



**City Council Workshop & Meeting  
June 4, 2018  
Agenda**

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

- A. Joint TIF Policy – Michael Chammings (20 minutes)
- B. Opportunity Zone – Michael Chammings (15 minutes)
- C. LA 911 – Paul LeClair (45 minutes)
- D. Marijuana Moratorium – Phil Crowell (10 minutes)

*If needed, workshop discussions will resume after the Council Meeting is adjourned.*

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

- 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 49-06042018\***  
Accepting the transfer of \$11,000. (5% of \$220,000) in forfeiture assets in Rem in U.S. Currency to the Auburn Police Department (U.S. Department of Treasury Seizure 04180002-01 – Scott Ferland).
- II. **Minutes** – May 21, 2018 Regular Council Meeting
- III. **Communications, Presentations and Recognitions**
  - Communications – Liberty Festival Mass Gathering/Special Event Application
- IV. **Open Session** – Members of the public are invited to speak to the Council about any issue directly related to City business which is *not on this agenda*.
- V. **Unfinished Business** - None
- VI. **New Business**
  - 1. **Order 50-06042018**  
Amending the 2010 Comprehensive Plan Future Land Use Map for the property located at 33 Dunn Street.

**2. Ordinance 02-06042018**

Adopting the zone change for 33 Dunn Street – 1<sup>st</sup> reading.

**3. Order 51-06042018**

Authorizing the Finance Director to execute the issuance of general obligation bonds and a tax levy therefore. Public hearing and first reading. ***Passage requires an affirmative vote of 5 Councilors at the second and final reading.***

**4. Order 52-06042018**

Reallocation of bonds. Public hearing and first reading. ***Passage requires an affirmative vote of 5 Councilors at the second and final reading.***

**5. Resolve 07-06042018**

Adopting the Appropriations Resolve for Fiscal Year 2019. Public hearing and first reading. ***Passage requires an affirmative vote of 4 Councilors at the second and final reading.***

**VII. Reports**

**A. Mayor's Report**

**B. City Councilors' Reports**

**C. City Manager Report**

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

**IX. Executive Session**

**X. Adjournment**



**City of Auburn  
City Council Information Sheet**

**City Council Workshop Date:** June 4, 2018

**Author:** Michael Chammings, Director of Economic and Community Development

**Subject:** Joint TIF Policy

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**Information:**

The Cities of Auburn and Lewiston have both a Joint Tax Increment Financing Policy and a Joint Economic Development Protocol.

The main purpose of the Tax Increment Financing Policy is to identify circumstances in which the Cities of Lewiston and Auburn may find themselves in competition for a prospective development and to provide guidelines to ensure that competition is managed in such a way as to ensure TIF incentives do not become excessive.

Although there were efforts to update the TIF policy in both 2012 and 2016; the policy has not been updated since 2004.

The current TIF policy (2004) is outdated, makes references to non-existing entities and to the outdated Joint Economic Development Protocol.

We have attached a draft copy of an updated Joint Tax Increment Financing Policy and we will be soliciting input from the Mayor and City Council.

We will be addressing the Joint Economic Development Protocol at a future meeting.

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**City Budgetary Impacts:** Future impact on City value.

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**Staff Recommended Action:** Updated Joint Tax Increment Financing Policy.

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**Previous Meetings and History:** Several discussions with the City of Lewiston.

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**City Manager Comments:**

I concur with the recommendation. Signature:

A handwritten signature in blue ink, appearing to read "Peter J. Caulton".

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**Attachment(s):** Current and draft updated Joint Tax Increment Financing Policy.



**City of Auburn  
City Council Information Sheet**

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**Subject:** A. Joint TIF Policy

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**City Manager Comments:**

I concur with the recommendation. Signature: \_\_\_\_\_

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JOINT TAX INCREMENT FINANCING POLICY  
Between the City of Lewiston and the City of Auburn  
DRAFT 5-24-18

1. Purpose

A Tax Increment Financing (TIF) district is a geographic area within which a municipality may capture new property taxes generated by new private investment. In accordance with the State Statute (Title 30-A §5265), the new taxes generated (i.e. the "TIF Revenue") within a District may be used by the municipality for certain targeted economic development purposes, such as financing public improvements and activities that support economic development. TIF Revenue may also be used as incentive for private investment by returning a portion of that new tax revenue back to the investor for a fixed period of time. The use of revenues and projects funded by the TIF district are outlined in the TIF Development Program adopted by the respective Council.

TIF can be an important economic development tool when used appropriately. It can, however, become self-defeating when communities engage in bidding wars to attract new investment with ever higher offers of development subsidies, especially if those offers exceed the economic needs of the company being pursued. The purpose of this policy is to identify circumstances in which the Cities of Lewiston and Auburn may find themselves in competition for a prospective development and to provide guidelines to ensure that competition is managed in such a way as to guarantee TIF incentives do not become excessive.

2. Scope

This Policy is limited to Credit Enhancement Agreements (CEAs) or other arrangements such as Joint Development Agreements that provide a return on new taxes generated within a TIF District to certain categories of business seeking to locate or expand in the area.

3. Eligible Businesses

The following categories of taxable businesses are covered by this policy:

- Research
- High-technology
- Manufacturing/assembly
- Regional distribution, warehousing, and transportation projects
- Financial and insurance services
- Back office operations
- Energy related businesses/projects
- Professional, technical, and scientific services
- Medical offices and facilities
- Educational institutions

- Businesses significantly involved in exporting goods or services outside of Maine
- Other businesses/industries proposing significant investments and employment

#### 4. Investment and Employment Requirements

The minimum requirement for a credit enhancement TIF is an increase in real property assessed value of \$2 million resulting from the private investment or the creation of at least 25 full time equivalent jobs that meet or exceed the per capita income in Androscoggin County based on the most recent data from the U.S. Census Bureau and provide employees with subsidized access to health insurance and a retirement plan. Where job retention is the only factor involved, there must be a real property assessed value increase of at least \$1 million.

#### 5. TIF Percentage

A maximum TIF benefit of 40% is available for projects meeting the minimum investment and employment goals set forth above. This may be increased to 50% if the initial total investment exceeds \$4 million or creation of at least 50 full-time jobs meeting the wage and benefit levels outlined above.

#### 6. TIF Length

CEAs or other such public subsidy mechanism may be structured for time periods ranging between 5 and 20 years. The time period may be extended beyond twenty years when investment exceeds \$4 million or the creation of at least 50 jobs, meeting the guidelines outlined above.

#### 7. Recommended Guidelines and Practices

- a. City participation in a credit enhancement TIF should be economically necessary. The involvement of the City is needed in order for the project to materialize. For TIF purposes, economic necessity should be justified by a project proforma showing that the project is likely to not be economically feasible without City participation. Economic necessity also includes consideration of the ability of the City to compete with proposals from other communities out side of the Lewiston-Auburn area due to high costs associated with locating in Lewiston-Auburn or the level of incentives offered by other communities.
- b. The burden of proof to establish economic necessity rests with the applicant seeking the TIF. To that end, the applicant must provide documentation requested by the City to justify City support.
- c. The applicant must provide evidence of financial ability to undertake and complete the project.
- d. The Cities should consider requiring performance standards which include:
  - i. Commencing capital improvements within one year of the effective date of the TIF agreement;
  - ii. Monitoring employment levels, wages, and benefits to ensure applicant commitments are being met;

- iii. Recapture provisions should the applicant fail to meet the performance standards set forth in the development agreement/TIF documents.

#### 8. Cities to Cooperate

As outlined in the Economic Development Protocol, it is strongly recommended that, when both Cities are interacting with a prospective applicant seeking a TIF or other municipal financial support, staff of the Cities should communicate and work to develop similar proposals with the goal of meeting the needs of the applicant. In addition, the Cities should work to reduce unnecessary competition, leading to higher than needed public financial involvement.

#### 9. Miscellaneous

- a. Establishing a TIF District and Development Program without a CEA or other municipal financial support mechanisms is at the complete discretion of each City and not covered by this policy.
- b. Establishing a CEA and associated TIF district is at the discretion of the respective City Council, this policy does not create a right or entitlement on the part of any applicant.
- c. TIFs and any related agreements must comply with all statutory and regulatory requirements of the City, State, and Federal Government.
- d. Exceptions to this policy may be sought by either City as outlined in the Joint Economic Development Protocol.
- e. TIFs granted with the primary purpose of restoring historic properties, particularly in the respective downtown areas, shall not be subject to limitations set out in sections 4, 5, and 6 above.

#### 10. Opt-Out Clause

Any City may, in lieu of remaining a party pursuant to the terms of this Plan, notify the other City, in writing at least fifteen (15) business days prior to the next City Council meeting of its desire to withdraw as a party to the agreement. Provided such notice is given, the City shall, terminate the agreement that provides such written notice of withdrawal. In addition, any withdrawal from the agreement shall be subject to applicable laws, and other provisions of this Plan.

#### 11. Renewal and Termination

The term of this Agreement shall be renewed by both the Lewiston and Auburn City Council's for successive two (2) year periods, beginning with the expiration of the initial two (2)-year period of the Agreement's adoption. If either City chooses not to renew the Agreement, it will be terminated at the end of the most recent two (2) year period.

# JOINT TAX INCREMENT FINANCING POLICY

The *Cities of Auburn and Lewiston Tax Increment Financing (TIF) Policy* includes the following:

- Purpose
- Eligibility Requirements
- General Guidelines
- Terms
- Performance Standards
- Applicant and Fees Information
- Annual Review
- Definitions

The Cities of Auburn and Lewiston are referred to as “the City” or “Cities” in this policy.

## PURPOSE

The four (4) primary reasons and public benefits for the Cities tax increment financing policy are, as follows:

1. To establish a collaborative and joint approach to economic development in the Cities when tax increment financing is involved;
2. To stimulate expansion of the City commercial/industrial tax base;
3. To retain and create employment; and
4. To establish standards upon which the City Councils will authorize a TIF.

## ELIGIBILITY REQUIREMENTS

Any current or potential owner of taxable property in the City may request the creation of a TIF district subject to this policy.

The establishment of a TIF district is an action by the City Council. A TIF is not a right under Maine law, and meeting these guidelines does not create a right or entitlement to any applicant.

For a TIF application to be considered by the Cities, the project must meet or exceed the following requirements:

**Types of Businesses.** The business expansion or establishment must be one (1) of the following business types:

- research facility;
- high-technology facility;
- manufacturing/assembly;
- regional distribution;
- financial services;
- telecommunication intensive;
- back office operations;
- a business which is significantly involved in the exporting of goods or services outside of Maine; or
- other similar businesses.

# JOINT TAX INCREMENT FINANCING POLICY

## *Real Property Improvements and Job Creation.*

- **Minimum Investment.** There must be real property improvements of a minimum of \$2 million or the creation of a minimum of twenty-six (26), full-time equivalent jobs which meet or exceed "livable wage"\*. Companies assisted shall provide employees access to benefits to include health insurance; vacation and sick leave; and a retirement plan.
- **Exceptional Investment.** A project may qualify as "exceptional investment" if initial total improvements are at least \$5 million or at least 100 new full-time livable wage jobs are created. It should be noted that the "minimum investment" level of \$2 million must be met. Companies assisted shall provide employees access to benefits to include health insurance; vacation and sick leave; and a retirement plan. Exceptional investment enables the Cities to consider a higher level of financial participation or provide for a longer time period for a TIF.

***Job Retention.*** There must be real property improvements of a minimum of \$2 million and the retention of the existing workforce.

## GENERAL GUIDELINES

This policy recognizes tax increment financing will be provided by a credit enhancement agreement. The applicant must provide any and all other documentation that will protect the City's economic and financial position, and/or that confirm both the letter and spirit of the underlying agreement between the applicant and the City.

A TIF may be granted only for the additional value of eligible real property improvements, subject to limitations by the City. The City will not allow TIF's for improvements begun before the application is filed or begun without notification of the construction, expansion, or modernization date.

If a leased facility is a TIF, the agreement may be executed by the lessor and lessee. In such cases, the lessor must demonstrate binding contracts with the lessee to guarantee job retention or creation. The TIF agreement should include the lease.

In all instances, applicants requesting tax increment financing must demonstrate:

***Economic Necessity.*** The City's participation is economically necessary, and involvement by the City is needed in order for the project to be undertaken. Justification for economic need and the City involvement must be demonstrated by:

- A need to offset public/private infrastructure costs unique to the site;
- A need to offset economic advantages available to the corporate entity if it should build or expand outside of the Cities; or
- The unavailability of sufficient private or other public funding sources to meet the full capital investment needs of the corporate entity seeking assistance.

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\*Livable wage as defined by the Maine Economic Growth Council as adjusted annually. Please refer to the Definition Section of this policy.

# JOINT TAX INCREMENT FINANCING POLICY

**Financial Capability.** Financial capability to undertake the project must be evidenced prior to review.

**Location Considerations.** The project improves a blighted area or building in need of redevelopment or an area identified as a priority by the City such as the downtown area.

**Regulatory Compliance.** Compliance with all statutory and regulatory guidelines of the City and the State of Maine.

## TERMS

**Effective Date.** TIFs are granted, effective with the April 1<sup>st</sup> valuation date immediately preceding the date of execution of the April 1<sup>st</sup> valuation date(s) as agreed to by the City. If a modernization project includes facility replacement, the TIF value shall be the value of the new investment minus the value of the existing real property.

**Amount of Value.** The TIF is based upon capital cost for each year that the TIF is in effect. In general the amount of value the City will share with the business is directly related to the extent to which the project meets the guidelines set forth in this policy.

- **Minimum Investment.** A maximum tax benefit of up to 40% is available for projects with real property improvements of a minimum of \$2,000,000. The determination of municipal participation will be based upon the amount of business investment, type of business, number and quality of jobs retained/created and other considerations outlined in this policy.
- **Exceptional Investment.** A tax benefit exceeding 40% may be available based upon real property improvements which meet the exception level of investment.

### ***Time Period.***

- **Minimum Investment.** The TIF time period ranges from five, but not to exceed fifteen years. The length of the time period for a TIF will be based upon the amount of business investment, type of business, number and quality of jobs retained/created and other considerations outlined in this policy.
- **Exceptional Investment.** The TIF time period may extend beyond fifteen years for projects which meet the exception level of investment.

## PERFORMANCE STANDARDS

It is the policy of the City that a TIF is a business partnership and that the recipient of the TIF must meet the standards that led to the City approving the TIF. Any company or business that is granted a TIF, or its tenants if they are part of the incentive program, must meet the following standards:

**Capital Improvements.** Within one (1) year of the TIF agreement being signed, a minimum of 40% of the capital funds for the designated project must be spent.

## JOINT TAX INCREMENT FINANCING POLICY

Within two (2) years of the TIF agreement being signed, a minimum of 80% of the capital funds for the designated project must be spent.

Within three (3) years of the TIF agreement being signed, 100% of the capital funds for the designated project must be spent.

***Employment Retention/Creation.*** Within two (2) years of the TIF agreement being signed, when new jobs are designed as part of the TIF agreement, a minimum of 50% of the new jobs must be filled.

Within three (3) years of the TIF agreement being signed, when new jobs are designated as part of the TIF agreement, a minimum of 100% of the new jobs must be filled.

If the project involves job retention, then at least 95% of the jobs must remain filled for a minimum of three (3) years.

The City Administrator's/Manager's office will determine, in cooperation with the TIF recipient prior to the execution of the TIF, the methodology of reporting job retention/creation.

***Penalty.*** If any of the above standards are not met, the TIF benefits may be voided.

***Use of Local Contractors.*** Any business that is granted a TIF will agree to use local contractors where possible.

### APPLICATION AND FEES

***Application Information and Contact.*** The City's Administrator's/Manager's office will act as a clearinghouse and coordinate all activity regarding tax increment financing proposals. Working with potential applications, the office will:

- Maintain a tax increment financing application;
- Provide information on tax increment financing;
- Discuss project proposals and accept preliminary application from the applicant;
- Review preliminary application based upon City TIF Policy with the City Administrator/Manager;
- Advise the applicant on findings of City Staff and preliminary result of City Council review;
- Schedule a City Council meeting for action on a TIF application and provide assistance to the City Administrator/Manager in the formulation of a recommendation to the City Council;

## JOINT TAX INCREMENT FINANCING POLICY

- Submit application to the State Department of Economic and Community Development (DECD) based on the direction of the City Council; and
- Monitor on-going public and private investment in the development project.

**Administration Fees.** If tax increment financing is approved, an annual administrative fee equal to 1% of the incremental taxes reallocated back to the project may be charged.

**Extraordinary Expenses.** In addition, any extraordinary out-of-pocket expenses incurred by the City in connection with the tax increment financing proposal will be reimbursed by the applicant whether or not tax increment financing is approved.

### PERIODIC REVIEW

This policy shall be reviewed periodically by the Auburn and Lewiston City Councils and revised as necessary.

### DEFINITIONS

**Livable Wage.** The reference to livable wage shall be defined by the Maine Economic Growth Council.

**Full-Time Equivalent Job.** Combining jobs to equal full-time (approximately 40-hours per week) employment.

### EXCEPTIONS FROM TIF POLICY

Exceptions to the TIF Policy may be granted in accordance with the Joint Economic Development Protocol.

Adopted by the City Council on March 2, 1999.





**City of Auburn  
City Council Information Sheet**

**City Council Workshop Date:** June 4, 2018

**Author:** Michael Chammings, Director of Economic and Community Development

**Subject:** Opportunity Zone

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**Information:**

A census tract in Auburn has been designated as an Opportunity Zone. The purpose of this federal program is to encourage development and growth in Low-Income Community census tract areas, with the hope that this will stimulate the neighborhood and result in a higher quality of life for the residents.

The tract that has been designated an Opportunity Zone is in New Auburn. This designation comes at an appropriate time considering that a re-development plan for the area has been approved and the initial stages have started.

Staff will be presenting an overview of this program.

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**City Budgetary Impacts:** Potential positive impact on City value.

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**Staff Recommended Action:** Open for discussion.

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**Previous Meetings and History:** Staff meetings to discuss marketing and utilizing the designated Opportunity Zone.

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**City Manager Comments:**

I concur with the recommendation. Signature:

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**Attachment(s):** Frequently ask questions (FAQs) sheet, investment examples and an Opportunity Zone memorandum with support documents.



**City of Auburn  
City Council Information Sheet**

**City Council Workshop Date:** June 4, 2018 5:30 P.M.

**Author:** Michael Chammings, Director of Economic and Community Development

**Subject:** B. Opportunity Zone

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**City Manager Comments:**

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**Attachment(s):** Frequently ask questions (FAQs) sheet, investment examples and an Opportunity Zone memorandum with support documents.

## **Q. What is an Opportunity Zone?**

A. An Opportunity Zone is an economically-distressed community where new investments, under certain conditions, may be eligible for preferential tax treatment. Localities qualify as Opportunity Zones if they have been nominated for that designation by the state and that nomination has been certified by the Secretary of the U.S. Treasury via his delegation authority to the Internal Revenue Service.

## **Q. Who created Opportunity Zones?**

A. Opportunity Zones were added to the tax code by the Tax Cuts and Jobs Act on December 22, 2017.

## **Q. Have Opportunity Zones been around a long time?**

A. No, they are new. The first set of Opportunity Zones, covering parts of 18 states, were designated on April 9, 2018.

## **Q. What is the purpose of Opportunity Zones?**

A. Opportunity Zones are an economic development tool—that is, they are designed to spur economic development and job creation in distressed communities.

## **Q. How do Opportunity Zones spur economic development?**

A. Opportunity Zones are designed to spur economic development by providing tax benefits to investors. First, investors can defer tax on any prior gains until the earlier of the date on which an investment is sold or exchanged, or December 31, 2026, so long as the gain is reinvested in a Qualified Opportunity Fund. Second, if the investor holds the investment in the Opportunity Fund for at least ten years, the investor would be eligible for an increase in basis equal to the fair market value of the investment on the date that the investment is sold or exchanged.

## **Q. What is a Qualified Opportunity Fund**

A. Qualified Opportunity Fund is an investment vehicle that is set up as either a partnership or corporation for investing in eligible property that is located in an Opportunity Zone and that utilizes the investor's gains from a prior investment for funding the Opportunity Fund.

## **Q. Do I need to live in an Opportunity Zone to take advantage of the tax benefits?**

A. No. You can get the tax benefits, even if you don't live, work or have a business in an Opportunity Zone. All you need to do is invest in a Qualified Opportunity Fund.

## **Q. I am interested in investing in an Opportunity Zone. Is there a list of Opportunity Zones available?**

A. Yes. The current list of approved Opportunity Zones can be found at [Opportunity Zones Resources](#). This list will continue to be updated as more Opportunity Zones are approved. A complete list of approved Opportunity Zones will be published later this spring after all Opportunity Zones have been nominated, certified and designated.

## **Q. How does a taxpayer become certified as a Qualified Opportunity Fund?**

A. To become a Qualified Opportunity Fund, an eligible taxpayer self certifies. (Thus, no approval or action by the IRS is required.) To self-certify, a taxpayer merely completes a form (which will be released in the summer of 2018) and attaches that form to the taxpayer's federal income tax return for the taxable year. (The return must be filed timely, taking extensions into account.)

## **Q. How can I get more information about Opportunity Zones?**

A. Over the next few months, the Treasury Department and the Internal Revenue Service will be providing further details, including additional legal guidance, on this new incentive. More information will be available at [Treasury.gov](#) and [IRS.gov](#).

# OPPORTUNITY ZONES: A NEW INCENTIVE FOR INVESTING IN LOW-INCOME COMMUNITIES

The Opportunity Zones program offers three tax incentives for investing in low-income communities through a qualified Opportunity Fund <sup>1</sup>:



## Temporary Deferral

A temporary deferral of inclusion in taxable income for capital gains reinvested into an Opportunity Fund. The deferred gain must be recognized on the earlier of the date on which the opportunity zone investment is disposed of or December 31, 2026.



## Step-Up In Basis

A step-up in basis for capital gains reinvested in an Opportunity Fund. The basis is increased by 10% if the investment in the Opportunity Fund is held by the taxpayer for at least 5 years and by an additional 5% if held for at least 7 years, thereby excluding up to 15% of the original gain from taxation.



## Permanent Exclusion

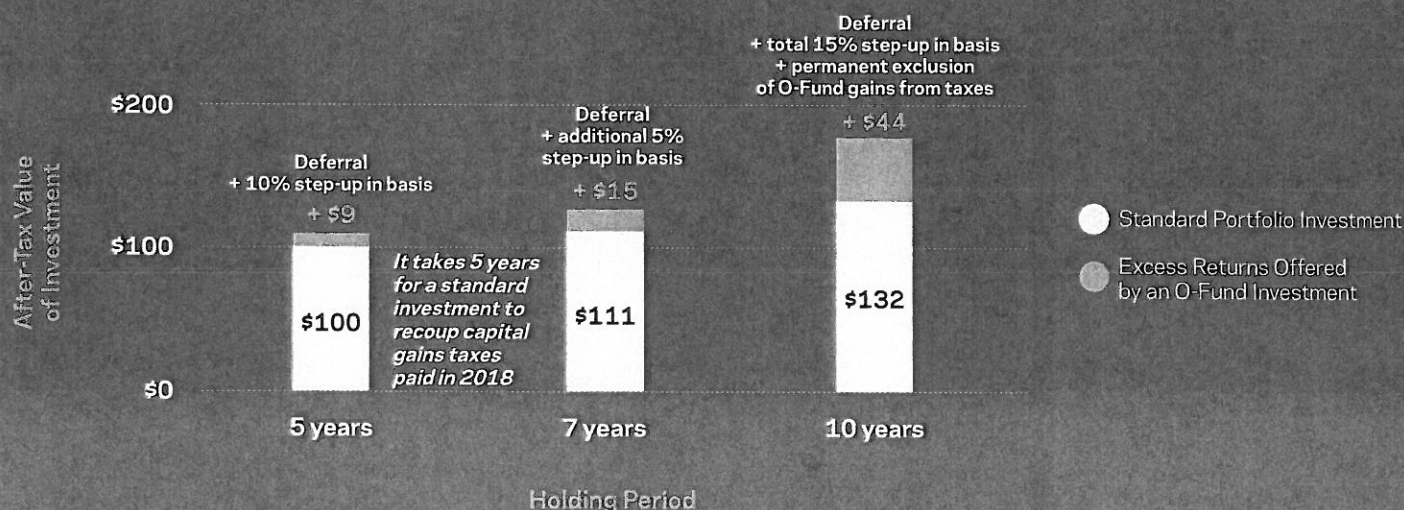
A permanent exclusion from taxable income of capital gains from the sale or exchange of an investment in an Opportunity Fund if the investment is held for at least 10 years. This exclusion only applies to gains accrued after an investment in an Opportunity Fund.





Figure 1. Incentives Offered by the Opportunity Zones Program

How does a capital gain of \$100 reinvested in 2018 perform over time?



\* Note: Assumes long-term federal capital gains tax rate of 23.8%, no state income tax, and annual appreciation of 7% for both the O-Fund and alternative investment.

The Opportunity Zones program is designed to incentivize patient capital investments in low-income communities nationwide. All of the underlying incentives relate to the tax treatment of capital gains, and all are tied to the longevity of an investor's stake in a qualified Opportunity Fund, providing the most upside to those who hold their investment for 10 years or more.

The figure above and table below illustrate how an investor's available after-tax funds compare under different scenarios, assuming various holding periods, annual investment appreciation of 7%, and a long-term capital gains tax rate of 23.8% (federal capital gains tax of 20% and net investment income tax of 3.8%). For example, after 10 years an investor will see an additional \$44 for every \$100 of capital gains reinvested into an Opportunity Fund in 2018 compared to an equivalent investment in a more traditional stock portfolio generating the same annual appreciation. Table 1 and the examples that follow provide additional information on the tax liabilities and differences in the after-tax annual rates of return.

Table 1. How Investing in an Opportunity Fund Compares to a Traditional Stock Portfolio

Scenario: A Capital Gain of \$100 is Reinvested in 2018

Holding Period	Appreciation Rate	Investment in a Stock Portfolio		Investment in an Opportunity Fund		Difference in After-Tax Annual Rate of Return
		Total Tax Liability	After-Tax Funds Available	Total Tax Liability	After-Tax Funds Available	
5 Years	7%	\$31	\$100	\$31	\$109	1.9%
7 Years	7%	\$35	\$111	\$35	\$126	1.8%
10 years	7%	\$41	\$132	\$20	\$176	3.0%



### Example 1: Investor holds the O-Fund stake for 10 years

Susie has \$100 of unrealized capital gains in her stock portfolio. She decides in 2018 to reinvest those gains into an O-Fund that invests in distressed areas of her home state, and she holds that investment for 10 years. Susie is able to defer the tax she owes on her original \$100 of capital gains until 2026. Further, the basis is increased by 15% (effectively reducing her \$100 of taxable capital gains to \$85). Thus, she will owe \$20 (23.8% of \$85) of tax on her original capital gains when the bill finally comes due. In addition, since she holds her O-Fund investment for at least 10 years, she owes no capital gains tax on its appreciation. Assuming that her O-Fund investment grows 7% annually, the after-tax value of her original \$100 investment in 2028 is \$176. Susie has enjoyed a 5.8% effective annual return, compared to the 2.8% an equivalent non-O-Fund investment would have delivered.

*Total tax bill in 2028: \$20*

*After-tax value of investment in 2028: \$176*

*Effective after-tax annual return on \$100 capital gain in 2018: 5.8%*

### Example 2: Investor holds the O-Fund stake for 7 years

As in Example 1, in 2018 Susie rolls over \$100 of capital gains into an O-Fund. She holds the investment for 7 years, selling in 2025. As in Example 1, she temporarily defers the tax she owes on her original capital gains and steps-up her basis by 15%, so that in 2025 she will owe \$20 (23.8% of \$85) of tax on her original capital gains. Unlike Example 1, however, Susie will owe capital gains tax on the appreciation of her O-Fund investment, since she holds the investment for less than 10 years. Assuming that her O-Fund investment grows 7% annually, in 2025 Susie will owe \$15 (23.8% of \$61) of tax on the O-Fund investment's capital gain. Susie did not take full advantage of the Opportunity Zone program but nevertheless received a 3.3% effective annual return compared to the 1.5% an equivalent non-O-Fund investment would have delivered.

*Total tax bill in 2025: \$35*

*After-tax value of investment in 2025: \$126*

*Effective after-tax annual return on \$100 capital gain in 2018: 3.3%*

### Example 3: Investor holds the O-Fund stake for 5 years

As in Example 1, in 2018 Susie rolls over \$100 of capital gains into an O-Fund. She holds the investment for 5 years, selling in 2023. As in Example 1, she can temporarily defer the tax she owes on her original capital gains, but her step-up in basis is only 10%, so that in 2023 she will owe \$21 (23.8% of \$90) of tax on her original capital gains. As in Example 2, Susie enjoys no exemption from capital gains tax on the appreciation of her O-Fund investment, since she holds the investment for less than 10 years. Assuming that her O-Fund investment grows 7% annually, in 2023 Susie will owe \$10 (23.8% of \$40) of tax on the O-Fund investment's capital gain. Susie did not take full advantage of the Opportunity Zone program but nevertheless received a 1.8% effective annual return on her initial capital gains compared to the -0.1% effective annual return an equivalent non-O-Fund investment would have delivered.

*Total tax bill in 2023: \$31*

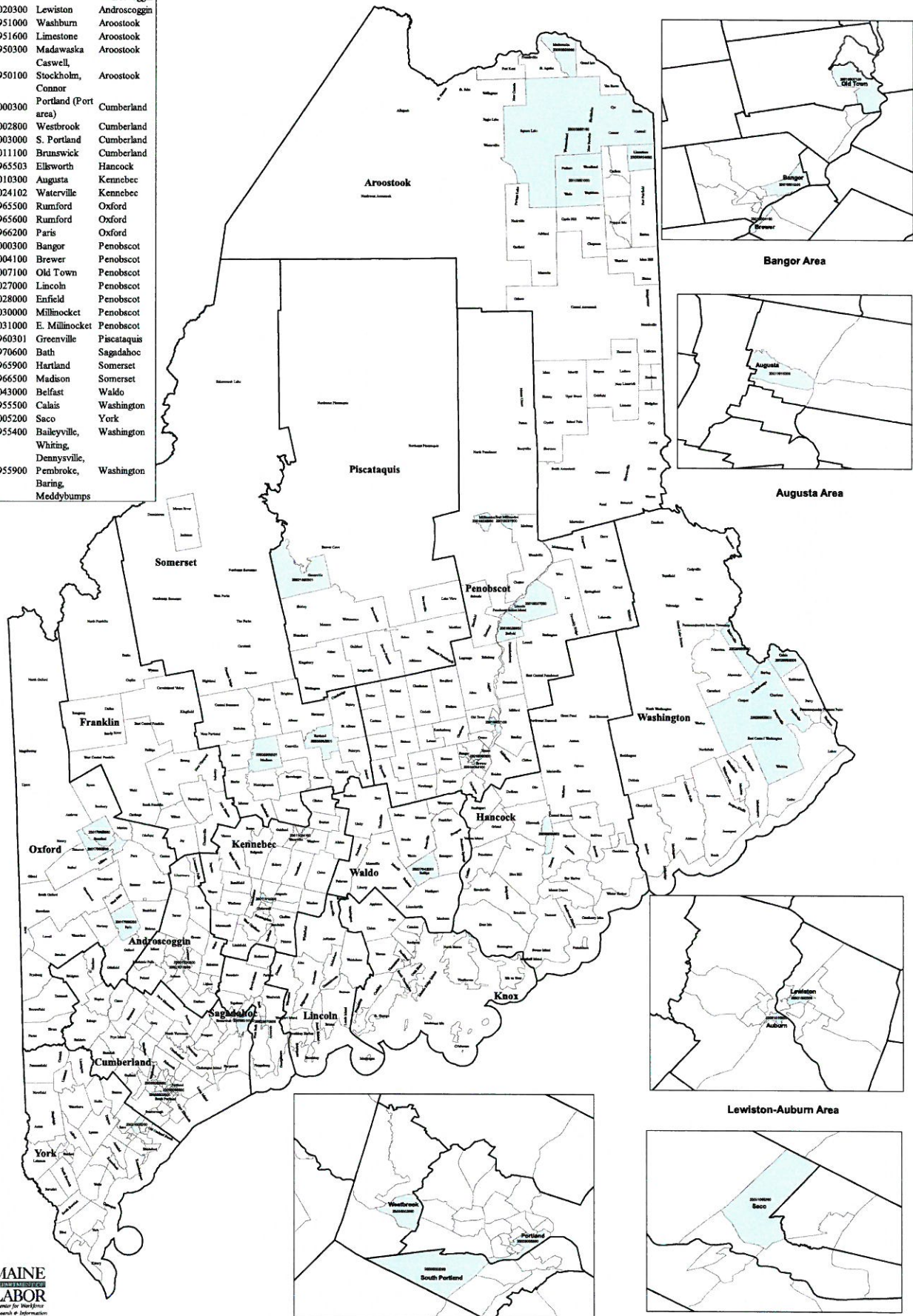
*After-tax value of investment in 2023: \$109*

*Effective after-tax annual return on \$100 capital gain in 2018: 1.8%*

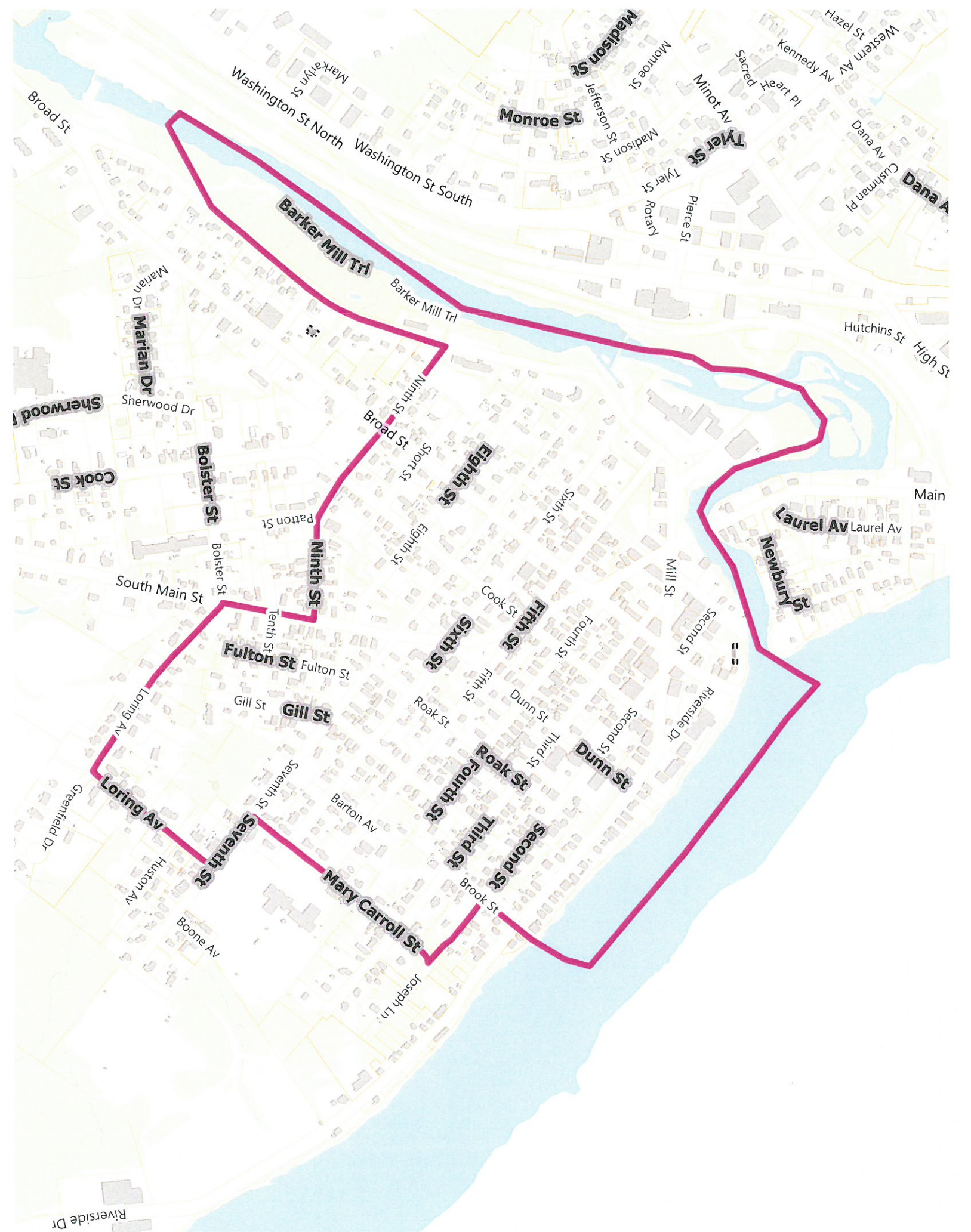


# Maine - Opportunity Zones

2010 Census Tract Number	Town	County Name
23001010500	Auburn	Androscoggin
23001020300	Lewiston	Androscoggin
23003951000	Washburn	Aroostook
23003951600	Limestone	Aroostook
23003950300	Madawaska	Aroostook
23003950100	Caswell, Stockholm, Connor	Aroostook
23005000300	Portland (Port area)	Cumberland
23005002800	Westbrook	Cumberland
23005003000	S. Portland	Cumberland
23005011100	Brunswick	Cumberland
23009965503	Elkworth	Hancock
23011010300	Augusta	Kennebec
23011024102	Waterville	Kennebec
23017965500	Rumford	Oxford
23017965600	Rumford	Oxford
23017966200	Paris	Oxford
23019000300	Bangor	Penobscot
23019004100	Brewer	Penobscot
23019007100	Old Town	Penobscot
23019027000	Lincoln	Penobscot
23019028000	Enfield	Penobscot
23019030000	Millinocket	Penobscot
23019031000	E. Millinocket	Penobscot
23021960301	Greenville	Piscataquis
23023970600	Bath	Sagadahoc
23025965900	Hartland	Somerset
23025966500	Madison	Somerset
23027043000	Belfast	Waldo
23029955500	Calais	Washington
23031005200	Saco	York
23029955400	Baileyville, Whiting, Dennyville, Pembroke, Baring, Meddybumps	Washington











City of Auburn, Maine  
Economic & Community Development  
60 Court Street | Auburn, Maine 04210  
[www.auburnmaine.gov](http://www.auburnmaine.gov) | 207.333.6601

## MEMORANDUM

TO: Michael Chammings,

FROM: Amanda Methot

RE: Opportunity Zones

DATE: May 22, 2018

---

### PROGRAM BACKGROUND

Opportunity Zones is a federal program that will be administered by the Internal Revenue Services. The program will allow for the temporary deferral of capital gains tax for investments/developments in an Opportunity Zone. The purpose of the program is to encourage development and growth in Low-Income Community census tract areas, with the hope that this will stimulate the neighborhood and result in a higher quality of life for the residents. Investments/development in these zones will also be eligible for additional benefit programs such as CDBG funds, TIF's, and other Federal, State and Local programs. In other words, the Opportunity Zone designation does not bar investment from other sources of funding, in fact, it provides another incentive to invest in a particular area.

### DESIGNATIONS IN MAINE

Maine currently has 128 Low Income Community census tracts, using the formula provided, Maine can designate 32 tracts as Opportunity Zones. The Governor chose to select the maximum amount of tracts to be deemed Opportunity Zones. A map is attached to show the tracts that were selected throughout Maine, as well as a list of the specific tracts.

### IMPACT ON AUBURN

One tract in Auburn has been designated an Opportunity Zone, see the attached map for the specific geographical area of the zone. The designation of an Opportunity Zone will allow the City to market this area to developers with the additional incentive of deferred tax treatment. This additional incentive will allow Auburn to differentiate from other area towns when developers are selecting site to build a project, ultimately this tract will become more attractive for development/investment.

The tract that has been designated an Opportunity Zone is located in New Auburn. This designation comes at an appropriate time considering that a re-development plan for the area has been approved and the initial stages have started. The New Auburn Village Center is particularly ready to

utilize the Opportunity Zone program. Over the last 3 years, the City of Auburn has invested close to \$2,000,000 in implementing the New Auburn Village Center Plan. By the end of this year, 3 new development sites will be shovel ready to market to investors and developers. By the end of 2019, 4 more sites could be ready for development.

The City has reached out to local and regional investors and developers and have found that the biggest barrier they face to committing to actual development projects in this area are: low rental rates for apartments, low market rates for housing (by square footage costs) and the low rental or lease rates of commercial space. The Opportunity Zone program could “fill the gap” for developers bottom line and stimulate new construction, building rehabilitation, create new businesses and jobs.



**City of Auburn  
City Council Information Sheet**

**Council Workshop or Meeting Date:** June 4, 2018

**Author:** Paul M. LeClair, Director LA911

**Subject:** LA911 Radio System Proposal Discussion – Continued from May 21, 2018

---

**Information:** Per the request of the Mayor and Council, a representative of the Portland – South Portland Public Safety Departments will be in attendance to speak regarding their experience with the 800Mhz radio system. Chief Crowell has invited South Portland Police Chief Edward Googins to attend the workshop. Also, Mayor Levesque has extended an invitation to the Public to speak regarding the proposed radio project. Director Paul LeClair & Staff will be in attendance to answer and address questions and concerns.

---

**City Budgetary Impacts:** The estimated cost of the 800Mhz radio system is \$4,000,000.00.  
The City of Auburn's share is 50% - \$2,000,000.00

---

**Staff Recommended Action:** The LA911 Committee & Director LeClair respectfully request the Auburn City Council's support of the 800Mhz radio system as part of the FY20 CIP Budget.

---

**Previous Meetings and History:** LA911 Director Paul LeClair presented the attached CIP proposal as part of the agency's FY19 Budget presentation on May 21, 2018.

---

**City Manager Comments:**

I concur with the recommendation. Signature:

A handwritten signature in blue ink, appearing to read "Peter J. Cusick".

---

**Attachments:**

1. LA911 FY19 Budget & CIP presentation
2. Radio System Subcommittee report

# LA911 FY19 Budget Proposal

- ❑ The proposed FY19 LA911 budget reflects a 6.22% - \$132,918 increase over FY18.
- ❑ Personnel Services decreased by -0.66%. Director recommends freezing funding for one dispatcher position.
- ❑ Contractual Services increased slightly by 1.46%.
- ❑ Supplies & Materials remain flat funded 0.00%.

# LA911 FY19 Budget Proposal

- ❑ Fixed charges increased by 20.95% due to substantial adjustments to general liability coverage.
- ❑ Debt services increased 190%. FY19 Interest payments on the Radio Tower Site Projects total \$40,000.
- ❑ Capital Outlay reduced by -2.68% by following established replacement schedules.

# LA911 FY19 Budget Proposal

- ❑ Revenue through dispatch services agreement with the Town of Poland and IT support services for Androscoggin County Sheriffs Office generated \$70,000.
- ❑ Fund Balance: The Committee has designated \$22,000 of Fund Balance to offset the FY19 request. The Committee held the FY17 & FY18 Budget increases to 0% using available Fund Balance.

LA-911

CAPITAL REQUEST



# Overview

**FY18:** Improve radio transmit & receive capabilities for all four Public Safety Agencies. \$200,000 under budget due to alternative equipment placement.

\$200,000 will be used to offset the FY19 request.

**FY19:** Upgrade and replace the LA911 Communications Dispatch Center Equipment.

2<sup>nd</sup> Phase of the LA911 Server Replacement Project

**FY20:** Upgrade and replace the radio equipment for the Lewiston & Auburn Police & Fire Departments.

# FY18 Project Description

Original Request:	\$1,070,000
Goff Tower & Comm. Shelter.	Final cost \$528,645.30
Montello Antenna Improvements.	Final cost \$13,782.57
Replace Comm. Shelter at the Webber Ave.	Final cost \$216,077.06
Fiber & Microwave Connectivity	Final cost \$95,261.13
Total FY18 Expenditures are projected to be	\$853,766.06
 FY18 Balance:	 \$216,233.94

# Radio Antenna Project Partner

## Androscoggin County

- ❑ Sheriff Samson received approval from the County Commissioners to fund One Third (1/3) of the Antenna and Fiber Project through their operational budget over a 4 to 5 year term.
- ❑ The County's 1<sup>st</sup> installment of \$50,000 was processed in January 2018.

# Goff Hill Tower Project



# Webber Ave Communcation Shelter



# FY19 Project Description

## Radio Project Continued:

Purchase eight full function dispatch positions, replace select core equipment and continue with the connectivity improvements between the antenna sites in Lewiston and Auburn.

### Estimated Project Cost:

Comm. Center Radio Equipment:	\$575,000.00
Console Furniture:	\$125,000.00
Microwave Connectivity:	\$167,000.00
Comm. Shelter:	\$130,000.00
Radio System RFP:	\$25,000.00
Proposed Budget Total:	\$1,022,000.00

# FY19 Project Description

## LA911 Server Project

- The Committee is requesting \$170,000 for the 2<sup>nd</sup> year of the server replacement project.

# FY20 Project Description

**FY20:** Update and purchase new radio equipment for all Public Safety Agencies.

Estimated Cost:

Main Radio Project:	\$4,000,000.00
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**Note: City Managers have determined the Mobile and Portable Radio Cost will be assumed by each City given the varying inventories of each Public Safety Department.**

Auburn Mobile and Portable Radios:	\$850,000.00
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Lewiston Mobile and Portable Radios:	\$1,100,000.00
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Total Project Cost:	\$6,000,000.00
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**Lewiston-Auburn 9-1-1  
Emergency Communications System**

**Paul M. LeClair, Director**

552 Minot Avenue, Auburn, Maine 04210

207.786.5380 ~ 207.795.0743 fax



May 9, 2018

Edward A. Barrett  
City Administrator  
City of Lewiston

Peter Crichton  
City Manager  
City of Auburn

**Re: Radio System Sub Committee Meeting / May 2, 2018**

As a follow-up to the 911 radio upgrade discussion at the Joint Council meeting of February 2018, City Manager Peter Crichton suggested that the mayors, managers and assistants, councilors serving on the 911 Committee, Finance Directors, and the Chiefs of the public safety departments meet to further explore and discuss the upgrade project.

In attendance: Mayor Jason Levesque, Mayor Shane Bouchard, Councilor Leroy Walker, Councilor Michel Lajoie, City Administrator Edward Barrett, City Manager Peter Crichton, Finance Director Heather Hunter, Finance Director Jill Eastman, Fire Chief Robert Chase, Fire Chief Brian Stockdale, Police Chief Phil Crowell, Police Chief Brian O'Malley, Asst. Chief Bruce McKay, Deputy Chief Jason Moen, Director Paul M. LeClair, IT Director Drew McKinley, Operations Manager Tim Hall

The Radio System Sub-Committee met on Wednesday May 2, 2018 @ 2:00 PM to discuss the Radio System Capital Project. The Committee reviewed the PowerPoint presentation from the Joint City Council Meeting of February 22, 2018 (attached) and the proposed capital project schedule for FY18, FY19, & FY20 (attached).

Talking points for the meeting:

**Mobile and Portable Radios:**

Director LeClair reviewed the cost breakdown for mobile and portable radios for both the VHF and 800Mhz radio systems (breakdown attached). The City Managers have indicated each city will be responsible for their individual department's mobile and portable radio cost.

The Committee discussed grant opportunities for the mobile and portable radios. The Director reviewed the current Homeland Security Grant Program that provides annual funding to Lewiston and Auburn. The Police and Fire Chiefs oversee the HSG projects and will ensure

# **Lewiston-Auburn 9-1-1 Emergency Communications System**

**Paul M. LeClair, Director**

552 Minot Avenue, Auburn, Maine 04210

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funding for the needed mobile and portable radios for the Hazardous Material Team will be included in the grant allocation for FY19 and FY20. In terms of the funding required for the larger radio replacement program, the Mayors will contact our Congressional Delegation and request assistance in searching out government funding opportunities.

## **Radio System Discussion:**

The bulk of the discussion focused on the primary requirements the radio system project is intended to fulfill -- improving radio equipment reliability and addressing radio frequency deficiencies. The Committee discussed at length the concept and design of the radio system itself and how the systems rely on frequencies to provide public safety responders with the necessary communication channels with which to operate. The primary difference between VHF and 800Mhz is the limitation on the number and quality of VHF channels when compared to the 800Mhz system. A secondary difference is the greater ability of 800Mhz systems to penetrate certain building types.

## **VHF Frequencies:**

Each of the Lewiston Auburn Public Safety Agencies currently have access to one of four (4) primary frequencies, with one primary assigned to each agency. They each also have one (1) backup frequency that is not fully supported by the main radio system. When using a radio on the backup frequency, that radio can only access one of the systems nearest towers. As a result, the communication range is limited since the radio signal will not be sent out to the system's various repeaters. Thus, a user in South Auburn is generally unable to communicate with users in North Auburn on the backup frequency. Essentially, this frequency operates in the same way as walkie-talkies – individual radio to individual radio within a limited geographical area.

While these so-called “tactical” channels are intended to be used to deal with particular situations such as communications at a fire scene or a significant police incident such as a hostage situation, they are unfortunately of limited quality since they are not fully integrated into the overall radio system and are subject to interference and “talk over” from others using the same or nearby frequencies since they are not as fully buffered as the primaries. As a result, they are frequently unavailable or unreliable, forcing all traffic onto the assigned primary frequency.

For major emergencies, it is not unusual for an agency to restrict all radio traffic on a primary channel to those responding to the emergency, effectively shutting down that channel for routine or normal operations. While this issue could be addressed through integrating additional frequencies into the core radio system, additional VHF radio frequencies are not readily available to the LA Agencies and, if they were, there would also be an additional cost associated with integrating them into the system since each frequency requires its own main radio equipment. VHF is a heavily used radio spectrum and obtaining additional frequencies with good quality and range is not an option.

# **Lewiston-Auburn 9-1-1 Emergency Communications System**

**Paul M. LeClair, Director**

552 Minot Avenue, Auburn, Maine 04210

207.786.5380 ~ 207.795.0743 fax



## **800Mhz:**

The design of an 800Mhz radio system efficiently manages a frequency spectrum by removing the limits on individual frequencies. An 800Mhz system provides the Police, Fire, and LA911 Agencies with multiple talk group channels without the equipment limits associated with VHF. With such a system, the Police and Fire Chiefs can separate emergency and non-emergency radio communications as opposed to the current situation where all emergency and non-emergency radio communications occur on **one** frequency.

Maintaining emergency channel integrity will improve incident scene safety and provide secure radio channels for sensitive operations. Best practices recommend Police and Fire Chiefs use a designated radio channel for critical incident scene operations.

The primary purpose of an 800Mhz system, recognizing the VHF frequency limits we face in our region, is efficiency; many people can carry on many conversations over only a few distinct frequencies.

## **Financial Issues:**

The major concern/issue with moving to the 800Mhz system is cost. In general, the costs for the system run about twice that for a replacement VHF system. Moving to 800Mhz will require that all portable and mobile radios be replaced at the same time, speeding what would normally be an on-going four to five year replacement cycle, and will require a higher annual maintenance and licensing fee. Cost is clearly a significant issue, particularly among elected officials and city management, where competing priorities must be evaluated for limited capital and operating funds and concerns exist regarding relatively high tax rates and their effect on economic development and resident ability to pay.

To some extent, however, comparing costs between the two systems is like comparing apples to oranges. A VHF system that would provide a similar number of frequencies or channels would be significantly more expensive than the cost estimates for simply replacing the current system.

## **Summary:**

There was significant support among the public safety staff at the meeting for the 800 system given its ability to provide a multi-channel/frequency environment as well as its enhanced building penetrating capability. While the VHF system might be a workable alternative if additional frequencies were available, their lack is a significant shortcoming. At the same time, some elected and management officials continue to struggle with the higher costs associated with such a system, concerns that all present understand.

The radio project is being phased in over a three year period (FY18 – FY19 – FY20) to allow for adequate planning and implementation. To further address cost concerns, the group explored alternative potential sources of funding including federal grants and state support through the emergency 911 telephone surcharge fund. The Mayors agreed to pursue this with state and

**Lewiston-Auburn 9-1-1  
Emergency Communications System**

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federal officials. In addition, Chief Crowell indicated a willingness to further investigate an upcoming federal grant program for body worn cameras that might be a potential funding source through using the system to transmit video.

In general, the majority of those present would favor the 800Mhz radio option given the system's ability to deliver quality radio communications and multiple radio channels to meet the needs of the Lewiston Auburn Public Safety Agencies.

**Next Steps**

The City of Lewiston will be voting on May 15<sup>th</sup> on its' capital bonding. The proposal includes funding for dispatch console replacement. The City of Auburn Budget review process will occur during the month of May and the LA911 Operational and Capital Budget will be presented to the Auburn Council on May 21<sup>st</sup>. While consoles can be purchased now for use with either system later, there may be some additional costs associated with matching the consoles to the system. Knowing whether we will stay with VHF or move to 800 at the time of console replacement may result in some overall project savings.

Should Lewiston approve the console replacement borrowing, the Lewiston Council will be asked to vote on a Resolve indicating its support for either the 800 or VHF systems.

**Director Paul M. LeClair**



**City of Auburn  
City Council Information Sheet**

**Council Workshop Meeting Date:** June 4, 2018

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

**Subject:** Marijuana Moratorium

---

**Information:** The marijuana workgroup has been meeting regularly since the City Council meeting on February 5, 2018 to consider local impacts relating to adult use marijuana to include medical marijuana retail. The workgroup will have a report to present to the council at a future meeting.

At the request of City Councilor Andy Titus, this workshop is being held to determine the action that the City Council will need to take regarding retail and medical retail "storefront" operations. As such, the committee recommends that a moratorium ordinance be enacted to allow the Legislature and involved state agencies to finalize the statutory and rule amendments. Currently, the City of Auburn Code of Ordinance is insufficient to prevent serious public harm that could be caused by the unregulated development of retail marijuana establishments and other uses authorized by the "Marijuana Legalization Act" approved at the November 8, 2016 referendum election, thereby necessitating a moratorium to provide an opportunity for the city to amend its code of ordinances to mitigate the potential impact and harm on the city and its residents.

While the "Marijuana Legalization Act" has been approved, the rulemaking has yet to be completed. In addition, the city has had four (4) medical retail storefronts begin unregulated operations. In addition, Police and Code Enforcement have received several inquiries regarding retail and medical retail operations.

---

**City Budgetary Impacts:** A moratorium would have no direct budgetary impacts.

---

**Staff Recommended Action:** To adopt a marijuana moratorium for retail and medical retail "storefront" operations beginning June 18, 2018 and shall remain in effect until December 17, 2018.

---

**Previous Meetings and History:** December 5, 2016, January 23, 2017, February 5, 2018.

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**City Manager Comments:**

I concur with the recommendation. Signature:

A handwritten signature in blue ink, appearing to read "Peter J. Crowell".

---

**Attachments:**



**City of Auburn  
City Council Information Sheet**

**Council Meeting Date:** June 4, 2018

**Order:**

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

**Subject:** Transfer of Forfeiture Assets – Scott Ferland

---

**Information:**

In February 2018, Auburn Police participated in a multi-agency Federal investigation involving drug trafficking. As a result, multiple properties and businesses in Lewiston and Auburn were searched.

An Auburn Police Department Detective learned through his confidential informants that Tyler Poland was distributing marijuana. Following an investigation, Mr. Poland was arrested and charged with Distribution of Marijuana. As the investigation continued, it was determined that Mr. Poland was transferring large sums of money to an account owned by Almighty Waste ie: Scott Ferland. Mr. Ferland was not charged.

The U.S. Department of the Treasury will provide 5% of the \$220,000 seized to the Auburn Police Department - \$11,000. These funds will be used to purchase equipment.

---

**City Budgetary Impacts:** The U.S. Department of the Treasury seeks to transfer \$11,000.00 (5% of \$220,000) U.S. Currency to the Auburn Police Department. These funds will be used to purchase equipment.

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**Staff Recommended Action:** Vote to accept the transfer of \$11,000. From the U.S. Department of the Treasury.

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**Previous Meetings and History:** None

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**City Manager Comments:**

I concur with the recommendation. Signature:

A handwritten signature in blue ink, appearing to read "Peter J. Cusick".

**Attachments:**

- Memo to City Manager



# Auburn Police Department

Phillip L. Crowell, Jr. | Chief of Police

Jason D. Moen | Deputy Chief of Police

[www.AuburnPD.com](http://www.AuburnPD.com) | 207.333.6650

60 Court Street | Auburn, Maine 04210

## MEMORANDUM

Date: June 4, 2018  
To: Peter Crichton, City Manager  
From: Phillip L. Crowell, Jr., Chief of Police

---

RE: FORFEITURE ASSETS – SCOTT FERLAND

In February 2018, Auburn Police participated in a multi-agency Federal investigation involving drug trafficking. As a result, multiple properties and businesses in Lewiston and Auburn were searched.

An Auburn Police Department Detective learned through his confidential informants that Tyler Poland was distributing marijuana. Following an investigation, Mr. Poland was arrested and charged with Distribution of Marijuana. As the investigation continued, it was determined that Mr. Poland was transferring large sums of money to an account owned by Almighty Waste ie: Scott Ferland. Mr. Ferland was not charged.

The U.S. Department of the Treasury will provide 5% of the \$220,000 seized to the Auburn Police Department - \$11,000. These funds will be used to purchase equipment.

Holly C. Lasagna, Ward One  
Robert P. Hayes, Ward Two  
Andrew D. Titus, Ward Three  
Alfreda M. Fournier, Ward Four



Leroy G. Walker, Ward Five  
Belinda A. Gerry, At Large  
David C. Young, At Large

Jason J. Levesque, Mayor

## IN CITY COUNCIL

ORDER 49-06042018

Accepting the transfer of \$11,000. (5% of \$220,000) in forfeiture assets in Rem in U.S. Currency to the Auburn Police Department (U.S. Department of Treasury Seizure 04180002-01 – Scott Ferland).



## IN COUNCIL REGULAR MEETING MAY 21, 2018 VOL. 35 PAGE 140

Mayor Levesque called the meeting to order at 7:04 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

### I. Consent Items

#### 1. Order 47-05212018\*

Appointing Ariel Gill to serve as a Warden for the 6/12/2018 Election.

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

Passage 7-0.

### II. Minutes

- May 7, 2018 Regular Council Meeting

Motion was made by Councilor Fournier and seconded by Councilor Walker to accept the minutes of the May 7, 2018 Regular Council meeting. Passage 7-0.

- May 14, 2018 Special Council Meeting

Motion was made by Councilor Fournier and seconded by Councilor Walker to accept the minutes of the May 14, 2018 Special Council meeting. Passage 7-0.

### III. Communications, Presentations and Recognitions

- Proclamation – Arbor Week
- Recognition – Spirit of America Award (Gerald Scott Whalen and Crystal Harnden were the recipients of the Spirit of America Awards)

### IV. Open Session

Mamie Anthoine Ney, Director of the Auburn Public Library reminded everyone about the online auction coming up at the Library from May 30<sup>th</sup> to June 8<sup>th</sup>.

### V. Unfinished Business - None

### VI. New Business

#### 1. PUBLIC HEARING

The purpose of the public hearing is to receive public comments on the proposed Special Municipal Referendum question which will go before Auburn voters in a Special Municipal Referendum Election to be held on Tuesday, June 12, 2018.

*Do you approve Auburn School Department joining a regional service center with other area school districts in order to improve educational efficiencies and preserve state subsidy, as set forth in an application to be approved by the Commissioner of the Maine Department of Education?*

No one from the public spoke.

**2. Order 48-05212018**

Adopting the 5-year CIP (Capital Improvement Program) Plan.

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

Public comment – no one from the public spoke.

Passage 6-1 (Councilor Gerry opposed).

**VII. Reports**

**Mayor Levesque** – reported on the Public Works Department's Open House event. He also reminded everyone about the upcoming Sesquicentennial meeting scheduled for Wednesday at 6PM at the Auburn Public Library.

**Councilor Young** – reminded everyone about the ELHS graduation coming up on June 2<sup>nd</sup>.

**Councilor Lasagna** – reminded everyone that tomorrow night the School Building Committee will be meeting.

**Councilor Hayes** – no report

**Councilor Titus** – reported that the Lake Auburn Neighborhood Watch Group is having a Trash Off day on June 2<sup>nd</sup> for a barbeque and to pick up trash around Lake Auburn. He also reported on the Auburn Water and Sewer District meetings.

**Councilor Fournier** – reported on the School Committee Task Force she is on regarding Proficiency Based Learning and reminded everyone about their upcoming meetings.

**Councilor Walker** – reminded everyone of the upcoming Neighborhood Watch Group meeting on scheduled for this Thursday at the Sixth Street Congregational Church at 6:30 PM and next Tuesday the United New Auburn Association will be meeting at Rolly's Diner at 6PM. Alan Manoian will be the guest speaker. John Jenkins is also scheduled to attend. Councilor Walker also encouraged the public to look at the proposed budget and the request by LA 911 and he invited residents to attend a meeting to listen and provide input and try to understand what it takes to run 911 center.

**Councilor Gerry** – commented on the School Committee budget.

**City Manager** – reported on the LATC working group that has been formed, on the upcoming budget meetings, he commented on the Public Work's Open House event, and he also wanted to let everyone know that the community has been designated as a Federal Opportunity Zone.

**Finance Director, Jill Eastman – April 2018 Monthly Finance Report**

Council did not vote to accept and place on file the April 2018 monthly finance report. They will do that after receiving the report with the corrected numbers.

**VIII. Open Session -** No one from public spoke

**IX. Executive Session -** None

**X. Adjournment –** Motion was made by Councilor Fournier and seconded by Councilor Walker to adjourn. Passage 7-0. The meeting adjourned at 7:30 PM.

A TRUE COPY

ATTEST *Susan Clements-Dallaire*

Susan Clements-Dallaire, City Clerk





**City of Auburn  
City Council Information Sheet**

**Council Workshop or Meeting Date:** June 4, 2018

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

**Subject:** Mass Gathering Application – Liberty Festival

---

**Information:**

The organizers of the Liberty Festival have applied for their Mass Gathering Permit. City Ordinance states the following:

*Sec. 14-252. - Clerk's notification to council.*

*As soon as the city clerk or designee receives an application to hold a mass gathering, the clerk shall give public notice by notifying the city council. Such notification shall appear as a formal communication on the agenda of the next regularly scheduled council meeting.*

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

The public hearing and vote will occur at the June 18, 2018 City Council meeting.

---

**City Budgetary Impacts:** \$10,000 (under the Recreation Department under Community Programs)

---

**Staff Recommended Action:** Acknowledge communication

---

**Previous Meetings and History:** This is a yearly event that has taken place in the Auburn/Lewiston communities for over 20 years.

---

**City Manager Comments:**

I concur with the recommendation. Signature:

A handwritten signature in blue ink, appearing to read "Peter J. Caulton".

**Attachments:**

Application  
Map

Date received: MAY 25 2018  
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.

Date of Application: 5/15/18

### 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: PO Box 97, Lewiston, Me 04240

Daytime Telephone: 207-786-3088 Cell Phone: 207-212-8227

Email Address: liberty.festival@aol.com

Contact Name and Cell Phone Number DURING the Event: Cathy McDonald - 207-212-8227

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 4th, 2018 Rain Date: July 5th, 2018

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: 2000

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, \$250 fee per week, 2 week maximum. First come first serve basis, proof of insurance required.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Separate fee and permit possible	FOOD – Will food or beverages be sold? If yes, list what types of food or beverages: food vendors Note - A food service license may be required and must be submitted 14 days prior to the event. Other requirements and/or restrictions may apply.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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 novelty items Note - A peddler permit may be required and must be submitted 14 days prior to the event.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
N/A	LIVE MUSIC – Will there be any outdoor musical performances? If yes, please describe: DJ in the Great Falls Plaza area and Auburn Community Band in Festival Plaza	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
N/A	SOUND AMPLIFICATION – Will there be a microphone or speaker system to project sound?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Separate fee and permit possible	ALCOHOL – Will alcoholic beverages be sold?  Note – Vendor must hold a valid State of Maine liquor license and submit an Off Premise Catering Event application 14 days prior to the event.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Separate fee and permit required	FIREWORKS – Will there be a fireworks display? If yes, a permit from the Fire Department is required.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
N/A	PARADE – Will there be a parade? If yes, describe route:  Note – A permit from the Police Department is required.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
N/A	RUN/WALK/CYCLE – Will event involve participants doing a walk-a-thon, road race, etc? If yes, describe route:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Separate permit	BURN PERMIT – Will there be any open flame such as a bon fire? If yes, describe activity:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>



required	Note - A permit from the Fire Department is required.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
N/A	TENT/CANOPY – Will you be setting up a tent or canopy? If yes, list number and sizes: Small Pop up canopy tents around vendors and staging area	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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? vending booths, musical equipment and stage lighting	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
N/A	ROAD/INTERSECTION CLOSURE – Will any roads need to be closed to accommodate your event? If yes, please list: Main, Court Street, Longley Bridge & Great Falls Plaza	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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 <u>mandatory</u> requirement for this application and must be included. attached	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
N/A	PARKING ACCOMODATIONS – What will be the anticipated need for parking and what is your parking plan? Great Falls lots, Auburn City Hall garage. We will be manning donation requested lots	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
N/A	TOILETS – Please list amount at event and/or nearest location: 10 Regular and 2 handicap units between Lewiston and Auburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
N/A	WASTE DISPOSAL – Please list process and location: City provided trash cans and liners	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
N/A	HAND WASHING FACILITIES – Please list amount at event and/or nearest location: 1 at port-a-potties and 1 portable at each vending station	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
N/A	POTABLE WATER – Please list amount at event and location: 1 hook up from TD Bank	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
N/A	FIRST AID FACILITIES – Please list location at event: United Ambulance and Auburn Fire at Great Falls Plaza	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
\$	TOTAL FEE AMOUNT INCLUDED – Checks payable to the <u>City of Auburn</u>			

#### 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

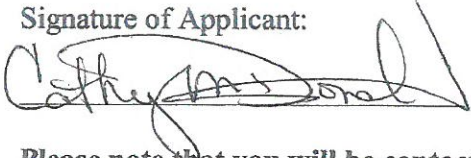
We will begin set up on July 3rd for the festival. The event will take place on July 4th (rain date July 5th)

and include fireworks, food and novelty vendors and a variety of entertainers.

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



Signature of Applicant:



Printed Name:

Cathy McDonald

Date Submitted:

5/15/18

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

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





PYROTECHNIC  
LAUNCH  
SITE

1

PARKING

2

3

STAGE

4  
84 Court  
vending area

VENDING  
DOORS

PARKING

5

second  
possible  
Vending /  
entertainment  
area

LONGLEY MEMORIAL  
BRIDGE

NORTH ST

MA ST

MILLER ST  
MA ST

TURNER ST

GREAT FALLS PLZ

HAMPSHIRE ST

MECHANICS ROW

COURT ST

HIGH ST

NOT TO SCALE



Sec. 14-252. - Clerk's notification to council.

As soon as the city clerk or designee receives an application to hold a mass gathering, the clerk shall give public notice by notifying the city council. Such notification shall appear as a formal communication on the agenda of the next regularly scheduled council meeting.

(Ord. No. 38-02072011-05, att. § 24-200, 2-7-2011)



## City of Auburn City Council Information Sheet

**Council Workshop Date:** 6-4-2018

**Author:** Zach Mosher, City Planner

**Subject:** Future Land Use and Zoning Map Amendments at 33 Dunn St.

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**Information:** Clarice and Jeff Hinckley, owners of 33 Dunn St (PID #: 221-195), the site of the former Twin City Times, requested to have the zoning changed at this property from Multi-Family Urban (MFU) to Neighborhood Business (NB). They are interested in providing office space on the bottom floor and a coffee and doughnut/muffin shop on the top floor. The Assessing Department classifies the property as "personal/professional services" and therefore the office use, although not permitted in the MFU district, is grandfathered and allowed to continue at this location, but any kind of retail, including food retail is not allowed in the MFU district. The zone change proposal from MFU to NB would allow a neighborhood scale commercial use.

At the request of the property owners, the Planning Board initiated a Zoning Map Amendment at their February 13, 2018 meeting. The zone change was then presented to the Planning Board at a public hearing on March 27, 2018. The Staff recommended that the Planning Board consider both an amendment to the Comprehensive Plan's Future Land Use Plan for both 33 Dunn St from New Auburn Village Center (NAVC) to Neighborhood Business (NB) and a Zoning Map Amendment from Multi-Family Urban (MFU) zoning to Neighborhood Business (NB) zoning. The Staff felt the Zoning Map Amendment would be better supported by changing the Future Land Use designation to one that would be in compliance with the Comprehensive Plan. One resident spoke during the public hearing and voiced concern over the other uses the Neighborhood Business district might allow as this specific use and owners will not be present forever. Any kind of commercial (retail, service, or office) use in the NB district would either need a signoff from the Planning Director or special exception approval by the Planning Board.

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**City Budgetary Impacts:** None

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**Staff Recommended Action:** Staff recommends the City Council move to 1<sup>st</sup> reading and Public Hearing.

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**Previous Meetings and History:** On February 13, 2018 staff asked the Planning Board to initiate a zone change. A public hearing was held at the March 27, 2018 meeting and the Planning Board voted 7-0 to forward a positive recommendation to the City Council. All Planning Board materials and maps are attached. Presented to Council at the 5/21/2018 Council Workshop.

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**City Manager Comments:**

I concur with the recommendation. Signature:

A handwritten signature in blue ink, appearing to read "Peter J. Cusick".

**Attachments:**

1. Planning Board report to the City Council.
2. Staff Report for the Planning Board's March 27, 2018 meeting with map and attachments.



## City of Auburn, Maine

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207.333.6601

### **PLANNING BOARD REPORT to the CITY COUNCIL**

To: Mayor Levesque and Honorable Members of the Auburn City Council

From: Zach Mosher, City Planner

Re: Comprehensive Plan Future Land Use Plan Zoning Map Amendment – 33 Dunn Street

Date: May 7, 2018

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**SUMMARY** – On March 27, 2018 the Auburn Planning Board held a public hearing and took action on a Comprehensive Plan Future Land Use Plan Amendment and a Zoning Map Amendment for 33 Dunn St. The meeting consisted of a staff presentation and comments from an area resident residing at 59 Fourth street during the public hearing. After a discussion, the Planning Board voted unanimously 7-0 to send recommendations of **APPROVAL** for both amendments on to the City Council for final action.

**PROPOSAL** - Based on a request by staff the Planning Board initiated a Zoning Map Amendment (zone change) at its February 13, 2018 meeting for the Planning Board to amend the zoning at 33 Dunn St from its current zoning of Multi-Family Urban (MFU) to Neighborhood Business (NB). The party who has purchased the property is interested in providing office space on the bottom floor and a coffee and doughnut/muffin shop on the top floor. Our assessing office classifies the property as “personal/professional services with an office style building” and therefore the office use, although not permitted in the MFU district, is allowed to continue at this location, but any kind of retail, including food retail is not allowed in the MFU district. The owner is requesting to have the zoning changed to Neighborhood Business to allow a neighborhood scale commercial use which could be a desirable amenity in this part of New Auburn.

The 2010 Comprehensive Plan Future Land Use Plan recommends New Auburn Village Center (NAVC) for the general area including 33 Dunn St. The Staff recommended that the Planning Board first amend the 2010 Comprehensive Plan's Future Land Use map for 33 Dunn St from New Auburn Village Center (NAVC) to Neighborhood Business (NB) prior to considering the

proposed zone change. The second step would be a Zoning Map Amendment for 33 Dunn St from Multi-Family Urban (MFU) to Neighborhood Business (NB).

**THE SITE** – The property is approximately .23 ac. (10,000 s.f.) in size and is the site of the former Twin City Times newspaper. The structure was permitted and constructed around 1965 as a credit union and later occupied by Twin City Times and contains approx. 12 parking spaces at the rear of the building. There are two floors in the building with the bottom floor being a “walk-out.” The whole building is approx. 3,400 s.f. in size, but only approx. 600 s.f. would be devoted to food retail under the owner’s specific proposal.

At the February 13, 2018 Planning Board meeting, staff conducted a short presentation asking the Planning Board to initiate the zone change. Staff provided the following reasons as to why considering a zone change made sense at this property:

1. The property is across the street from a Neighborhood Business zoned property with a similar history of commercial use.
2. The structure was permitted and constructed around 1965 as a credit union and later occupied by Twin City Times.
3. The structure is not well suited for conversion to a residential use.
4. A small retail store, café or bakery could be a desirable amenity in the neighborhood.

Final action was taken the Planning Board on March 27, 2018 when the board voted unanimously to forward a recommendation of approval to the City Council.

**PLANNING BOARD ACTION** - The Planning Board was asked to make two recommendations to the City Council: (1) amend the Future Land Use Map for 33 Dunn St from New Auburn Village Center (NAVC) to Neighborhood Business (NB) and 2) for a Zoning Map Amendment for 33 Dunn St from Multi-Family Urban (MFU) zone to Neighborhood Business (NB) zone.

1. The March 27th Staff Report presented references from the 2010 Comprehensive Plan relating to Neighborhood Business, which were incorporated into the findings for recommending approval to amend the Future Land Use for 33 Dunn St Street from the New Auburn Village Center designation to Neighborhood Business. (See Attachment 2, Section III, A, pages 3 and 4)

The second part of Planning Board consideration was for a zoning map amendment from Multi-Family Urban (MFU) to Neighborhood Business (NB). The Staff suggested that if the Planning Board/City Council amended the Future Land Use for 33 Dunn St from New Auburn Village Center (NAVC) to Neighborhood Business (NB), that change would make the Zoning Map Amendment request for said property to Neighborhood Business in compliance with the Comprehensive Plan's Future Land Use Plan. The staff also presented findings that the zone change request was reasonable would allow small-scale general commercial uses (retail, service, and office) that do not negatively affect the character of the surrounding neighborhood. It would also allow the



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proposed continuance of the office use to become a conforming use, in addition to allowing small scale retail and service uses.

**IV. PLANNING BOARD PUBLIC HEARING, DELIBERATION AND RECOMMENDATIONS-** During the public hearing portion of the item at the March 27, 2018 meeting, Kevin Lynch, a resident of 59 Fourth St expressed concern about the use regulations in the Neighborhood Business district as this property will at some point change hands and doesn't want the character of the neighborhood to change by allowing a wide range of commercial uses. Board member Scogin responded by listing the use regulations of Neighborhood Business district and by reading Use Regulation 5 which reads:

*Commercial uses (offices, retail and services) in the Neighborhood Business (NB) district are a permitted use and must be authorized by the planning director while meeting the following two criteria:*

- a. The external activity levels and impacts are limited as to be compatible with and not adversely affect the character of the surrounding neighborhood.*
- b. The proposed use will not create excessive noise, excessive traffic, nuisances (vibration, smoke, odor, appearance, etc.), fire hazard and other negative impacts of business activities being conducted in the residential neighborhood.*

The resident was happy with the answer and said that he lauds the owners of 33 Dunn St for trying to accommodate a small retail use at this location. The public hearing was then closed.

A motion was made to forward a recommendation of Approval to the City Council to amend the Future Land Plan for 33 Dunn St from New Auburn Village Center (NAVC) to Neighborhood Business (NB) and to amend the Zoning Map for said property from Multi-Family Urban (MFU) to Neighborhood Business (NB) with the following findings on the Future Land Use Amendment:

1. Amending the Future Land Use Plan from New Auburn Village Center (NAVC) to Neighborhood Business (NB) for 33 Dunn St will meet the goal of the Comprehensive Plan by "support(ing) the retention and improvement of these businesses since they offer a valuable service to the City's residents" and "The standards also allow for replacing an existing use with a new non-residential use as long as it is appropriate for the neighborhood."



2. The proposed uses at 33 Dunn St meets the Objectives, Allowed Uses and Development Standards for Neighborhood Business (NB) as stated in the 2010 Comprehensive Plan (Chapter 2 Future Land Use Plan).
3. Amending the Future Land Use Plan from New Auburn Village Center (NAVC) to Neighborhood Business (NB) for 33 Dunn St will create a future land use designation for the Comprehensive Plan and be compatible and in compliance for the proposed zoning map amendment, which if approved, would allow the proposed uses of office and retail.
4. The proposed use of 33 Dunn St will be compatible and appropriate for the surrounding neighborhood.

The findings continued for the Planning Board to send a recommendation of **APPROVAL** to the City Council for the Zoning Map Amendment for 33 Dunn St from Multi-Family Urban (MFU) to Neighborhood Business (NB) with the following findings:

1. The Zoning Map Amendment for 33 Dunn St from Multi-Family Urban (MFU) to Neighborhood Business (NB) will be in compliance with the Future Land Use Plan's designation as Neighborhood Business. (Subject to City Council approval of the Future Land Use Amendment)
2. Amending the Zoning Map for 33 Dunn St from Multi-Family Urban (MFU) to Neighborhood Business (NB) will allow a small-scale office and retail location to exist in a walkable neighborhood.
3. Changing 33 Dunn St to Neighborhood Business (NB) will meet the Neighborhood Business district goal of the 2010 Comprehensive Plan by "support(ing) the retention and improvement of these businesses since they offer a valuable service to the City's residents."

The motion was approved with a unanimous vote of 7-0 (motion by Scogin, seconded by Hamlyn).

## **PLANNING BOARD STAFF REPORT**

To: Auburn Planning Board

From: Zach Mosher, City Planner

Re: Future Land Use Map and Zoning Map Amendment for 33 Dunn St

Date: March 27, 2018

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- I. **PROPOSAL** – The Auburn Planning Board initiated a Zoning Map Amendment (zone change) at their February 13, 2018 meeting for the property located at 33 Dunn St (PID # 221-195). This property was occupied by the Twin City Times as recently as January 2018 and is currently zoned Multi-Family Urban (MFU) and is being proposed to be rezoned to Neighborhood Business (NB). At this meeting, the Planning Board is being asked to make a two-step recommendation to the City Council:
- 1) Amend the Future Land Use Map and 2) Amend the Zoning Map.

### **Existing Future Land Use Map:**

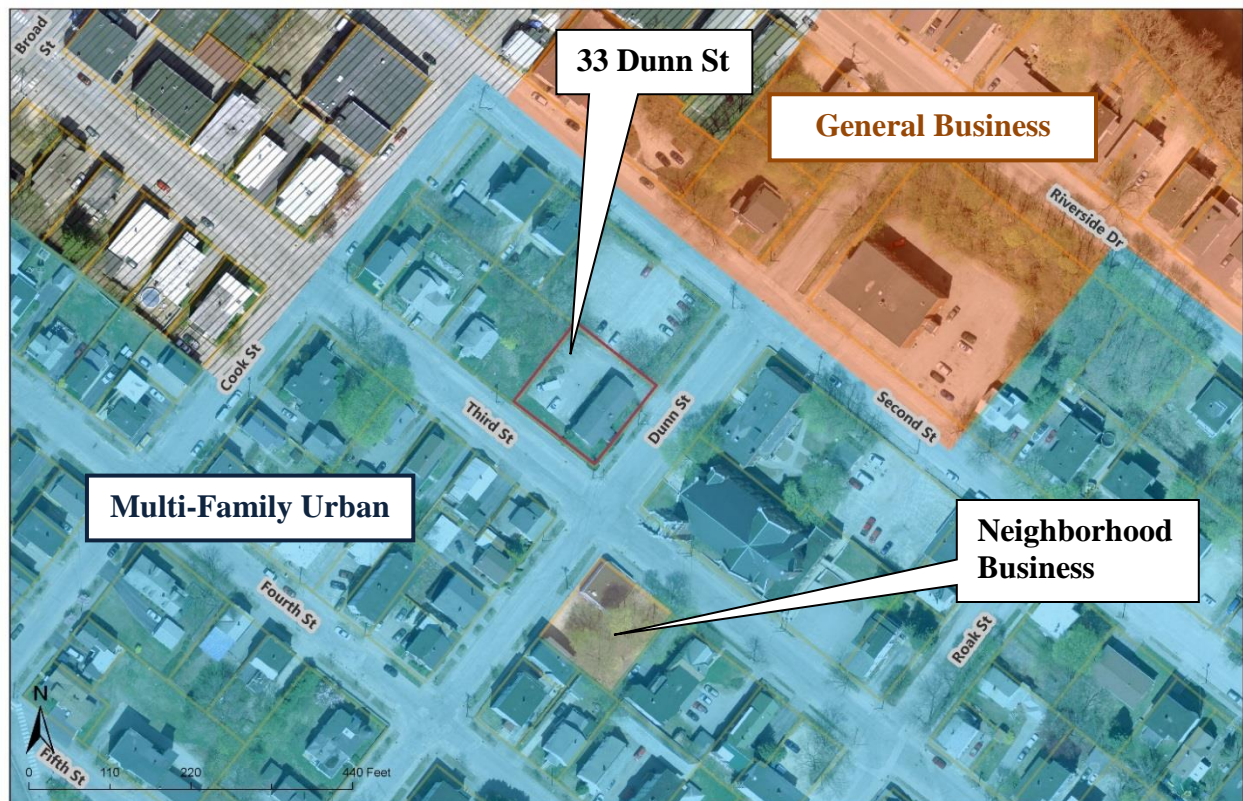




## Proposed Future Land Use Map:



## Existing Zoning:





## Proposed Zoning:



**BACKGROUND and STAFF COMMENTS** – The party who has purchased the property is interested in providing office space on the bottom floor and a coffee and doughnut/muffin shop on the top floor. They are proposing offices on the 1<sup>st</sup> floor in addition to a small retail coffee/doughnut shop on the top floor. Our assessing office classifies the property as “personal/professional services with an office style building” and therefore the office use, although not permitted in the MFU district, is allowed to continue at this location, but any kind of retail, including food retail is not allowed in the MFU district. The owner is requesting to have the zoning changed to Neighborhood Business to allow a neighborhood scale commercial use which could be a desirable amenity in this part of New Auburn.

**THE SITE** – The property is approximately .23 ac. (10,000 s.f.) in size and is the site of the former Twin City Times newspaper. The structure was permitted and constructed

around 1965 as a credit union and later occupied by Twin City Times and contains approx. 12 parking spaces at the rear of the building. There are two floors in the building with the bottom floor being a “walk-out.” Each floor is approx. 1,450 sq ft in size.

At the February 13, 2018 Planning Board meeting, staff conducted a short presentation asking the Planning Board to initiate the zone change. Staff provided the following reasons as to why considering a zone change made sense at this property:

1. The property is across the street from a Neighborhood Business zoned property with a similar history of commercial use.
2. The structure was permitted and constructed around 1965 as a credit union and later occupied by Twin City Times.
3. The structure is not well suited for conversion to a residential use.
4. A small retail store, café or bakery could be a desirable amenity in the neighborhood.

After review, the Planning Board voted to initiate a zone change at this location and staff is now requesting the Planning Board vote to make a recommendation to the City Council on amending both the Future Land Use map and the Zoning Map.

II. **DEPARTMENT REVIEW** - The proposed zoned change was reviewed at the October 18, 2017 Plan Review Committee.

- a. Police - No Comments
- b. Auburn Water and Sewer - No Comments
- c. Fire Department - No Comments
- d. Engineering – No Comments
- e. Public Services – No Comments
- f. Economic and Community Development – Staff presented the zone change request to the Plan Review Committee.

III. **PLANNING BOARD ACTION**- The Planning Board is being asked to make a two-step recommendation to the City Council:

- 1) Amend the Future Land Use Map
- 2) Amend the Zoning Map

The Planning Board is being asked to amend the Future Land Use for 33 Dunn St from New Auburn Village Center (NAVC) District to Neighborhood Business (NB), and for a Zoning Map Amendment for 33 Dunn Street from Multi-Family Urban (MFU) district to Neighborhood Business (NB) district.



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### A. FUTURE LAND USE PLAN AMENDMENT-

The 2010 Comprehensive Plan's Future Land Use Map for the 33 Dunn St property is New Auburn Village Center. This designation is appropriate for the general area.

The 2010 Comprehensive Plan speaks to Neighborhood Business as follows:

*(From Goals, Policies and Strategies, Chapter 1)*

#### **4. Neighborhood Business Districts**

*The City has a number of neighborhood businesses that are located within residential neighborhoods. **It is the City's policy to support the retention and improvement of these businesses since they offer a valuable service to the City's residents.** It is also the City's policy to encourage the owners of these properties to reinvest in maintaining and improving these buildings. To accomplish these objectives, the Future Land Use Plan (see Chapter 2) designates these properties as Neighborhood Business Districts. The standards for these districts allow the existing nonresidential use to be maintained and improved, as long as it is compatible with the surrounding neighborhood. The standards also allow for replacing an existing use with a new nonresidential use (other than service stations and auto service facilities), as long as it is appropriate for the neighborhood. **The primary objective in creating these districts is to encourage the retention of these neighborhood businesses.** As long as the property includes nonresidential space, whether occupied or not, the property should remain in the Neighborhood Business District to allow re-occupancy by an appropriate nonresidential use. However, if a property is converted to a residential use, it is the City's policy that the City should rezone the property to eliminate the Neighborhood Business District. (pages 71 and 72, 2010 Comprehensive Plan- Chapter 1: Goals, Policies and Strategies)*

*(From Future Land Use Plan, Chapter 2)*

#### **Neighborhood Business District (NB)**

**Objective** - *The objective of the Neighborhood Business District is to allow for the maintenance, improvement, and continued commercial use of properties within residential neighborhoods that have been traditionally used for nonresidential purposes, provided that they are good neighbors, and that changes in the property or the use do not increase the adverse impacts on the neighborhood (see Figure 2.3).* Properties that are zoned Neighborhood Business should continue to be zoned for commercial use as long as they continue to be used for appropriate nonresidential

*purposes. If the property is converted to a residential use, it should be rezoned to remove it from the neighborhood business district.*

***Allowed Uses*** – *The following types of uses should be allowed in the Neighborhood Business District provided they do not result in an increase in the adverse impacts on the surrounding neighborhood:*

- *residential uses of the type allowed in the surrounding neighborhood*
- *personal services*
- *small retail uses*
- *existing service stations and auto service facilities*
- *community services and government uses*

***Development Standards*** – *The development standards should reflect the existing pattern of development with respect to setbacks.* *The standards should allow for the expansion of the building as long as the overall layout and functioning of the site is improved, and there is no increase in adverse impacts. (pages 105 and 106; 2010 Comprehensive Plan- Future Land Use Plan Chapter 2)*

STAFF COMMENTS- It is clear that the 2010 Comprehensive Plan's Goals and Future Land Use Plan supports preserving and maintaining neighborhood businesses. As the site of a credit union for 40 years and then the location of the Twin City Times this property has provided a valuable service to the neighborhood over the years. With the plan being to continue the office use while also offering small scale food retail, it is the owner's desire to continue a valuable service to the neighborhood. Amending 33 Dunn St from New Auburn Village Center (NAVC) to Neighborhood Business (NB) meets the goals and intent of the 2010 Comprehensive Plan for Neighborhood Business and will allow the associated Zoning Map Amendment to be approved by being in agreement with the Comprehensive Plan Land Use Map.

B. ZONING MAP AMENDMENT- The proposed Zoning Map Amendment for 33 Dunn St from Multi-Family Urban (MFU) to Neighborhood Business (NB) is supported by the 2010 Comprehensive Plan's Goals, Policies and Strategies and Land Use Plan as referenced previously. Should the Future Land Use Plan be amended for 33 Dunn St to Neighborhood Business, the proposed zone change for 33 Dunn St to Neighborhood Business would then be in agreement with the Future Land Use Plan. The proposed zone change would allow general commercial uses (retail, service, and office) that do not negatively affect the character of the surrounding neighborhood. It would also allow the office use to become a conforming use, in addition to allowing small scale retail and service uses.





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STAFF COMMENTS- Amending the Future Land Use for 33 Dunn Street to from New Auburn Village Center (NAVC) to Neighborhood Business (NB) will make the Zoning Map Amendment request for 33 Dunn St to Neighborhood Business compatible and in compliance with the Comprehensive Plan's Future Land Use Plan. The zone change request will allow the office use to become conforming as well as allowing general commercial, retail, and service uses without being detrimental to the surrounding area.

#### IV. STAFF RECOMMENDATIONS-

##### A FUTURE LAND USE PLAN AMENDMENT-

The Staff recommends the Planning Board send a recommendation of **APPROVAL** to the City Council to amend the Future Land Plan for 33 Dunn St from New Auburn Village Center (NAVC) to Neighborhood Business (NB) with the following findings:

1. Amending the Future Land Use Plan from New Auburn Village Center (NAVC) to Neighborhood Business (NB) for 33 Dunn St will meet the goal of the Comprehensive Plan by "support(ing) the retention and improvement of these businesses since they offer a valuable service to the City's residents" and "The standards also allow for replacing an existing use with a new non-residential use as long as it is appropriate for the neighborhood."
2. The proposed uses at 33 Dunn St meets the Objectives, Allowed Uses and Development Standards for Neighborhood Business (NB) as stated in the 2010 Comprehensive Plan (Chapter 2 Future Land Use Plan).
3. Amending the Future Land Use Plan from New Auburn Village Center (NAVC) to Neighborhood Business (NB) for 33 Dunn St will create a future land use designation for the Comprehensive Plan and be compatible and in compliance for the proposed zoning map amendment, which if approved, would allow the proposed uses of office and retail.
4. The proposed use of 33 Dunn St will be compatible and appropriate for the surrounding neighborhood.

##### B. ZONING MAP AMENDMENT-

The Staff recommends the Planning Board send a recommendation of **APPROVAL** to the City Council for the Zoning Map Amendment for 33 Dunn St from Multi-Family Urban (MFU) to Neighborhood Business (NB) with the following findings:

1. The Zoning Map Amendment for 33 Dunn St from Multi-Family Urban (MFU) to Neighborhood Business (NB) will be in compliance with the Future Land Use

Plan's designation as Neighborhood Business. (Subject to City Council approval of the Future Land Use Amendment)

2. Amending the Zoning Map for 33 Dunn St from Multi-Family Urban (MFU) to Neighborhood Business (NB) will allow a small-scale office and retail location to exist in a walkable neighborhood.
3. Changing 33 Dunn St to Neighborhood Business (NB) will meet the Neighborhood Business district goal of the 2010 Comprehensive Plan by "support(ing) the retention and improvement of these businesses since they offer a valuable service to the City's residents."

*Zach Mosher*

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Zach Mosher  
City Planner

# Auburn, ME

## Property Record Card

### Parcel Data

<b>Parcel:</b> 221-195	<b>Owner1:</b> HINCKLEY PROPERTIES LLC	<b>Sale Date:</b> 02/22/2018	<b>Account:</b> 4305
<b>CollectorID:</b> 221195000	<b>Owner2:</b>	<b>Sale Price:</b> 160,000	<b>Card#:</b> 1
<b>Location:</b> 33 DUNN ST	<b>Mailing:</b> 17 OAK HILL DRIVE	<b>Book/Page:</b> 9789-215	<b>Total Land:</b> 0.23
<b>Alt Location:</b>	<b>Mailing2:</b>	<b>Cert Number:</b>	<b>Neighbhd:</b> GB8
<b>Land Use:</b> 15 PERS/PROF SV	<b>City:</b> NEW GLOUCESTER	<b>St:</b> ME	<b>Subdv Par:</b> 221-195-000-000
<b>Assessor Map:</b>	<b>Zip:</b> 04260	<b>Verified By:</b>	<b>Subdv Type:</b> Correction
		<b>Grantor:</b> TWIN CITY PUBLISHING INC	<b>Subdv FY:</b> 2003

<b>Inspect Date:</b>	<b>By:</b>	<b>Reason:</b>	<b>Result:</b>	<b>Notes:</b>
10/18/2012		NC: NO CHANGE	QTR1: 1-4 Rev 2012	ADD REAR CANOPY
11/06/2008			1-4: 1 - 4 REVIEW	

### Previous Assessment Information

<b>In Process:</b> 173,300	<b>Current FY:</b> 2018	<b>Assessed:</b> 173,300	<b>Prior FY:</b> 2017
<b>Residential Exempt:</b>		<b>Prior Res Exempt:</b>	

### Condo Parking

<b>Condo Park Type:</b>	<b>Condo Garage Spaces:</b>	<b>Condo Covered Spaces:</b>	<b>Condo Open Spaces:</b>
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### Building Description/Condo Unit Information

<b>Use Code:</b>	<b>Bsmt Garage Cap:</b>	<b>Num Elevators:</b>
<b>Type:</b>	<b>Attached Garage Area:</b>	<b>Condo Kitchen Type:</b>
<b>Stories:</b>	<b>Heat Fuel:</b>	<b>Condo Building Number:</b>
<b>Occupancy:</b>	<b>Heat Type:</b>	<b>Condo CDU:</b>
<b>Foundation:</b>	<b>Percent Air Cond:</b>	<b>Condo Pct Interest:</b>
<b>Ext Wall:</b>	<b>Full Baths:</b>	<b>Condo Base Floor:</b>
<b>Roof Type:</b>	<b>Full Bath Qual:</b>	<b>Rooms:</b>
<b>Roof Cover:</b>	<b>Half Baths:</b>	<b>Bedrooms:</b>
<b>Year Built:</b>	<b>Half Bath Qual:</b>	<b>First Floor Area:</b>
<b>Grade:</b>	<b>Kitchen Qual:</b>	<b>Upper Floor Area:</b>
<b>Overall Cond:</b>	<b>Extra Kitchens:</b>	<b>Basement Area:</b>
<b>Interior Cond:</b>	<b>Fireplaces:</b>	<b>Basement Finished:</b>
<b>Exterior Cond:</b>	<b>Stacks:</b>	<b>Basement Grade:</b>

### Image



**Development Standards** – The basic density requirement should be up to 6-8 units per acre for single family and two-family homes and up to 10-12 units per acre for townhouse style and multifamily units. The reuse/reconfiguration of the space within existing buildings for residential purposes should be allowed without consideration of the density/lot size requirements provided that the building will be renovated, be compatible with the neighborhood, and meet the City’s requirements for residential units including the provision of appropriate parking and green space. The minimum lot size for single family house lots should be 5,000 to 6,500 SF with 50 feet of lot width or frontage. The other development standards should be established to reflect the existing pattern of development.

### **Moderate Density Neighborhood Conservation District (MoDNC)**

**Objective** – Stabilize and promote continued investment in the City’s moderate density single and two-family neighborhoods to assure that they remain safe, attractive areas in which residents want to live (see Figures 2.3, 2.5, 2.6, and 2.7). To this end, the district should allow property owners to upgrade their properties and for infill development to occur on vacant lots as long as it is compatible with the character of the neighborhood.

**Allowed Uses** – The allowed uses in the Moderate Density Neighborhood Conservation District should be limited to the following types of uses:

- single and two-family homes
- townhouse style attached single family units
- home occupations
- community services and municipal use and facilities
- agriculture

**Development Standards** – The basic density requirement should be up to 4-6 units per acre for single family and two-family homes and up to 6-8 units per acre for townhouse style units. The minimum lot size for single family house lots should be 7,500 to 10,000 SF, with 75 to 100 feet of lot width or frontage. The other development standards should be similar to the standards for existing Urban Residential District. The development standards should include provisions to allow infill development on existing lots of record, regardless of their size, if they meet stringent design and environmental standards that ensure compatibility with the surrounding neighborhood.

### **DESIGNATIONS: NONRESIDENTIAL AND MIXED USE**

#### **Neighborhood Business District (NB)**

**Objective** – The objective of the Neighborhood Business District is to allow for the maintenance, improvement, and continued commercial use of properties within residential neighborhoods that have been traditionally used for nonresidential purposes, provided that they are good neighbors, and that changes in the property or the use do not increase the adverse impacts on

the neighborhood (see Figure 2.3). Properties that are zoned Neighborhood Business should continue to be zoned for commercial use as long as they continue to be used for appropriate nonresidential purposes. If the property is converted to a residential use, it should be rezoned to remove it from the neighborhood business district.

**Allowed Uses** – The following types of uses should be allowed in the Neighborhood Business District provided they do not result in an increase in the adverse impacts on the surrounding neighborhood:

- residential uses of the type allowed in the surrounding neighborhood
- personal services
- small retail uses
- existing service stations and auto service facilities
- community services and government uses

Service stations and auto service facilities existing as of 2009 should continue to be allowed uses and should be allowed to modernize, but the establishment of a new service station or auto service facility in the Neighborhood Business district should not be permitted. Before an existing nonresidential use is replaced by a new nonresidential use, it should be required to demonstrate that it will not increase the adverse impact on the surrounding neighborhood.

**Development Standards** – The development standards should reflect the existing pattern of development with respect to setbacks. The standards should allow for the expansion of the building as long as the overall layout and functioning of the site is improved, and there is no increase in adverse impacts.

## Community Use District (CU)

**Objective** – The objective of the Community Use District is to recognize those areas that are used for community facilities, including schools and educational institutions, parks, playgrounds, and similar public and community facilities (see Figure 2.3). The intent of this designation is to establish a policy that these types of properties should be recognized as important resources, and that any significant change in use should be considered a significant policy decision.

**Allowed Uses** – The allowed uses within the Community Use District should be limited to municipal and governmental facilities, educational facilities, recreational facilities and uses, and community services.

**Development Standards** – The development standards should focus on providing flexibility for appropriate municipal, community, and governmental uses, while reflecting the existing pattern of development in adjacent areas, and assuring that the use of the property does not result in any undue adverse impact on the surrounding neighborhood.

## DIVISION 11. - NEIGHBORHOOD BUSINESS DISTRICT

### Sec. 60-470. - Purpose.

This district is intended to provide for the daily convenience shopping and business needs of nearby residents and contains those retail, service and office uses which serve primarily a neighborhood population. It is intended that this district be located on lots in areas zoned for residential use.

(Ord. of 9-21-2009, § 3.61A)

### Sec. 60-471. - Use regulations.

- (a) *Permitted uses.* The following uses are permitted, provided that the business use be limited to the ground floor and/or basement and that the gross building area devoted to business use, excluding storage, does not exceed 3,000 square feet:
- (1) Residential dwellings at the same density as permitted in any abutting residential district.
  - (2) Beauty parlors, barbershops and self-service laundries.
  - (3) Public transportation passenger stations.
  - (4) Grocery stores.
  - (5) General commercial uses (retail, service and office uses), not necessarily associated with the surrounding neighborhood, may be authorized by the planning director upon written application adhering to the following procedure and criteria:
    - a. The external activity levels and impacts are limited as to be compatible with and not adversely affect the character of the surrounding neighborhood.
    - b. The proposed use will not create excessive noise, excessive traffic, nuisances (vibration, smoke, odor, appearance, etc.), fire hazard and other negative impacts of business activities being conducted in the residential neighborhood.
- (b) *Special exception uses.* The following uses are permitted as special exceptions after approval by the planning board in accordance with division 3 of article XVI of this chapter.
- (1) Automobile parking lots and garages, commercial and public, provided that they shall be at least ten feet from any lot in a residential district and that the setback area be landscaped.
  - (2) Public utility uses, such as electric substations and office, excluding repair facilities and the storage of material and trucks.
  - (3) Convenience stores, drug stores, variety stores and retail bakeries shops provided that goods baked on the premises shall be sold only on the premises.
  - (4) Automobile filling stations.
  - (5) Halls, private clubs and lodges.
  - (6) Shoe repair shops, pickup laundries and dry cleaners.
  - (7) Adaptive reuse of structures of community significance.

(Ord. of 9-21-2009, § 3.61B; Ord. No. 05-04032017, § 2, 4-24-2017)

### Sec. 60-472. - Dimensional regulations.

All structures in this district, except as noted, shall be subject to the following dimensional regulations:

- (1) *Minimum lot area, width and depth.* No minimum shall be applied to buildings in this district.
- (2) *Density.* The maximum lot coverage by all building shall be 40 percent.
- (3) *Yard requirements.*
  - a. *Rear.* There shall be behind every principal building a rear yard having a minimum depth of 35 feet or 25 percent of the average depth of the lot, whichever is less.
  - b. *Side.* There shall be a distance of five feet between any principal building and the side property line, plus the side yard setback shall be increased one foot for every four feet or part thereof increase in street frontage over 49 feet to a maximum of 25 feet for side yard setback.
  - c. *Front.* There shall be in front of every principal building a front yard having a minimum depth of 25 feet or 25 percent of the average depth of the lot, whichever is less.
  - d. *Open and unbuilt spaces.* Any yard space or area required to be kept open and unbuilt on may be used, if otherwise lawful, for off-street automobile parking, except that a green strip not less than ten feet wide shall be maintained open and green, not built on, paved, or parked on, all or parked on, all along each property line that abuts land residentially.
- (4) *Height.* No permitted structure shall exceed two stories or 35 feet in height. A public building, church or temple, or accessory building or structure may have a maximum height of 65 feet from grade, provided that the front yard, rear yard and each of the side yards shall be increased by one foot for each foot in height in excess of 35 feet.
- (5) *Off-street parking and loading.* Provisions for off-street parking shall not be required in the NB district, except for dwellings and for any parking and loading area required as a condition of special exception approval.

(Ord. of 9-21-2009, § 3.61C)

Secs. 60-473—60-497. - Reserved.



Holly C. Lasagna, Ward One  
Robert P. Hayes, Ward Two  
Andrew D. Titus, Ward Three  
Alfreda M. Fournier, Ward Four



Leroy G. Walker, Ward Five  
Belinda A. Gerry, At Large  
David C. Young, At Large

Jason J. Levesque, Mayor

## IN CITY COUNCIL

ORDER 50-06042018

BE IT ORDERED, that the City Council hereby amends the City of Auburn 2010 Comprehensive Plan Future Land Use Map for the property located at 33 Dunn Street (PID # 221-195) from New Auburn Village Center (NAVC) to Neighborhood Business (NB).



## City of Auburn City Council Information Sheet

**Council Workshop Date:** 6-4-2018

**Author:** Zach Mosher, City Planner

**Subject:** Future Land Use and Zoning Map Amendments at 33 Dunn St.

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**Information:** Clarice and Jeff Hinckley, owners of 33 Dunn St (PID #: 221-195), the site of the former Twin City Times, requested to have the zoning changed at this property from Multi-Family Urban (MFU) to Neighborhood Business (NB). They are interested in providing office space on the bottom floor and a coffee and doughnut/muffin shop on the top floor. The Assessing Department classifies the property as "personal/professional services" and therefore the office use, although not permitted in the MFU district, is grandfathered and allowed to continue at this location, but any kind of retail, including food retail is not allowed in the MFU district. The zone change proposal from MFU to NB would allow a neighborhood scale commercial use.

At the request of the property owners, the Planning Board initiated a Zoning Map Amendment at their February 13, 2018 meeting. The zone change was then presented to the Planning Board at a public hearing on March 27, 2018. The Staff recommended that the Planning Board consider both an amendment to the Comprehensive Plan's Future Land Use Plan for both 33 Dunn St from New Auburn Village Center (NAVC) to Neighborhood Business (NB) and a Zoning Map Amendment from Multi-Family Urban (MFU) zoning to Neighborhood Business (NB) zoning. The Staff felt the Zoning Map Amendment would be better supported by changing the Future Land Use designation to one that would be in compliance with the Comprehensive Plan. One resident spoke during the public hearing and voiced concern over the other uses the Neighborhood Business district might allow as this specific use and owners will not be present forever. Any kind of commercial (retail, service, or office) use in the NB district would either need a signoff from the Planning Director or special exception approval by the Planning Board.

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**City Budgetary Impacts:** None

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**Staff Recommended Action:** Staff recommends the City Council move to 1<sup>st</sup> reading and Public Hearing.

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**Previous Meetings and History:** On February 13, 2018 staff asked the Planning Board to initiate a zone change. A public hearing was held at the March 27, 2018 meeting and the Planning Board voted 7-0 to forward a positive recommendation to the City Council. All Planning Board materials and maps are attached. Presented to Council at the 5/21/2018 Council Workshop.

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**City Manager Comments:**

I concur with the recommendation. Signature:

A handwritten signature in blue ink, appearing to read "Peter J. Cusick".

**Attachments:**

1. Planning Board report to the City Council.
2. Staff Report for the Planning Board's March 27, 2018 meeting with map and attachments.

Holly C. Lasagna, Ward One  
Robert P. Hayes, Ward Two  
Andrew D. Titus, Ward Three  
Alfreda M. Fournier, Ward Four



Leroy G. Walker, Ward Five  
Belinda A. Gerry, At Large  
David C. Young, At Large

Jason J. Levesque, Mayor

## IN CITY COUNCIL

### ORDINANCE 02-06042018

BE IT ORDAINED, that the City Council hereby amends the Auburn Zoning Map from Multi-Family Urban District to Neighborhood Business District for the property located at 33 Dunn Street (PID # 221-195), pursuant to Chapter 60, Article XVII, Division 2 of the Ordinances of the City of Auburn.



**City of Auburn  
City Council Information Sheet**

**Council Workshop or Meeting Date:** June 4, 2018

**Author:** Jill M. Eastman, Finance Director

**Subject:** Order – Authorizing Issuance of General Obligation Bonds and Tax Levy Therefor

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**Information:** This is the order authorizing the sale of \$8,600,000 in General Obligation Bonds to finance the FY 18-19 Capital Improvement Projects. (list attached)

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**City Budgetary Impacts:** There are no budgetary impacts at this time.

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**Staff Recommended Action:** Staff recommends holding a public hearing on the General Obligation Bond Order and passage of 1st reading.

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**Previous Meetings and History:** Joint Council and School Committee workshop on 3/26/18, various budget workshops through April and May 2018.

---

**City Manager Comments:**

I concur with the recommendation. Signature:

A handwritten signature in blue ink, appearing to read "Peter J. Carls".

---

**Attachments:**

List of projects

Bond Order

Public Hearing Notice

**CITYWIDE  
CAPITAL IMPROVEMENT PLAN FY 19 BONDS**

Description		
Airport	Motor Vehicle Fuel Pump	\$ 80,000
Airport	Runway Reconstruction	\$ 10,000
Airport	Wildlife Control Equipment	\$ 150,000
Econ Dev & Planning	New Auburn Village Revitalization	\$ 206,800
Econ Dev & Planning	Dangerous Building Demolition	\$ 100,000
Econ Dev & Planning	Comp Plan Property Acquisition	\$ 100,000
Econ Dev & Planning	Downtown Parking and Walkability	\$ 100,000
Facilities	Street Light Purchase	\$ 800,000
Fire	Paving Parking Lots (Central & Center)	\$ 140,000
IT	Upgrade Operating Systems	\$ 200,000
LATC	Bus Replacement	\$ 50,000
LA911	Virtualization Hardware Refresh	\$ 85,000
LA911	Radio Replacement Project	\$ 403,000
Museum LA	Capital Campaign	\$ 25,000
NSB Arena	Event Flooring	\$ 125,000
Police	Vehicle Replacement	\$ 172,000
Police	Mobile Data Terminal Replacement	\$ 90,000
Police	Police Station Improvements	\$ 100,000
Engineering	Reconstruction	\$ 900,000
Engineering	Reclamation/Resurfacing	\$ 800,000
Engineering	Major Drainage	\$ 300,000
Engineering	MDOT Match	\$ 750,000
Engineering	Municipal Beach Study	\$ 100,000
Engineering	Sidewalks	\$ 50,000
Public Works	7 Yard Plow Trucks	\$ 410,000
Public Works	Warm Storage Building	\$ 450,000
Public Works	One Ton Truck	\$ 40,000
Public Works	Skid Steer	\$ 110,000
Recreation	Security Cameras Pettengill Park	\$ 50,000
Recreation	Senior CC Phase II (Kitchen)	\$ 70,000
School Department	School Department	\$ 1,600,000
Administration	Contingency	\$ 33,200
TOTAL CIP		\$ 8,600,000



**CITYWIDE  
CAPITAL IMPROVEMENT PLAN FY 19 Unallocated**

Description		Unallocated Bond Proceeds
Economic Development	Stratigic Planning	\$ 50,000
Electrical	Electrical Vehicle Replacement	\$ 33,000
Electrical	Main Street Underground Electrical	\$ 22,000
Police	Interview Room Recording Equipment	\$ 11,500
Police	Conference Room Chair Replacement	\$ 13,800
Public Works	Traffic Paint Machine	\$ 15,000
Public Works	Emergency Sign Trailer	\$ 14,000
Recreation	16 Passenger Van	\$ 35,000
Recreation	Senior Center Kitchen	\$ 5,000
Recreation	Sound System Festival Plaza	\$ 15,000
Recreation	Tot Lot Improvements	\$ 15,000
Recreation	Union St Park/Chestnut Park Upgrades	\$ 12,000
<b>TOTAL CIP</b>		<b>\$ 241,300</b>

**CITY OF AUBURN  
NOTICE OF PUBLIC HEARING**

Pursuant to Section 8.13 of the City Charter, notice is hereby given that the Auburn City Council will hold a public hearing on Monday, June 4, 2017, at 7:00 p.m. in the Council Chambers, Auburn Hall, 60 Court Street on a proposed order authorizing the City's general obligation bonds in the amount of \$8,500,000 to finance the City's FY19 Capital Improvement Program.

Following the public hearing, the City Council expects to conduct the second reading and take final action on the order at the June 18, 2017 meeting.

The order is available for inspection at the City Clerk's office during regular business hours.

**CITYWIDE  
CAPITAL IMPROVEMENT PLAN FY 19 BONDS**

Description		
Airport	Motor Vehicle Fuel Pump	\$ 80,000
Airport	Runway Reconstruction	\$ 10,000
Airport	Wildlife Control Equipment	\$ 150,000
Econ Dev & Planning	New Auburn Village Revitalization	\$ 206,800
Econ Dev & Planning	Dangerous Building Demolition	\$ 100,000
Econ Dev & Planning	Comp Plan Property Acquisition	\$ 100,000
Econ Dev & Planning	Downtown Parking and Walkability	\$ 100,000
Facilities	Street Light Purchase	\$ 800,000
Fire	Paving Parking Lots (Central & Center)	\$ 140,000
IT	Upgrade Operating Systems	\$ 200,000
LATC	Bus Replacement	\$ 50,000
LA911	Virtualization Hardware Refresh	\$ 85,000
LA911	Radio Replacement Project	\$ 403,000
Museum LA	Capital Campaign	\$ 25,000
NSB Arena	Event Flooring	\$ 125,000
Police	Vehicle Replacement	\$ 172,000
Police	Mobile Data Terminal Replacement	\$ 90,000
Police	Police Station Improvements	\$ 100,000
Engineering	Reconstruction	\$ 900,000
Engineering	Reclamation/Resurfacing	\$ 800,000
Engineering	Major Drainage	\$ 300,000
Engineering	MDOT Match	\$ 750,000
Engineering	Municipal Beach Study	\$ 100,000
Engineering	Sidewalks	\$ 50,000
Public Works	7 Yard Plow Trucks	\$ 410,000
Public Works	Warm Storage Building	\$ 500,000
Public Works	One Ton Truck	\$ 40,000
Public Works	Skid Steer	\$ 110,000
Recreation	Security Cameras Pettengill Park	\$ 25,000
Recreation	Senior CC Phase II (Kitchen)	\$ 45,000
School Department	School Department	\$ 1,600,000
Administration	Contingency	\$ 33,200
TOTAL CIP		\$ 8,600,000

Holly C. Lasagna, Ward One  
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Andrew D. Titus, Ward Three  
Alfreda M. Fournier, Ward Four



Leroy G. Walker, Ward Five  
Belinda A. Gerry, At Large  
David C. Young, At Large

Jason J. Levesque, Mayor

IN CITY COUNCIL

ORDER 51-06042018

**ORDER - AUTHORIZING ISSUANCE OF GENERAL OBLIGATION BONDS AND A TAX LEVY THEREFOR**

**Be It Ordered by the Auburn City Council**, following a public hearing duly called and held as required by Article 8, Section 8.13 of the Auburn City Charter, that there be and hereby is authorized the issuance and sale of the City's general obligation bonds and notes in anticipation thereof on either a taxable or a tax-exempt basis in the amount of \$8,600,000, the proceeds of which, including premium, if any, and investment earnings thereon, are hereby appropriated to finance the following capital equipment and capital improvements (including costs of issuance for the bonds), all constituting part of the City's FY19 Capital Improvement Program:

**CITYWIDE**

**CAPITAL IMPROVEMENT PLAN FY 19 BONDS**

Description		
Airport	Motor Vehicle Fuel Pump	\$ 80,000
Airport	Runway Reconstruction	\$ 10,000
Airport	Wildlife Control Equipment	\$ 150,000
Econ Dev & Planning	New Auburn Village Revitalization	\$ 206,800
Econ Dev & Planning	Dangerous Building Demolition	\$ 100,000
Econ Dev & Planning	Comp Plan Property Acquisition	\$ 100,000
Econ Dev & Planning	Downtown Parking and Walkability	\$ 100,000
Facilities	Street Light Purchase	\$ 800,000
Fire	Paving Parking Lots (Central & Center)	\$ 140,000
IT	Upgrade Operating Systems	\$ 200,000
LATC	Bus Replacement	\$ 50,000
LA911	Virtualization Hardware Refresh	\$ 85,000
LA911	Radio Replacement Project	\$ 403,000
Museum LA	Capital Campaign	\$ 25,000
NSB Arena	Event Flooring	\$ 125,000
Police	Vehicle Replacement	\$ 172,000
Police	Mobile Data Terminal Replacement	\$ 90,000
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Engineering	Reconstruction	\$ 900,000
Engineering	Reclamation/Resurfacing	\$ 800,000
Engineering	Major Drainage	\$ 300,000

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Belinda A. Gerry, At Large  
David C. Young, At Large

Jason J. Levesque, Mayor

Engineering	MDOT Match	\$ 750,000
Engineering	Municipal Beach Study	\$ 100,000
Engineering	Sidewalks	\$ 50,000
Public Works	7 Yard Plow Trucks	\$ 410,000
Public Works	Warm Storage Building	\$ 500,000
Public Works	One Ton Truck	\$ 40,000
Public Works	Skid Steer	\$ 110,000
Recreation	Security Cameras Pettengill Park	\$ 25,000
Recreation	Senior CC Phase II (Kitchen)	\$ 45,000
School Department	School Department	\$ 1,600,000
Administration	Contingency	\$ 33,200
TOTAL CIP		\$ 8,600,000

THAT the bonds and notes authorized hereunder shall be signed by the City's Finance Director and its Treasurer, attested by the City Clerk under the seal of the City. A tax levy is hereby provided for each fiscal year that the bonds authorized hereunder remain outstanding to meet the annual installments of principal and interest as may accrue in each respective year. The bonds and notes may be issued at one time or from time to time, either singly or in series, and the authority and discretion to fix method of sale, issue date, maturities, denominations, interest rate, place of payment, form and other details of said bonds and notes, and to take all other actions and to sign and deliver all other documents, certificates and agreements in order to provide for the sale thereof is hereby delegated to the City's Finance Director.

THAT in order to finance temporarily the projects described above, the Finance Director is authorized to expend up to \$8,600,000 either from available funds of the City or from the proceeds of bond anticipation notes which would be reimbursed or refinanced from bond proceeds.

THAT the bonds and notes authorized hereunder may be made subject to call for redemption, either with or without premium, on such terms as may be determined by the Finance Director.

THAT the authority and discretion to designate the bond or notes authorized hereunder, or a portion thereof, as qualified tax-exempt obligations under Section 265 of the Internal Revenue Code of 1986, as amended, is hereby delegated to the Finance Director.

THAT the City's Finance Director, Treasurer, Clerk, and other proper officials of the City be, and hereby are, authorized and empowered in its name and on its behalf to do or cause to be done all such acts and things, and to execute, deliver, file, approve, and record all financing



Holly C. Lasagna, Ward One  
Robert P. Hayes, Ward Two  
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David C. Young, At Large

Jason J. Levesque, Mayor

documents, contracts, agreements, certificates, preliminary and final official statements, tax certificates and other documents as may be necessary or advisable, with the advice of counsel for the City, to carry out the provisions of this order, as may be necessary or desirable.

THAT if the Finance Director, Treasurer, or Clerk are for any reason unavailable to approve and execute the bonds or any related financing documents, the person or persons then acting in any such capacity, whether as an assistant, a deputy, or otherwise, is authorized to act for such official with the same force and effect as if such official had himself or herself performed such act.

THAT the authority to issue the bonds or notes authorized hereunder shall automatically expire 2 years from the approval of this Order.

THAT this order is a declaration of official intent pursuant to Treas. Reg. § 1.150-2 and shall be kept available for public inspection during reasonable business hours at the office of the City Clerk.

A Public Notice describing the general purpose of the borrowing and the terms thereof was published on or before May 21, 2018, in the Lewiston Sun-Journal, a daily newspaper published in the City of Auburn and in Androscoggin County.

A public hearing was held on June 4, 2017.



**City of Auburn  
City Council Information Sheet**

**Council Workshop or Meeting Date:** June 4, 2018

**Author:** Jill M. Eastman, Finance Director

**Subject:** Order – Reallocating Unspent Proceeds from the City's General Obligation Bonds.

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**Information:** This is the order authorizing the reallocation of \$241,300 from previous General Obligation Bonds that were unspent to fund a portion of the City's FY 18-19 CIP. (list attached)

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**City Budgetary Impacts:** There are no budgetary impacts at this time.

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**Staff Recommended Action:** Staff recommends holding a public hearing on the Reallocation Order and passage of 1<sup>st</sup> reading, the second reading will be scheduled June 18, 2018.

---

**Previous Meetings and History:** Joint Council and School Committee workshop on 3/26/18, various budget workshops through April and May 2018.

---

**City Manager Comments:**

I concur with the recommendation. Signature:

A handwritten signature in blue ink, appearing to read "Peter J. Carls".

---

**Attachments:**

List of projects

Bond Order

Public Hearing Notice

**CITY OF AUBURN  
NOTICE OF PUBLIC HEARING**

Pursuant to Section 8.13 of the City Charter, notice is hereby given that the Auburn City Council will hold a public hearing on Monday, June 4, 2018, at 7:00 p.m. in the Council Chambers, Auburn Hall, 60 Court Street on a proposed order reallocating \$266,300 of unspent proceeds from various General Obligation Bonds to finance a portion of the City's FY 19 Capital Improvements.

The City Council expects to conduct the first reading and public hearing on the order at the June 4, 2018 meeting and second reading and final action at the meeting of June 18, 2018.

The order is available for inspection at the City Clerk's office during regular business hours.

Holly C. Lasagna, Ward One  
Robert P. Hayes, Ward Two  
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Alfreda M. Fournier, Ward Four



Leroy G. Walker, Ward Five  
Belinda A. Gerry, At Large  
David C. Young, At Large

Jason J. Levesque, Mayor

IN CITY COUNCIL

ORDER 52-06042018

**ORDER - Reallocating Unspent Proceeds from the City's General Obligation Bonds**

WHEREAS, the City of Auburn issued General Obligation Bonds in various amounts for various projects; and

WHEREAS, there remain unspent proceeds of the Bonds borrowed for multiple capital improvements, \$241,300 of which excess proceeds the City Council desires to reappropriate and reallocate to be used for the projects listed below;

**CITYWIDE**

**CAPITAL IMPROVEMENT PLAN FY 19 Unallocated**

Description		Unallocated Bond Proceeds
Economic Development	Strategic Planning	\$ 50,000
Electrical	Electrical Vehicle Replacement	\$ 33,000
Electrical	Main Street Underground Electrical	\$ 22,000
Police	Interview Room Recording Equipment	\$ 11,500
Police	Conference Room Chair Replacement	\$ 13,800
Public Works	Traffic Paint Machine	\$ 15,000
Public Works	Emergency Sign Trailer	\$ 14,000
Recreation	16 Passenger Van	\$ 35,000
Recreation	Senior Center Kitchen	\$ 5,000
Recreation	Sound System Festival Plaza	\$ 15,000
Recreation	Tot Lot Improvements	\$ 15,000
Recreation	Union St Park/Chestnut Park Upgrades	\$ 12,000
<b>TOTAL CIP</b>		<b>\$ 241,300</b>

NOW, THEREFORE, by the City Council of the City of Auburn, be it hereby ORDERED:

THAT the excess proceeds of the Bonds, in the amount of \$241,300 be and hereby are appropriated from the amount borrowed as part of various Bonds to finance the costs of the projects listed above.

THAT the City's Finance Director / Treasurer be, and hereby is, authorized and empowered in the name and on behalf of the City, to do or cause to be done all such acts and things, and to execute and deliver, all such financing documents, certificates, and other documents as may be necessary or advisable, with the advice of counsel for the City, to carry out the provisions of this Order, as may be necessary or desirable.

Holly C. Lasagna, Ward One  
Robert P. Hayes, Ward Two  
Andrew D. Titus, Ward Three  
Alfreda M. Fournier, Ward Four



Leroy G. Walker, Ward Five  
Belinda A. Gerry, At Large  
David C. Young, At Large

Jason J. Levesque, Mayor

A Public Notice describing the repurposing of these Bond proceeds borrowed for Various Projects to the list above was published on or before May 21, 2018, in the Lewiston Sun-Journal, a daily newspaper published in the City of Auburn and in Androscoggin County.

A public hearing was held on June 4, 2018.





**City of Auburn  
City Council Information Sheet**

**Council Workshop or Meeting Date:** June 4, 2018

**Author:** Jill M. Eastman, Finance Director

**Subject:** Resolve Adopting the 2018—2019 Annual Appropriation and Revenue Resolve (First Reading and Public Hearing)

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**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 Council meeting on June 18, 2017.

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**City Budgetary Impacts:** With this F19 Proposed Budget the tax levy increase is .99%, which is below CPIU at 2.11%. At this time, the proposed mill rate increase is 2.99%.

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

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**Previous Meetings and History:** Budget presentation on April 30, 2018, various budget workshops in May.

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**City Manager Comments:**

I concur with the recommendation. Signature:

A handwritten signature in blue ink, appearing to read "Peter J. Caudle".

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**Attachments:**

Resolve for the 2017-2018 Annual Appropriation and Revenue  
Summary of Proposed Budget  
Summary of Estimated Non Property Tax Revenue

CITY OF AUBURN  
FY 2019 EXPENDITURES  
COMPARISON FY18 AND FY19 BUDGETS

	COUNCIL ADOPTED BUDGET FY 17-18	DEPARTMENT PROPOSED BUDGET FY 18-19	MANAGER PROPOSED BUDGET FY 18-19	\$ Change	% Change
<b>City Expenses</b>					
Operating Expenses	28,291,287	29,820,338	29,100,879	809,592	2.86%
Debt Service/TIF	9,416,336	9,782,311	9,752,311	335,975	3.57%
Intergovernmental	4,012,830	4,218,486	4,171,977	159,147	3.97%
<b>Total City Expenses</b>	<b>41,720,453</b>	<b>43,821,135</b>	<b>43,025,167</b>	<b>1,304,714</b>	<b>3.13%</b>
<b>School Expenses</b>					
Operating Expenses	39,430,081	43,380,517	43,024,719	3,594,638	9.12%
Debt Service	2,325,374	669,064	669,064	(1,656,310)	-71.23%
<b>Total School Expenses</b>	<b>41,755,455</b>	<b>44,049,581</b>	<b>43,693,783</b>	<b>1,938,328</b>	<b>4.64%</b>
<b>Total Expenses</b>	<b>83,475,908</b>	<b>87,870,716</b>	<b>86,718,950</b>	<b>3,243,042</b>	<b>3.89%</b>
<b>Less: Non-Tax Revenues</b>					
City	13,746,184	14,134,483	14,514,483	768,299	5.59%
School	23,758,194	25,616,601	25,696,522	1,938,328	8.16%
<b>Total Non-Tax Revenues</b>	<b>37,504,378</b>	<b>39,751,084</b>	<b>40,211,005</b>	<b>2,706,627</b>	<b>7.22%</b>
<b>Tax Levy</b>					
City	25,678,045	27,278,886	26,102,918	424,873	1.65%
School	17,997,261	18,432,980	17,997,261	0	0.00%
County	2,296,224	2,407,766	2,407,766	111,542	4.86%
Overlay	82,177			(82,177)	-100.00%
<b>Total Tax Levy</b>	<b>46,053,707</b>	<b>48,119,632</b>	<b>46,507,945</b>	<b>454,238</b>	<b>0.99%</b>
Total Assessed Value	2,003,206,026	2,003,206,026	1,964,206,026		
Tax Rate					
City	12.82	13.62	13.29	0.47	3.67%
School	8.98	9.20	9.16	0.18	1.99%
County	1.15	1.20	1.23	0.08	6.94%
Overlay	0.04			(0.04)	-100.00%
<b>Total</b>	<b>22.99</b>	<b>24.02</b>	<b>23.68</b>	<b>0.69</b>	<b>2.99%</b>

CITY OF AUBURN  
FY 2019 EXPENDITURES  
COMPARISON FY18 AND FY19 BUDGETS

CLASSIFICATION	COUNCIL ADOPTED BUDGET FY 17-18	DEPARTMENT PROPOSED BUDGET FY 18-19	MANAGER PROPOSED BUDGET FY 18-19	Increase (Decrease) from Prior Year Budget	Percentage of Increase (Decrease)
<b><u>Administration</u></b>					
City Clerk	181,332	194,994	185,898	4,566	2.52%
City Manager	581,170	523,086	474,086	(107,084)	-18.43%
Finance	675,239	716,591	694,109	18,870	2.79%
Human Resources	156,887	149,953	149,953	(6,934)	-4.42%
IT	531,551	639,072	588,403	56,852	10.70%
Mayor & Council	80,300	119,110	111,610	31,310	38.99%
<b>Total Administration</b>	<b>2,206,479</b>	<b>2,342,806</b>	<b>2,204,059</b>	<b>(2,420)</b>	<b>-0.11%</b>
<b><u>Community Services</u></b>					
Health & Social Services					
Administration	77,400	75,290	75,290	(2,110)	-2.73%
Assistance	143,470	148,210	148,210	4,740	3.30%
Economic and Community Development	1,717,028	1,604,550	1,471,918	(245,110)	-14.28%
Recreation & Special Events	388,581	434,110	384,630	(3,951)	-1.02%
Public Library	998,189	998,189	998,189	0	0.00%
<b>Total Community Services</b>	<b>3,324,668</b>	<b>3,260,349</b>	<b>3,078,237</b>	<b>(246,431)</b>	<b>-7.41%</b>
<b><u>Fiscal Services</u></b>					
Debt Service	6,366,533	6,732,508	6,702,508	335,975	5.28%
Emergency Reserve	415,454	431,003	431,003	15,549	3.74%
Facilities	640,201	668,641	650,641	10,440	1.63%
Transfer to TIF	3,049,803	3,049,803	3,049,803	0	0.00%
Fringe Benefits	5,960,970	6,586,214	6,471,614	510,644	8.57%
Workers' Compensation	555,164	581,360	581,360	26,196	4.72%
<b>Total Fiscal Services</b>	<b>16,988,125</b>	<b>18,049,529</b>	<b>17,886,929</b>	<b>898,804</b>	<b>5.29%</b>
<b><u>Public Safety</u></b>					
Fire	4,227,575	4,513,031	4,422,256	194,681	4.61%
Fire EMS Transport	708,828	723,681	683,181	(25,647)	-3.62%
Police	4,043,998	4,221,080	4,166,631	122,633	3.03%
<b>Total Public Safety</b>	<b>8,980,401</b>	<b>9,457,792</b>	<b>9,272,068</b>	<b>291,667</b>	<b>3.25%</b>
<b><u>Public Services</u></b>					
Public Services	4,611,116	4,858,944	4,778,668	167,552	3.63%
Solid Waste	964,118	988,013	988,013	23,895	2.48%
Water & Sewer	632,716	645,216	645,216	12,500	1.98%
<b>Total Public Works</b>	<b>6,207,950</b>	<b>6,492,173</b>	<b>6,411,897</b>	<b>203,947</b>	<b>3.29%</b>
<b>Total Municipal</b>	<b>37,707,623</b>	<b>39,602,649</b>	<b>38,853,190</b>	<b>1,145,567</b>	<b>3.04%</b>

CITY OF AUBURN  
FY 2019 EXPENDITURES  
COMPARISON FY18 AND FY19 BUDGETS

CLASSIFICATION	COUNCIL ADOPTED BUDGET FY 17-18	DEPARTMENT PROPOSED BUDGET FY 18-19	MANAGER PROPOSED BUDGET FY 18-19	Increase (Decrease) from Prior Year Budget	Percentage of Increase (Decrease)
<b>Intergovernmental Programs</b>					
County Taxes	2,296,224	2,407,766	2,407,766	111,542	4.86%
Tax Sharing	270,000	270,000	270,000	0	0.00%
Auburn-Lewiston Municipal Airport	167,800	172,000	172,000	4,200	2.50%
Lew-Aub Transit Committee	189,949	199,130	199,130	9,181	4.83%
Lew-Aub 911 Communications Center	1,088,857	1,169,590	1,123,081	80,733	7.41%
<b>Total Intergovernmental Programs</b>	<b>4,012,830</b>	<b>4,218,486</b>	<b>4,171,977</b>	<b>159,147</b>	<b>3.97%</b>
<b>Grand Total Municipal</b>	<b>41,720,453</b>	<b>43,821,135</b>	<b>43,025,167</b>	<b>1,304,714</b>	<b>3.13%</b>
Education Operation	39,430,081	43,380,517	43,024,719	3,950,436	10.02%
Education Debt Service	2,325,374	669,064	669,064	(1,656,310)	-71.23%
<b>Total School</b>	<b>41,755,455</b>	<b>44,049,581</b>	<b>43,693,783</b>	<b>1,938,328</b>	<b>4.64%</b>
<b>Total Budget</b>	<b>83,475,908</b>	<b>87,870,716</b>	<b>86,718,950</b>	<b>3,243,042</b>	<b>3.89%</b>

CITY OF AUBURN  
FY 2019 EXPENDITURES  
COMPARISON FY18 AND FY19 BUDGETS

CLASSIFICATION	COUNCIL ADOPTED BUDGET FY 17-18	DEPARTMENT PROPOSED BUDGET FY 18-19	MANAGER PROPOSED BUDGET FY 18-19	Increase (Decrease) from Prior Year Budget	Percentage of Increase (Decrease)
Non-Property Tax Revenue					
Municipal	13,746,184	14,134,483	14,514,483	768,299	5.59%
Education	23,758,194	25,616,601	25,696,522	1,938,328	8.16%
<b>Total</b>	<b>37,504,378</b>	<b>39,751,084</b>	<b>40,211,005</b>	<b>2,706,627</b>	<b>7.22%</b>
Property Tax Dollars Needed					
Municipal	27,974,269	29,686,652	28,510,684	536,415	1.92%
Education	17,997,261	18,432,980	17,997,261	0	0.00%
<b>Total</b>	<b>45,971,530</b>	<b>48,119,632</b>	<b>46,507,945</b>	<b>536,415</b>	<b>1.17%</b>
<b>Property Tax Rate Based on Assessed Values of :</b>	<b>22.99 2,003,206,026</b>	<b>24.02 2,003,206,026</b>	<b>23.68 1,964,206,026</b>	<b>0.69</b>	<b>2.99%</b>
<b>Property Tax Rate</b>					
Municipal Tax Rate	<b>\$14.01</b>	<b>\$14.82</b>	<b>\$14.52</b>	<b>0.51</b>	<b>3.61%</b>
Education Tax Rate	<b>\$8.98</b>	<b>\$9.20</b>	<b>\$9.16</b>	<b>0.18</b>	<b>2.03%</b>
	<b>22.99</b>	<b>24.02</b>	<b>23.68</b>	<b>0.69</b>	<b>2.99%</b>



CITY OF AUBURN  
FY 2019 REVENUES  
COMPARISON FY18 AND FY19 BUDGETS

CLASSIFICATION	COUNCIL ADOPTED BUDGET FY 17-18	MANAGER PROPOSED BUDGET FY 18-19	COUNCIL ADOPTED BUDGET FY 18-19	Increase (Decrease) from Prior Year Budget	Percentage of Increase (Decrease)
<b><u>General Government</u></b>					
Homestead Exemption Reimbursement	1,015,000	1,015,000	1,190,000	175,000	17.24%
Personal Property Reimbursement	2,000,000	2,150,000	2,175,000	175,000	0.00%
Tree Growth Reimbursement	10,000	10,000	10,000	-	0.00%
Veterans Reimbursement	18,000	18,000	18,000	-	0.00%
In Lieu of Taxes	90,000	90,000	90,000	-	0.00%
Excise Tax-Vehicles	3,775,000	3,775,000	3,800,000	25,000	0.66%
Excise Tax-Boats	15,000	15,000	15,000	-	0.00%
Excise Tax-Aircraft	20,000	20,000	20,000	-	0.00%
State Revenue Sharing	1,509,117	1,689,669	1,689,669	180,552	11.96%
Other State Aid	4,000	4,000	4,000	-	0.00%
Penalties & Interest	150,000	150,000	150,000	-	0.00%
Investment Income	32,000	32,000	32,000	-	0.00%
Transfer in from TIF	1,087,818	1,087,818	1,117,818	30,000	2.76%
Transfer in from TIF Workforce Development	200,000	200,000	200,000	-	0.00%
Transfer in from Recreation Special Revenue	54,718	54,718	54,718	-	0.00%
Transfer in from PAL Center	-	25,000	25,000	25,000	0.00%
Transfer in from School Dept (Electrician)	-	18,000	18,000	18,000	0.00%
Rental Income (Intermodal)	35,000	35,000	35,000	-	0.00%
Sale of Property	20,000	20,000	20,000	-	0.00%
Tax Sharing Revenue	165,000	165,000	165,000	-	0.00%
Cable Television Franchise	150,000	150,000	150,000	-	0.00%
Cable Television Franchise - City of Lewiston	63,384	63,384	63,384	-	0.00%
MMWAC Host Fees	215,000	221,000	221,000	6,000	2.79%
Utility Reimbursement	27,500	27,500	27,500	-	0.00%
Unclassified	10,000	10,000	10,000	-	0.00%
Fund Balance Contribution	412,500	412,500	527,500	115,000	27.88%
<b>Total General Government</b>	<b>11,079,037</b>	<b>11,458,589</b>	<b>11,828,589</b>	<b>749,552</b>	<b>6.77%</b>

CITY OF AUBURN  
FY 2019 REVENUES  
COMPARISON FY18 AND FY19 BUDGETS

CLASSIFICATION	COUNCIL ADOPTED BUDGET FY 17-18	MANAGER PROPOSED BUDGET FY 18-19	COUNCIL ADOPTED BUDGET FY 18-19	Increase (Decrease) from Prior Year Budget	Percentage of Increase (Decrease)
<b><u>City Clerk</u></b>					
Hunting/Fishing/Dogs	2,000	2,000	2,000	-	0.00%
Neutered Animals	3,000	3,000	3,000	-	0.00%
Voter Reg List	100	100	100	-	0.00%
Clerk/Sale of Copies	100	100	100	-	0.00%
City Clerk Notary	1,500	1,500	1,500	-	0.00%
Banner Hanging Fee	3,000	3,000	3,000	-	0.00%
Garage Sale Permits	3,200	3,200	3,200	-	0.00%
Commercial License	50,000	50,000	50,000	-	0.00%
Taxi License	4,000	4,000	4,000	-	0.00%
Marriage License	5,000	5,000	5,000	-	0.00%
Birth/Death/Marriage Cert	25,000	25,000	25,000	-	0.00%
Permits - Burial	7,000	7,000	7,000	-	0.00%
Fines-Dog	3,000	3,000	3,000	-	0.00%
<b>Total City Clerk</b>	<b>106,900</b>	<b>106,900</b>	<b>106,900</b>	<b>-</b>	<b>0.00%</b>
<b><u>Finance</u></b>					
Reg - Vehicles	60,000	60,000	60,000	-	0.00%
<b>Total Finance</b>	<b>60,000</b>	<b>60,000</b>	<b>60,000</b>	<b>-</b>	<b>0.00%</b>
<b><u>Community Services-ICT</u></b>					
GIS/Data & Maps	20	20	20	-	0.00%
<b>Total Community Services-ICT</b>	<b>20</b>	<b>20</b>	<b>20</b>	<b>-</b>	<b>0.00%</b>
<b><u>Assessing</u></b>					
Maps & Copies	20	20	20	-	0.00%
<b>Total Assessing</b>	<b>20</b>	<b>20</b>	<b>20</b>	<b>-</b>	<b>0.00%</b>
<b><u>Health &amp; Social Services</u></b>					
GA Reimbursement	95,000	103,747	103,747	8,747	9.21%
<b>Total Health &amp; Social Services</b>	<b>95,000</b>	<b>103,747</b>	<b>103,747</b>	<b>8,747</b>	<b>9.21%</b>

CITY OF AUBURN  
FY 2019 REVENUES  
COMPARISON FY18 AND FY19 BUDGETS

CLASSIFICATION	COUNCIL ADOPTED BUDGET FY 17-18	MANAGER PROPOSED BUDGET FY 18-19	COUNCIL ADOPTED BUDGET FY 18-19	Increase (Decrease) from Prior Year Budget	Percentage of Increase (Decrease)
<b><u>Planning &amp; Permitting</u></b>					
Maps & Copies	500	500	500	-	0.00%
Departmental Reviews	16,000	16,000	16,000	-	0.00%
Fire Alarm Inspections	29,000	29,000	29,000	-	0.00%
Citation Ordinance	2,000	2,000	2,000	-	0.00%
Advertising Costs	5,000	5,000	5,000	-	0.00%
Permits - Building	100,000	100,000	110,000	10,000	10.00%
CDBG Reimbursement for Services	214,430	214,430	214,430	-	0.00%
Permits - Electrical	18,000	18,000	18,000	-	0.00%
Permits - Plumbing	11,000	11,000	11,000	-	0.00%
Permits - Sign	5,000	5,000	5,000	-	0.00%
<b>Total Planning &amp; Permitting</b>	<b>400,930</b>	<b>400,930</b>	<b>410,930</b>	<b>10,000</b>	<b>2.49%</b>
<b><u>Community Services-Engineering</u></b>					
Fees - Inspection	6,000	6,000	6,000	-	0.00%
Fees - Drive Opening	200	200	200	-	0.00%
Fees - Bid Documents	1,000	1,000	1,000	-	0.00%
Permits - Fill	1,000	1,000	1,000	-	0.00%
Permits - Street Opening	40,000	40,000	40,000	-	0.00%
<b>Total Community Services-Engineering</b>	<b>48,200</b>	<b>48,200</b>	<b>48,200</b>	<b>-</b>	<b>0.00%</b>
<b><u>Fire Department</u></b>					
Copies of Reports	200	200	200	-	0.00%
EMS Transport	1,250,000	1,250,000	1,250,000	-	0.00%
Salvage Calls	100	100	100	-	0.00%
Permits - Oil Burner	800	800	800	-	0.00%
<b>Total Fire Department</b>	<b>1,251,100</b>	<b>1,251,100</b>	<b>1,251,100</b>	<b>-</b>	<b>0.00%</b>

CITY OF AUBURN  
FY 2019 REVENUES  
COMPARISON FY18 AND FY19 BUDGETS

CLASSIFICATION	COUNCIL ADOPTED BUDGET FY 17-18	MANAGER PROPOSED BUDGET FY 18-19	COUNCIL ADOPTED BUDGET FY 18-19	Increase (Decrease) from Prior Year Budget	Percentage of Increase (Decrease)
<b><u>Police Department</u></b>					
Accident & Police	12,000	12,000	12,000	-	0.00%
Court	10,000	10,000	10,000	-	0.00%
Photos & Tapes	3,500	3,500	3,500	-	0.00%
False Alarms	12,000	12,000	12,000	-	0.00%
Animal Impound	1,000	1,000	1,000	-	0.00%
Veh Rel/Non Driver	2,000	2,000	2,000	-	0.00%
Veh Rel/Driver Licence	13,000	13,000	13,000	-	0.00%
ARRA Cops Grant	12,477	12,477	12,477	-	0.00%
MDEA Reimbursement	170,000	170,000	170,000	-	0.00%
Permits - Firearms	4,000	4,000	4,000	-	0.00%
Fines - Parking Violations	65,000	65,000	65,000	-	0.00%
<b>Total Police Department</b>	<b>304,977</b>	<b>304,977</b>	<b>304,977</b>	<b>-</b>	<b>0.00%</b>
<b><u>Public Works</u></b>					
State/Local Road Assistance	400,000	400,000	400,000	-	0.00%
<b>Total Public Works</b>	<b>400,000</b>	<b>400,000</b>	<b>400,000</b>	<b>-</b>	<b>0.00%</b>
<b>Total Municipal</b>	<b>13,746,184</b>	<b>14,134,483</b>	<b>14,514,483</b>	<b>768,299</b>	<b>5.59%</b>

CITY OF AUBURN  
FY 2019 REVENUES  
COMPARISON FY18 AND FY19 BUDGETS

CLASSIFICATION	COUNCIL ADOPTED BUDGET FY 17-18	MANAGER PROPOSED BUDGET FY 18-19	COUNCIL ADOPTED BUDGET FY 18-19	Increase (Decrease) from Prior Year Budget	Percentage of Increase (Decrease)
<b>School Department</b>					
Reg Secondary Tuition	160,174	160,973	160,973	799	0.50%
SOS Tuition	107,576	60,000	60,000	(47,576)	-44.23%
Adult Ed Tuition	93,300	93,300	93,300	-	0.00%
State Subsidy for Education	21,526,533	23,678,756	23,678,756	2,152,223	10.00%
Debt Service Reimbursement	641,790	624,158	624,158	(17,632)	-2.75%
Capital Reserve-EL Project	(128,755)		-		
Special Ed/Mainecare	135,000	120,000	120,000	(15,000)	-11.11%
State Agency Clients	70,000	30,000	30,000	(40,000)	-57.14%
State Aid for Adult Education	107,694	91,918	91,918	(15,776)	-14.65%
Miscellaneous	88,000	68,000	68,000	(20,000)	-22.73%
Daycare Rent	50,000	50,000	50,000	-	0.00%
Fund Balance	906,882	639,496	719,417	(187,465)	0.00%
<b>Total School</b>	<b>23,758,194</b>	<b>25,616,601</b>	<b>25,696,522</b>	<b>1,938,328</b>	<b>8.16%</b>
Total Non-Property Tax Revenue - Municipal	13,746,184	14,134,483	14,514,483	768,299	5.59%
Total Non-Property Tax Revenue - School	<u>23,758,194</u>	<u>25,616,601</u>	<u>25,696,522</u>	<u>1,938,328</u>	<u>8.16%</u>
<b>Total Non-Property Tax Revenue</b>	<b>37,504,378</b>	<b>39,751,084</b>	<b>40,211,005</b>	<b>2,706,627</b>	<b>7.22%</b>
Total Proposed Budget - Municipal	41,720,453	43,025,167	43,025,167	1,304,714	3.13%
Total Proposed Budget - School	<u>41,755,455</u>	<u>43,693,783</u>	<u>43,693,783</u>	<u>1,938,328</u>	<u>4.64%</u>
<b>Total Proposed Budget</b>	<b>83,475,908</b>	<b>86,718,950</b>	<b>86,718,950</b>	<b>3,243,042</b>	<b>3.89%</b>
Total Property Tax Dollars Needed - Municipal	27,974,269	28,890,684	28,510,684	536,415	1.92%
Total Property Tax Dollars Needed - School	<u>17,997,261</u>	<u>18,077,182</u>	<u>17,997,261</u>	-	0.00%
<b>Total Property Tax Dollars Needed</b>	<b>45,971,530</b>	<b>46,967,866</b>	<b>46,507,945</b>	<b>536,415</b>	<b>1.17%</b>

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Alfreda M. Fournier, Ward Four



Leroy G. Walker, Ward Five  
Belinda A. Gerry, At Large  
David C. Young, At Large

Jason J. Levesque, Mayor

## IN CITY COUNCIL

### RESOLVE 07-06042018

RESOLVED, that the following be, and hereby is the Annual Appropriation and Revenue Resolve of the City of Auburn for the fiscal year 2018-2019, which includes the amounts appropriated herein and revenues from all sources beginning July 1, 2018 and ending June 30, 2019.

The estimated aggregate amount of non-property tax revenue is \$40,211,005 with a municipal revenue budget of \$14,514,483 and a School Department revenue budget of \$25,696,522.

The aggregate appropriation for the City of Auburn is \$86,718,950, with a municipal budget of \$40,617,401 County budget of \$2,407,766 and a School Department budget of \$41,755,455 which received School Committee approval on May 3, 2017, and school budget approved at the May 14, 2018 Council Meeting pursuant to the School Budget Validation vote on June 12, 2018, in accordance with Maine Revised Statutes, Title 20-A § 1486 and based on the budget submitted to the Auburn City Council on April 30, 2018, by the City Manager, and notification was posted on the City of Auburn website on May 31, 2017 that a public hearing would be held on June 4, 2018 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 2018-2019 beginning July 1, 2018 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 2018-2019.

## SCHOOL BUDGET ARTICLES

Ordered that the Auburn City Council hereby adopts and approves the following School Budget articles for Fiscal Year 2018-2019

1. That \$17,432,587 be authorized to be expended for Regular Instruction;
2. That \$ 10,042,275 be authorized to be expended for Special Education;
3. That \$-0- be authorized to be expended for Career and Technical Education;
4. That \$ 859,072 be authorized to be expended for Other Instruction;
5. That \$ 4,841,867 be authorized to be expended for Student and Staff Support;
6. That \$ 925,841 be authorized to be expended for System Administration;



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7. That \$ 1,498,859 be authorized to be expended for School Administration;
8. That \$ 1,881,183 be authorized to be expended for Transportation and Buses;
9. That \$ 5,128,170 be authorized to be expended for Facilities Maintenance;
10. That \$ 669,064 be authorized to be expended for Debt Service and Other Commitments;
11. That \$ 39,243 be authorized to be expended for All Other Expenditures;
12. That \$ 41,084,848 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 \$16,781,933 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;

***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 \$44,905 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 or non-state-funded portions of school construction 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 as described in the Essential Programs and Services Funding Act in accordance with Maine Revised Statutes, Title 20-A, Section 15690 (2A);

***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 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 \$980,019 be raised and appropriated in additional local funds, which exceeds the State's Essential Programs and Services allocation model by \$980,019, as required to fund the budget recommended by the School Committee.

The School Committee recommends \$980,019, which exceeds the State's Essential Programs and Services allocation model by \$980,019. The School Committee gives the following reasons for exceeding the State's Essential Programs and Services funding model:

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The Essential Programs and Services funding model does not recognize all of the costs of special education services, transportation services, instructional services, co-curricular services and other services that the School Department provides.

***Explanation:*** *The additional local funds are those locally raised funds over and above the city's local 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 and local amounts raised for the annual payment on non-state-funded debt service that will help achieve the school department budget for educational programs.*

15. That the school committee be authorized to expend \$43,318,161 for the fiscal year beginning July 1, 2018 and ending June 30, 2019 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 \$375,622 for Adult Education and raise \$190,404.00 as the local share, with authorization to expend any additional, incidental or miscellaneous receipts in the interest and for the well-being of the adult education program.

17. That in addition to amounts 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.

We the Council of the City of Auburn adopt and approve the following items

RESOLVED, that the following be, and hereby is the Annual Budget and Revenue Estimate for the City of Auburn Enterprise Fund – Norway Savings Bank Arena for the fiscal year 2018 – 2019, which includes the amounts budgeted herein beginning July 1, 2018 and ending June 30, 2019.

The Enterprise Fund-Norway Savings Bank Arena estimated amount of non-property tax revenue is \$1,244,000.

The Enterprise Fund-Norway Savings Bank Arena operating budget is \$1,242,425.

If the Enterprise Fund-Norway Savings Bank Arena has a deficit at the end of the fiscal year, this deficit will be covered by the General Fund and will be considered a loan to the Arena to be paid back in subsequent years.

RESOLVED, that the following be, and hereby is the Annual Budget and Revenue Estimate for the City of Auburn Enterprise Fund – Ingersoll Turf Facility for the fiscal year 2018 – 2019, which includes the amounts budgeted herein beginning July 1, 2018 and ending June 30, 2019.

The Enterprise Fund-Ingersoll Turf Facility estimated amount of non-property tax revenue is \$225,040.

The Enterprise Fund- Ingersoll Turf Facility operating budget is \$192,705 and capital budget of \$30,000.

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RESOLVED, The City is authorized to accept grants and forfeitures and to expend sums that may be received from grants and forfeitures for municipal purposes during the fiscal year beginning July 1, 2018 and ending June 30, 2019, provided that such grants and forfeitures do not require the expenditure of other funds not previously appropriated.

RESOLVED, that fifty percent (50%) of all real estate taxes assessed as in the annual commitment, committed to the Tax Collector, shall be due proportionately from each tax payer on September 17, 2018 and the remaining fifty percent (50%) shall be due on March 15, 2018.

Except as may be provided by resolve regarding payments in accordance with an installment payment plan, any real estate taxes remaining uncollected on September 16, 2018 and March 15, 2019 respectively shall bear interest at a rate of 7% per annum from and after such dates.

Personal property taxes shall be due and payable on or before September 17, 2018. Any personal property taxes remaining unpaid on September 18, 2018 shall bear an interest rate of 7% per annum from and after such date. Interest on all delinquent taxes shall be computed on a daily basis and shall be collected by the Tax Collector. The Tax Collector is authorized to accept tax prepayments.