344
TAX LIENS	524,169	569,401	(45,232)	1,390,006
NET DUE TO/FROM OTHER FUNDS	(581,433)	(698,317)	116,884	8,116,581
<b>TOTAL ASSETS</b>	<b>\$ 19,197,829</b>	<b>\$ 22,706,028</b>	<b>\$ (3,508,199)</b>	<b>\$ 16,948,230</b>
 <b>LIABILITIES &amp; FUND BALANCES</b>				
ACCOUNTS PAYABLE	\$ (94,757)	\$ (15,175)	\$ (79,582)	\$ (568,395)
PAYROLL LIABILITIES	(355,583)	190,776	(546,359)	-
ACCRUED PAYROLL	(505)	(505)	-	(2,480,654)
STATE FEES PAYABLE	(50,874)	(91,343)	40,469	-
ESCROWED AMOUNTS	(19,573)	(59,544)	39,971	(43,526)
DEFERRED REVENUE	(2,187,876)	(2,554,570)	366,694	(1,792,296)
<b>TOTAL LIABILITIES</b>	<b>\$ (2,709,167)</b>	<b>\$ (2,530,360)</b>	<b>\$ (178,807)</b>	<b>\$ (4,884,871)</b>
FUND BALANCE - UNASSIGNED	\$ (15,397,709)	\$ (19,084,715)	\$ 3,687,006	\$ (9,895,359)
FUND BALANCE - RESTRICTED FOR WORKERS COMP & UNEMPLOYMENT	776,017	776,017	-	-
FUND BALANCE - RESTRICTED	(1,866,970)	(1,866,970)	-	(2,168,000)
<b>TOTAL FUND BALANCE</b>	<b>\$ (16,488,662)</b>	<b>\$ (20,175,668)</b>	<b>\$ 3,687,006</b>	<b>\$ (12,063,359)</b>
<b>TOTAL LIABILITIES AND FUND BALANCE</b>	<b>\$ (19,197,829)</b>	<b>\$ (22,706,028)</b>	<b>\$ 3,508,199</b>	<b>\$ (16,948,230)</b>

**CITY OF AUBURN, MAINE**  
**REVENUES - GENERAL FUND COMPARATIVE**  
**THROUGH May 31, 2015 VS May 31, 2014**

REVENUE SOURCE	FY 2015 BUDGET	ACTUAL REVENUES THRU MAY 2015	% OF BUDGET	FY 2014 BUDGET	ACTUAL REVENUES THRU MAY 2014	% OF BUDGET	VARIANCE
<b>TAXES</b>							
PROPERTY TAX REVENUE-	\$ 43,055,996	\$ 41,869,980	97.25%	\$ 42,844,641	\$ 41,086,486	95.90%	\$ 783,494
PRIOR YEAR REVENUE	\$ -	\$ 948,765		\$ -	\$ 854,170		\$ 94,595
HOMESTEAD EXEMPTION REIMBURSEMENT	\$ 495,000	\$ 383,752	77.53%	\$ 482,575	\$ 371,573	77.00%	\$ 12,179
ALLOWANCE FOR ABATEMENT	\$ -	\$ -		\$ -	\$ -		\$ -
ALLOWANCE FOR UNCOLLECTIBLE TAXES	\$ -	\$ -		\$ -	\$ -		\$ -
EXCISE	\$ 3,185,000	\$ 3,297,968	103.55%	\$ 3,068,500	\$ 3,126,498	101.89%	\$ 171,470
PENALTIES & INTEREST	\$ 145,000	\$ 124,316	85.74%	\$ 140,000	\$ 113,705	81.22%	\$ 10,611
<b>TOTAL TAXES</b>	<b>\$ 46,880,996</b>	<b>\$ 46,624,781</b>	<b>99.45%</b>	<b>\$ 46,535,716</b>	<b>\$ 45,552,432</b>	<b>97.89%</b>	<b>\$ 1,072,349</b>
<b>LICENSES AND PERMITS</b>							
BUSINESS	\$ 48,300	\$ 59,833	123.88%	\$ 47,300	\$ 58,909	124.54%	\$ 924
NON-BUSINESS	\$ 339,300	\$ 318,958	94.00%	\$ 338,300	\$ 304,533	90.02%	\$ 14,425
<b>TOTAL LICENSES</b>	<b>\$ 387,600</b>	<b>\$ 378,790</b>	<b>97.73%</b>	<b>\$ 385,600</b>	<b>\$ 363,442</b>	<b>94.25%</b>	<b>\$ 15,348</b>
<b>INTERGOVERNMENTAL ASSISTANCE</b>							
STATE-LOCAL ROAD ASSISTANCE	\$ 440,000	\$ 397,504	90.34%	\$ 440,000	\$ 473,451	107.60%	\$ (75,947)
STATE REVENUE SHARING	\$ 1,649,470	\$ 1,344,291	81.50%	\$ 1,649,470	\$ 1,445,234	87.62%	\$ (100,943)
WELFARE REIMBURSEMENT	\$ 70,000	\$ 45,514	65.02%	\$ 53,000	\$ 59,186	111.67%	\$ (13,672)
OTHER STATE AID	\$ 22,000	\$ 3,356	15.26%	\$ 22,000	\$ 3,025	13.75%	\$ 331
CITY OF LEWISTON	\$ 155,000	\$ -	0.00%	\$ 155,000	\$ -	0.00%	\$ -
<b>TOTAL INTERGOVERNMENTAL ASSISTANCE</b>	<b>\$ 2,336,470</b>	<b>\$ 1,790,665</b>	<b>76.64%</b>	<b>\$ 2,319,470</b>	<b>\$ 1,980,896</b>	<b>85.40%</b>	<b>\$ (190,231)</b>
<b>CHARGE FOR SERVICES</b>							
GENERAL GOVERNMENT	\$ 132,040	\$ 132,236	100.15%	\$ 140,240	\$ 113,745	81.11%	\$ 18,491
PUBLIC SAFETY	\$ 485,703	\$ 351,940	72.46%	\$ 366,152	\$ 302,540	82.63%	\$ 49,400
EMS AGREEMENT(FY14)/TRANSPORT(FY15)	\$ 987,551	\$ 531,610	53.83%	\$ 100,000	\$ 91,667	91.67%	\$ 439,943
<b>TOTAL CHARGE FOR SERVICES</b>	<b>\$ 1,605,294</b>	<b>\$ 1,015,786</b>	<b>63.28%</b>	<b>\$ 606,392</b>	<b>\$ 507,952</b>	<b>83.77%</b>	<b>\$ 507,834</b>
<b>FINES</b>							
PARKING TICKETS & MISC FINES	\$ 26,000	\$ 61,377	236.07%	\$ 40,000	\$ 25,184	62.96%	\$ 36,193
<b>MISCELLANEOUS</b>							
INVESTMENT INCOME	\$ 10,000	\$ 2,685	26.85%	\$ 20,000	\$ 1,490	7.45%	\$ 1,195
INTEREST-BOND PROCEEDS	\$ 2,000	\$ -	0.00%	\$ 2,000	\$ -	0.00%	\$ -
RENTS	\$ 122,000	\$ 2,350	1.93%	\$ 122,000	\$ 121,827	99.86%	\$ (119,477)
UNCLASSIFIED	\$ 20,000	\$ 56,872	284.36%	\$ 17,500	\$ 109,514	625.79%	\$ (52,642)
SALE OF RECYCLABLES	\$ -	\$ -		\$ 4,800	\$ -	0.00%	\$ -
COMMERCIAL SOLID WASTE FEES	\$ -	\$ 41,532		\$ -	\$ 41,523		\$ 9
SALE OF PROPERTY	\$ 20,000	\$ 2,333	11.67%	\$ 20,000	\$ 69,728	348.64%	\$ (67,395)
RECREATION PROGRAMS/ARENA	\$ -	\$ -		\$ -	\$ -		\$ -
MMWAC HOST FEES	\$ 206,000	\$ 191,821	93.12%	\$ 204,000	\$ 188,644	92.47%	\$ 3,177
9-1-1 DEBT SERVICE REIMBURSEMENT	\$ -	\$ -		\$ -	\$ -	0.00%	\$ -
TRANSFER IN: TIF	\$ 500,000	\$ -	0.00%	\$ 520,000	\$ 520,000	100.00%	\$ (520,000)
TRANSFER IN: POLICE	\$ 20,000	\$ -	0.00%	\$ -	\$ -		\$ -
TRANSFER IN: PARKING PROGRAM	\$ 55,000	\$ -	0.00%	\$ -	\$ -		\$ -
TRANSFER IN: PD DRUG MONEY	\$ 45,000	\$ -	0.00%	\$ -	\$ -		\$ -
TRANSFER IN: REC SPEC REVENUE	\$ 41,720	\$ -	0.00%	\$ -	\$ -		\$ -
TRANSFER IN: SPECIAL REVENUE	\$ 290,000	\$ 304,999	105.17%	\$ -	\$ -		\$ 304,999
ENERGY EFFICIENCY	\$ -	\$ -		\$ 2,000	\$ 279	13.95%	\$ (279)
CDBG	\$ 58,000	\$ 18,585	32.04%	\$ 58,000	\$ 20,443	35.25%	\$ (1,858)
UTILITY REIMBURSEMENT	\$ 37,500	\$ 20,242	53.98%	\$ 37,500	\$ 21,299	56.80%	\$ (1,057)
CITY FUND BALANCE CONTRIBUTION	\$ 1,350,000	\$ -	0.00%	\$ 1,350,000	\$ -	0.00%	\$ -
<b>TOTAL MISCELLANEOUS</b>	<b>\$ 2,777,220</b>	<b>\$ 641,419</b>	<b>23.10%</b>	<b>\$ 2,357,800</b>	<b>\$ 1,094,747</b>	<b>46.43%</b>	<b>\$ (453,328)</b>
<b>TOTAL GENERAL FUND REVENUES</b>	<b>\$ 54,013,580</b>	<b>\$ 50,512,819</b>	<b>93.52%</b>	<b>\$ 52,244,978</b>	<b>\$ 49,524,653</b>	<b>94.79%</b>	<b>\$ 988,166</b>
<b>SCHOOL REVENUES</b>							
EDUCATION SUBSIDY	\$ 20,411,239	\$ 17,075,677	83.66%	\$ 17,942,071	\$ 16,889,074	94.13%	\$ 186,603
EDUCATION	\$ 774,572	\$ 516,707	66.71%	\$ 1,358,724	\$ 507,266	37.33%	\$ 9,441
SCHOOL FUND BALANCE CONTRIBUTION	\$ 906,882	\$ -	0.00%	\$ 855,251	\$ -	0.00%	\$ -
<b>TOTAL SCHOOL</b>	<b>\$ 22,092,693</b>	<b>\$ 17,592,384</b>	<b>79.63%</b>	<b>\$ 20,156,046</b>	<b>\$ 17,396,340</b>	<b>86.31%</b>	<b>\$ 196,044</b>
<b>GRAND TOTAL REVENUES</b>	<b>\$ 76,106,273</b>	<b>\$ 68,105,203</b>	<b>89.49%</b>	<b>\$ 72,401,024</b>	<b>\$ 66,920,993</b>	<b>92.43%</b>	<b>\$ 1,184,210</b>

**CITY OF AUBURN, MAINE**  
**EXPENDITURES - GENERAL FUND COMPARATIVE**  
**THROUGH May 31, 2015 VS May 31, 2014**

DEPARTMENT	FY 2015 BUDGET	Unaudited EXP THRU MAY 2015	% OF BUDGET	FY 2014 BUDGET	Unaudited EXP THRU MAY 2014	% OF BUDGET	VARIANCE
<b>ADMINISTRATION</b>							
MAYOR AND COUNCIL	\$ 78,532	\$ 73,841	94.03%	\$ 71,079	\$ 65,968	92.81%	\$ 7,873
CITY MANAGER	\$ 280,750	\$ 224,127	79.83%	\$ 238,903	\$ 224,449	93.95%	\$ (322)
ECONOMIC DEVELOPMENT	\$ 359,500	\$ 287,044	79.85%	\$ 318,933	\$ 268,718	84.26%	\$ 18,326
ASSESSING SERVICES	\$ 177,320	\$ 140,270	79.11%	\$ 172,277	\$ 158,233	91.85%	\$ (17,963)
CITY CLERK	\$ 164,593	\$ 151,048	91.77%	\$ 162,045	\$ 154,775	95.51%	\$ (3,727)
FINANCIAL SERVICES	\$ 427,815	\$ 378,289	88.42%	\$ 405,976	\$ 362,598	89.32%	\$ 15,691
HUMAN RESOURCES	\$ 139,578	\$ 121,201	86.83%	\$ 139,566	\$ 119,238	85.43%	\$ 1,963
INFORMATION TECHNOLOGY	\$ 413,829	\$ 358,408	86.61%	\$ 395,350	\$ 354,698	89.72%	\$ 3,710
LEGAL SERVICES	\$ 65,000	\$ 65,633	100.97%	\$ 100,000	\$ 53,788	53.79%	\$ 11,845
<b>TOTAL ADMINISTRATION</b>	<b>\$ 2,106,917</b>	<b>\$ 1,799,861</b>	<b>85.43%</b>	<b>\$ 2,004,129</b>	<b>\$ 1,762,465</b>	<b>87.94%</b>	<b>\$ 37,396</b>
<b>COMMUNITY SERVICES</b>							
PLANNING & PERMITTING	\$ 902,494	\$ 789,314	87.46%	\$ 775,230	\$ 713,240	92.00%	\$ 76,074
HEALTH & SOCIAL SERVICES	\$ 192,954	\$ 156,627	81.17%	\$ 189,539	\$ 204,515	107.90%	\$ (47,888)
PUBLIC LIBRARY	\$ 960,692	\$ 865,623	90.10%	\$ 946,737	\$ 862,643	91.12%	\$ 2,980
<b>TOTAL COMMUNITY SERVICES</b>	<b>\$ 2,056,140</b>	<b>\$ 1,811,564</b>	<b>88.11%</b>	<b>\$ 1,911,506</b>	<b>\$ 1,780,398</b>	<b>93.14%</b>	<b>\$ 31,166</b>
<b>FISCAL SERVICES</b>							
DEBT SERVICE	\$ 6,263,936	\$ 6,274,784	100.17%	\$ 6,321,584	\$ 6,243,213	98.76%	\$ 31,571
FACILITIES	\$ 698,335	\$ 418,024	59.86%	\$ 715,667	\$ 515,797	72.07%	\$ (97,773)
WORKERS COMPENSATION	\$ 468,081	\$ -	0.00%	\$ 431,446	\$ 431,446	100.00%	\$ (431,446)
WAGES & BENEFITS	\$ 4,737,117	\$ 4,375,697	92.37%	\$ 4,397,585	\$ 4,045,794	92.00%	\$ 329,903
EMERGENCY RESERVE (10108062-670000)	\$ 375,289	\$ -	0.00%	\$ 375,289	\$ -	0.00%	\$ -
<b>TOTAL FISCAL SERVICES</b>	<b>\$ 12,542,758</b>	<b>\$ 11,068,505</b>	<b>88.25%</b>	<b>\$ 12,241,571</b>	<b>\$ 11,236,250</b>	<b>91.79%</b>	<b>\$ (167,745)</b>
<b>PUBLIC SAFETY</b>							
FIRE DEPARTMENT	\$ 4,057,633	\$ 3,981,368	98.12%	\$ 4,024,789	\$ 3,720,366	92.44%	\$ 261,002
FIRE EMS	\$ 635,468	\$ 285,800	44.97%				\$ 285,800
POLICE DEPARTMENT	\$ 3,738,108	\$ 3,302,771	88.35%	\$ 3,589,583	\$ 3,218,127	89.65%	\$ 84,644
<b>TOTAL PUBLIC SAFETY</b>	<b>\$ 8,431,209</b>	<b>\$ 7,569,939</b>	<b>89.78%</b>	<b>\$ 7,614,372</b>	<b>\$ 6,938,493</b>	<b>91.12%</b>	<b>\$ 631,446</b>
<b>PUBLIC WORKS</b>							
PUBLIC SERVICES DEPARTMENT	\$ 5,806,379	\$ 5,209,572	89.72%	\$ 5,577,954	\$ 4,929,557	88.38%	\$ 280,015
WATER AND SEWER	\$ 599,013	\$ 599,013	100.00%	\$ 558,835	\$ 576,219	103.11%	\$ 22,794
<b>TOTAL PUBLIC WORKS</b>	<b>\$ 6,405,392</b>	<b>\$ 5,808,585</b>	<b>90.68%</b>	<b>\$ 6,136,789</b>	<b>\$ 5,505,776</b>	<b>89.72%</b>	<b>\$ 302,809</b>
<b>INTERGOVERNMENTAL PROGRAMS</b>							
AUBURN-LEWISTON AIRPORT	\$ 105,000	\$ 105,000	100.00%	\$ 105,000	\$ 105,000	100.00%	\$ -
E911 COMMUNICATION CENTER	\$ 1,067,249	\$ 1,049,366	98.32%	\$ 1,036,409	\$ 1,030,802	99.46%	\$ 18,564
LATC-PUBLIC TRANSIT	\$ 235,373	\$ 211,378	89.81%	\$ 235,496	\$ 235,373	99.95%	\$ (23,995)
LA ARTS	\$ 17,000	\$ -	0.00%	\$ -	\$ -		\$ -
TAX SHARING	\$ 270,000	\$ 29,040	10.76%	\$ 270,000	\$ 41,793	15.48%	\$ (12,753)
<b>TOTAL INTERGOVERNMENTAL</b>	<b>\$ 1,694,622</b>	<b>\$ 1,394,784</b>	<b>82.31%</b>	<b>\$ 1,646,905</b>	<b>\$ 1,412,968</b>	<b>85.80%</b>	<b>\$ (18,184)</b>
<b>COUNTY TAX</b>							
TIF (10108058-580000)	\$ 2,046,880	\$ 2,046,879	100.00%	\$ 2,029,513	\$ 2,029,512	100.00%	\$ 17,367
OVERLAY	\$ 2,584,032	\$ 2,599,913	100.61%	\$ 2,555,723	\$ 2,584,032	101.11%	\$ 15,881
	\$ -	\$ -		\$ -	\$ 67,370	0.00%	\$ (67,370)
							\$ -
<b>TOTAL CITY DEPARTMENTS</b>	<b>\$ 37,867,950</b>	<b>\$ 34,100,030</b>	<b>90.05%</b>	<b>\$ 36,140,508</b>	<b>\$ 33,317,264</b>	<b>92.19%</b>	<b>\$ 782,766</b>
<b>EDUCATION DEPARTMENT</b>							
	\$ 38,241,323	\$ 27,940,501	73.06%	\$ 37,128,028	\$ 26,984,045	72.68%	\$ 956,456
<b>TOTAL GENERAL FUND EXPENDITURES</b>	<b>\$ 76,109,273</b>	<b>\$ 62,040,531</b>	<b>81.52%</b>	<b>\$ 73,268,536</b>	<b>\$ 60,301,309</b>	<b>82.30%</b>	<b>\$ 1,739,222</b>

**CITY OF AUBURN, MAINE  
INVESTMENT SCHEDULE  
AS OF May 31, 2015**

INVESTMENT	FUND	BALANCE May 31, 2015	BALANCE April 30, 2015	INTEREST RATE	WEIGHTED AVG YIELD
BANKNORTH MNY MKT	24-1242924 GENERAL FUND	\$ 55,485.98	\$ 55,479.13	0.13%	72.12
BANKNORTH MNY MKT	24-1745910 GF-WORKERS COMP	\$ 49,338.84	\$ 49,332.76	0.13%	64.13
BANKNORTH MNY MKT	24-1745944 GF-UNEMPLOYMENT	\$ 67,086.23	\$ 67,077.96	0.13%	87.20
BANKNORTH MNY MKT	24-1809302 SPECIAL REVENUE	\$ 52,702.80	\$ 52,696.30	0.13%	68.51
BANKNORTH MNY MKT	24-1745902 SR-PERMIT PARKING	\$ 198,539.42	\$ 198,514.94	0.13%	258.07
BANKNORTH MNY MKT	24-1745895 SR-TIF	\$ 1,120,911.21	\$ 1,120,773.03	0.13%	1,457.00
BANKNORTH MNY MKT	24-1746819 CAPITAL PROJECTS	\$ -	\$ 4,781,697.96	0.13%	6,216.21
BANKNORTH MNY MKT	24-1745928 ICE ARENA	\$ 249,982.56	\$ 249,951.74	0.13%	324.94
ANDROSCOGGIN BANK	449 CAPITAL PROJECTS	\$ 3,250,311.58	\$ -	0.35%	-
ANDROSCOGGIN BANK	502 SR-TIF	\$ 600,057.52	\$ -	0.35%	-
ANDROSCOGGIN BANK	836 GENERAL FUND	\$ 2,932,151.62	\$ -	0.35%	-
NORTHERN CAPITAL	02155 CAPITAL PROJECTS	\$ 750,000.00	\$ -	0.45%	-
NORTHERN CAPITAL	02155 GENERAL FUND	\$ 500,000.00	\$ -	0.50%	-
<b>GRAND TOTAL</b>		<b>\$ 9,826,567.76</b>	<b>\$ 6,575,523.82</b>		<b>0.36%</b>
					8,548.18

**Report as of May 31, 2015**

	Oct 2014	Nov 2014	Dec 2014	Jan 2015	Feb 2015	Mar 2015	Apr 2015	May 2015	Adjustment	Totals	% of Total
<b>No Insurance Information</b>	\$ 7,064.80	\$ 1,771.40	\$ -			\$ 678.00	\$ 899.00		\$ (10,413.20)	\$ -	0.00%
<b>Bluecross</b>	\$ 2,996.20	\$ 5,285.00	\$ 10,962.40	\$ 5,184.20	\$ 8,492.20	\$ 6,894.20	\$ 2,459.20	\$ 11,319.60	\$ 2,017.20	\$ 55,610.20	3.85%
<b>Intercept</b>	\$ -	\$ -	\$ 100.00				\$ 100.00		\$ -	\$ 200.00	0.01%
<b>Medicare</b>	\$ 37,107.80	\$ 68,806.60	\$ 91,866.80	\$ 111,685.20	\$ 97,824.00	\$ 102,611.00	\$ 73,538.80	\$ 84,719.80	\$ 28,566.40	\$ 696,726.40	48.20%
<b>Medicaid</b>	\$ 17,440.20	\$ 32,266.60	\$ 26,854.00	\$ 34,451.40	\$ 24,558.40	\$ 28,251.60	\$ 30,366.60	\$ 31,378.60	\$ 16,116.40	\$ 241,683.80	16.72%
<b>Other/Commercial</b>	\$ 12,208.20	\$ 29,330.80	\$ 38,157.40	\$ 50,053.60	\$ 53,915.43	\$ 46,782.00	\$ 37,816.00	\$ 40,112.60	\$ 67.00	\$ 308,443.03	21.34%
<b>Patient</b>	\$ 6,737.00	\$ 15,773.20	\$ 28,964.20	\$ 24,914.80	\$ 21,524.80	\$ 30,341.00	\$ 29,180.80	\$ 21,686.00	\$ (39,677.80)	\$ 139,444.00	9.65%
<b>Worker's Comp</b>	\$ -	\$ -							\$ 3,294.00	\$ 3,294.00	0.23%
<b>TOTAL</b>	\$ 83,554.20	\$ 153,233.60	\$ 196,904.80	\$ 226,289.20	\$ 206,314.83	\$ 215,557.80	\$ 174,360.40	\$ 189,216.60	\$ (30.00)	\$ 1,445,401.43	100.00%

**EMS BILLING  
BREAKDOWN -TOTAL COUNT  
OCT 2014 - JUNE 2015  
Report as of May 31, 2015**

	Oct 2014	Nov 2014	Dec 2014	Jan 2015	Feb 2015	Mar 2015	Apr 2015	May 2015	Adjustment	Totals	% of Total
<b>No Insurance Information</b>	8	2	0	0	0	1	1	0	-10	2	0.11%
<b>Bluecross</b>	7	6	13	6	10	8	3	16	1	70	3.83%
<b>Intercept</b>	0	0	1	0	0	0	1	0		2	0.11%
<b>Medicare</b>	76	82	109	135	117	123	88	102	4	836	45.68%
<b>Medicaid</b>	37	38	33	41	31	36	37	42	2	297	16.23%
<b>Other/Commercial</b>	18	34	49	61	65	62	49	54	3	395	21.58%
<b>Patient</b>	12	19	34	31	26	38	35	33	-1	227	12.40%
<b>Worker's Comp</b>	0	0	0	0	0	0	0	0	1	1	0.05%
<b>TOTAL</b>	158	181	239	274	249	268	214	247	0	1830	100.00%

**TOTAL REVENUE COLLECTED AS OF 05/31/15 \$531,609.61**

**TOTAL EXPENDITURES AS OF 05/31/15 \$285,800.26**

**EMS BILLING  
AGING REPORT  
OCT 2014 - JUNE 2015  
Report as of May 31, 2015**

	<b>Current</b>		<b>31-60</b>		<b>61-90</b>		<b>91-120</b>		<b>121+ days</b>		<b>Totals</b>	
<b>Bluecross</b>	\$ 16,428.07	106%	\$ (483.12)	-3%	\$ (82.09)	-1%	\$ (417.68)	-3%	\$ -	0%	\$ 15,445.18	4.35%
<b>Intercept</b>	\$ -		\$ -		\$ -		\$ -		\$ -		\$ -	0.00%
<b>Medicare</b>	\$ 56,770.80	96%	\$ 1,384.00	2%	\$ 92.02	0%	\$ -	0%	\$ 890.60	2%	\$ 59,137.42	16.67%
<b>Medicaid</b>	\$ 13,991.80	79%	\$ 2,037.96	12%	\$ 350.85	2%	\$ 1,292.00	7%	\$ -	0%	\$ 17,672.61	4.98%
<b>Other/Commercial</b>	\$ 41,847.08	55%	\$ 17,275.34	23%	\$ 6,532.89	9%	\$ 7,222.63	9%	\$ 3,823.44	5%	\$ 76,701.38	21.62%
<b>Patient</b>	\$ 55,596.29	30%	\$ 23,352.96	13%	\$ 27,506.53	15%	\$ 27,671.63	15%	\$ 51,640.49	28%	\$ 185,767.90	52.37%
<b>Worker's Comp</b>	\$ -		\$ -		\$ -		\$ -		\$ -		\$ -	0.00%
<b>TOTAL</b>	\$ 184,634.04		\$ 43,567.14		\$ 34,400.20		\$ 35,768.58		\$ 56,354.53		\$ 354,724.49	
	52%		12%		10%		10%		16%		100%	100.00%



# City of Auburn, Maine

*"Maine's City of Opportunity"*

## Financial Services

To: Howard Kroll, City Manager  
From: Jill Eastman, Finance Director  
Re: Arena Financial Reports for May 31, 2015



Attached you will find a Statement of Net Assets and a Statement of Activities for the Ingersoll Arena and the Norway Savings Bank Arena as of May 31, 2015. I have also attached budget to actual reports for Norway Savings Bank Arena for revenue and expenditures.

### **INGERSOLL ARENA**

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

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

#### **Current Assets:**

As of the end of May 2015 the total current assets were \$113,475. These consisted of cash and cash equivalents of \$249,952, and an interfund payable of \$136,477, which means that Ingersoll owes the General Fund \$136,477, so net cash available to Ingersoll is \$113,475 at the end of May.

#### **Noncurrent Assets:**

Noncurrent assets are the building, equipment and any building and land improvements, less depreciation. The total value of noncurrent assets as of May 31, 2015, was \$232,292. The equipment that was transferred to Norway Savings Bank Arena or sold has been removed from the Ingersoll balance sheet as well as the related accumulated depreciation.

#### **Liabilities:**

Ingersoll had no liabilities as of May 31, 2015

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

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

Ingersoll Arena had no operating revenues through May 2015.

The operating expenses for Ingersoll Arena through May 2015, were \$14,127. These expenses include supplies, utilities, and repairs and maintenance.

As of May 2015 Ingersoll has an operating loss of (\$14,127).

Non-operating revenue and expenses consist of interest income and debt service payments. The interest income to date is \$307 and debt service expense to date is \$87,345.

As of May 31, 2015 Ingersoll has a decrease in net assets of \$101,165.

## **NORWAY SAVINGS BANK ARENA**

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

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

### **Current Assets:**

As of the end of May 2015 the total current assets of Norway Savings Bank Arena were (\$99,561). These consisted of cash and cash equivalents of \$91,281, and an interfund payable of \$190,842, which means that Norway owes the General Fund \$190,842 at the end of May.

### **Noncurrent Assets:**

Norway's noncurrent assets are equipment that was purchased, less depreciation (depreciation is posted at year end). There was an adjustment to the equipment to account for equipment that was transferred from Ingersoll Arena. The total value of the noncurrent assets as of May 31, 2015 was \$242,332.

### **Liabilities:**

Norway Arena had accounts payable of \$43,022 as of May 31, 2015.

### **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 May 2015 are \$890,719. 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 May 2015 were \$1,138,897. These expenses include personnel costs, supplies, utilities, repairs, capital purchases and maintenance.

As of May 2015 Norway Arena has an operating loss of \$248,178 compared to the April 2015 operating loss of \$209,365 an increase in the operating loss of \$38,813.

As of May 31, 2015 Norway Arena has a decrease in net assets of \$248,178.

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

**CITY OF AUBURN, MAINE**  
**Statement of Net Assets**  
**Proprietary Funds**  
**May 31, 2015**

**Business-type Activities - Enterprise Funds**

	Ingersoll	Norway Savings
<b>ASSETS</b>		
Current assets:		
Cash and cash equivalents	\$ 249,952	\$ 91,281
Interfund receivables	\$ (136,477)	\$ (190,842)
Accounts receivable	-	-
Total current assets	113,475	(99,561)
Noncurrent assets:		
Capital assets:		
Buildings	672,279	38,905
Equipment	66,415	285,813
Land improvements	18,584	
Less accumulated depreciation	(524,986)	(82,386)
Total noncurrent assets	232,292	242,332
Total assets	345,767	142,771
<b>LIABILITIES</b>		
Accounts payable	\$ -	\$ 43,022
Total liabilities	-	43,022
<b>NET ASSETS</b>		
Invested in capital assets	\$ 232,292	\$ 242,332
Unrestricted	\$ 113,475	\$ (142,583)
Total net assets	\$ 345,767	\$ 99,749

**CITY OF AUBURN, MAINE**  
**Statement of Revenues, Expenses and Changes in Net Assets**  
**Proprietary Funds**  
**Business-type Activities - Enterprise Funds**  
**Statement of Activities**  
**May 31, 2015**

	Ingersoll Ice Arena	Norway Savings Arena
Operating revenues:		
Charges for services	\$ -	\$ 890,719
Operating expenses:		
Personnel	-	291,163
Supplies	150	46,641
Utilities	10,749	193,835
Repairs and maintenance	2,049	20,509
Rent		506,484
Depreciation	-	-
Capital expenses		-
Other expenses	1,179	80,265
<b>Total operating expenses</b>	<b>14,127</b>	<b>1,138,897</b>
<b>Operating gain (loss)</b>	<b>(14,127)</b>	<b>(248,178)</b>
Nonoperating revenue (expense):		
Interest income	307	-
Interest expense (debt service)	(87,345)	-
<b>Total nonoperating expense</b>	<b>(87,038)</b>	<b>-</b>
Gain (Loss) before transfer	(101,165)	(248,178)
Transfers out	-	-
Change in net assets	(101,165)	(248,178)
Total net assets, July 1	446,932	347,927
<b>Total net assets, May 31, 2015</b>	<b>\$ 345,767</b>	<b>\$ 99,749</b>

**CITY OF AUBURN, MAINE**  
**REVENUES - NORWAY SAVINGS BANK ARENA**  
**Through May 31, 2015**

REVENUE SOURCE	FY 2015 BUDGET	ACTUAL REVENUES THRU MAY 2015	% OF BUDGET
<b>CHARGE FOR SERVICES</b>			
Concissions	\$ 30,000	\$ 9,343	31.14%
Sign Advertisements	\$ 233,225	\$ 216,133	92.67%
Pro Shop	\$ 8,500	\$ 6,934	81.58%
Programs	\$ 172,450	\$ 245,669	142.46%
Rental Income	\$ 753,260	\$ 367,754	48.82%
Tournaments	\$ 24,500	\$ 44,886	183.21%
<b>TOTAL CHARGE FOR SERVICES</b>	<b>\$ 1,221,935</b>	<b>\$ 890,719</b>	<b>72.89%</b>
<b>INTEREST ON INVESTMENTS</b>	<b>\$ -</b>		
<b>GRAND TOTAL REVENUES</b>	<b>\$ 1,221,935</b>	<b>\$ 890,719</b>	<b>72.89%</b>

**CITY OF AUBURN, MAINE**  
**EXPENDITURES - NORWAY SAVINGS BANK ARENA**  
**Through May 31, 2015**

<b>REVENUE SOURCE</b>	<b>FY 2015 BUDGET</b>	<b>ACTUAL EXPENDITURES THRU MAY 2015</b>	<b>% OF BUDGET</b>
Salaries & Benefits	\$ 318,446	\$ 291,163	91.43%
Purchased Services	\$ 67,800	\$ 96,376	142.15%
Supplies	\$ 9,000	\$ 46,641	518.23%
Utilities	\$ 204,846	\$ 193,835	94.62%
Capital Outlay	\$ 80,000	\$ 4,034	5.04%
Rent	\$ 528,408	\$ 506,484	95.85%
	<b>\$ 1,208,500</b>	<b>\$ 1,138,533</b>	<b>94.21%</b>
 <b>GRAND TOTAL EXPENDITURES</b>	 <b>\$ 1,208,500</b>	 <b>\$ 1,138,533</b>	 <b>94.21%</b>