



# City Council Meeting and Workshop

## July 1, 2013

### Agenda

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

- A. Auburn Fire Department Brown Outs–Clint Deschene (30 minutes)
- B. Proposed changes to Building Permit and Delegated Review fee schedule–Eric Cousens (15 minutes)
- C. School Budget – Clint Deschene (15 minutes)
- D. 2013 Action Plan of the Community Development Block Grant Program and HOME Investment Partnerships Program - Reine Mynahan (10-15 minutes)
- E. The Dempsey Challenge Special Event Application–Clint Deschene (10 minutes)
- F. Northern Border Grant–Clint Deschene (5 minutes)

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

##### Pledge of Allegiance

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

**1. Order 48-07012013\***

Accepting the transfer of Forfeiture Asset (Dylan Boisvert).

**2. Order 49-07012013\***

Approving the Special Event request for the 2013 Great Falls Balloon Festival.

**II. Minutes**

- June 17, 2013 Regular Council Meeting

**III. Reports**

**Mayor's Report**

**Committee Reports**

- **Transportation**
  - Androscoggin Transportation Resource Center – Mayor LaBonte
  - Lewiston Auburn Transit – Councilor Gerry
  - Airport, Railroad – Councilor Hayes
  - Bike-Ped Committee – Councilor Shea
- **Housing**
  - Community Development Block Grant, Neighborhood Stabilization Program, Auburn Housing Authority – Councilor Gerry
- **Economic Development**
  - L-A Economic Growth Council, Auburn Business Development Corporation
- **Education**
  - Auburn School Committee – Councilor Young
  - Auburn Public Library – Councilor LaFontaine
  - Great Falls TV – Councilor Young and Councilor Shea
- **Environmental Services**

# Auburn City Council Meeting & Workshop

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- Auburn Water District, Auburn Sewerage District – Councilor Crowley
- Mid-Maine Waste Action Corp. – Councilor Walker
- **Recreation**
  - Recreation Advisory Board – Councilor Walker
- **Public Safety**
  - LA 911 – Councilor Walker

## City Councilors' Reports

## City Manager's Report

### IV. Communications, Presentations and Recognitions

- Swearing in Ceremony - Officer Tyler Ham and K-9 Rocky - Badge Pinning
- Proclamation - Ken Blais, owner of Rolly's Diner and the City of Auburn's 2013 Spirit of America Tribute recipient

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

### VI. Unfinished Business

#### 1. Ordinance 09-06172013

Approving the Flood Ordinance and Map Updates for 2013 National Flood Insurance Program (NFIP) Requirements (second and final reading).

### VII. New Business

#### 2. Order 50-07012013

Approving the 2013 Action Plan of the Community Development Block Grant Program and HOME Investment Partnerships Program.

#### 3. Order 51-07012013

Adopting the School Budget for Fiscal Year 2014.

#### 4. Order 52-07012013

Setting the date and location for the School Budget Validation Referendum.

### VIII. Executive Session

- Discussion on a personnel issue (City Manager review) , pursuant to 1 M.R.S.A. §405(6)(A)
- Discussion on a legal matter, pursuant to 1 M.R.S.A. §405(6)(E)
- Discussion on a real estate matter, pursuant to 1 M.R.S.A. §405(6)(C)

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

### X. Future Agenda/Workshop Items

# Auburn City Council Meeting & Workshop

July 1, 2013

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## **XI. Adjournment**

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

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



# City Council Workshop Information Sheet

City of Auburn

**Council Workshop Date:** 07/01/2013

**Item** A

**Author:** Geoffrey Low, Deputy Fire Chief

Item(s) checked below represent the subject matter related to this workshop item.

Comprehensive Plan    Work Plan    Budget    Ordinance/Charter    Other Business\*    Council Goals\*\*

\*\*If Council Goals please specify type:    Safety    Economic Development    Citizen Engagement

**Subject:** Fire Station "Brown Outs"

### Information:

This time allotment is to allow for discussion on the plan to temporarily close fire stations in order to reduce overtime expenditures.

**Financial:** The brown out plan is intended to comply with the budgetary directives established by the Council and to manage the financial impacts associated with those directives.

**Action Requested at this Meeting:** Discussion

**Previous Meetings and History:** 6/24/2013 Special Meeting

### Attachments:

Memo from Chief Roma  
Memo 1 from Deputy Chief Low  
Memo 2 from Deputy Chief Low  
Notice to Staff  
Map 1  
Map 2  
Map 3

\*Agenda items are not limited to these categories.

# Memo

**To:** Clint Deschene  
**From:** Chief Frank Roma  
**Date:** 06/25/2013  
**Re:** Brown Outs

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There are a host of factors that are considered when looking at brown outs as a cost savings measure. It needs to be clearly understood that brown outs, in and of themselves, are a service reduction borne of fiscal necessity not a suggested operational posture of the Auburn Fire Department.

Auburn is a city that, prior to July 1, will have been "right staffed" for the mix of residential and commercial buildings, geography, road systems, target hazards, and operational efficiencies that any community wants in its fire department. This position is supported by the Matrix study, commissioned by the previous council, which actually suggests that we may be under staffed. That said we understand the need to comply with the council's fiscal directives.

A recommendation of focused brown outs at Station 2 was not arrived at easily. In fact, there are no easy brown out suggestions to be had. Closing any station is painful and a detriment to the local community it serves. Our job is to identify that which serves the entire city best. In reaching a decision on which station to brown out, the overall impact to the city as a whole was taken into consideration. Some of the factors considered included response times, target hazards, availability of timely mutual aid, and activity levels.

At the end of the day, Station 2 is, in my opinion, the best choice for a bad option. Arguments could be made to brown out other stations. In turn arguments can also be made to defend the decision to brown out Station 2 as the best option. An angry or frustrated response from the community to the proposed brown outs is neither unexpected nor unusual in these situations.

This course of action is purely a dollars and common sense issue that is in the realm of political decision makers at this point. By my calculations, for about \$12.00 per person via an increase to the mill rate, we could go forward funded adequately while exploring other long-term service options. This cost is likely less than any fire insurance premium cost property owners might be asked to absorb due to an adverse impact to our current ISO rating resulting from changing current staffing and deployment profiles.

Again, it is my opinion and recommendation that if we need to brown out, we go with the plan as submitted.

# Memo

**To:** Clint Deschene; Chief Roma  
**From:** Deputy Chief Low  
**Date:** 06/25/2013  
**Re:** Temporary Station Closures

As you requested I have reviewed the number of concurrent days that Engine 2 would be out of service. I thought that it might be more beneficial to you to break down the number of days per month. I think that as you look at the numbers you will see that concurrency of varying durations will be frequent.

The table on the top of the chart identifies the number of times Engine 2 and the Tower would have been out of service for the first 6 months of this calendar year (excluding the last five days of June) had the reductions been in effect. The bottom table indicates the number of times that Engine 2 will be out of service based on known vacation times and two long term illnesses for the remainder of the year.

Calendar Year 2013	Days Engine 2 Out of Service	Days Tower Out of Service
Jan	17	1
Feb	16	1
March	19	1
April	18	2
May	22	3
June	25	4
Projected time out of service based on scheduled time and known sick leave		
July	29	?
August	25	?
September	10	?
October	2	?
November	6	?
December	2	?
Total	191	12

I chose to use this year's numbers because, in my opinion, it provides a more accurate depiction of what the impact could be. Additionally, we are pretty consistent with sick leave usage so I am comfortable in saying that we will see a similar trend going forward.

There are two important notes to convey. First, by setting the bar at two pumpers in the city we are opening the door for the use of additional earned time that would otherwise not be allowed to be used. Second, we are expecting extended military leave for one firefighter and potentially three retirements. All of these factors will increase the frequency that one or more trucks must go out of service.

# Memo

**To:** Chief Frank Roma  
**From:** Deputy Chief Low  
**Date:** 06/25/2013  
**Re:** Brown Outs Staffing

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Attached is the order that will be issued on 06/28/2013 directing the Battalion Chiefs on what to do when faced with staff shortages beginning July 1<sup>st</sup>. I met with the Senior Management Team today and will be meeting with each of the Platoons over the next four days to bring them all up to speed.

We will have to manage challenges with this change as they come considering that we still have significant unaddressed emergency and daily operational hurdles.

Let me know if you have any questions or concerns.

# AUBURN FIRE DEPARTMENT



## FIRE DEPARTMENT HEADQUARTERS

Order 21

To: All Personnel  
From: Chief Frank Roma  
Subj: Temporary Staffing Directive  
Date: June 25, 2013

Effective July 1, 2013 a modified staffing plan will be initiated to accommodate budgetary short falls. This plan will remain in effect until the order is rescinded by the Fire Chief or his designee.

Staffing will be conducted in the following manner:

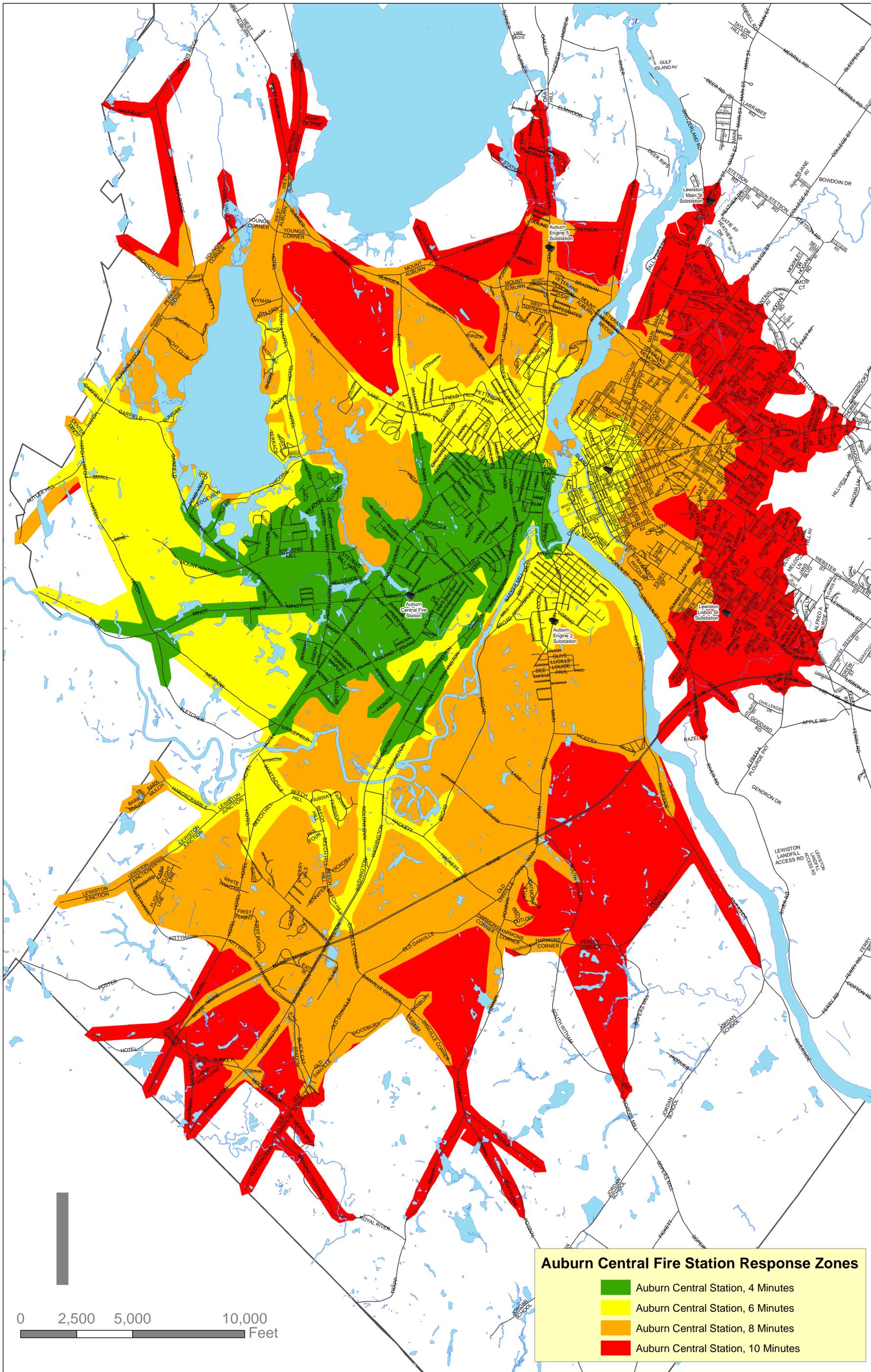
1. Battalion Chief's position will continue to be hired in accordance with the overtime hiring rules for Battalion Chiefs.
2. When daily staffing falls below 14, Engine Two will be taken out of service and the staff redistributed to other in-service apparatus.
3. When daily staffing falls below 11, Tower One will be taken out of service and the staff redistributed to other in-service apparatus. This includes assigning one member to 315 if necessary.
4. At minimum the department will staff two pumpers and a Battalion Chief for a total of seven firefighters on-duty. Overtime will be utilized to ensure that threshold is maintained.

Other actions to be taken:

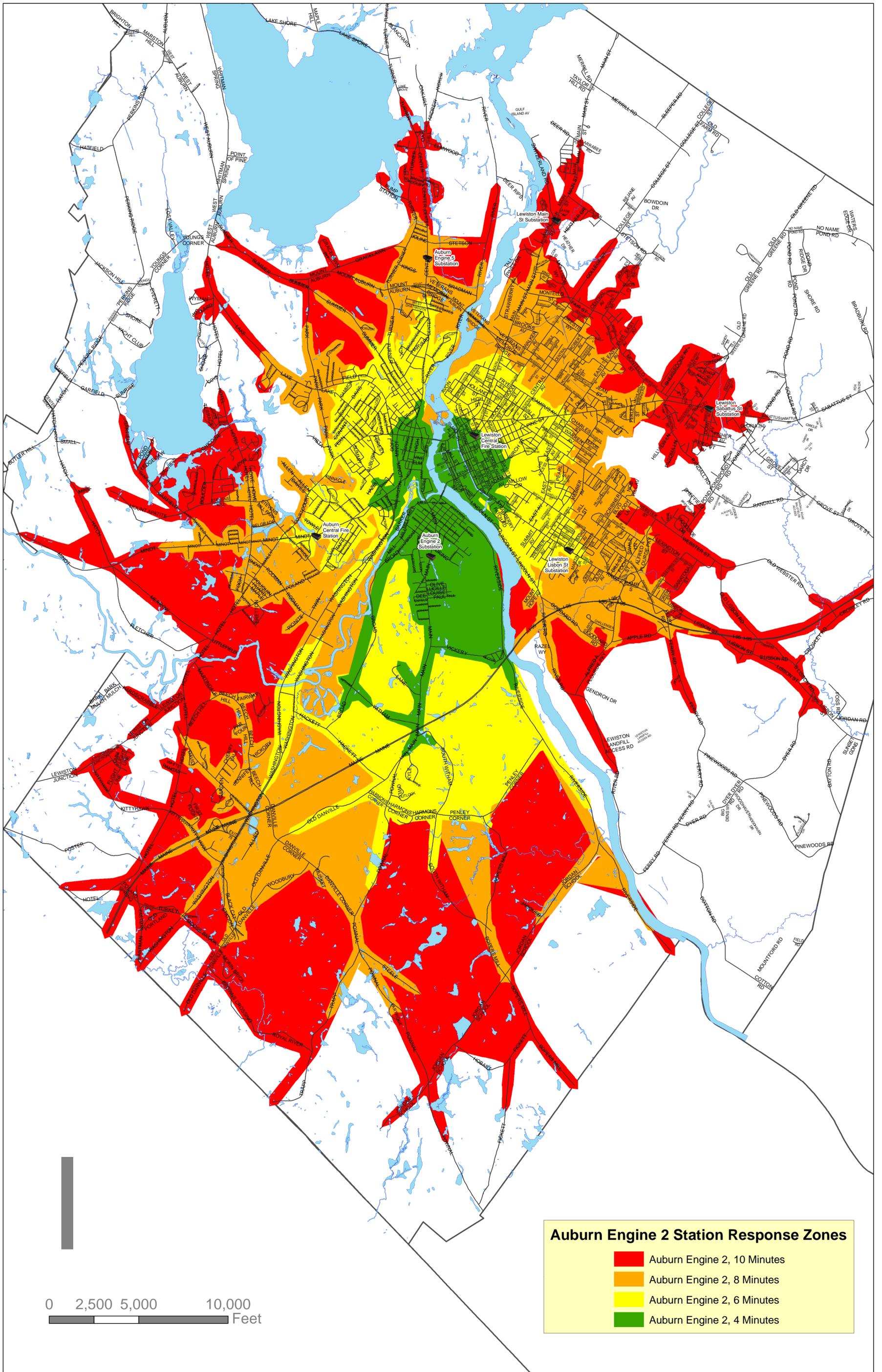
1. In the event that staffing falls below 11 firefighters, both substations will be closed and apparatus reassigned to Central Station.
2. On the days that both apparatus are at Central, the Battalion Chief will call the Communication Center and advise them that we will be responding to Charlie, Delta, and Echo medical calls only. Battalion Chiefs need to ensure that the dispatcher will still be sending us on all motor vehicle accidents regardless of EMD designator.
3. On salvage calls, crews will control utilities and ensure that no immediate life hazard exists. Portable pumps or other dewatering equipment may be lent to the property owner for use. Crews will not commit to extended salvage operations that will place them out of service for an extended period.
4. The City Electrician should be requested to respond for incidents involving house services, cable, phone, or other secondary lines that have fallen or pose a hazard. Company Officers should consider requesting PW with barricades when necessary in order to reduce the time committed to the incident involving lines the City Electrician cannot manage.

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Frank Roma  
Fire Chief



0 2,500 5,000 10,000 Feet



**Auburn Engine 2 Station Response Zones**

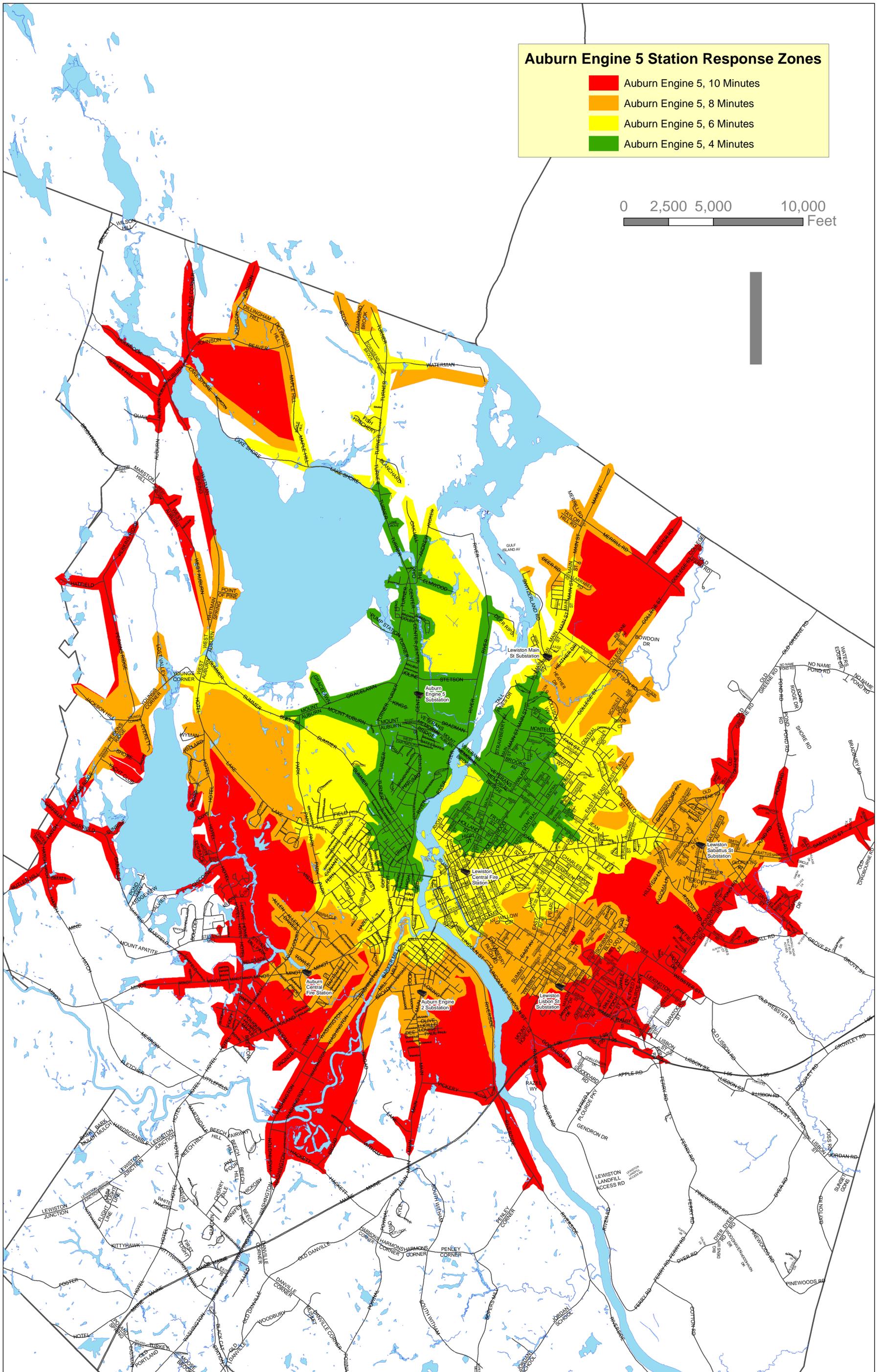
- Auburn Engine 2, 10 Minutes
- Auburn Engine 2, 8 Minutes
- Auburn Engine 2, 6 Minutes
- Auburn Engine 2, 4 Minutes

0 2,500 5,000 10,000  
 Feet

### Auburn Engine 5 Station Response Zones

- Auburn Engine 5, 10 Minutes
- Auburn Engine 5, 8 Minutes
- Auburn Engine 5, 6 Minutes
- Auburn Engine 5, 4 Minutes

0 2,500 5,000 10,000 Feet





# City Council Workshop Information Sheet

## City of Auburn

Council Workshop Date: July 1, 2013

Item B

Author: Eric Cousens, Planning & Permitting Director

Item(s) checked below represent the subject matter related to this workshop item.

Comprehensive Plan     Work Plan     Budget     Ordinance/Charter     Other Business\*     Council Goals\*\*

\*\*If Council Goals please specify type:     Safety     Economic Development     Citizen Engagement

Subject: Building Permit and Delegated Review Fees

Information: We have been reviewing our building permit and delegated review fees and it is staff's opinion there is room for an adjustment to help move some of the costs from the general tax payer to the users of permitting and inspection services. This is a small but important piece of the budget changes for FY 14. Lewiston has made an adjustment to their building permit fee schedule and these changes would be consistent between the two cities. I am discussing the delegated review fees with Gil Arsenault, Director of Planning and Code Enforcement and they may also consider that change. It is estimated that the proposed building permit fees, if they were in place this year, would have generated an additional \$10,541 in building permit revenues. The attached spread sheets for residential and commercial permits provide an accurate example of how individual permits would have been affected and the overall revenues.

In addition, I think that we can absorb an increase on Delegated Review fees to lessen the burden on taxpayers that are not directly using those review services. We charge a flat \$1000 for the delegated permit fee here in Auburn. That fee includes one or all delegated reviews depending on the project. State fees for the same project, if Auburn did not have delegated review authority, could range from \$1000 to \$40,000 in some instances. A fee comparison is attached for discussion. Delegated reviews are for larger projects and are less predictable than building permits so associated revenue numbers will vary widely from one year to the next. I am not advocating for an increase to match State fees as this is an important incentive to do business here in Auburn. However, we could offer delegated permits at 25% or 50% of State costs with a minimum of \$1,000 and still see an increase in revenues. My thought is that maybe it sounds better to say "build it in Auburn and Traffic, Stormwater and Site Location of Development Permits will only cost 25% or 50% of what they do in the rest of the State" than the current situation where we say "build it in Auburn and Traffic, Stormwater and Site Location of Development Permits will only cost \$1000." I am using the 25% or 50% as an example but I think it could be a better advertising plug that can easily be understood and repeated using a percentage State fees instead of a set fee. Or, we could offer the permits at 75% or 50% off of State fees. I look forward to hearing what you think.

Financial: Increased revenues

Action Requested at this Meeting: None. Comments or concerns to help draft a proposal would be appreciated.

Previous Meetings and History: Mentioned during budget process on a couple of occasions.

Attachments: FY13 Building Permit Fees Collected using Current & Proposed Fee Schedule, FY13 Residential Building Permit Fees Collected using Current & Proposed Fee Schedule, Proposed Building Permit Fee Schedule 3.26.13, Delegated Review Fees Memo

\*Agenda items are not limited to these categories.

## FY13 Commercial Fees Collected Current vs Proposed Fee Schedule

<u>Permit Number</u>	<u>Work Class</u>	<u>Address</u>	<u>Description</u>	<u>Issue Date</u>	<u>Contact: Owner</u>	<u>Contact: Contractor</u>	<u>Fee Total</u>	<u>Estimated Cost of Construction</u>	<u>Sq Ft</u>	<u>Code</u>	New Fee	Percent Increase
CB-4406-2012	New	23 GOLDTHWAITE	building 4 self storage buildings	09/25/2012	Merrill Road Associates		\$3260.00	\$200,000.00	10800	AB	\$3,805	17%
CB-4438-2012	New	550 CENTER	exterior smoking shelter	10/02/2012	Auburn Plaza, Inc	pc construction	\$42.00	\$22,000.00	72	AB	\$50	20%
CB-4539-2012	New	560 PARK	Storage building	10/23/2012	EAST AUBURN BAPTIST CHURCH OF EAST AUBURN INCORPORATED THE	McNelly Construction	\$40.00	\$4,500.00	1120	AB	\$45	13%
CB-4013-2012	Alterations	499 POLAND	remodel	07/06/2012	MCM ASSOCIATES LLC	browns hill Construction	\$440.00	\$60,000.00	10000	CA	\$445	1%
CB-3949-2012	New	123 RODMAN	Temporary offices 1 - 28'X68' & 1 - 14'X56'	07/20/2012	Savage Services	schiavi Homes	\$1,163.00	\$15,000.00	2688	CA	\$1,168	0%
CB-4106-2012	Alterations	67 MILL	minor renovation of existing space per plan	07/20/2012	Mark Pontbriand	Giberti Pro Builders	\$24.00	\$500.00	2220	CA	\$29	21%
CB-4107-2012	Alterations	20 TEMPLE	building a porch	07/20/2012	Marcel Robert		\$23.00	\$350.00	21	CA	\$28	22%
CB-4070-2012	Alterations	124 GOFF	remove portion of old porch and repair portions of the porch 44"x44" landing with stairs	07/25/2012	Yasser Alsudany	home works	\$23.00	\$400.00	36	CA	\$28	22%
CB-4141-2012	Alterations	139 PLEASANT	Replacing 2nd floor porch	07/25/2012	scott winchell		\$23.00	\$300.00	0	CA	\$28	22%
CB-4094-2012	Alterations	24 FALCON	renovations	07/26/2012	The Child Heath Center	S. M. MORIN ENTERPRISE S INC	\$370.00	\$50,000.00	3000	CA	\$375	1%
CB-4175-2012	Alterations	129 COURT	partial instalation in the education wing - 3 walls	08/02/2012	Court Street Baptist Church	Linda Johnston	\$314.00	\$19,505.00	0	CA	\$319	2%
CB-4056-2012	Alterations	123 RODMAN	Single level office renovations	08/06/2012	Savage Services	D A Poussard construction	\$2120.00	\$300,000.00	5640	CA	\$2,125	0%
CB-4166-2012	Alterations	809 CENTER	remodeling inside and out	08/06/2012	809 Center Street, LLC	RDB Construction	\$1770.00	\$250,000.00	4800	CA	\$1,775	0%
CB-4173-2012	Addition	49 SPRING	modify office to create media lab	08/07/2012	City of Auburn	DS Builders	\$62.00	\$5,000.00	140	CA	\$67	8%
CB-4193-2012	Alterations	33 OMNI	remodel building and build electrical room	08/15/2012	Wellness Connection of Maine	Gendron & Gendron	\$6320.00	\$900,000.00	20240	CA	\$6,325	0%
CB-4208-2012	Alterations	236 STETSON	Changing window to door	08/15/2012	ANDROSCOGGIN HOME HEALTH	JOSH BOURQUE	\$55.00	\$5,000.00	320	CA	\$60	9%
CB-4269-2012	Alterations	550 CENTER	renovation to exsiting shops	08/22/2012	Auburn Plaza, Inc	EMJ Corporation	\$720.00	\$100,000.00	0	CA	\$725	1%
CB-4272-2012	Alterations	18 Plummer	repairs due to fire and water damage	08/22/2012	Auburn Mall Apartments	KY Construction	\$1903.00	\$269,000.00	0	CA	\$1,908	0%
CB-4277-2012	Alterations	35 VERNON	renovating fire escape.	08/23/2012	Libbey Douglas	Jamie dennis	\$24.00	\$500.00	0	CA	\$29	21%
CB-4278-2012	Foundation Only	560 PARK	55x140 foundation only for addition	08/23/2012	EAST AUBURN BAPTIST CHURCH		\$195.00	\$35,000.00	7700	CA	\$200	3%

## FY13 Commercial Fees Collected Current vs Proposed Fee Schedule

<u>Permit Number</u>	<u>Work Class</u>	<u>Address</u>	<u>Description</u>	<u>Issue Date</u>	<u>Contact: Owner</u>	<u>Contact: Contractor</u>	<u>Fee Total</u>	<u>Estimated Cost of Construction</u>	<u>Sq Ft</u>	<u>Code</u>	New Fee	Percent Increase
CB-4380-2012	Alterations	31 COURT	4th floor office renovations	09/19/2012	31 Court St Associates		\$1286.64	\$180,377.00	4300	CA	\$1,292	0%
CB-4395-2012	Alterations	730 CENTER	replacing rotting wood front of building	09/21/2012	GFI Auburn Plaza Realty LLC, C/O GIE	133 Pearl St Boston, MA 02110	\$41.00	\$3,000.00	2000	CA	\$46	12%
CB-4394-2012	Addition	730 CENTER	building a handicap ramp	09/21/2012	GFI Auburn Plaza Realty LLC, C/O GIE	133 Pearl St Boston, MA 02110	\$38.00	\$1,700.00	60	CA	\$43	13%
CB-4419-2012	Addition	73 WINTER	2- 42"x42" landing and stairs	09/24/2012	Philip Boisvert	73 Winter St Auburn, ME 04210	\$35.00	\$2,500.00	49	CA	\$40	14%
CB-4325-2012	Alterations	415 RODMAN	renovations	09/26/2012	J.F. MURPHY HOMES		\$265.00	\$35,000.00	0	CA	\$270	2%
CB-4458-2012	Alterations	791 TURNER ST	Tenant fit out of Aspen Dental space	10/03/2012	Nobility LLC	Benchmark Contracting Corporation	\$848.00	\$118,285.00	0	CA	\$853	1%
CB-4469-2012	Alterations	65 FIRST FLIGHT	Extend outdoor enclosure over air cooled A/C condensers	10/05/2012	Strainrite	Tim W Gilbert, INC	\$38.00	\$2,500.00	0	CA	\$43	13%
CB-4495-2012	Alterations	49 HAMPSHIRE	insulate exterior walls	10/11/2012	Smith Family	Steve Martelli	\$48.00	\$4,000.00	816	CA	\$53	10%
CB-4471-2012	Alterations	60 SUMMER	Replacement of existing deck	10/15/2012	City of Auburn	Bios Environments	\$75.00	\$7,800.00	0	CA	\$80	7%
CB-4515-2012	Addition	12 HIGHLAND	Deck and stairs to 2nd and 3rd floor	10/16/2012	Gerard Bechard	Alternative Builders	\$60.00	\$8,500.00	133	CA	\$65	8%
CB-4507-2012	Alterations	1194 CENTER	New roof (Peak)	10/26/2012	Corg LLC	Dave Corcoran	\$160.00	\$20,000.00	0	CA	\$165	3%
CB-4565-2012	Alterations	55 SUMMER	16 x 16 Lean-to	10/29/2012	Virginia Morin		\$23.00	\$400.00	256	CA	\$28	22%
CB-4101-2012	Alterations	741 BROAD	4 New windows and 1 new door	11/06/2012	John McLean		\$31.00	\$1,500.00	0	CA	\$36	16%
CB-4585-2012	Alterations	178 COURT	3rd floor renovations	11/19/2012	First State Investors	HEBERT CONSTRUCTION LLC	\$2470.00	\$350,000.00	4500	CA	\$2,475	0%
CB-4525-2012	Alterations	1250 TURNER	Graphic Communications wing Renovations - per plan	11/20/2012	Central Maine Community College	Benchmark Contracting Corporation	\$4192.00	\$595,900.00	11800	CA	\$4,197	0%
CB-4637-2012	Addition	280 POLAND SPRING	Office building addition and renovation	11/27/2012	Pine Tree LLC		\$750.00	\$4,000.00	2290	CA	\$755	1%
CB-4665-2012	Alterations	2 TURNER	Replacing 7 window units	11/28/2012	Androscoggin County Building	HEBERT CONSTRUCTION LLC	\$782.65	\$109,000.00	0	CA	\$788	1%

## FY13 Commercial Fees Collected Current vs Proposed Fee Schedule

<u>Permit Number</u>	<u>Work Class</u>	<u>Address</u>	<u>Description</u>	<u>Issue Date</u>	<u>Contact: Owner</u>	<u>Contact: Contractor</u>	<u>Fee Total</u>	<u>Estimated Cost of Construction</u>	<u>Sq Ft</u>	<u>Code</u>	New Fee	Percent Increase
CB-4586-2012	Alterations	1813 WASHINGTON	Interior renovations	11/30/2012	Cobalt Properties, LLC	Gaftek, LLC	\$1059.50	\$148,500.00	1692	CA	\$1,065	0%
CB-4713-2012	Alterations	600 CENTER	Tenant fit up for hair salon	01/08/2013	DOE Family Trust	North Shore Construction Inc.	\$545.00	\$75,000.00	2045	CA	\$550	1%
CB-4734-2013	Alterations	550 CENTER	remodel of a clothing store tenant finish	01/15/2013	Auburn Plaza, Inc	TBD	\$980.00	\$137,100.00	4708	CA	\$985	1%
CB-4736-2013	Alterations	301 MAIN	interior fitup for pizza/deli shop	01/15/2013	Merooper LLC		\$34.00	\$2,000.00	0	CA	\$39	15%
CB-4682-2012	Alterations	99 DANVILLE CORNER	2 interior walls	01/16/2013	WMTW Tv	Above and Beyond, LLC	\$80.00	\$8,500.00	244	CA	\$85	6%
CB-4766-2013	Alterations	550 CENTER	remodel for Joe Fresh line new 8x10 display	01/23/2013	Auburn Plaza, Inc	Permit Advisors	\$90.00	\$10,000.00	80	CA	\$95	6%
CB-4770-2013	Alterations	990 CENTER	convert space to private office, add bathroom	01/23/2013	Emerson Toyota	Corporate Const./ Ryan Herrick	\$160.00	\$20,000.00	0	CA	\$165	3%
CB-4764-2013	Alterations	600 CENTER	600 Center Street STE #7 Remodel for Sears Hometown Stores	01/30/2013	DOE Family Trust	L&D Builders	\$454.00	\$62,000.00	0	CA	\$459	1%
CB-4767-2013	Alterations	862 MINOT	residential home being renovated into a dr's office	01/30/2013	Paul Morin	G.M. Morin Enterprises, Inc.	\$143.00	\$17,500.00	0	CA	\$148	3%
CB-4782-2013	Alterations	730 CENTER	Garage door instalation	01/30/2013	GFI Auburn Plaza Realty LLC, C/O GIE	WATSON'S PROPERTY MAINTANCE	\$33.00	\$1,800.00	2500	CA	\$38	15%
CB-4780-2013	Alterations	49 OMNI	Tenant fitout in an exsisting warehouse-clean rooms	02/06/2013	Edward Chapman	Ouellet Associates	\$1,364.00	\$192,000.00	800	CA	\$1,369	0%
CB-4815-2013	Alterations	229 CENTER	Bathroom renovations	02/07/2013	PDB Rancourt Realty	KL Construction	\$79.00	\$8,400.00	0	CA	\$84	6%
CB-4814-2013	Alterations	14 MILLETT	Bathroom renovations	02/07/2013	Future Exchange	KL Construction	\$79.00	\$8,400.00	0	CA	\$84	6%
CB-4775-2013	Alterations	385 RODMAN	Interior renovations in units 1 and 2	02/11/2013	Northeaster Graphic Supply	Biskup Construction, Inc	\$479.00	\$65,440.00	30000	CA	\$484	1%

## FY13 Commercial Fees Collected Current vs Proposed Fee Schedule

<u>Permit Number</u>	<u>Work Class</u>	<u>Address</u>	<u>Description</u>	<u>Issue Date</u>	<u>Contact: Owner</u>	<u>Contact: Contractor</u>	<u>Fee Total</u>	<u>Estimated Cost of Construction</u>	<u>Sq Ft</u>	<u>Code</u>	New Fee	Percent Increase
CB-4845-2013	Alterations	1524 MINOT	Remodel office and move bathroom door	02/13/2013	Burrow Minot, LLC c/o Phil OConnor	Mike Smith building and remodeling inc	\$41.00	\$3,000.00	675	CA	\$46	12%
CB-4873-2013	Alterations	490 COURT	Swap existing antenas on telecom tower	02/22/2013	David Peitersen	spectram Wireless	\$125.00	\$15,000.00	0	CA	\$130	4%
CB-4823-2013	Addition	245 CENTER	Build out	02/22/2013	Florist Mall	RDB Construction	\$416.00	\$40,000.00	1320	CA	\$421	1%
CB-4587-2012	Addition	1813 WASHINGTON	Addition to the Irving	02/22/2013	Cobalt Properties, LLC	Gaftek, LLC	\$527.70	\$301,500.00	1692	CA	\$533	1%
DEMO-4073-20	Commercial	301 MAIN	Remove existing redemption Building	07/13/2012	Roopers	L.P.Poirier & Son, Inc.	\$121.00	\$13,000.00	2016	DEMO	\$121	0%
DEMO-4042-20	Commercial	261 MAIN	asbestos abatement and demolition	07/16/2012	CEI Housing Inc / C/O Coastal Enterprises, Inc	Benchmark Contracting Corporation	\$386.00	\$35,000.00	8800	DEMO	\$386	0%
DEMO-4258-201	Commercial	272 MAIN	demo building	09/07/2012	Riverpark Associates		\$338.70	\$0.00	6435	DEMO	\$339	0%
DEMO-4257-201	Commercial	268 MAIN	Demolition to building	09/07/2012	Riverpark Associates		\$135.60	\$0.00	2780	DEMO	\$136	0%
DEMO-4259-201	Commercial	282 Main	demo building	09/07/2012	Riverpark Associates		\$456.40	\$0.00	12320	DEMO	\$456	0%
EMO-4835-201	Commercial	2879 HOTEL	Demo at Tambrands	02/07/2013	Tambrands	Shaw Brothers Construction Inc.	\$122.50	\$35,000.00	2125	DEMO	\$123	0%
MF-4110-2012	New	261 Main St	5 Townhouse Units	8/2/2012			\$1,620	\$820,000	6400	Multi-Fam	\$1,945	20%
MF-4150-2012	New	272 Main St	22 Unit Multi-Family	8/7/2012			\$6,397	\$2,935,000	25509	Multi-Fam	\$7,678	20%
CB-3947-2012	New	759 Turner	Building only for Panera Bread see permit number CB-3842-2012 for foundation permit	07/02/2012		Northeast Equipment	\$1,250.00	\$555,000.00	4100	NC	\$1,460	17%
CB-4006-2012	New	836 CENTER	new commercial building credit union	07/16/2012	Central Maine CU	LANDRY CONSTRUCTI ON	\$984.80	\$854,000.00	3216	NC	\$1,151	17%
CB-4127-2012	Foundation Only	791 Turner	new foundation for Aspen Dental	07/26/2012	Nobility LLC	Northeast Equipment	\$235.00	\$43,000.00	7124	NC	\$240	2%



**FY13 Residential Fees Collected  
Current vs Proposed Fee Schedule**

<u>Permit Number</u>	<u>Work Class</u>	<u>Address</u>	<u>Description</u>	<u>Issue Date</u>	<u>Owner Name</u>	<u>Contractor Name</u>	<u>Fee Total</u>	<u>Estimated Cost of Construction</u>	<u>Sq Ft</u>	<u>CODE</u>	New Fee Proposed	% Increase
SFD-4461-2012	New	8 DOLORES	30 x 70 Duplex & attached 26 x 26 garage	10/25/2012	Andrea Whittier	Lynndell, Inc	\$677.00	\$227,000.00	3128	2-fam	\$807	19%
SFD-4347-2012	Accessory Structures	144 EASTMAN	20x24 personal storage shed	09/17/2012	Tom Giberti		\$44.00	\$2,500.00	480	AB	\$59	33%
SFD-4459-2012	Accessory Structures	45 ALDERWOOD	12 x 20 shed	10/05/2012	Roger Bergeron	Post Woodworking, Inc	\$32.00	\$7,000.00	240	AB	\$42	31%
SFD-4530-2012	Accessory Structures	27 STEVENS MILL PARK	building new shed	10/22/2012	Bert Cote		\$32.00	\$1,400.00	224	AB	\$41	27%
SFD-4489-2012	Accessory Structures	775 North River	storage shed	10/30/2012		ted dunn	\$112.00	\$1,100.00	1840	AB	\$154	37%
DEMO-4021-2012	Residential	39 PAUL	demolition of burn house	07/05/2012	Richard Desjardens	Almighty Waste, Inc	\$107.00	\$6,400.00	1336	DEMO	\$107	0%
DEMO-4183-2012	Residential	48 GAMAGE	demo 11x17 garage	08/03/2012	Elizabeth Gondek		\$27.00	\$127.00	187	DEMO	\$27	0%
DEMO-4203-2012	Residential	300 TURNER	demo barn	08/09/2012	James Short	Rolands Demolition	\$27.00	\$2,000.00	793	DEMO	\$27	0%
DEMO-4276-2012	Residential	1553 RIVERSIDE	demo a old barn	08/23/2012	Bell Farms		\$27.00	\$1,000.00	800	DEMO	\$27	0%
DEMO-4577-2012	Residential	37 GARFIELD	demo garage	10/31/2012	Christina Bartlett	ab Smith	\$27.00	\$6,500.00	456	DEMO	\$27	0%
DEMO-4856-2013	Residential	116 POWNAL	Demo of a mobile home	02/19/2013	Kurtis Bucher	Helms Bros., Inc	\$27.00	\$500.00	980	DEMO	\$27	0%
DEMO-4880-2013	Residential	17 FAIRMOUNT	Demo of old barn	02/25/2013	JW Properties		\$27.00	\$600.00	660	DEMO	\$27	0%
SFD-4038-2012	Alterations	26 WEST DARTMOUTH	replacing deck, window, roof	07/20/2012	John Diaz		\$45.00	\$5,000.00	250	DK	\$50	11%
SFD-4156-2012	Accessory Structures	66 CONANT	building rear deck with stairs	07/30/2012	Dorothy Murray	AMERICAN MODERNIZING	\$50.00	\$4,000.00	300	DK	\$50	0%
SFD-4157-2012	Accessory Structures	325 COURT	Approx 10 x 12 attached deck	07/30/2012	Kelly & Keith Plummer		\$26.00	\$1,500.00	120	DK	\$33	28%
SFD-4155-2012	Addition	51 CONSTELLATION	adding deck with roof 7x15	08/01/2012	Robert Mcleod	Bert Labbe Builder	\$43.00	\$5,000.00	105	DK	\$51	19%

**FY13 Residential Fees Collected  
Current vs Proposed Fee Schedule**

<u>Permit Number</u>	<u>Work Class</u>	<u>Address</u>	<u>Description</u>	<u>Issue Date</u>	<u>Owner Name</u>	<u>Contractor Name</u>	<u>Fee Total</u>	<u>Estimated Cost of Construction</u>	<u>Sq Ft</u>	<u>CODE</u>	New Fee Proposed	% Increase
SFD-4185-2012	Accessory Structures	279 OAK HILL	adding a pool deck	08/07/2012	Evan Saucier	Justin pelkey	\$56.00	\$3,000.00	719	DK	\$75	35%
SFD-4238-2012	Accessory Structures	43 CHARTER	Construct 20x24 deck	08/17/2012	Robert Rivas		\$44.00	\$3,000.00	480	DK	\$59	33%
SFD-4308-2012	Accessory Structures	10 HASKELL	10x20 deck	09/06/2012	Clara Yim	Anne perron	\$30.00	\$900.00	200	DK	\$39	30%
SFD-4323-2012	Accessory Structures	54 FULTON	12 x 14 attached deck	09/17/2012	Nicholas Smith		\$29.00	\$2,000.00	168	DK	\$37	27%
SFD-4580-2012	Accessory Structures	265 MANLEY	replacing deck	11/06/2012	Richard Burke		\$31.00	\$2,000.00	204	DK	\$39	27%
SFD-4590-2012	Alterations	97 BROAD	rebuilding deck	11/06/2012	JACKLIN INC	andrew hoyt	\$20.00	\$100.00	800	DK	\$25	25%
SFD-4545-2012	Alterations	37 COOK	replace existing 6x26 deck	11/06/2012	Jonathan Grant	John's Construction	\$49.00	\$5,800.00	156	DK	\$54	10%
SFD-4627-2012	Accessory Structures	185 VICKERY	new deck	11/19/2012	Theberge painting		\$28.00	\$500.00	144	DK	\$35	25%
SFD-4557-2012	Accessory Structures	164 BENNETT	10 x 10 deck extension	11/19/2012	Rhyanna Larose	James Hart	\$25.00	\$3,500.00	100	DK	\$32	28%
SFD-3992-2012	Accessory Structures	35 SNOW	24 x 36 detached garage	07/06/2012	Judith Turmenne		\$64.00	\$18,000.00	864	GA	\$85	34%
SFD-4057-2012	New	92 NORTHERN	building Garage	07/18/2012	Byron Peters		\$94.00	\$7,000.00	352	GA	\$113	20%
SFD-4289-2012	Accessory Structures	65 BEECH HILL	Construct 2 story, 3 car garage	08/28/2012	Lucien Mathieu	B & C construction	\$108.00	\$40,000.00	1560	GA	\$134	24%
SFD-4337-2012	Addition	289 SUNDERLAND	28x24 garage	09/17/2012	Mike Rodrigue	Apex Exteriors and Finishes	\$162.00	\$22,500.00	672	GA	\$193	19%
SFD-4416-2012	Addition	49 PORTLAND	building a pole barn garage	09/26/2012	Stephen & Gloria Peabody		\$162.00	\$7,000.00	672	GA	\$193	19%
SFD-4427-2012	Addition	1180 POWNAL	Garage/ pad	10/05/2012	john Edmiston		\$356.00	\$50,000.00	1600	GA	\$425	19%
SFD-4383-2012	Accessory Structures	250 NORTH AUBURN	building a 24x30 detached garage	10/05/2012	Michael Ranucci	peter Swan	\$56.00	\$44,000.00	720	GA	\$75	35%
SFD-4401-2012	Addition	38 TAYWOOD	Breezeway and garage addition	10/12/2012	Lisa Toussaint	TBD	\$464.00	\$100,000.00	2112	GA	\$553	19%
SFD-4603-2012	Accessory Structures	100 ROYAL RIVER	23x28 garage	11/08/2012	Kenneth Bellefleur		\$53.00	\$10,000.00	644	GA	\$70	32%
SFD-4318-2012	Addition	38 MARY CARROLL	construct 11'-6" x 36' attached garage	12/17/2012	BRIAN GENEST		\$214.00	\$5,000.00	414	GA	\$129	-40%

**FY13 Residential Fees Collected  
Current vs Proposed Fee Schedule**

<u>Permit Number</u>	<u>Work Class</u>	<u>Address</u>	<u>Description</u>	<u>Issue Date</u>	<u>Owner Name</u>	<u>Contractor Name</u>	<u>Fee Total</u>	<u>Estimated Cost of Construction</u>	<u>Sq Ft</u>	<u>CODE</u>	New Fee Proposed	% Increase
SFD-4136-2012	New	530 COURT	building new SFD Modular	08/07/2012	Steven Dunn	Palmer Development Corp	\$541.00	\$240,000.00	2478	NR	\$645	19%
SFD-4452-2012	New	626 Old Danville	new ranch modular home on full foundation	10/02/2012		HENRY'S FACTORY BUILT HOMES	\$337.00	\$180,000.00	1507	NR	\$402	19%
SFD-4417-2012	New	118 GILL	building new house	10/02/2012	Philip Theberge	Philip Theberge	\$217.00	\$50,000.00	936	NR	\$259	19%
SFD-4538-2012	Mobile Home	44 Chicoine	Set up lot for new mobile home	10/29/2012		LP Poirier & Son, Inc	\$122.00	\$81,500.00	728	NR	\$134	10%
SFD-4677-2012	New	24 GREENFIELD	28x38 Single family colonial, 24x26 garage and 5x11 deck	12/04/2012	Blue Horizon Development	Fortin Construction Inc.	\$628.00	\$232,000.00	2840	NR	\$735	17%
SFD-4765-2013	New	187 HICKORY	Foundation only	01/16/2013	B & M Developers	B & M Developers	\$20.00	\$15,000.00	1600	NR	\$25	25%
SP-4026-2012	Above Ground	279 OAK HILL	installing an above ground pool	07/05/2012	Evan Saucier	Premier Pools and Spa	\$40.00	\$15,400.00	594	PL	\$35	-13%
SP-4114-2012	In Ground	897 RIVERSIDE	installing in ground pool 14x28	07/23/2012	David Caron Jr	Premier Pools and Spa	\$75.00	\$23,000.00	392	PL	\$80	7%
SFD-4503-2012	Accessory Structures	126 WHITNEY	exterior ramp	10/15/2012	Adam Dow		\$24.00	\$1,500.00	80	RA	\$31	28%
SFD-4377-2012	Accessory Structures	108 DAVIS	Installing a modular ramp for wheelchair accessibility	09/27/2012	Garrett Parke	Steve Parke	\$23.00	\$1,700.00	54	RA	\$29	25%
SFD-4371-2012	Accessory Structures	49 PORTLAND	Add on to lean-to (horse run-in) pole barn	09/19/2012	Stephen & Gloria Peabody		\$32.00	\$2,000.00	240	RA	\$42	31%
SFD-4035-2012	Accessory Structures	235 BROAD	Adding ramp to access front door	07/06/2012	Jimmy Pleau		\$22.00	\$3,000.00	40	RA	\$28	26%
SFD-4504-2012	Accessory Structures	68 JAMES	staircase with 4x4 landing	10/12/2012	Raymond Lebrun	Shawn lowell	\$24.00	\$3,000.00	80	RA	\$31	28%
SFD-4028-2012	Addition	228 COOK	1/2 bath addition	07/05/2012	Scott Eaton		\$25.00	\$1,000.00	21	RA	\$30	21%
SFD-4131-2012	Addition	559 BEECH HILL	building addition to garage 12x24 for camper staorage	07/27/2012	Deborah Goding		\$81.00	\$1,000.00	288	RA	\$97	20%
SFD-4192-2012	Addition	300 TURNER	making a larger kitchen	08/13/2012	James Short		\$31.00	\$2,000.00	48	RA	\$37	19%
SFD-4079-2012	Addition	67 WEBSTER	adding bedrooms to Apartment	07/20/2012	Gary Boilard	Bluestar Multifamily	\$104.00	\$3,000.00	400	RA	\$125	20%

**FY13 Residential Fees Collected  
Current vs Proposed Fee Schedule**

<u>Permit Number</u>	<u>Work Class</u>	<u>Address</u>	<u>Description</u>	<u>Issue Date</u>	<u>Owner Name</u>	<u>Contractor Name</u>	<u>Fee Total</u>	<u>Estimated Cost of Construction</u>	<u>Sq Ft</u>	<u>CODE</u>	New Fee Proposed	% Increase
SFD-4055-2012	Addition	115 GAMAGE	replacing porch with 5'-5" x 24'-6" porch	08/06/2012	Joanne Pardue	My Uncles Construction Comp	\$48.00	\$3,000.00	132	RA	\$58	21%
SFD-4437-2012	Addition	530 TURNER	lean to - carport - see conditions	10/17/2012	Mark Blais		\$162.00	\$4,800.00	672	RA	\$193	19%
SFD-4578-2012	Addition	76 CREST	roof replacement and building new porch	11/06/2012	Jon Lapoint	ryan corp	\$162.00	\$5,000.00	672	RA	\$193	19%
SFD-4167-2012	Addition	99 LAKE	new porch front and back	08/01/2012	Peter Flanders	emery builders	\$92.00	\$10,000.00	342	RA	\$111	20%
SFD-4466-2012	Addition	29 SIMPSONS BEACH	638 Sq ft addition to existing garage	10/12/2012	Steven & Amy Morse	Peter Fleming Carpentry	\$154.00	\$17,500.00	638	RA	\$185	20%
SFD-4134-2012	Addition	25 VALVIEW	adding Master bedroom and bath	09/14/2012	David Washburn		\$182.00	\$63,000.00	768	RA	\$217	19%
SFD-4132-2012	Alterations	900 NORTH RIVER	screening in porch	07/24/2012	Michael Houlihan		\$20.00	\$1,000.00	180	RA	\$25	25%
SFD-4084-2012	Alterations	97 NINTH	framing walls in basement	07/20/2012	Melissa Simao		\$20.00	\$1,500.00	1440	RA	\$25	25%
SFD-4785-2013	Alterations	201 CHICOINE	replacing carrying beams in basement	01/25/2013	Nancy Bard	GH builders	\$25.00	\$2,500.00	1296	RA	\$30	20%
SFD-4857-2013	Alterations	657 COURT	Remodel basement and convert to single family home	02/22/2013	Patricia Arnold	1st Call Handyman	\$20.00	\$2,500.00	0	RA	\$25	25%
SFD-4317-2012	Alterations	268 SOUTH MAIN	replacing exsisting Porch	09/05/2012	PETER BERNARD		\$40.00	\$4,000.00	114	RA	\$45	13%
SFD-4264-2012	Alterations	37 WEBSTER	replacing deck 1st and 2nd floor	08/23/2012	Michael Babin	Rondeau Woodworks	\$69.00	\$9,720.00	408	RA	\$74	7%
SFD-4334-2012	Alterations	21 JONES	remove bathroom window and change the size	09/05/2012	Lori Perkins		\$70.00	\$10,000.00	750	RA	\$75	7%

**FY13 Residential Fees Collected  
Current vs Proposed Fee Schedule**

<u>Permit Number</u>	<u>Work Class</u>	<u>Address</u>	<u>Description</u>	<u>Issue Date</u>	<u>Owner Name</u>	<u>Contractor Name</u>	<u>Fee Total</u>	<u>Estimated Cost of Construction</u>	<u>Sq Ft</u>	<u>CODE</u>	New Fee Proposed	% Increase
SFD-4096-2012	Alterations	604 MINOT	6X6 sill around garage and entry	07/20/2012	Pamela Le	Gary LaPrell	\$83.00	\$12,500.00	0	RA	\$88	6%
SFD-4165-2012	Alterations	112 EAST BATES	making a 2 family home into a single family	08/01/2012	Daniel Couture		\$120.00	\$20,000.00	2200	RA	\$125	4%
SFD-4297-2012	Alterations	16 ALBISTON	repairing existing foundation walls	09/19/2012	Rita Myrick	SR GENERAL CONTRACTORS	\$120.00	\$20,000.00	0	RA	\$125	4%
SFD-4741-2013	Alterations	29 SIMPSONS BEACH	Alterations to existing kitchen	01/16/2013	Steven & Amy Morse	Nelson Broski	\$140.00	\$24,000.00	0	RA	\$145	4%
SFD-4482-2012	Alterations	79 ORCHARD	demo walls on garage new footer and floor rebuild	10/15/2012	Laura Charloff	RJP Construction	\$145.00	\$25,000.00	650	RA	\$150	3%
SFD-4839-2013	Alterations	207 SOUTH MAIN	Remodel basement- convert 2 family to single family home	02/13/2013	Christopher Bouchard	GH builders	\$160.00	\$27,800.00	2688	RA	\$165	3%
SFD-4285-2012	Alterations	376 LAKE	replacing corner of foundation on barn	08/27/2012	Lorna Hansen	Mark caron	\$170.00	\$30,000.00	0	RA	\$175	3%
SFD-2358-2011	Alterations	161 CHICOINE	Rebuild select walls & roof per plan and add 20.5 x 22' garage and 8.5'x9' foyer	08/02/2012	Mike Girardin	BLUE HORIZON	\$220.00	\$40,000.00	0	RA	\$225	2%
SFD-4463-2012	Alterations	116 SUMMER	Fire rehab	10/04/2012	Clifford Griffin Jr	Viking Restoration, LLC	\$395.00	\$75,000.00	0	RA	\$400	1%
SFD-4072-2012	Alterations	19 BRAMBLEWOOD	Repair and renovation of house hit by lightning renovating inside of house	07/27/2012	Walter Meuse	V & G Home Improvements	\$770.00	\$150,000.00	1912	RA	\$775	1%
						<b>TOTALS:</b>	<b>9,108</b>				<b>\$10,313</b>	<b>13%</b>
										Differenc	\$1,205	

# BUILDING PERMIT FEE SCHEDULE

In accordance with the provisions of the Code of Ordinances of the City of Auburn, the City Council hereby establishes the following fees:

## Single Family

New construction/Additions	<del>\$20-25</del> base + \$0. <del>21-25</del> sf
Accessory Structure	<del>\$20-25</del> base + \$0. <del>05-07</del> sf
Renovation < \$2,500	<del>\$20-25</del>
Renovation > \$2,500	<del>\$20-25</del> base + \$5.00 per \$1,000 value

## Multi-family

New Construction/Additions	<del>\$20-25</del> base + \$0. <del>25-30</del> sf
Renovations	<del>\$20-25</del> base + \$5.00 per \$1,000 value

## Mobile Home

New or Used	<del>\$20-25</del> base + \$0. <del>14-15</del> sf
Additions	<del>\$20-25</del> base + \$0. <del>21-25</del> sf

## Commercial

New Construction	<del>\$20-25</del> base + \$0. <del>30-35</del> sf (per floor)
Renovation	<del>\$20-25</del> base + \$7.00 per \$1,000 value

## Swimming Pools

Above Ground Swimming Pool	<del>\$30-35</del>
In-ground Swimming Pool	<del>\$75-80</del>

## All Structures

Fences	<del>\$20-25</del>
Underground Storage Tank	<del>\$32-50</del> (first tank) + \$ <del>11-15</del> (additional tanks)
Moving Building	\$100
Driveways	<del>\$21-25</del>
Foundation Only	<del>\$20-25</del> base + \$5.00 per \$1,000 value
Change of Use	<del>\$32-40</del>
Certificate of Occupancy	Included in Permit (\$260 penalty)
Signs	\$25 base + \$0.50 sf

## Demolition

Interior demolition not in conjunction with a construction project	\$50
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## BUILDING PERMIT FEE SCHEDULE

Less than 1,000 sf	\$27
Greater than 1,000 sf and less than 5,000 sf	\$80 + \$0.02 sf
Greater than 5,000 sf	\$210 + \$0.02 sf

### **Belated Fee**

The customary permit fee shall double where work commences prior to the issuance of the appropriate permits.

### **Building Permit Fee Reimbursement Policy**

In the event that the recipient of a building permit does not undertake any of the building activity associated with a given permit, he/she may submit a written request to the Director of Planning and Permitting for the reimbursement of the permit fee paid for said permit. If the request for reimbursement is made within six months of the issuance of said permit, and if no work associated with said permit was commenced, 75% of the permit fee will be reimbursed. The City shall retain 25% of the permit fee to provide compensation for the costs associated with issuance of said permit and to process reimbursement.

**Note: sf - square feet**



# City of Auburn, Maine

*"Maine's City of Opportunity"*

## Office of Planning & Permitting

To: Honorable Mayor and City Council  
From: Eric J. Cousens, Director of Planning and Permitting  
Re: Delegated Review Fees  
Date: June 25, 2013



Given current fiscal concerns and budgets I would like the Council to consider updating the Delegated Review Fees to lessen the burden on taxpayers that are not directly using the review services. Below is a comparison on State Delegated Review Fees for you to consider. We charge a flat \$1000 for the delegated permit fee here in Auburn whether you require one or all three state delegated permits.

Delegated review fees generally only apply to larger projects and I think we could increase revenues and gain a more understandable advertising tool for how we compare to the rest of the State. I am not advocating for an increase to match State fees as this is an important incentive to do business here in Auburn.

I look forward to discussion the options on July 1, 2013.

<b>Development Example : State Delegated Review Fees for New Warehouse or Medical Office</b>				
	Impervious Area	Processing Fee	Licensing Fee	Total Cost
Site Location of Development	3.5 Acres	\$5875	\$2,937	\$8812
Maine DOT Traffic Movement Permit (TMP)	105 Passenger Car Trips	\$1500	Additional Review if needed: \$1000	\$1500-2500
<b><u>State Fee Total for the same project if Auburn did not have delegated review authority:</u></b>				\$10,312-\$11,312

<b>Subdivision Example</b>	
<b><u>State Fee Total for the same project if Auburn did not have delegated review authority:</u></b>	
Affordable Housing (28 lots)	\$5532-\$6532
General Housing with City Water & Sewer (28 lots)	\$15866-\$16,866
General Housing without City Water & Sewer (28 lots)	\$21,996-22,996
Commercial Subdivision (28 lots)	\$39,300-\$40,300
Commercial Subdivision (8 lots)	\$12,300-\$13,300



# City Council Workshop Information Sheet

City of Auburn

**Council Workshop Date:** July 1, 2013

**Item** C

**Author:** Clinton Deschene, City Manager

Item(s) checked below represent the subject matter related to this workshop item.

**Comprehensive Plan**    **Work Plan**    **Budget**    **Ordinance/Charter**    **Other Business\***    **Council Goals\*\***

\*\*If Council Goals please specify type:    *Safety*    *Economic Development*    *Citizen Engagement*

**Subject:** Adopting the School Budget for FY2014

**Information:** The School Budget Validation Election that did not pass on June 11, 2013 put us in a position that requires the City to review the proposed 2<sup>nd</sup> School Budget. Once you have reviewed the budget you will need to consider forwarding it to the Auburn voters for final approval.

**Financial:** With approval the overall City budget, including municipal and county budgets, will have a 20.70 mil rate based on a 2,006,545,827 overall valuation.

**Action Requested at this Meeting:** Potential approval by City Council to proceed.

**Previous Meetings and History:**

**Attachments:**

Memo from Katy Grondin, Superintendant

Notice of Amounts

Order 51-07012013

\*Agenda items are not limited to these categories.



June 26, 2013

Budget Memo

To: Clint Deschene, City Manager, Mayor Jonathan Labonte, Councilor Crowley, Councilor Gerry, Councilor Hayes, Councilor Walker, Councilor Lafontaine, Councilor Shea

From: Katy Grondin, Superintendent of Schools

The recently passed state law, LD677, requires schools not meeting Essential Program and Services (EPS) to increase the local contribution to education by 33% of the amount under EPS beginning in FY15 budget with school districts needing to be at 100% by FY18. That will mean an additional \$733,714 over the currently proposed budget each year for three years. The current law specifies that a community that underfunds education shall be penalized \$2 of state subsidy for every \$1 under that EPS requirement. This translates to a loss of \$1,467,429 in state dollars for FY15 if the 33% increase is not met.

The School Committee's first budget that the council passed on to referendum represented a \$0.85 increase to the mill rate. The budget was an attempt to raise the local contribution by 33% and it failed the public vote.

The School Committee's revised budget reduces the mill rate from \$0.87 (based on the new city assessed value) to \$0.37. The following information is important for you to know as you consider the approval of the school budget:

- The School Committee approved **\$874,830** in reductions to the school budget. Some of those reductions included an elementary librarian, Auburn Middle School secretary, a special education teacher at Edward Little High School and supplies for instructional and maintenance needs.
- Due to the state budget's anticipated approval, the school department is anticipating additional revenue. There is not a definitive number at this time, however the School Committee approved adding **\$300,000** to the state subsidy line. If there is additional revenue beyond \$300,000, it will be set-aside to be used for a possible curtailment during the school year. This year, we experienced a \$210,000 curtailment.
- Due to increasing the state subsidy line, the school committee reduced the Local General Appropriation Allocation by an additional **\$129,685** on top of the **\$874,830**. The remaining additional state funds of **\$170,315** will be used to pay for the School Resource Officers' contracted time with the school department. The cost of the School Resource Officers contributes towards the EPS local contribution to education.
- **The cost of the School Resource Officers represents \$0.085 of the \$0.37 mill rate for education.**
- The total school budget is \$37,673,763 and the Total Local is \$16,104,470.
- This school budget does not begin to fill in the gap towards the expected local contribution to Essential Program and Services (EPS-funding model for education). There remains a gap that will need to be met over the next three years.

The school committee recognizes that the community is not ready to start to fill the gap towards EPS and wants to limit an increase to property taxes. The school committee reduced its budget, agreed to the cost shift of the School Resource Officers and allocated additional state revenue to reduce the mill rate to lessen the tax burden on its citizens.

NOTICE OF AMOUNTS ADOPTED AT AUBURN CITY COUNCIL MEETING  
FOR VOTERS AT SCHOOL BUDGET  
VALIDATION REFERENDUM

TO: Clerk of City of Auburn, State of Maine

Pursuant to 20-A M.R.S.A. §§ 1486(2) and 2307 this Notice is to be displayed at all polling places for the school budget validation referendum to be held on July 23, 2013, to assist the voters in voting on whether to ratify the school budget approved at the July 1, 2013 City Council Meeting.

<i>Cost Center Summary Budget Category</i>	<i>Amount Recommended by School Committee</i>	<i>Amount Approved at the City Council Meeting on July 1, 2013</i>
Regular Instruction	\$14,998,045	\$
Special Education	\$ 7,524,558	\$
Career and Technical Education	\$ -0-	\$ -0-
Other Instruction	\$ 667,705	\$
Student and Staff Support	\$ 4,514,948	\$
System Administration	\$ 847,935	\$
School Administration	\$ 1,266,449	\$
Transportation and Buses	\$ 1,294,390	\$
Facilities Maintenance	\$ 3,472,594	\$
Debt Service and Other Commitments	\$ 2,671,986	\$
All Other Expenditures	\$ 0	\$ 0
<b>Summary of Total Authorized Expenditures</b>	<b><u>\$37,258,610</u></b>	<b>\$</b>

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
*A majority of the School Committee*

Completed and countersigned by: \_\_\_\_\_ /\_\_\_\_/2013  
*Superintendent of Schools*

A true copy of the Notice, attest: \_\_\_\_\_, Clerk  
*City of Auburn*

Tizz Crowley, Ward One  
Robert Hayes, Ward Two  
Mary Lafontaine, Ward Three  
David Young, Ward Four



Leroy Walker, Ward Five  
Belinda Gerry, At Large  
Joshua Shea, At Large

Jonathan LaBonte, Mayor

## IN CITY COUNCIL

### ORDER 51-07012013

Ordered that the Auburn City Council hereby adopts and approves the following School Budget articles for Fiscal Year 2013/2014.

1. That \$14,998,045.00 be authorized to be expended for Regular Instruction;
2. That \$7,524,558.00 be authorized to be expended for Special Education;
3. That \$-0- be authorized to be expended for Career and Technical Education;
4. That \$667,705.00 be authorized to be expended for Other Instruction;
5. That \$4,514,948.00 be authorized to be expended for Student and Staff Support;
6. That \$847,935.00 be authorized to be expended for System Administration;
7. That \$1,266,449.00 be authorized to be expended for School Administration;
8. That \$1,294,390.00 be authorized to be expended for Transportation and Buses;
9. That \$3,472,594.00 be authorized to be expended for Facilities Maintenance;
10. That \$2,671,986.00 be authorized to be expended for Debt Service and Other Commitments;
11. That \$-0- be authorized to be expended for All Other Expenditures;
12. That \$34,311,787.00 be appropriated for the total cost of funding public education from Pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act and that \$14,369,821.00 be raised as the municipality's contribution to the total cost of funding public education from Pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act in accordance with the Maine Revised Statutes, Title 20-A, section 15688;

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

13. That \$1,510,976.00 be raised and appropriated for the annual payments on debt service previously approved by the city's legislative body for non-state-funded school construction projects 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;

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

***Explanation:** The additional local funds are those locally raised funds over and above the municipality'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 education programs.*

15. That the school committee be authorized to expend \$37,258,610.00 for the fiscal year beginning July 1, 2013 and ending June 30, 2014 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 \$373,357.00 for adult education and raise \$183,311.00 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 the City of Auburn raise and appropriate \$41,796.00 for the services of Community Services-Crossing Guards.

18. 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;



# City Council Workshop Information Sheet

City of Auburn

Council Workshop Date: July 1, 2013      Item D  
Author: Reine Mynahan, Community Development Director

Item(s) checked below represent the subject matter related to this item.

Comprehensive Plan     Work Plan     Budget     Ordinance/Charter     Other Business\*     Council Goals\*\*

\*\*If Council Goals please specify type:     Safety     Economic Development     Citizen Engagement

Subject: 2013 Action Plan of the Community Development Block Grant Program and HOME Investment Partnerships Program

Information: See attached sheet for budget details. This budget is the last one presented to the City Council on June 17, 2013 as a staff recommendation.

Community Development Block Grant \$990,945

HOME Investment Partnerships Program/Auburn grant \$617,259

HOME Investment Partnerships Program/Lewiston grant \$307,044

Other Grants/Auburn Lead Hazard Control grant, NSP-1 NSP \$9,500

This budget does not reflect the allocation of \$50,000 for code enforcement that the City Council acted on June 24<sup>th</sup>. The City Manager has recommended leaving \$25,000 in the budget for recreation scholarships and eliminating the remainder of social services. As you will see in the attached Annual Action Plan, one of the goals in the Consolidated Plan is to fund social services as a way to reduce poverty.

To address this funding gap, staff will meet with the City Council in August to consider a program amendment. By then many of the 2012 projects will be complete. There may be excess funds in various programs including Community Concepts Weatherization Program, Curb Appeal Program, and Small Business Program.

Financial: Annual allocation of Community Development and HOME funds from U. S. Department of Housing and Urban Development

Action Requested at this Meeting: Adoption of Budget and Annual Action Plan

Previous Meetings and History: June 17, April 8, April 1, February 25.

Attachments: Budget and Annual Action Plan and Order 50-07012013

\*Agenda items are not limited to these categories.

# FY2013 BUDGET

## COMMUNITY DEVELOPMENT BLOCK GRANT/AUBURN

### PLANNING AND ADMINISTRATION

General Administration	\$105,000
Project Delivery Costs/Housing	\$69,000
Goods and Services	\$28,200

**Sub Total** \$202,200

### ECONOMIC DEVELOPMENT

Small Business Loan Program	\$30,000
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**Sub Total** \$30,000

### AFFORDABLE HOUSING

Code Enforcement Program	\$30,000
Rehabilitation Loan Program	\$193,995
Lead Testing/Clearance/Training	\$5,000
Community Concepts Weatherization	\$62,250
Curb Appeal Program	\$140,000

**Sub Total** \$431,245

### PUBLIC IMPROVEMENTS

Municipal Beach	\$62,500
Edward Little Park	\$15,000

**Sub Total** \$77,500

### ACQUISITION & DEMOLITION

Demolition of Deteriorated Buildings	\$65,000
New Auburn River Trail Acquisition/Demolition	\$110,000

**Sub Total** \$175,000

### PUBLIC SERVICES

Androscoggin Head Start/Family Advocacy	\$7,000
Auburn Recreation Department & Scholarships	\$25,000
Literacy Volunteers of Androscoggin County/Adult Literacy	\$8,000
Safe Voices / Social Services	\$3,000
Heating Assistance Loan Program	\$20,000
Tedford Housing & Support Services for Homeless	\$5,000
Good Neighbor Start-up	\$1,000
Catholic Charities/Search	\$2,500
Seniors Plus/Meals	\$3,500

**Sub Total** \$75,000

**TOTAL BUDGET** **\$990,945**

**HOME INVESTMENT PARTNERSHIPS PROGRAM/AUBURN**

**PROGRAM ADMINISTRATION**

General Administration	25,500
Project Delivery Costs	41,000
Goods and Services	2,500

**Sub Total \$ 69,000**

**AFFORDABLE HOUSING**

Homebuyer Assistance	110,000
Homebuyer/Youthbuild	50,000
Homeowner Rehabilitation	376,748
Tenant Rental Assistance/Security Deposits	11,511

**Sub Total \$ 548,259**

**TOTAL BUDGET \$ 617,259**

**HOME INVESTMENT PARTNERSHIPS PROGRAM/LEWISTON**

**PROGRAM ADMINISTRATION**

General Administration	10,292
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**Sub Total \$ 10,292**

**AFFORDABLE HOUSING**

Homebuyer Assistance	58,750
Homeowner Rehabilitation	230,502
Tenant Rental Assistance/Security Deposits	7,500

**Sub Total \$ 296,752**

**TOTAL BUDGET \$ 307,044**

**OTHER GRANTS/SALARIES/AUBURN**

Lead Hazard Control Grant	3,500
NSP-1	2,500
NSP-3	3,500

**TOTAL BUDGET \$9,500**

# City of Auburn



Academy Street Townhouses

## Program Year 2013-2014 Annual Action Plan

July 1, 2013 through June 30, 2014

City of Auburn, Maine  
Community Development Department  
60 Court Street  
Auburn, ME 04210  
[www.auburnmaine.gov](http://www.auburnmaine.gov)

# **Executive Summary**

## **ES-05 Executive Summary**

- 1. Introduction**
- 2. Summary of the objectives and outcomes identified in the Plan Needs Assessment Overview**
- 3. Evaluation of past performance**
- 4. Summary of citizen participation process and consultation process**
- 5. Summary of public comments**
- 6. Summary of comments or views not accepted and the reasons for not accepting them**
- 7. Summary**

## PR-05 Lead & Responsible Agencies

### 1. Agency/entity responsible for preparing/administering the Consolidated Plan

The following are the agencies/entities responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

Agency Role	Name	Department/Agency
Lead Agency	AUBURN	

Table 1 – Responsible Agencies

### Narrative

The City of Auburn Community Development Department is the lead agency responsible for overseeing the development of the 2010-2014 Consolidated Plan and for administering Community Development programs. Auburn Community Development is also the lead agency for HOME funds for the cities of Auburn and Lewiston. The two cities have formed a consortium whereby they are eligible for this additional resource to be used specifically for housing to assist low-income households. Each community is responsible for setting its own priorities, and selecting its own programs and projects.

The 2010-2014 Consolidated Plan was developed under the guidance of a Citizen's Advisory Committee and with assistance from a consultant, Planning Decisions Inc. The Citizens Advisory Committee makeup includes representatives from three geographic target areas, the Auburn City Council, the Lewiston-Auburn Alliance for Services to the Homeless, Auburn Housing Authority, United Way, Head Start, the Community Development Loan Committee, as well as tenants, non-profit housing developers, and a local realtor. The committee met 6 times to discuss the needs of low-income residents and to establish goals and priorities, and develop strategies.

Consultations with local public housing authorities and housing, homeless, health, lead hazard, and social service agencies and organizations informed the development of the 2010-2014 Consolidated Plan. They included those who provide services to elderly persons, persons with disabilities, and the homeless. The City of Lewiston, regional planning and county representatives, and appropriate state agencies (including the Maine Housing and the Department of Health and Human Services) were also consulted. A social service consultation for the consolidated plan was attended by 21 local agencies.

The CAC meets on an annual basis in the winter months to review the goals and budget of the Annual Action Plan and to review accomplishments as identified in the CAPER.

## **Consolidated Plan Public Contact Information**

Reine Mynahan

Community Development Director

City of Auburn

60 Court Street, Auburn, ME 04210

Tel. 207.333.6601 x 1330

email [rmynahan@auburnmaine.gov](mailto:rmynahan@auburnmaine.gov)

## **AP-10 Consultation**

### **1. Introduction**

The City of Auburn follows the protocol identified in its Citizens Participation Plan. The plan guarantees access to meetings, information and public hearings. Technical assistance is provided upon request.

During the development of the 2010-2014 Consolidated Plan, many agencies were consulted to identify needs. Annually consultation is met through a budget review and guidance by the Citizens Advisory Committee. This committee is a group who is representative of the population that is served by the Community Development Program. The committee met on February 12, 2013 and May 16, 2013 to guide the development of the Annual Action Plan.

On a regular basis the Community Development Department consults with other City Departments, local and state agencies, the City of Lewiston, and Auburn Housing Authority in implementing its objectives and strategies. With many partners involved in multiple initiatives, coordination is especially important.

### **Summary of the jurisdiction's activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies**

Community Development staff coordinates the majority of activities described in the strategies. Community Development staff is committed to establishing and maintaining relationships with organizations and institutions in an attempt to broaden and strengthen the institutional structure. The City of Auburn's primary partner in implementing its housing strategies has been Auburn Housing Authority and the CHDO formed under the parent organization, Auburn Housing Development Corporation.

Auburn collaborates with local government, non-profit organizations, and private sector including:

- private lenders, Coastal Enterprise, Inc. and Community Concepts, Inc. – to improve financing resources for home ownership and rehabilitation;
- Auburn Housing Development Corporation, a CHDO -- partner in Auburn's Homebuyer Program;
- private lenders, Androscoggin Valley Council of Governments, Community Concepts Finance Corp.. and Lewiston-Auburn Economic Growth Council – to improve financing resources for commercial and industrial clients;
- non-profit developers and CHDO's – to provide and/or develop affordable housing and support services needed by Auburn residents;

- Auburn Housing Authority and Maine State Housing Authority – to address the housing needs of Auburn’s low income renter households and to increase home ownership opportunities for low-income tenants;
- Lewiston-Auburn Alliance for Services to the Homeless and Maine State Housing Authority – for better coordination and advocacy for services needed by the homeless, and implementation of rental assistance to the homeless;
- Auburn Health & Welfare, Department of Environmental Protection, Maine Childhood Lead Poisoning Prevention Program, and Healthy Androscoggin – to deliver a comprehensive lead awareness education and screening program;
- Citizen’s Advisory Committee – to establish priorities and review progress on achieving Consolidated Plan goals; and
- Healthy Androscoggin – The Lead Safe Community Coalition (LSCC) is a Maine funded Lead Poisoning Prevention Program. Healthy Androscoggin and the cities of Auburn and Lewiston last year partnered in a Lead Grant application and will continue to work towards receiving federal grant monies.
- Auburn and Lewiston Housing Authorities and City of Lewiston -- development of the 2013 Analysis of Impediments to Fair Housing, and implementation of objectives and strategies.

**Describe coordination with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards for and evaluate outcomes of projects and activities assisted by ESG funds, and develop funding, policies and procedures for the operation and administration of HMIS**

No ESG funds

**Describe consultation with the Continuum(s) of Care that serves the State in determining how to allocate ESG funds, develop performance standards for and evaluate outcomes of projects and activities assisted by ESG funds, and develop funding, policies and procedures for the operation and administration of HMIS**

n/a

**2. Agencies, groups, organizations and others who participated in the process and consultations**

Agency/Group/Organization	Agency/Group/Organization Type	What section of the Plan was addressed by Consultation?
ANDROSCOGGIN HEAD START AND CHILD CARE	Services-Children	Non-Homeless Special Needs
TEDFORD HOUSING	Services-homeless	Homelessness Strategy Homeless Needs - Chronically homeless Homeless Needs - Families with children

Table 2 – Agencies, groups, organizations who participated

**How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination**

A Request for Proposals was issued in November 2012. The RFP was sent to all Non-profit sub-recipient agencies from a prior year. A public notice was published in the Lewiston newspaper on November 15, 2012. Agencies were kept informed about the status of the application process. Notices of a public hearing were sent to all who responded to the Request for Proposals, many of which attended the public hearing.

**Identify any Agency Types not consulted and provide rationale for not consulting**

n/a

**Other local/regional/state/federal planning efforts considered when preparing the Plan**

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Continuum of Care	Lewiston-Auburn Alliance for Services to the Homeless	The City of Auburn is an active participant in the Lewiston-Auburn Alliance for Services to the Homeless in an effort to strengthen the delivery system. The Auburn Community Development Department, the Auburn Housing Authority, the Lewiston-Auburn Alliance for Services to the Homeless, the Lewiston Community Development Department, the Lewiston Housing Authority, other city departments, and local and regional nonprofit organizations, coordinate closely in the planning and delivery of housing services. However, there are not enough resources, among all of the partners, to meet the identified needs. Waiting lists for services at the housing authorities are long. The General Assistance Offices of both Auburn and Lewiston are under pressure from the effects of the recession and severe budget cuts at the state level.

**Table 3 – Other local / regional / federal planning efforts**

**Narrative**

The City of Auburn adopted the 10-Year Plan to End Homelessness in 2010. The plan identifies goals and strategies, one of which is to be implemented by the Auburn and Lewiston Community Development Departments. With assistance through its allocation to CDBG and HOME funds, the communities will support an increase of 210 affordable housing units over a 10 year period.

## AP-12 Participation

- Summary of citizen participation process/Efforts made to broaden citizen participation  
Summarize citizen participation process and how it impacted goal-setting

### Citizen Participation Outreach

Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (if applicable)
Public Meeting	Non-targeted/broad community	9 persons attended and provided comments.	1) Executive Director of Safe Voices commented on reduction in funding;2) 3 citizens commented on need for playground equipment at Walton School;3) Executive Director of Tedford Housing commented on how CDBG funding has helped homeless persons; and4) Finance Director of Androscoggin Head Start asked that public service funding be restored to last year's level.	The Walton School Playground was not included in the budget since there were many other projects that competed for limited resources.	
Newspaper Ad	Non-targeted/broad community	Notice of Annual Action Plan available.	none		

Table 4 – Citizen Participation Outreach

## Expected Resources

### AP-15 Expected Resources

#### Introduction

The City of Auburn is expecting \$990,945 in Community Development resources to carry out the 2013-14 Annual Action Plan, \$924,303 from HOME Investment Partnerships Program funds that will be shared between Auburn and Lewiston, and \$9,500 from prior year program income from the Lead Hazard Control Grant, NSP-1 and the NSP-3 grant. These resources plus leveraged funds will be used to carry out the strategies identified in the 2010-14 Consolidated Plan and this Annual Action Plan.

#### Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	522,224	284,800	183,921	990,945	\$	
HOME	public - federal	Acquisition Homebuyer assistance Homeowner rehab Multifamily rental new construction Multifamily rental rehab	366,936	50,184	507,183	924,303	0	

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1			Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$		
		New construction for ownership TBRA					

Table 1 - Expected Resources – Priority Table

**Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied**

Community Development funds leverage additional funds primarily for the public service programs. Further resources are leveraged through the Small Business and Rehabilitation Loan programs.

Federal HOME funds will leverage private resources with the homebuyer activities. Since there are no rental projects in cue, we do not anticipate significant match in the coming year. However, many of the Auburn Consortium rental projects have brought in excess match which is sufficient to cover the match requirement for the next few years. The Consortium currently has over \$1 million in excess match.

The City of Auburn will join forces with the City of Lewiston in seeking a grant for remediation of lead hazards.

**If appropriate, describe publically owned land or property located within the jurisdiction that may be used to address the needs identified in the plan**

The publicly owned land that will be involved in the New Auburn River Trail project is a recently acquired property at 9 Broad Street and the soon to be acquired 6 Second Street. The City also acquired a property at 325 Turner Street with NSP-1 funds that will be demolished and redeveloped for a neighborhood parking lot. The City also owns a large parcel on Academy Street that could be used for housing development,

but there is no current plan for such a project.

**Discussion**

The City of Auburn joined forces with the City of Lewiston in FY2012 to request a Lead Hazard Reduction Grant from the Department of Housing and Urban Development. The application was not successful; however, the consortium will try again in FY2013. A successful application would improve 100 units in the City of Auburn.

## Annual Goals and Objectives

### AP-20 Annual Goals and Objectives

#### Goals Summary Information

Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator

Table 2 – Goals Summary

**Estimate the number of extremely low-income, low-income, and moderate-income families to whom the jurisdiction will provide affordable housing as defined by HOME 91.215(b)**

**City of Auburn**

22 owner and rental units rehabilitated

15 owner and rental units weatherized

5 buyers assisted to purchase a home

**City of Lewiston**

5 owner units rehabilitated

3 buyers assisted to purchase a home

# Projects

## AP-38 Project Summary

### Project Summary Information

Project Name	Target Area	Goals Supported	Needs Addressed	Funding
Administration of Community Development Program				CDBG: \$105,000
Administration of Housing Programs/Project Delivery Costs				CDBG: \$69,000
Goods and Services				CDBG: \$28,200
Small Business Loan Program	DOWNTOWN TARGET AREA NEW AUBURN TARGET AREA UNION STREET TARGET AREA			CDBG: \$30,000
Code Enforcement Program	DOWNTOWN TARGET AREA NEW AUBURN TARGET AREA UNION STREET TARGET AREA			CDBG: \$30,000
Rehabilitation Loan Program	DOWNTOWN TARGET AREA NEW AUBURN TARGET AREA UNION STREET			CDBG: \$193,995

Lead Testing and Clearance	TARGET AREA		Rehabilitation of Residential Properties	CDBG: \$5,000
Community Concepts Weatherization				CDBG: \$62,250
Curb Appeal Program	DOWNTOWN TARGET AREA NEW AUBURN TARGET AREA UNION STREET TARGET AREA			CDBG: \$140,000
Municipal Beach			Public Improvements	CDBG: \$62,250
Edward Little Park	DOWNTOWN TARGET AREA		Public Improvements	CDBG: \$15,000
Demolition of Deteriorated Buildings	UNION STREET TARGET AREA		Removal of Deteriorated Buildings	CDBG: \$65,000
New Auburn River Trail Acquisition/Demolition	NEW AUBURN TARGET AREA		Removal of Deteriorated Buildings	CDBG: \$110,000
Androscoggin Head Start/Family Advocacy				CDBG: \$7,000
Auburn Recreation Department & Scholarships				CDBG: \$25,000
Literacy Volunteers of Androscoggin County/Adult Literacy				CDBG: \$8,000
Safe Voices				CDBG: \$3,000
Heating Assistance Loan Program				CDBG: \$20,000
Tedford Housing & Social Support for Homeless				CDBG: \$5,000
Good Neighbor Start-up Program				CDBG: \$1,000
Catholic Charities/SEARCH				CDBG: \$2,500
Seniors Plus/Meals				CDBG: \$3,500

Administration of HOME Program					CDBG: \$25,500
Administration of HOME Housing Projects Auburn					HOME: \$41,000
Goods and Services					HOME: \$2,500
Home Buyer Assistance Program					HOME: \$110,000
Homebuyer/Youthbuild					HOME: \$50,000
Homeowner Rehabilitation					HOME: \$376,748
Tenant Based Rental Assistance/Security Deposit Loans - Auburn					HOME: \$11,511

Table 3 – Project Summary

## AP-35 Projects

### Introduction

Projects were identified by either City staff, the Citizen's Advisory Committee, or the Auburn City Council. The City of Lewiston is responsible to identify their own projects and budgets.

#	Project Name
1	Administration of Community Development Program
2	Administration of Housing Programs/Project Delivery Costs
3	Goods and Services
4	Small Business Loan Program
5	Code Enforcement Program
6	Rehabilitation Loan Program
7	Lead Testing and Clearance
8	Community Concepts Weatherization
9	Curb Appeal Program
10	Municipal Beach
11	Edward Little Park
12	Demolition of Deteriorated Buildings
13	New Auburn River Trail Acquisition/Demolition
14	Androscoggin Head Start/Family Advocacy
15	Auburn Recreation Department & Scholarships
16	Literacy Volunteers of Androscoggin County/Adult Literacy
17	Safe Voices
18	Heating Assistance Loan Program
19	Tedford Housing & Social Support for Homeless
20	Good Neighbor Start-up Program
21	Catholic Charities/SEARCH
22	Seniors Plus/Meals

#	Project Name
23	Administration of HOME Program
24	Administration of HOME Housing Projects Auburn
25	Goods and Services
26	Home Buyer Assistance Program
27	Homebuyer/Youthbuild
28	Homeowner Rehabilitation
29	Tenant Based Rental Assistance/Security Deposit Loans - Auburn

**Table 4 – Project Information**

**Describe the reasons for allocation priorities and any obstacles to addressing underserved needs**

## AP-50 Geographic Distribution

### Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

In January 2010 the Auburn City Council adopted the Update to Urban Conditions Study of 1994. The study surveyed the conditions of buildings which indicated 75% of buildings in the target areas were in need of some repair. Blighted areas were established by neighborhoods in which the average score was less than 3.4. The neighborhoods are: Downtown, Union Street, New Auburn, Sandy Beach, and Manley Road Target Areas. These are the locations where Auburn will invest the majority of its Community Development and HOME Investment Partnerships funds, especially for public improvements, housing rehabilitation, homebuyer and commercial assistance.

The target areas are where there is the greatest need for public investment. This Action Plan includes public improvement projects in the Downtown (Edward Little Park) and New Auburn Target Area (New Auburn River Trail). The municipal beach project is not in a target area.

### Geographic Distribution

Target Area	Percentage of Funds
DOWNTOWN TARGET AREA	35
NEW AUBURN TARGET AREA	55
UNION STREET TARGET AREA	10

Table 5 - Geographic Distribution

## **Rationale for the priorities for allocating investments geographically**

Both the Downtown and New Auburn Target areas are in the central business district where there are retail businesses. These are the areas where there is the greatest concentrations of low-income rental housing, abandoned buildings, and housing that is deteriorated. There is a greater need for revitalization.

## **Discussion**

In FY2013 there will be no public improvements in Union Street; however, we expect there will be housing rehabilitation and perhaps homebuyer assistance as well as social services. There will be a greater effort to address code enforcement in these 3 neighborhoods. The Rehab Coordinator will spend 2 of his work days per week working on code enforcement issues.

# Affordable Housing

## AP-55 Affordable Housing

### Introduction

The City of Auburn's 2010-14 Consolidated Plan identified affordable housing as one of its goals along with the following objectives:

- a* 280 owner and rental units rehabilitated (120 units made lead safe) (CDBG and HOME)
- b* 80 owner and rental units weatherized (CDBG)
- c* 35 buyers assisted to purchase a home (HOME and NSP)
- d* 40 new units of affordable family rental housing (HOME)
- e* 10 units of supportive rental housing for the homeless (HOME)
- f* 75 owners assisted to heat their homes (CDBG)
- g* 100 homeless or at-risk of homelessness assisted with security deposits (HOME)

A number of program guidelines have been adopted by the City Council to make funds available to its residents for affordable housing. These include:

**Community Development:** Residential Rehabilitation, Spot Rehabilitation, Curb Appeal, and Heating Assistance. Weatherization improvements are available for low- and moderate income households through a partnership with Community Concepts, Inc.

**HOME Investment Partnerships Program:** Homebuyer, Homeowner Rehabilitation, and Security Deposit.

The HOME Consortium members are the Cities of Auburn and Lewiston, with Auburn as the lead agency. The Cities renewed its Mutual Cooperation Agreement in May 2013 to extend the consortium for another 3 years. The resources from HOME funds are shared between the two cities. Each community operates its own programs; however, program guidelines are approved by the Auburn City Council. The City of Auburn provides oversight and monitoring of projects once they are complete.

Affordable housing is also a goal for the City of Lewiston in the Consolidated Plan with the following objectives:

- a* 20 owner units rehabilitated (HOME)
- b* 10 buyers assisted to purchase a home (HOME)
- c* 40 new units of affordable family rental housing (HOME)
- d* 10 units of supportive rental housing for the homeless (HOME)
- e* 100 homeless or at-risk of homelessness assisted with security deposits (HOME)

<b>One Year Goals for the Number of Households to be Supported</b>	
Homeless	0
Non-Homeless	0
Special-Needs	0
Total	0

**Table 6 - One Year Goals for Affordable Housing by Support Requirement**

<b>One Year Goals for the Number of Households Supported Through</b>	
Rental Assistance	30
The Production of New Units	0
Rehab of Existing Units	55
Acquisition of Existing Units	2
Total	87

## **Table 7 - One Year Goals for Affordable Housing by Support Type**

### **Discussion**

#### **Affirmative Market Housing Policy**

In 2006 the Auburn City Council adopted a Fair Housing and Affirmative Marketing Policy. The policy identifies fair housing and affirmative marketing requirements during the affordability period for when there are 5 or more HOME-assisted units. Borrowers are required to 1) develop and submit an Affirmative Fair Housing and Marketing Plan and update every 5 years; 2) comply with all applicable federal, state, and local laws to affirmatively market and promote fair housing; 3) provide translators, as needed; 4) maintain documentation of affirmative marketing efforts throughout the period of HOME indebtedness; and submit an annual report that describes affirmative efforts.

#### **Minority Outreach Program**

Every three years, the City updates its list of minority and women-owned business. The list includes contractors and consultants who may participate in providing services required to undertake activities. Whenever there is contracted work to be done on behalf of the City, organizations who have responded to an invitation to be included on a solicitation list will receive a notice of the work.

## **AP-60 Public Housing**

### **Introduction**

Auburn Housing Authority manages 451 public and multi-family housing units within 7 developments. The occupancy rate is currently 99% in all developments. All PHA units are in good condition and continue to provide decent, safe, and affordable housing to low income individuals and families.

### **Actions planned during the next year to address the needs to public housing**

Auburn Housing Authority currently has three resident commissioners, one more than required under state law, who effectively represent the interests of all residents. In addition, Auburn Housing Authority consults regularly with resident associations and holds board meetings in different housing developments throughout the year. Auburn Housing's affiliate, Auburn Housing Development Corporation, works closely with the City of Auburn to provide home ownership opportunities to lower income households through a under the Homebuyer Program.

Some of the planned actions to address needs of Auburn's public housing inventory and its residents include:

- 1) upgrade exterior lighting at Family Development;
- 2) replace generator at Lake Auburn Towne House;
- 3) replace sprinkler heads at Lake Auburn Towne House;
- 4) replace natural gas water heater at Lake Auburn Towne House;
- 5) replace refrigerators at Lincoln School; and
- 6) replace unit entrance and closet doors at Lincoln School.

Auburn Housing Authority has made other improvements, but these are the major initiatives. They are also in the process of procuring physical needs assessments for our properties, as part of a consortium of Maine housing authorities. This should provide a greater economy of scale for engineering firms and generate cost savings for participating agencies.

### **Actions to encourage public housing residents to become more involved in management and participate in homeownership**

Auburn Housing Authority works closely with the Community Development Department to encourage

home ownerships of its public housing and voucher participants. At least annually, families living in public housing as well as those on the voucher program will receive a notice about the availability of housing programs.

Auburn Housing Authority offers a home match savings account that works in conjunction with the City's Homebuyer program.

**If the PHA is designated as troubled, describe the manner in which financial assistance will be provided or other assistance**

Auburn Housing Authority is designated a “high performer” in both Section 8 and public housing programs by HUD rating systems.

**Discussion**

**Public Housing:** As of June 2013 the waiting list for public housing was 451 families and individuals. The majority of need is for apartments with one and two bedrooms. Auburn Housing Authority receives 50 new applications per month. The waiting list is 470. During FY2012, 100+ public housing units were vacated and re-leased.

**Section 8 Housing Choice Voucher Program:** Auburn Housing Authority's Housing Choice Voucher program provided 590 vouchers; however, due to sequestration, that number dropped to 560. As of June 2013 there were 800 on the waiting list.

**Resident Services:** All public and multi-family housing projects owned by Auburn Housing Authority receive resident services in an effort to help residents achieve stability and success in their lives.

## **AP-65 Homeless and Other Special Needs Activities**

### **Introduction**

In FY2011 two new supportive housing resources became available for chronically homeless persons. The Cities of Auburn and Lewiston provided HOME funds to assist in creating 6 units for individuals in Auburn and 10 units for homeless families in Lewiston.

### **Describe the jurisdictions one-year goals and actions for reducing and ending homelessness including**

#### **Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs**

The City of Auburn's approach to reducing and ending homelessness is two-fold:

- 1) Support services for Tedford Housing and Safe Voices. Tedford Housing is permanent housing for chronically homeless individuals, and Safe Voices is a homeless shelter for victims of domestic violence.
- 2) Assist homeless or at-risk of homelessness gain access to housing through security deposit assistance.

#### **Addressing the emergency shelter and transitional housing needs of homeless persons**

No planned actions.

#### **Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again**

The City funds two non-profit agencies who provide social services to chronically homeless individuals, and families with children who are victims of domestic violence.

#### **Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services,**

**employment, education, or youth needs.**

The City has a security deposit program that assists households who are at risk of homelessness or are already homeless. The program is a joint effort with Auburn Housing Authority, the City's Social Services Department and Community Development.

**Discussion**

The 10-Year Plan to End Homelessness in Lewiston and Auburn is designed to break the pattern of homelessness and prevent homelessness for those at risk due to unforeseen circumstances. It offers a path for the homeless themselves to accept responsibility and move forward. At the same time, it provides a path for the community to create the opportunities that homeless need to succeed. It includes overall strategies addressing prevention, early intervention, crisis response, transition, and permanent affordable housing. Each strategy has specifications. Each action has a lead agency that is responsible for coordinating implementation, partners that will contribute to implementation, and benchmarks that describe specific steps necessary over time for successful implementation. The City's role will be to provide support for the development of permanent housing.

## **AP-75 Barriers to affordable housing**

### **Introduction**

Poverty and the City's aged housing stock create a demand for safe, affordable housing. The City's primary response to the need for safe affordable housing in the City is funding for preservation and rehabilitation of existing housing stock, and initiatives that support affordable homeownership opportunities. The City dedicates both CDBG and HOME funds for housing preservation, namely the Residential Rehab and Curb Appeal Programs, and Homeowner Rehabilitation. HOME funds are used to create homeownership opportunities and for tenants who are at-risk of homelessness to obtain access to rental housing. There are no plans in FY2013 to create new rental housing.

The actions that will be taken to remove barriers to affordable housing include offering programs that will increase home ownership opportunities, improve the quality of owner-occupied and rental housing, increase the supply of affordable rental housing, and providing access to rental housing by those at risk of homelessness.

The Community Development Department provides pre- and post-homebuyer counseling and credit counseling to existing clients, as well as those who want to participate in our programs.

**Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment**

No actions planned.

### **Discussion**

The actions that will be taken to remove barriers to affordable housing include offering programs that will increase homeownership opportunities, improve the quality of owner-occupied and rental housing, increase the supply of affordable rental housing, and providing access to rental housing by those at risk of homelessness.

Community Development staff also provides pre- and post-homebuyer counseling to people who want to participate in our Homebuyer Program, and credit counseling to program clients who have cash flow problems.

## **Introduction**

The City of Auburn will continue to carry out its Community Development Program in partnership with the other management and delivery entities for housing and community development initiatives. These organizations include the City's Social Services Department, Auburn Housing Authority, and a network of individual non-profit and social service providers.

### **Actions planned to address obstacles to meeting underserved needs**

The City of Auburn's Community Development and HOME budgets do address underserved needs of the City. The proposed project will meet underserved needs such as food (Seniors Plus Meals on Wheels), shelter (Safe Voices) safety (housing rehabilitation) and support for families living in poverty (Androscoggin Head Start & Child Care, Recreation Scholarships, Catholic Charities/Search).

### **Actions planned to foster and maintain affordable housing**

This year the City created the Curb Appeal Program. This program provides a grant/loan for exterior improvements while requiring that residential buildings meet Housing Quality Standards. This program will improve 13 buildings in the City in FY2013, the majority of which are residential buildings. The City also offers the Residential Rehab and Homeowner Rehab Program to undertake whole house improvements that will meet the City's Housing Standards. The City also offers deferred payment loans to low income homeowners who are facing a health and safety housing issue through its Spot Rehab Program. This program assists residents with severe housing issues such as leaking roofs, condemned heating systems, unsafe electrical, and malfunctioning sewerage disposal systems.

### **Actions planned to reduce lead-based paint hazards**

The City of Auburn will join in an application from the City of Lewiston to request a federal lead grant to eliminate lead hazards in housing occupied by low-income families. The City has several programs that reduce the hazards of lead based paint. Both the Residential Rehab and Homeowner Rehab Programs are whole house improvements where lead paint problems are eliminated. A clearance is done at the conclusion of each covered project. The City also provides brochures to tenants of buildings that are

being improved on how to remain safe when there is lead paint in a building.

## **Actions planned to reduce the number of poverty-level families**

Efforts to reduce the number of poverty-level families will be supported through public service efforts of subrecipients. The City of Auburn's Consolidated Plan has identified job training and life skills as a high priority, and working on the 10-Year Plan to End Homelessness.

## **Actions planned to develop institutional structure**

The 2010-14 Consolidated Plan includes objectives and strategies that involve a collaboration of non-profit organizations, housing developers, Auburn Housing Authority, and Community Development staff. With many partners involved in multiple initiatives, coordination is especially important.

Community Development staff is committed to establishing and maintaining relationships with organizations and institutions in an attempt to broaden and strengthen the institutional structure. Auburn will continue to look for opportunities to collaborate with local government, non-profit organizations, and private sector including:

- private lenders, Coastal Enterprise, Inc. and Community Concepts, Inc. – to improve financing resources for home ownership and rehabilitation;
- Auburn Housing Development Corporation, a newly formed CHODO -- partner in Auburn's Lease/Buy Program;
- private lenders, Androscoggin Valley Council of Governments and Lewiston-Auburn Economic Growth Council – to improve financing resources for commercial and industrial clients;
- non-profit developers and CHDO's – to provide and/or develop affordable housing and support services needed by Auburn residents;
- Auburn Housing Authority and Maine State Housing Authority – to address the housing needs of Auburn's low income renter households and to increase home ownership opportunities for low-income tenants;
- Lewiston-Auburn Alliance for Services to the Homeless and Maine State Housing Authority – for better coordination and advocacy for services needed by the homeless, and implementation of rental assistance to the homeless;
- Auburn Health & Welfare, Department of Environmental Protection, Maine Childhood Lead Poisoning Prevention Program – to deliver a comprehensive lead awareness education and screening program;
- Citizen's Advisory Committee – to establish priorities and review progress on achieving Consolidated Plan goals; and

- Healthy Androscoggin – The Lead Safe Community Coalition (LSCC) is a Maine funded Lead Poisoning Prevention Program. Healthy Androscoggin and the cities of Auburn and Lewiston created the LSCC to educate landlords and tenants to become aware of lead and prevent its negative effects.

### **Actions planned to enhance coordination between public and private housing and social service agencies**

The strength of the delivery system is that it is well-coordinated. The Auburn Community Development Department, the Auburn Housing Authority, the Lewiston-Auburn Alliance for Services to the Homeless, the Lewiston Community Development Department, the Lewiston Housing Authority, other city departments, and local and regional nonprofit organizations, coordinate closely in the planning and delivery of housing services. However, there are not enough resources among all of the partners to meet the identified needs. Waiting lists for services at the housing authorities are long.

### **Discussion**

The 2010-15 Consolidated Plan identifies quality affordable housing as a goal. To ensure there is an adequate supply to meet the needs of Auburn households, the City will focus primarily on maintaining and improving the existing housing stock as safe.

5 Year Goals Auburn: 280 owner and rental units rehabilitated (120 units made lead safe); 80 owner and rental units weatherized; 35 buyers assisted to purchase a home; 40 new units of affordable family rental housing (HOME); 10 units of supportive rental housing for the homeless (HOME); 75 owners assisted to heat their homes; and 100 homeless or at-risk of homelessness assisted with security deposits (HOME).

FY2013 Goals Auburn: 60 owner and rental units rehabilitated; 15 owner and rental units weatherized; 10 buyers assisted to purchase a home; 15 owners assisted to heat their homes; and 15 homeless or at-risk of homelessness assisted with security deposits.

5 Year Goals Lewiston: 20 owner units rehabilitated; 10 buyers assisted to purchase a home; 40 new affordable rental housing units; 10 units of supportive rental housing for the homeless; 100 homeless or at-risk of homelessness assisted with security deposits

FY2013 Annual Goals Lewiston 5 owner units rehabilitated; 3 buyers assisted to purchase a home; 10 homeless or at-risk of homelessness assisted with security deposits.

# Program Specific Requirements

## AP-90 Program Specific Requirements

### Introduction

#### Community Development Block Grant Program (CDBG)

##### Reference 24 CFR 91.220.(I)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	0
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan.	0
3. The amount of surplus funds from urban renewal settlements	0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan	0
5. The amount of income from float-funded activities	0
<b>Total Program Income:</b>	<b>0</b>

#### Other CDBG Requirements

1. The amount of urgent need activities	0
2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income. Overall Benefit - A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this Annual Action Plan.	73.00%

**HOME Investment Partnership Program (HOME)**  
**Reference 24 CFR 91.220.(1)(2)**

1. A description of other forms of investment being used beyond those identified in Section 92.205 is as follows:

n/a

2. A description of the guidelines that will be used for resale or recapture of HOME funds when used for homebuyer activities as required in 92.254, is as follows:

Homebuyer and Homeowner Rehabilitation projects will be subject to recapture provisions of the HOME Investment Partnerships Program regulations. Based on combined HOME assistance, the property must be occupied as a principal residence for the minimum periods of 5 years if HOME assistance is less than \$15,000, 10 years if HOME assistance is between \$15,000 and \$40,000, and 15 years if HOME assistance is over \$40,000. The recapture period shall commence when the building acquisition and/or rehabilitation are complete and a project completion certification has been issued for rehabilitation. If the property is sold, transferred, or the purchaser ceases to occupy the property prior to the end of the recapture period, the principal balance of the HOME loan shall be immediately repaid.

3. A description of the guidelines for resale or recapture that ensures the affordability of units acquired with HOME funds? See 24 CFR 92.254(a)(4) are as follows:

Recapture provisions are as follows:

a) **Voluntary Transfer of Title:** The City shall be repaid the full amount of the balance(s) remaining on the HOME loan(s) if the HOME Borrower voluntarily sells, assigns, or transfer ownership of the property for any reason.

b) **Involuntary Transfer of Title:** The City shall collect the net proceeds from a sale of the property up to the outstanding balance of the HOME assistance when the HOME Borrower involuntarily relinquishes the property due to a foreclosure, bankruptcy, appointment of a receiver or liquidator, or assignment for the benefit of the HOME Borrower's creditors, or has demonstrated an inability to remain in the property due to a hardship. With respect to the hardship, the City shall decide if the Borrower has adequately met the requirement for an involuntary transfer. The City shall collect the net proceeds from the sale of the property up to the outstanding balance of the HOME loan(s). Net proceeds are the sales price minus superior loan repayments and closing costs. In the event that the net proceeds are insufficient to repay the HOME loan, the City will then forgive part or all of the HOME loan(s).

4. Plans for using HOME funds to refinance existing debt secured by multifamily housing that is rehabilitated with HOME funds along with a description of the refinancing guidelines required that will be used under 24 CFR 92.206(b), are as follows:

n/a

## Discussion

**HOME Investment Partnership Program (HOME)**  
**Reference 24 CFR 91.220.(1)(2)**

1. A description of other forms of investment being used beyond those identified in Section 92.205 is as follows:

n/a

2. A description of the guidelines that will be used for resale or recapture of HOME funds when used for homebuyer activities as required in 92.254, is as follows:

Homebuyer and Homeowner Rehabilitation projects will be subject to recapture provisions of the HOME Investment Partnerships Program regulations. Based on combined HOME assistance, the property must be occupied as a principal residence for the minimum period of 5 years if HOME assistance is less than \$15,000, 10 years if HOME assistance is between \$15,000 and \$40,000, and 15 years if HOME assistance is over \$40,000. The recapture period shall commence when the building acquisition and/or rehabilitation are complete and a project completion certification has been issued for rehabilitation. If the property is sold, transferred, or the purchaser ceases to occupy the property prior to the end of the recapture period, the principal balance of the HOME loan shall be immediately repaid.

Tizz E. H. Crowley, Ward One  
Robert Hayes, Ward Two  
Mary Lafontaine, Ward Three  
David Young, Ward Four



Leroy Walker, Ward Five  
Belinda Gerry, At Large  
Joshua Shea, At Large

Jonathan LaBonte, Mayor

## **IN CITY COUNCIL**

### **ORDER 50-07012013**

ORDERED, by the Auburn City Council that the 2013 Action Plan be adopted as recommended by Community Development staff.



# City Council Workshop Information Sheet

City of Auburn

**Council Workshop Date:** July 1, 2013

**Item** E

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

Item(s) checked below represent the subject matter related to this workshop item.

**Comprehensive Plan**    **Work Plan**    **Budget**    **Ordinance/Charter**    **Other Business\***    **Council Goals\*\***

\*\*If Council Goals please specify type:    *Safety*    *Economic Development*    *Citizen Engagement*

**Subject:** 2013 Dempsey Challenge

**Information:** The Patrick Dempsey Center for Cancer, Hope and Healing will host its annual Dempsey Challenge event/festival October 11-13, rain or shine. The charity 5K and 10K walk/run will occur on Saturday morning and a bike ride on Sunday. All of the events as well as the festival will start and finish on Lewiston property but the routes use Auburn roads.

**Financial:** They've requested in kind services however due to budget cuts, the City is not providing in kind services for special events. The organization has been notified (6-26-2013).

**Action Requested at this Meeting:** Discussion.

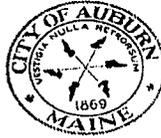
**Previous Meetings and History:** Yearly event.

**Attachments:**

Application

\*Agenda items are not limited to these categories.

MAR 28 2013



# CITY OF AUBURN Special Event Application

(Outdoor events 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.

Application Date 3/21/13

### SPONSOR INFORMATION

Name of Sponsoring Organization: The Patrick Dempsey Center for Cancer Hope & Healing  
Dempsey Center

Name of Contact Person for Event: Jeff Corbett

Title of Contact Person: Technical Director

Mailing Address: 29 Lowell St. 5th Floor Lewiston, ME 04240

Daytime Telephone: \_\_\_\_\_ Cell Phone: 803-447-4068

Email Address: jeff.corbett@medalistsports.com

Contact Name and Cell Phone Number DURING the Event: same

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

Non-Profit Number: 01-0211494

### EVENT INFORMATION

Name of Event: Dempsey Challenge

Type of Event (walk, festival, concert, etc.): Charity Run/Walk, Bike Ride, and Festival

Date of Event: Oct. 11-13 Rain Date: rain or shine

Times of Event: Start Time including set-up: Auburn Ending time including clean up: \_\_\_\_\_  
no set up in

Actual Event Start Time: Oct. 12- 8:00am Actual Event End Time: Oct. 12- 1:00pm  
Oct. 13- 7:30am Oct. 13- 5:00pm

Estimated Attendance: 5000

Location of Event: Festival in Simard-Payne Park (Lewiston), run and bike course in Lewiston and Auburn- same as 2012

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  <b>Non-profit groups only, \$100 fee per week, 2 week maximum. First come first serve basis, proof of insurance required.</b>	X		
Separate fee and permit possible	FOOD – Will food or beverages be sold? If yes, list what types of food or beverages:  <b>Note - A food service license may be required and must be submitted 14 days prior to the event.</b>		X	
Separate fee and permit possible	NON-FOOD ITEMS – Will products be sold or given away (such as t-shirts, crafts, souvenirs, etc.)? If yes, list what items:  <b>Note - A peddler permit may be required and must be submitted 14 days prior to the event.</b>		X	
N/A	LIVE MUSIC – Will there be any outdoor musical performances? If yes, please describe:		X	
N/A	SOUND AMPLIFICATION – Will there be a microphone or speaker system to project sound?		X	
N/A	ALCOHOLIC BEVERAGES ARE NOT ALLOWED			
Separate fee and permit required	CARNIVAL – Will carnival rides be offered? If yes, attach a copy of the state permit. A city permit is required as well.		X	
Separate fee and permit required	FIREWORKS – Will there be a fireworks display? If yes, a permit from the Fire Department is required.		X	
N/A	PARADE – Will there be a parade? If yes, describe route:  <b>Note – A permit from the Police Department is required.</b>		X	
N/A	RUN/WALK/CYCLE – Will event involve participants doing a walk-a-thon, road race, etc? If yes, describe route: <u>See attached maps</u>	X		
Separate permit required	BURN PERMIT – Will there be any open flame such as a bon fire? If yes, describe activity:  <b>Note - A permit from the Fire Department is required.</b>		X	

N/A	TENT/CANOPY – Will you be setting up a tent or canopy? If yes, list number and sizes:		X	
Separate fee and permit required	ELECTRICAL POWER/EQUIPMENT – Will electrically powered equipment be utilized, if so, provide a brief description of the equipment and the entity responsible for the installation of the electrical equipment?		X	
N/A	ROAD/INTERSECTION CLOSURE – Will any roads need to be closed to accommodate your event? If yes, please list: see 5k/10k map	X		
N/A	MAP/DIAGRAM – Is a map or diagram attached detailing this event and depicting the placement of such items as tables, tents, port-a-potties, stage, parking, food service areas, etc.? This is a <b>mandatory</b> requirement for this application and must be included.	X		
N/A	PARKING ACCOMODATIONS – What will be the anticipated need for parking and what is your parking plan?			
N/A	TOILETS – Please list amount at event and/or nearest location:			
N/A	WASTE DISPOSAL – Please list process and location:			
N/A	HAND WASHING FACILITIES – Please list amount at event and/or nearest location:			
N/A	POTABLE WATER – Please list amount at event and location:			
N/A	FIRST AID FACILITIES – Please list location at event:			
\$	TOTAL FEE AMOUNT INCLUDED – Checks payable to the <b>City of Auburn</b>			

**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**

As we have for the last 4 years, we will host a 5K and 10K run/walk on Saturday morning and a bike ride on Sunday.

All of these events, as well as our Festival, start and finish on Lewiston property but the routes use Auburn roads.

Signature of Applicant:

*[Handwritten Signature]*

Printed Name:

Aimee L. Arsenault

Date Submitted:

3/21/13

**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

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: \_\_\_\_\_

CITY OF AUBURN  
CHARITABLE FUNDING APPLICATION  
**APPLICATION DEADLINE: MARCH 1**

**To discuss what is needed in this form, contact the City Clerk, 207-333-6601**

Date of Application: 3/21/13

**LICENSEE:** Dempsey Challenge Telephone: 207-330-7719  
(Person or Organization Name)

Address: 29 Lowell St. 5th Floor City: Lewiston State: ME

Email: Jeff Corbett - jeff.corbett@medalistsports.com Aimee Arsenault - arsenaai@cmhc.org

If organization: name, address, telephone number of authorized representative.

Is your organization incorporated as a nonprofit organization?  YES  NO

Nonprofit number: 01-0211494

Description of Event Charity Run/Walk, Bike Ride, and Festival

Purpose of Event? (i.e. fundraising, profit-making) Fundraising for Dempsey Center

Event location: Simard-Payne Park (Lewiston) Event dates: Oct. 11-13

Anticipated Attendance (estimate) 5000

Admission Fee/Donation?  Yes  No If Yes, specify amount \$

Describe the economic benefit provided to the City?

- National exposure and connection to celebrity
- Most participants are from outside Lewiston/Auburn area and spend money in town on food, lodging, gas, etc.
- Raises funds for a local charity (Dempsey Center) that serves the local community
- Promotes health, wellness, and physical activity locally

Please see attached request form- This is the same form we have supplied to Lewiston and Auburn each year of our event. The requests have not changed (other than dates and times) in the 4 years of the event.

Are you requesting a cash donation? If yes, How much? \_\_\_\_\_ No, just city services

**Include itemized cost of your event and provide explanation below.**

CATEGORY	DESCRIPTION/COST	TOTAL
Personnel (rate, # of hours)		
Supplies (list supply items)		
Equipment (list equipment)		
Other		
<b>Totals</b>		

Other non-city contributions made to this event, please itemize below:

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Does your application require any in-kind support from the City relative to city properties, resources, assets or departments? If yes, please have your application reviewed by the applicable City staff to ensure the value of the City's in-kind support.

**If you are seeking in-kind services from the city, you must contact each department to verify that the department will or will not be required to service the event. Please provide details as to level of service and cost of each department's in-kind services. (Use separate sheet, if necessary.)**

DEPARTMENTS	CITY IN-KIND REQUEST	AMOUNT	TOTAL
City Clerk – (207)333-6601 ext. 1126	<i>Please see attached</i>		
Sanitarian CEO – (207)333-6601 ext. 1162			
Fire– Inspector (207)333-6601 ext. 2088			
Police – Support (207)333- 6601 ext. 2057			

Public Works – (207)333-6601 ext. 2155			
Recreation – (207)333-6601 ext. 2108			
Other			
<b>TOTAL</b>			

Other non-city contributions, please itemize below:

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Other information pertinent to your application: \_\_\_\_\_

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IN ADDITION, PLEASE BE SURE TO INCLUDE THE FOLLOWING INFORMATION WITH YOUR APPLICATION IN ORDER TO HAVE YOUR GRANT REQUEST CONSIDERED:

- a. Financial statements from the previous event or fiscal year.
- b. A budget for the upcoming fiscal year or event.
- c. Attach information pertaining to evaluation criteria.
- d. If this event occurred last year, was the event a financial success? If not, why not? (You must attach financial statements to this application.)
- e. If this event occurred last year, describe how the event met your projections and expectations?

**DECLARATION**

We, the undersigned, declare that we have been authorized to file this report and that to the best of our knowledge, all answers provided in the report, as well as all the information contained in the document and materials attached to it, are true and complete.

Signature:  Print name: Aimee Arsenault

Title: Event manager Date: 3/21/13

Phone #: 207-330-7719 Email: arsenaai@cmhc.org

PLEASE ATTACH COPIES OF MARKETING/ADVERTISING/PROMOTIONAL MATERIALS ACKNOWLEDGING THE SUPPORT OF THE MUNICIPALITY FOR THE EVENT, SERVICE, ACTIVITY FOR WHICH FUNDING WAS RECEIVED FROM THE CITY.

**TO BE RECEIVED BY THE CITY CLERK NO LATER THAN MARCH 1<sup>st</sup>**

Mail or deliver to clerk's office:

City Clerk  
Non-Profit Funding Application  
Auburn Hall  
60 Court Street  
Auburn, Maine 04210

Or email as a pdf file to: [sdallaire@auburnmaine.gov](mailto:sdallaire@auburnmaine.gov)

City Services Request  
For  
**The Dempsey Challenge 2013**

**Police**

Estimated Manpower/Time/Location

October 11, Friday- posting of "No Parking" signs on Mill St, and Main St. from Millers Alley to Mill St., and Broad St. from Main St to bridge.

October 12, Saturday- 7:30am to 10:30am, Road closure and detour traffic control for 5K and 10K run courses.

Manpower- 4 fix post officers for course closure, 1 officer for command center.

October 12, Saturday- 11:00am to 1:00pm, Police escort for Patrick Dempsey's private VIP bike ride

Manpower- 2 officers with in cruisers, one lead and one tail

October 13, Sunday- 7:30am to 5:00pm, Road closure at start and detour traffic control for bike route. Special attention to Moosebrooke and 202, and Kittyhawk and 202.

Manpower- 2 officers for manning detours and closures, 1 officer for command center.

**Public Works**

Tasks/Times/Locations

October 10, Thursday- By this date would like Bonny Park and Riverwalk mowed and cleaned.

October 11, Friday- Remove bollards from railroad bridge. Drop barricades for closure of run course along route.

October 12, Saturday- Drop cones to secure runners lane on Main St. Pick up cones post event (roughly 11am).

October 13, Sunday- Drop cones to secure cyclists lane on Main St. Pick up cones post event (roughly 5:30pm).

## **Parks Department**

Facilities needed and Times

October 12, Saturday- 8:00am-10:30am Use of Bonny Park and Riverwalk for run course.

October 13, Sunday- 8:30am – 5:30pm Use of Bonny Park and Riverwalk for bike course.

## **Fees, Waivers, Etc.**

In addition to waiving the fees for the city services listed above, we also request the following:

Waiver off all permitting fees including but not limited to; parks, parade, food, fire, sound, concessions, and alcohol.

Waiver of fees and full use of City Hall lot and garage on October 12 and 13. Note- We have requested this every years as overflow parking, but rarely use it.

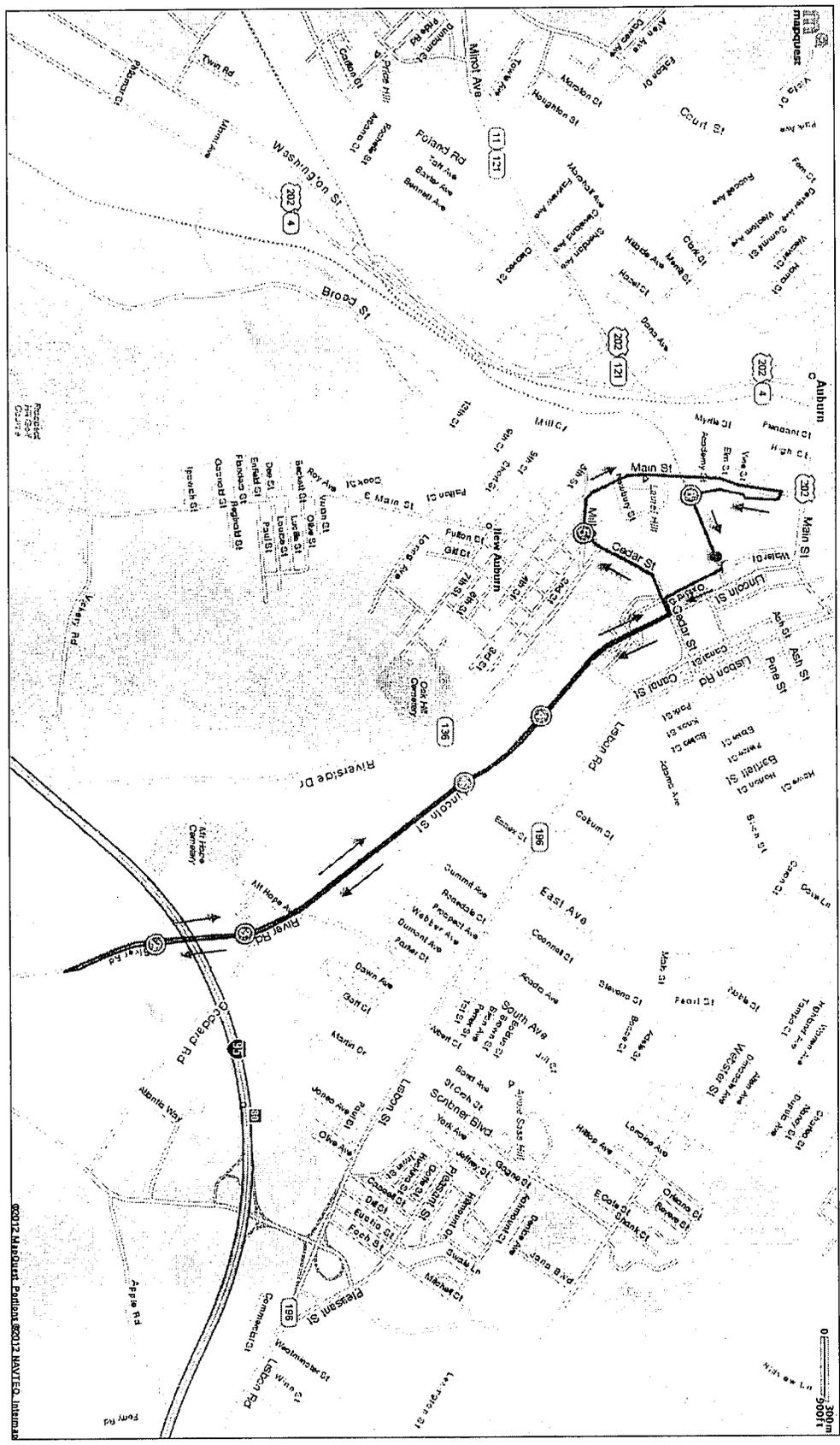
Share fees of 2 dumpsters and tipping fees with Lewiston.

# Dempsey 10K run/walk

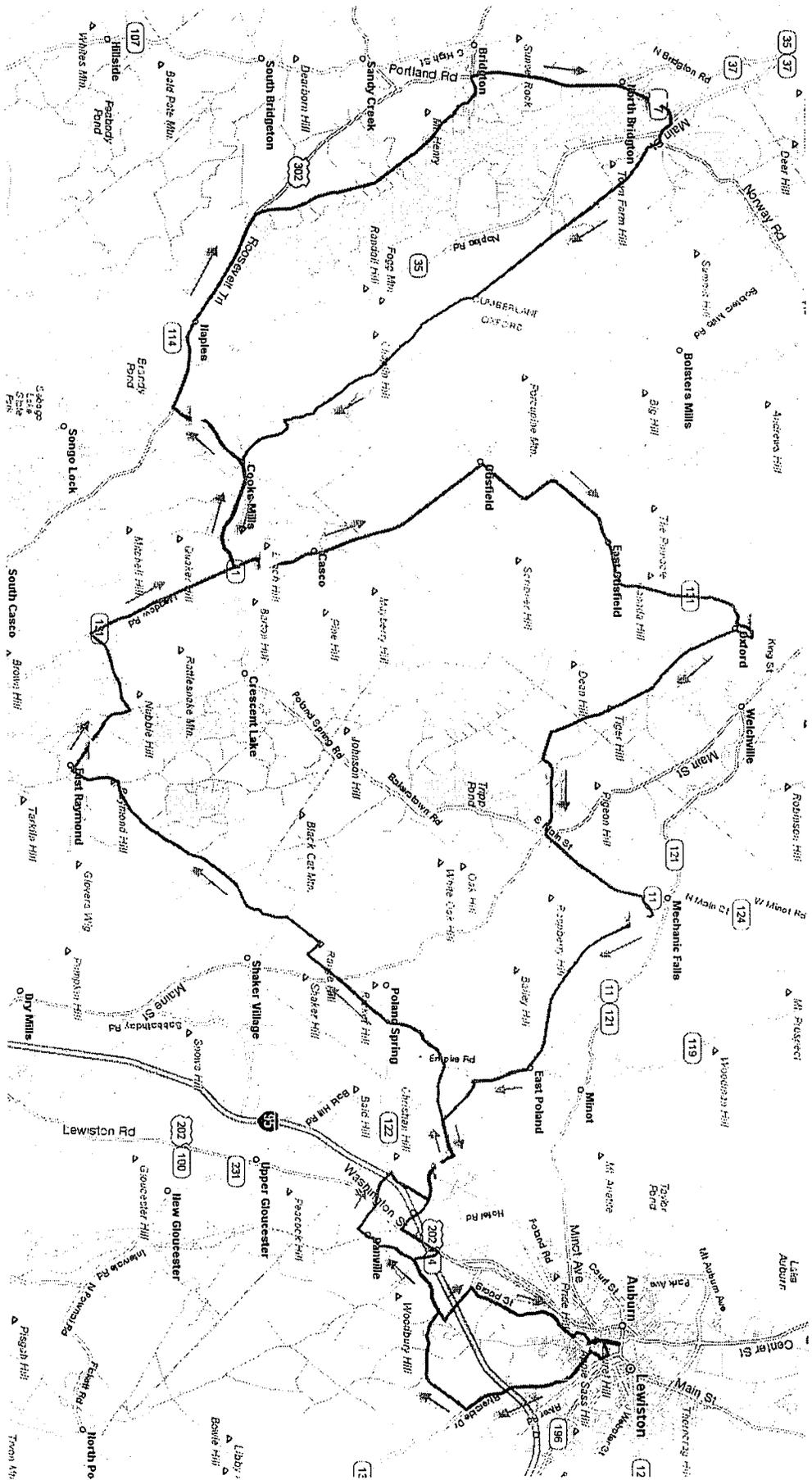
(5K is part of 10K route)

6.19 miles

Starts in Lewiston, Maine  
Elevation: 207ft Max 115ft Min +138ft -157ft < 3%  
Ascent: 138ft  
Descent: 157ft  
Max Climb: < 3%



# Dempsey Challenge Bike Route



**DEMPSEY CHALLENGE 2013 EVENT BUDGET**

<b>Operating Expenses</b>	<b>Yearly Amount</b>
OUTSIDE EVENT MANAGEMENT & EVENT STAFF	\$295,000.00
MARKETING/ADVERTISING	\$75,000.00
MERCHANDISE	\$50,000.00
SIGNAGE	\$15,000.00
ELECTRICITY IN THE PARK	\$10,000.00
EVENT INFRASTRUCTURE (PORTABLE REST.FENCING, SAFETY, VEHICLES, TENTS, ETC.)	\$150,000.00
SECURITY	\$5,000.00
<b>TOTAL AMOUNT</b>	<b>\$600,000.00</b>

2012 Dempsey Challenge Expenses \$600,000.00

2012 Dempsey Challenge Revenue \$1,300,000.00

2013 Dempsey Challenge Anticipated Expenses \$620,000.00

2013 Dempsey Challenge Anticipated Revenue \$1,400,000.00



# City Council Workshop Information Sheet

City of Auburn

**Council Workshop Date:** July 1, 2013

**Item** F

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

Item(s) checked below represent the subject matter related to this workshop item.

**Comprehensive Plan**    **Work Plan**    **Budget**    **Ordinance/Charter**    **Other Business\***    **Council Goals\*\***

\*\*If Council Goals please specify type:    *Safety*    *Economic Development*    *Citizen Engagement*

**Subject:** Grant from the Northern Border Regional Commission

**Information:** The Northern Border Regional Commission is now accepting applications for grants that will award \$1.2 million for eligible projects aimed at improving the economies within a thirty-six county region in Maine, New Hampshire, Vermont, and New York. Androscoggin County is an area that is eligible for the grant. Lewiston and Auburn, in conjunction with the Androscoggin Land Trust have developed a plan for the installation of wayfinding and heritage signage throughout each community designed to provide directions and information for area visitors and to enhance the tourism and arts and culture based industries in our area.

**Financial:**

**Action Requested at this Meeting:** Discussion

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

**Attachments:** Lewiston draft resolve

\*Agenda items are not limited to these categories.



**City of Lewiston Maine  
City Council Resolve  
June 18, 2013**



**Resolve,** Authorizing Application for and Acceptance of a Grant from the Northern Border Regional Commission

Whereas, the Northern Border Regional Commission is now accepting applications for grants that will award \$1.2 million for eligible projects aimed at improving the economies within a thirty-six county region in Maine, New Hampshire, Vermont, and New York; and

Whereas, Androscoggin County is an area eligible for such grants; and

Whereas, Lewiston and Auburn, in conjunction with the Androscoggin Land Trust, have developed a plan for the installation of wayfinding and heritage signage throughout each community designed to provide directions and information for area visitors and to enhance the tourism and arts and culture based industries in our area; and

Whereas, this plan includes detailed plans indicating potential locations for such signage and plans for its construction and installation; and

Whereas, as a result, this project is shovel ready and can be quickly implemented;

**Now, therefore, be It Resolved by the City Council of the City of Lewiston** that

Application for an acceptance of a grant for wayfaring and heritage signage from the Northern Border Regional Commission is hereby authorized, such grant to be in conjunction with the City of Auburn and the Androscoggin Land Trust.



# City Council Agenda Information Sheet

## City of Auburn

**Council Meeting Date:** July 1, 2013

**Order** 48-07012013\*

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

Item(s) checked below represent the subject matter related to this workshop item.

Comprehensive Plan    Work Plan    Budget    Ordinance/Charter    Other Business\*    Council Goals\*\*

\*\*If Council Goals please specify type:    Safety    Economic Development    Citizen Engagement

### Subject: **Transfer of Forfeiture Asset – Dylan Boisvert.**

**Information:** In September 2012, an Auburn police officer conducted a traffic stop in the City of Auburn. As a result of the officers training and experience, he was able to detect the odor of processed marijuana emanating from the vehicle. Subsequently, the officer seized 111.4 grams or 3.9 ounces of processed marijuana which was packaged in 18 individual bags for immediate sale/distribution. The officer also seized \$1,286.00 in US Currency as suspected illegal drug proceeds. The suspect, Dylan Boisvert, admitted to the officer during an interview that he sells approximately a quarter of a pound of marijuana per week.

Subsequently, the suspect was arrested and charged with Aggravated Trafficking in Schedule Drugs; Class C. The charge was elevated to “aggravated” based on the close proximity to a posted “Safe Zone” by the City of Auburn in accordance with state law; Title 30-A; section 3253.

**Financial:** The State of Maine, Office of the Attorney General, seeks to transfer \$1,286.00 U.S. Currency, to the Auburn Police Department.

**Action Requested at this Meeting:** Vote to accept transfer of \$1,286.00 in U.S. Currency.

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

### Attachments:

- *Memo to City Manager*
- *Order 48-07012013\**

\*Agenda items are not limited to these categories.



# Auburn Police Department



## Memorandum

Phillip L. Crowell  
Chief of Police

Jason D. Moen  
Deputy Chief

Rita P. Beaudry  
Executive Assistant

**To:** Clinton Deschene, City Manager  
**From:** Phillip L. Crowell, Jr., Chief of Police  
**Date:** June 13, 2013  
**Re:** Criminal Forfeiture Funds – Dylan Boisvert

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The Auburn Police Department seeks to accept the following Criminal forfeited assets:

- **Superior Court Criminal Docket No. CR-12-1027 – Dylan Boisvert \$1,286.00**

In September 2012, an Auburn police officer conducted a traffic stop in the City of Auburn. As a result of the officers training and experience he was able to detect the odor of processed marijuana emanating from the vehicle. Subsequently, the officer seized 111.4 grams or 3.9 ounces of processed marijuana which was packaged in 18 individual bags for immediate sale/distribution. The officer also seized \$1,286.00 in US Currency as suspected illegal drug proceeds. The suspect, Dylan Boisvert, admitted to the officer during an interview that he sells approximately a quarter of a pound of marijuana per week.

Subsequently, the suspect was arrested and charged with Aggravated Trafficking in Schedule Drugs; Class C. The charge was elevated to “aggravated” based on the close proximity to a posted “Safe Zone” by the City of Auburn in accordance with state law; Title 30-A; section 3253.

Pursuant to 15 M.R.S.A §5824(3) and §5826(6), before any forfeitable item may be transferred to a State Agency, County or Municipality, the municipal legislative body must publicly vote to accept the item(s) if subsequently ordered forfeited by the Court.

JANET T. MILLS  
ATTORNEY GENERAL



REGIONAL OFFICES  
84 HARLOW ST. 2ND FLOOR  
BANGOR, MAINE 04401  
TEL: (207) 941-3070  
FAX: (207) 941-3075

415 CONGRESS ST., STE. 301  
PORTLAND, MAINE 04101  
TEL: (207) 822-0260  
FAX: (207) 822-0259

14 ACCESS HIGHWAY, STE. 1  
CARIBOU, MAINE 04736  
TEL: (207) 496-3792  
FAX: (207) 496-3291

TEL: (207) 626-8800  
TTY USERS CALL MAINE RELAY 711

STATE OF MAINE  
OFFICE OF THE ATTORNEY GENERAL  
6 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0006

May 20, 2013

Chief Philip Crowell, Jr.  
Auburn Police Department  
60 Court Street  
Auburn, ME 04210

RE: State of Maine vs. Dylan Boisvert  
Androscoggin County Superior Court Doc. No. CR-12-1027 - **Criminal Forfeiture**  
Required Vote of Municipal Officers/Approval of Transfer of Forfeiture Assets

Dear Chief Crowell:

Enclosed please find a draft Approval form for submission to the municipal officers.

Please inform the municipal officers that:

A. 15 M.R.S.A. §5824(3) requires that, before any forfeitable item may be transferred to a State Agency, County or Municipality, the municipal legislative body must publicly vote to accept the item(s) **if subsequently ordered forfeited by the Court;**

B. Under Rules issued by the Department of the Attorney General, a public vote must be made on each forfeiture "approval" and a "continuing resolution" of approval cannot be accepted;

C. As with all forfeitures, an approval of a transfer by the municipal legislative body does not guarantee either that the Defendant(s) *In Rem* will in fact be forfeited or, if forfeited, that the Court will order the item(s) transferred to the approving Department, Agency, County or Municipality. The municipal legislative body's approval only signifies that, if the Defendant(s) *In Rem* are in fact ordered forfeited and, if the Attorney General and the Court agree to a transfer of all or part of the Defendant(s) *In Rem* to a Department, Agency, County or Municipality based upon the "*substantial contribution*" of that Department, Agency, County or Municipality, then that entity is in fact, willing to accept the Defendant(s) *In Rem* or portions thereof. In order to streamline what is otherwise a cumbersome forfeiture process, it is our practice to seek State, county or municipal approval in anticipation of the final order of forfeiture. However, final forfeiture is not guaranteed and both the municipal legislative body and the law

enforcement agency involved are **cautioned** that they **should not encumber** funds or property until a Final Order granting them lawful title to the property is delivered to them;

D. Under the provisions of the Forfeiture Statute, if the municipal legislative body fails to approve a transfer in a timely manner, any forfeited items shall be transferred to the State of Maine General Fund.

Assuming your municipal legislative body does grant its approval, kindly see to it that the accompanying form is signed by the appropriate person and is "embossed" with the seal of the municipality. Then, please return the **original** to me for filing, and retain a copy for your records.

My sincere thanks for your attention to this matter. Should you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink that reads "David Fisher for". The signature is written in a cursive style.

David Fisher  
Assistant Attorney General

Enclosure

STATE OF MAINE  
Androscoggin, ss

SUPERIOR COURT  
Criminal Action  
Docket No. CR-12-1027

State of Maine	}	
	}	
v.	}	Municipality of Auburn
	}	Approval of Transfer
Dylan Boisvert	}	15 M.R.S.A. §5824(3) & §5822(4)(A)
Defendant;	}	
	}	
And	}	
	}	
\$1,286.00 U.S. Currency	}	
Defendant(s) In Rem	}	

NOW COMES the municipality of Auburn, Maine, by and through its municipal officers, and does hereby grant approval pursuant to 15 M.R.S.A. § 5824(3) & §5826(6) to the transfer of the above captioned Defendant(s) in Rem, or any portion thereof, on the grounds that the Auburn Police Department did make a substantial contribution to the investigation of this or a related criminal case.

WHEREFORE, the municipality of Auburn, Maine does hereby approve of the transfer of the Defendant(s) In Rem, or any portion thereof, pursuant to 15 M.R.S.A. § 5824(3) & §5826(6) by vote of the Auburn municipal legislative body on or about

Dated: \_\_\_\_\_

\_\_\_\_\_  
Municipal Officer  
Auburn, Maine  
(Impress municipal legislative body seal here)

Tizz Crowley, Ward One  
Robert Hayes, Ward Two  
Mary Lafontaine, Ward Three  
David Young, Ward Four



Jonathan LaBonte, Mayor

Leroy Walker, Ward Five  
Belinda Gerry, At Large  
Joshua Shea, At Large

## **IN CITY COUNCIL**

**ORDER 48-07012013**

ORDERED, that the municipality of Auburn, Maine, by and through its municipal officers does hereby grant approval pursuant to 15 M.R.S.A. §5824(3) & §5826(6) to the transfer of Defendant(s) in Rem (Dylan Boisvert), or any portion thereof (\$1,286.00 U.S. Currency) on the grounds that the Auburn Police Department did make a substantial contribution to the investigation of this or a related criminal case.

WHEREFORE, the municipality of Auburn, Maine does hereby approve of the transfer of the Defendant(s) in Rem (Dylan Boisvert), or any portion thereof (\$1,286.00 U.S. Currency), pursuant to 15 M.R.S.A. § 5824(3) & §5826(6) by vote of the Auburn municipal legislative body on or about July 1, 2013.



## City Council Agenda Information Sheet

City of Auburn

**Council Meeting Date:** July 1, 2013

**Order** 49-07012013\*

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

Item(s) checked below represent the subject matter related to this workshop item.

**Comprehensive Plan**    **Work Plan**    **Budget**    **Ordinance/Charter**    **Other Business\***    **Council Goals\*\***

\*\*If Council Goals please specify type:    *Safety*    *Economic Development*    *Citizen Engagement*

**Subject:** 2013 Great Falls Balloon Festival

**Information:** This marks the 21<sup>st</sup> year for the Great Falls Balloon Festival. It is a 3 day community festival to be held August 16, 17, and 18. The event will include hot air balloons, and a variety of vendors and family entertainment in Lewiston and Auburn.

**Financial:** \$9,772 was requested for in kind services however due to budget cuts, the City will not be providing in kind services for special events. The coordinators of the event are aware of this.

**Action Requested at this Meeting:** Recommend approving the Special Event application.

**Previous Meetings and History:** Yearly event.

**Attachments:**

Application

Order 49-07012013\*

\*Agenda items are not limited to these categories.



## CITY OF AUBURN Special Event Application

(Outdoor events 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.

Application Date 3/31/13

### SPONSOR INFORMATION

Name of Sponsoring Organization: Great Falls Balloon Festival

Name of Contact Person for Event: Mell Hamlyn

Title of Contact Person: Treasurer

Mailing Address: PO Box 304 Auburn, ME 04211

Daytime Telephone: 240.5931 Cell Phone: 240.5931

Email Address: Hamlyn3@aol.com

Contact Name and Cell Phone Number DURING the Event: Mell Hamlyn 240.5931

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

Non-Profit Number: 01.0480485

### EVENT INFORMATION

Name of Event: Great Falls Balloon Festival

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

Date of Event: 8/16, 17, 18 Rain Date: none

Times of Event: Start Time including set-up: 8/16 Ending time including clean up: 8/19

Actual Event Start Time: 5 pm. 8/16 Actual Event End Time: 8 pm. 8/18

Estimated Attendance: 100,000 +

Location of Event: Festival Plaza / Simard Payne Park

Have you held an event at this location within the last 12 months? Yes X 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 X Date submitted to the Recreation Department: 3/31

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

Permit Fee	Permission/Permit Type	YES	NO	NOT SURE
Separate fee & application, conditions & restrictions may apply	Banner across Court Street  Non-profit groups only, \$100 fee per week, 2 week maximum. First come first serve basis, proof of insurance required.	✓		
Separate fee and permit possible	FOOD – Will food or beverages be sold? If yes, list what types of food or beverages: <u>Menu TBD</u>  Note - A food service license may be required and must be submitted 14 days prior to the event.	✓		
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: <u>Souvenirs</u> Note - A peddler permit may be required and must be submitted 14 days prior to the event.	✓		
N/A	LIVE MUSIC – Will there be any outdoor musical performances? If yes, please describe: <u>performers on stage at Festival Plaza</u>	✓		
N/A	SOUND AMPLIFICATION – Will there be a microphone or speaker system to project sound?	✓		
N/A	ALCOHOLIC BEVERAGES ARE NOT ALLOWED	✓		
Separate fee and permit required	CARNIVAL – Will carnival rides be offered? If yes, attach a copy of the state permit. A city permit is required as well. <u>Planned location is Leaviston at this time</u>		✓	
Separate fee and permit required	FIREWORKS – Will there be a fireworks display? If yes, a permit from the Fire Department is required.		✓	
N/A	PARADE – Will there be a parade? If yes, describe route: <u>Spring St (line-up area) down Court St to Longley Bridge</u> Note - A permit from the Police Department is required.	✓		
N/A	RUN/WALK/CYCLE – Will event involve participants doing a walk-a-thon, road race, etc? If yes, describe route:		✓	
Separate permit required	BURN PERMIT – Will there be any open flame such as a bon fire? If yes, describe activity:  Note - A permit from the Fire Department is required.		✓	

N/A	TENT/CANOPY – Will you be setting up a tent or canopy? If yes, list number and sizes: 20 x 10 for food vendors on Main St.	✓		
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? Equipment is powered off electrical panel provided by the city - installed by licensed electrician	✓		
N/A	ROAD/INTERSECTION CLOSURE – Will any roads need to be closed to accommodate your event? If yes, please list: Court St. for Parade - Main St Friday @ noon to Sunday @ 8pm	✓		
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. Ex. C	✓		
N/A	PARKING ACCOMODATIONS – What will be the anticipated need for parking and what is your parking plan? Parking Garages in Lewiston	✓		
N/A	TOILETS – Please list amount at event and/or nearest location: Festival Plaza - 5 porta potties	✓		
N/A	WASTE DISPOSAL – Please list process and location: Lewiston provides dumpster -	✓		
N/A	HAND WASHING FACILITIES – Please list amount at event and/or nearest location: 2 Hand washing facilities	✓		
N/A	POTABLE WATER – Please list amount at event and location: Hauled in as needed.	✓		
N/A	FIRST AID FACILITIES – Please list location at event: In Camper	✓		
\$	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

Hot Air Balloons - craft & trade vendors -  
 Non profit orgs selling food - music & entertainment.

Signature of Applicant:

Printed Name:

Date Submitted:

Mell Hamlyn

Mell Hamlyn

3/31/13

**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: \_\_\_\_\_

CITY OF AUBURN  
CHARITABLE FUNDING APPLICATION  
**APPLICATION DEADLINE: MARCH 1**

**To discuss what is needed in this form, contact the City Clerk, 207-333-6601**

Date of Application: 4/1/13

LICENSEE: Great Falls Balloon Festival Telephone: 207-240-5931  
(Person or Organization Name)

Address: PO Box 304 City: Auburn State: ME

Email: Hamlyn3@aol.com

If organization: name, address, telephone number of authorized representative.

Is your organization incorporated as a nonprofit organization?  YES  NO

Nonprofit number: 01-0480485

Description of Event 3 day festival for the community  
highlighting hot air balloons, family entertainment,  
Craft & trade tables

Purpose of Event? (i.e. fundraising, profit-making)  
Fundraising for 30+ local non-profit organizations  
& community enrichment.

Event location: Festival Plaza - Aub. Event dates: 8/16, 17 + 18, 2013  
Simard Payne Park - Lew.

Anticipated Attendance (estimate) 100,000+

Admission Fee/Donation?  Yes  No If Yes, specify amount \$ \_\_\_\_\_

Describe the economic benefit provided to the City? Area businesses receive an  
increase in business / City of Auburn is highlighted.

Are you requesting a cash donation? If yes, How much? No  
 Include itemized cost of your event and provide explanation below.

CATEGORY	DESCRIPTION/COST	TOTAL
Personnel (rate, # of hours)		
Supplies (list supply items)	See Attached Financials for	
Equipment (list equipment)	Detail - Ex A.	
Other		
<b>Totals</b>		

Other non-city contributions made to this event, please itemize below:

See Attached Financials - Ex A

Does your application require any in-kind support from the City relative to city properties, resources, assets or departments? If yes, please have your application reviewed by the applicable City staff to ensure the value of the City's in-kind support.

**If you are seeking in-kind services from the city, you must contact each department to verify that the department will or will not be required to service the event. Please provide details as to level of service and cost of each department's in-kind services . (Use separate sheet, if necessary.)**

DEPARTMENTS	CITY IN-KIND REQUEST	AMOUNT	TOTAL
City Clerk – (207)333-6601 ext. 1126	none needed	-0-	-0-
Sanitarian CEO – (207)333-6601 ext. 1162	Personnel	\$ 100	\$ 100
Fire- Inspector (207)333-6601 ext. 2088	none needed	-0-	-0-
Police – Support (207)333- 6601 ext. 2057	Personnel, Equipment	\$ 4,500	\$ 4,500

Public Works – (207)333-6601 ext. 2155	Personnel, Supplies, Equip	* 5,012	* 5,012
Recreation – (207)333-6601 ext. 2108	Personnel	* 160	* 160
Other			
<b>TOTAL</b>		* 9,772	* 9,772

Other non-city contributions, please itemize below:

See Attached financials - Ex A.

Other information pertinent to your application: 2013 will be the 21<sup>st</sup> Festival.

IN ADDITION, PLEASE BE SURE TO INCLUDE THE FOLLOWING INFORMATION WITH YOUR APPLICATION IN ORDER TO HAVE YOUR GRANT REQUEST CONSIDERED:

- Financial statements from the previous event or fiscal year.
- A budget for the upcoming fiscal year or event.
- Attach information pertaining to evaluation criteria.
- If this event occurred last year, was the event a financial success? If not, why not? (You must attach financial statements to this application.)
- If this event occurred last year, describe how the event met your projections and expectations?

**DECLARATION**

We, the undersigned, declare that we have been authorized to file this report and that to the best of our knowledge, all answers provided in the report, as well as all the information contained in the documents and materials attached to it, are true and complete.

Signature: Mell Hamlyn Print name: Mell Hamlyn  
Title: Treasurer Date: 3/31/13  
Phone #: 240.5931 Email: Hamlyn3@aol.com

PLEASE ATTACH COPIES OF MARKETING/ADVERTISING/PROMOTIONAL MATERIALS ACKNOWLEDGING THE SUPPORT OF THE MUNICIPALITY FOR THE EVENT, SERVICE, ACTIVITY FOR WHICH FUNDING WAS RECEIVED FROM THE CITY.

**TO BE RECEIVED BY THE CITY CLERK NO LATER THAN MARCH 1<sup>st</sup>**

Mail or deliver to clerk's office:

City Clerk  
Non-Profit Funding Application  
Auburn Hall  
60 Court Street  
Auburn, Maine 04210

Or email as a pdf file to: [sdallaire@auburnmaine.gov](mailto:sdallaire@auburnmaine.gov)

**Great Falls Balloon Festival, Inc**  
**Profit & Loss**  
 January through December 2012

	<u>Jan - Dec 12</u>
<b>Ordinary Income/Expense</b>	
<b>Income</b>	
<b>Sponsors - Balloon &amp; Festival</b>	
Fan of the Festival	1,150.00
Corporate Sponsors	14,975.00
Balloon Sponsors	5,850.00
Underwriters	12,300.00
<b>Total Sponsors - Balloon &amp; Festival</b>	<u>34,275.00</u>
<b>Activities</b>	
Carnival	9,815.00
Children's Area	796.67
Climbing Wall	1,300.00
Rotary Duck Race	1,153.20
Balloon Envelope	175.00
<b>Total Activities</b>	<u>13,239.87</u>
<b>Ballooning</b>	
Corporate Balloons	0.00
Balloon Rides	
Balloon Ride Refunds	-1,600.00
Balloon Rides - Other	33,140.00
<b>Total Balloon Rides</b>	<u>31,540.00</u>
Tethered/Walk Thr	310.00
Free Flight	3,675.00
<b>Total Ballooning</b>	<u>35,525.00</u>
<b>Food Vendors</b>	
7.5% Fee	12,992.73
Fixed Fee	9,715.00
Food Vendor %	0.00
<b>Total Food Vendors</b>	<u>22,707.73</u>
Tent Income	17,505.00
Souvenirs	8,148.00
Parking	8,013.66
Interest Income	2.47
<b>Total Income</b>	<u>140,416.73</u>
<b>Expense</b>	
Parade	448.77
Business After Hours	1,250.00
Miscellaneous Expense	1,288.99
<b>Activities Expense</b>	
Family Fun Day	860.00
Children's Area	475.00
Photo Contest Expense	400.00
<b>Total Activities Expense</b>	<u>1,735.00</u>
Advertising	650.00
Ballooning - Special Shapes	10,450.00
Bank and Credit Card Fees	1,282.48
Clothing	
Pins	
Souvenir	689.55
<b>Total Pins</b>	<u>689.55</u>
T-Shirts and Sweatshirts	
Board	1,218.68
Souvenir	3,623.49
Committee & Volunteers	1,270.75
<b>Total T-Shirts and Sweatshirts</b>	<u>6,112.92</u>
<b>Total Clothing</b>	6,802.47

12/31/12 P+L

1:20 AM  
 03/01/13  
 Accrual Basis

**Great Falls Balloon Festival, Inc**  
**Profit & Loss**  
 January through December 2012

	<u>Jan - Dec 12</u>
Dues & Licenses	661.48
Electrical	
Electrical Supplies	845.91
<b>Total Electrical</b>	<b>845.91</b>
Entertainers	15,925.00
Flights	
Underwriter flights	3,325.00
Sponsor Flights	7,350.00
Passenger Rides	28,875.00
Media Flights	2,975.00
Flights - Other	175.00
<b>Total Flights</b>	<b>42,700.00</b>
Hotels	6,297.70
Insurance	6,036.00
Legal & Accounting	60.00
Meals	
Funny Money	924.00
Set Up Crew	705.90
<b>Total Meals</b>	<b>1,629.90</b>
Parking Expenses	500.00
Pilot Expenses	
Pilot Brunch	711.20
Pilot Packs	1,346.70
<b>Total Pilot Expenses</b>	<b>2,057.90</b>
Printing & Postage	181.41
Propane	9,022.18
Rentals	
Scaffolding	176.00
Generator Rental	2,003.25
Light Towers	2,177.22
Auto Rental	110.00
<b>Total Rentals</b>	<b>4,466.47</b>
Sales Tax	366.75
Sanitation	4,655.00
Security	4,032.00
Signs	976.50
Sponsorships	
Marketing	793.36
Postage	116.00
<b>Total Sponsorships</b>	<b>909.36</b>
Sound System	4,400.00
Supplies	983.22
Technical Production Services	8,700.00
Telephone	673.34
Tent	1,660.32
Transportation	38.87
Trash	1,375.00
Website	650.00
<b>Total Expense</b>	<b>143,712.02</b>
<b>Net Ordinary Income</b>	<b>-3,295.29</b>
<b>Net Income</b>	<b>-3,295.29</b>

12/31/12 P&L

A-2/1

Great Falls Balloon Festival, Inc  
Profit & Loss by Class  
January through December 2012

Ordinary Income/Expenses	Activities	Ballooning	Entertainment	Family Fun Day	General	Logistics	Non-profit Vendors	Parade	Souvenirs	Sponsorship	Tent/Trade and Craft	TOTAL
<b>Income</b>												
Sponsors - Balloon & Festival												
Fan of the Festival	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1,200.00	0.00	1,200.00
Corporate Sponsors	0.00	0.00	1,875.00	0.00	0.00	0.00	0.00	0.00	0.00	13,900.00	0.00	14,875.00
Balloon Sponsors	0.00	1,300.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	4,800.00	0.00	5,900.00
Underwriters	0.00	650.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	11,650.00	0.00	12,300.00
Total Sponsors - Balloon & Festival	0.00	1,850.00	1,875.00	0.00	0.00	0.00	0.00	0.00	0.00	30,450.00	0.00	34,275.00
<b>Activities</b>												
Carnival	3,800.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	3,800.00
Children's Area	0.00	0.00	0.00	0.00	0.00	0.00	800.00	0.00	0.00	0.00	0.00	800.00
Climbing Wall	1,300.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1,300.00
Rotary Duck Race	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Balloon Envelope	0.00	175.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	175.00
Total Activities	12,300.00	175.00	0.00	0.00	0.00	0.00	800.00	0.00	0.00	0.00	0.00	13,275.00
<b>Ballooning</b>												
Balloon Rides - Other	0.00	33,000.00	0.00	0.00	0.00	2.00	0.00	0.00	0.00	0.00	0.00	32,000.00
Total Balloon Rides	0.00	32,000.00	0.00	0.00	0.00	2.00	0.00	0.00	0.00	0.00	0.00	32,000.00
<b>Entertainment</b>												
Tahereh/Malk Th	0.00	\$10.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	310.00
Comped Flight	0.00	3,875.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	3,875.00
Total Entertainment	0.00	35,985.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	35,985.00
<b>Family Fun Day</b>												
7.5% Fee	0.00	0.00	0.00	0.00	0.00	0.00	13,000.00	0.00	0.00	0.00	0.00	13,000.00
Fixed Fee	0.00	0.00	0.00	0.00	0.00	0.00	10,000.00	0.00	0.00	0.00	0.00	10,000.00
Food Vendor %	0.00	0.00	0.00	0.00	0.00	0.00	23,000.00	0.00	0.00	0.00	0.00	23,000.00
Total Family Fun Day	0.00	0.00	0.00	0.00	0.00	0.00	46,000.00	0.00	0.00	0.00	0.00	46,000.00
<b>General</b>												
Tent/Income	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	18,000.00	18,000.00
Souvenirs	0.00	0.00	0.00	0.00	0.00	0.00	8,200.00	0.00	0.00	0.00	0.00	8,200.00
Parking	0.00	0.00	0.00	0.00	0.00	0.00	9,800.00	0.00	0.00	0.00	0.00	9,800.00
Interest/Income	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total General	0.00	0.00	0.00	0.00	0.00	0.00	18,000.00	0.00	0.00	0.00	0.00	18,000.00
<b>Logistics</b>												
Total Logistics	0.00	30,110.00	1,875.00	0.00	3.00	0.00	33,400.00	0.00	8,200.00	30,450.00	18,000.00	142,338.00
<b>Parade</b>												
Parade	0.00	0.00	0.00	0.00	0.00	0.00	450.00	0.00	0.00	0.00	0.00	450.00
Business After Hours	0.00	0.00	0.00	0.00	1,250.00	0.00	0.00	0.00	0.00	0.00	0.00	1,250.00
Miscellaneous Expense	0.00	0.00	1,300.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1,300.00
<b>Souvenirs</b>												
Activities Expense	320.00	0.00	0.00	660.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1,180.00
Family Fun Day	475.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	475.00
Children's Area	400.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	400.00
Photo Contest Expense	1,195.00	0.00	0.00	860.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2,055.00
<b>Sponsorship</b>												
Advertising	0.00	0.00	0.00	0.00	650.00	0.00	0.00	0.00	0.00	0.00	0.00	650.00
Ballooning - Special Shoppers	0.00	8,000.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	8,000.00
Bank and Credit Card Fees	0.00	0.00	0.00	0.00	1,300.00	0.00	0.00	0.00	0.00	0.00	0.00	1,300.00
<b>Tent/Trade and Craft</b>												
Pins	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	350.00	0.00	350.00
Souvenir	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	350.00	0.00	350.00
<b>TOTAL</b>												
T-Shirts and Sweatshirts	0.00	0.00	0.00	0.00	150.00	0.00	0.00	0.00	0.00	30.00	0.00	180.00
Bead	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	470.00	0.00	470.00
Souvenir	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	4,000.00	0.00	4,000.00
Carnival & Volunteers	0.00	1,000.00	0.00	0.00	725.00	0.00	0.00	0.00	0.00	3,720.00	0.00	5,445.00
Total T-Shirts and Sweatshirts	0.00	1,000.00	0.00	0.00	875.00	0.00	0.00	0.00	0.00	3,720.00	0.00	6,175.00
<b>Total Clothing</b>	0.00	1,000.00	0.00	0.00	875.00	0.00	0.00	0.00	0.00	4,090.00	0.00	6,865.00

B-1/2

Great Falls Balloon Festival, Inc  
Profit & Loss by Class  
January through December 2012

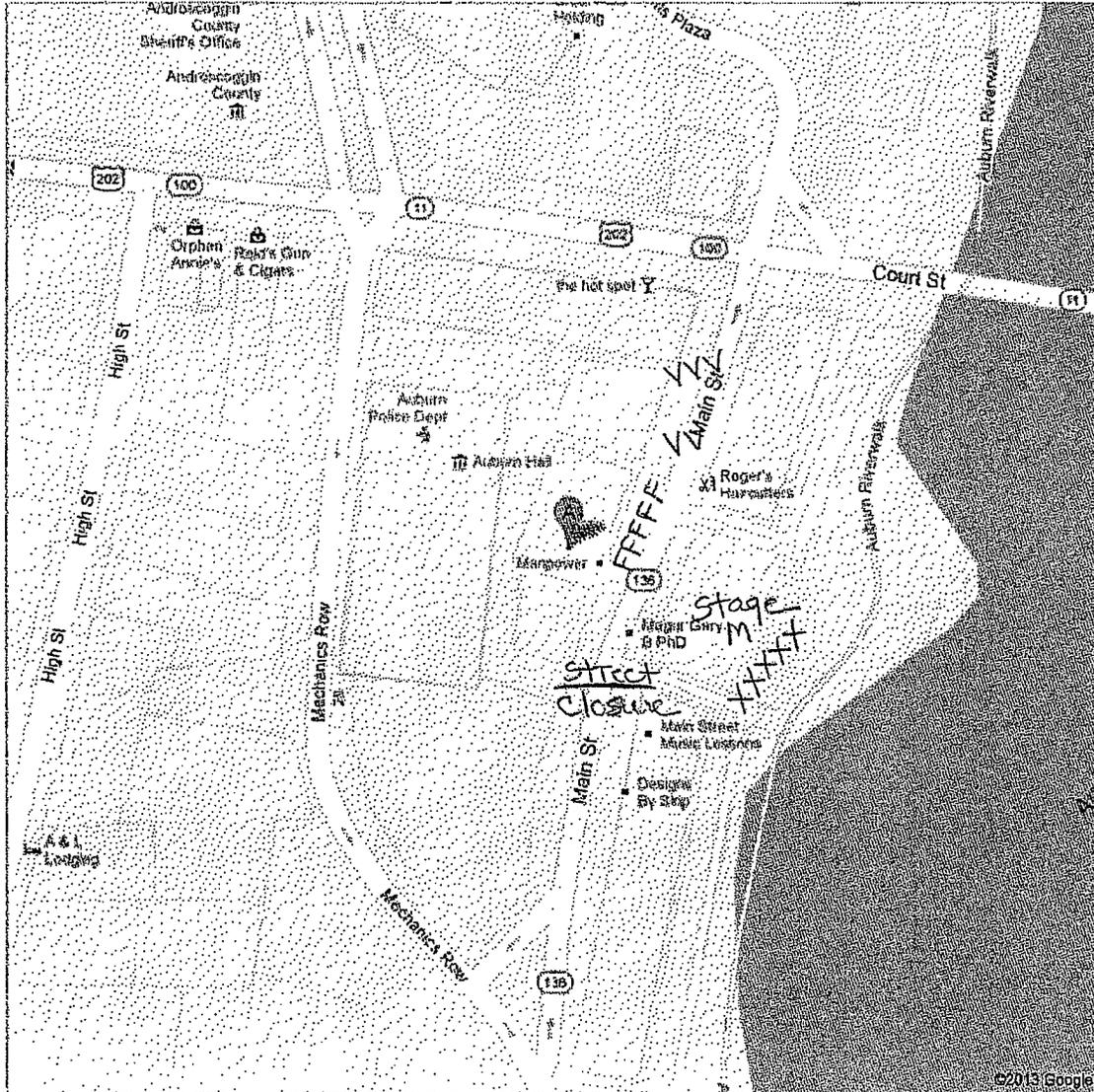
	Activities	Ballooning	Entertainment	Family Fun Day	General	Lapatics	Non-profit Vendors	Parade	Souvenirs	Sponsorship	Tent, Trade and Craft	TOTAL
Dues & Licenses	0.00	0.00	525.00	0.00	150.00	0.00	0.00	0.00	0.00	0.00	0.00	655.00
Electrical	0.00	0.00	0.00	0.00	0.00	650.00	0.00	0.00	0.00	0.00	0.00	650.00
Electrical Supplies	0.00	0.00	0.00	0.00	0.00	650.00	0.00	0.00	0.00	0.00	0.00	650.00
Total Electrical	0.00	0.00	0.00	0.00	0.00	650.00	0.00	0.00	0.00	0.00	0.00	650.00
Entertainers	0.00	0.00	18,000.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	18,000.00
Flights	0.00	3,400.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	3,400.00
Umbrella Flights	0.00	7,400.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	7,400.00
Sponsor Flights	0.00	28,000.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	28,000.00
Passenger Rides	0.00	3,000.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	3,000.00
Media Flights	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Flights - Other	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Flights	0.00	41,800.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	41,800.00
Hotels	0.00	6,400.00	100.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	6,500.00
Insurance	0.00	0.00	0.00	0.00	6,200.00	0.00	0.00	0.00	0.00	0.00	0.00	6,200.00
Legal & Accounting	0.00	0.00	0.00	0.00	80.00	0.00	0.00	0.00	0.00	0.00	0.00	80.00
Meals	0.00	0.00	220.00	0.00	250.00	450.00	0.00	0.00	0.00	0.00	0.00	920.00
Fanny Money	0.00	0.00	0.00	0.00	0.00	725.00	0.00	0.00	0.00	0.00	0.00	725.00
Set Up Crew	0.00	0.00	0.00	0.00	230.00	1,175.00	0.00	0.00	0.00	0.00	0.00	1,680.00
Total Meals	0.00	0.00	220.00	0.00	230.00	1,175.00	0.00	0.00	0.00	0.00	0.00	1,680.00
Parking Expenses	0.00	0.00	0.00	0.00	0.00	0.00	500.00	0.00	0.00	0.00	0.00	500.00
Pilot Expenses	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Pilot Bonus	0.00	725.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	725.00
Pilot Packs	0.00	1,350.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1,350.00
Total Pilot Expenses	0.00	2,075.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2,075.00
Printing & Postage	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	200.00	0.00	200.00
Propene	0.00	4,200.00	0.00	0.00	0.00	0.00	5,000.00	0.00	0.00	0.00	0.00	9,200.00
Rentals	0.00	0.00	175.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	175.00
Scaffolding	0.00	0.00	0.00	0.00	0.00	2,025.00	0.00	0.00	0.00	0.00	0.00	2,025.00
Generator Rental	0.00	0.00	0.00	0.00	0.00	2,400.00	0.00	0.00	0.00	0.00	0.00	2,400.00
Light Towers	0.00	110.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	110.00
Auto Rental	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Rentals	0.00	110.00	0.00	0.00	0.00	4,425.00	0.00	0.00	0.00	0.00	0.00	4,710.00
Rates Tax	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	375.00	0.00	0.00	375.00
Sanitation	0.00	0.00	0.00	0.00	0.00	4,700.00	0.00	0.00	0.00	0.00	0.00	4,700.00
Security	0.00	0.00	0.00	0.00	0.00	2,650.00	0.00	0.00	0.00	0.00	1,500.00	4,150.00
Signs	0.00	0.00	0.00	0.00	0.00	0.00	800.00	0.00	0.00	475.00	0.00	1,075.00
Sponsorships	0.00	0.00	0.00	0.00	225.00	0.00	0.00	0.00	0.00	600.00	0.00	825.00
Marketing	0.00	0.00	0.00	0.00	125.00	0.00	0.00	0.00	0.00	0.00	0.00	125.00
Package	0.00	0.00	0.00	0.00	350.00	0.00	0.00	0.00	0.00	600.00	0.00	950.00
Total Sponsorships	0.00	0.00	0.00	0.00	350.00	0.00	0.00	0.00	0.00	600.00	0.00	950.00
Sound System	0.00	0.00	4,400.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	4,400.00
Supplies	0.00	0.00	100.00	0.00	0.00	925.00	0.00	0.00	0.00	0.00	0.00	1,025.00
Technical Production Services	0.00	0.00	0.00	0.00	0.00	6,700.00	0.00	0.00	0.00	0.00	0.00	6,700.00
Telephone	0.00	0.00	0.00	0.00	880.00	0.00	0.00	0.00	0.00	0.00	0.00	880.00
Tent	0.00	0.00	0.00	0.00	0.00	1,750.00	0.00	0.00	0.00	0.00	0.00	1,750.00
Transportation	0.00	0.00	0.00	0.00	0.00	50.00	0.00	0.00	0.00	0.00	0.00	50.00
Trash	0.00	0.00	0.00	0.00	0.00	1,000.00	0.00	0.00	0.00	0.00	0.00	1,000.00
Vehicle	0.00	0.00	0.00	0.00	850.00	0.00	0.00	0.00	0.00	0.00	0.00	850.00
Total Expense	0.00	03,585.00	22,620.00	890.00	12,570.00	24,825.00	8,235.00	450.00	4,455.00	2,035.00	1,500.00	142,320.00
Net Ordinary Income	11,105.00	-25,473.00	-20,945.00	-890.00	-12,897.00	-24,825.00	25,175.00	-450.00	3,745.00	28,415.00	-18,500.00	-18.00

B-2/2



Address 95 Main St  
Auburn, ME 04210

Get Google Maps on your phone  
Text the word "GMAPS" to 466453

- X = porta potties
- F = food booth (10x20)
- M = music + entertainment
- V = Craft + trade vendors

C-1

Tizz E. H. Crowley, Ward One  
Robert Hayes, Ward Two  
Mary Lafontaine, Ward Three  
David Young, Ward Four



Leroy Walker, Ward Five  
Belinda Gerry, At Large  
Joshua Shea, At Large

Jonathan LaBonte, Mayor

**IN CITY COUNCIL**

**ORDER 49-07012013**

ORDERED, that the City Council hereby approves the Special Event application for the 2013 Great Falls Balloon Festival.

## IN COUNCIL REGULAR MEETING JUNE 17, 2013 VOL. 33 PAGE 143

Mayor LaBonte called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

### **I. Consent Items\* - None**

### **II. Minutes**

Motion was made by Councilor Lafontaine and seconded by Councilor Gerry to approve minutes of the May 23, 2013 Special City Council Meeting. Passage 6-0-1 (Councilor Crowley abstained because she had an excused absence from the May 23, 2013 meeting).

### **III. Reports**

**Mayor's Report** – No report.

**City Councilors' Reports** – Councilor Crowley submitted a written report, Councilor LaFontaine reported that the Library Director, Lynn Lockwood was retiring and the new Library Director, Mamie Ney will be starting the last week of June. Councilor Young reported by thanking City staff (the Public Works Department) for fixing the railroad crossing in Danville.

**City Manager's Report** – City Manager Deschene submitted a written report and made a correction to a comment he made about the number of full time fire stations in South Portland. There are 3 full time stations.

**Finance Director, Jill Eastman** – May 2013 Monthly Finance Report

Motion was made by Councilor Gerry and seconded by Councilor LaFontaine. Passage 6-1, (Councilor Walker opposed).

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

- First Citizens Fire Academy – Recognition postponed until July.
- Letter from Dara Reimers, Owner of The Bread Shack, LLC
- Petition to Consolidate the City of Auburn with the City of Lewiston

### **V. Open Session**

- Ron Potvin, 82 Northern Avenue, talked about a recent recall effort and the vagueness of our City Charter. He recommended that we look into amending it.
- Dan Herrick, 470 Hatch Road, apologized to the Mayor for his comment at the last Council meeting on not allowing the former Mayors to speak at their portrait presentations and said the information he was given was incorrect.

VI. Unfinished Business

Motion was made by Councilor Crowley and seconded by Councilor Hayes to postpone items 1, 2, and 4 until the July 15<sup>th</sup> meeting. Passage 6-1, (Councilor Gerry opposed).

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley to postpone items 3 and 5 until the July 15<sup>th</sup> meeting. Passage 4-3, (Councilors Walker, Shea, and Gerry opposed).

1. **Ordinance 05-06032013** - Postponed to 7/15/2013  
Approving the newly proposed Flea Market license fee schedule (first reading).
2. **Ordinance 06-06032013** - Postponed to 7/15/2013  
Approving the newly proposed Peddlers license fee schedule (first reading).
3. **Resolve 04-06032013** - Postponed to 7/15/2013  
Supporting the Emergency Medical Services.
4. **Ordinance 07-06032013** - Postponed to 7/15/2013  
Approving the proposed ordinance amendment on alcoholic beverages at Mass Gatherings (first, second, and final readings).
5. **Ordinance 08-06032013** - Postponed to 7/15/2013  
Approving the proposed Forestry Board Ordinance (first reading).
6. **Resolve 03-05202013**  
Adopting the City Budget for Fiscal Year 2014 (second and final reading).

Motion by Councilor LaFontaine and seconded by Councilor Young.

Motion by Councilor LaFontaine and seconded by Councilor Young to amend by adding language that the City Manager is authorized to enter into contract negotiations with Pine Tree Waste for automated solid waste and recycling collection to begin July 1, 2014. Passage 7-0.

Motion by Councilor LaFontaine and seconded by Councilor Young to amend by setting a budget mil rate of 20.40. Motion failed 3-4 (Councilors Shea, Gerry, Crowley, and Hayes opposed).

Motion by Councilor Shea and seconded by Councilor Hayes to amend by setting a budget mil rate of 20.66. Passage 5-2 (Councilors Gerry and Crowley opposed).

Public comment –

## IN COUNCIL REGULAR MEETING JUNE 17, 2013 VOL. 33 PAGE 145

- Ron Potvin, 82 Northern Avenue, raised a concern regards to Councilor Crowley setting a percentage for education and to do that before the people vote and pass in the referendum that may end up less than that 42% percent. If the referendum does not support it, what happens there? If the referendum process continues and the school budget is cut significantly, does it reduce the need to have to further reduce the amount cut from city services?
- Joe Mailey, 82 Webster Street, thanked Councilor Crowley for her earlier statement because he also believes that every single penny the city will not receive from the state, we should cut in services. He said he cannot afford to pay more taxes. He commented that some folks do not mind paying that tax shift just to prove a point and the only way to see an impact is to cut services. He is also concerned about privatizing school bus drivers.
- Arlene Bowles, 239 Lake Street commented that she is appalled that a city that is one of the largest population centers in the State of Maine has a high school that is teetering on the point of losing its accreditation. She suggested Council look on the web at the New England Association for schools and colleges which has a lot of good information on accreditation. For Auburn to lose accreditation for the high school would be unjust to the citizens of this community. She also commented that words should be carefully chosen and used positively. She said words used during the workshop were upsetting to her because of some of the words and comments she thought expressed an attitude toward the school department which could be translated to mean an attitude toward education.
- Priscilla Miller, 211 Summer Street, urged Council to focus on essentials. She asked where the money was going if it wasn't going to the school department, fire department, or police department. She asked why Auburn was so far out of line from what everyone else is doing? She said you cannot expect tax payers who have to go without to pay for everyone else stating some people have no insurance and she has heard that the employees of the school department have 100% coverage and their families have 85% coverage. She said you cannot expect people with no insurance or poor insurance to pay deluxe for the people who work for them. The citizens want to know where the money is going.
- Dave Burke, 38 Harmons Corner Road thanked the Council for their service and for listening to everyone. He urged them to pass scenario 5 although he would prefer scenario 8 or 9 with a higher mil rate because making cuts he will probably run into more auto repairs because the roads are not being worked on and making cuts are deferring maintenance and you pay more in the long run. He used the parking garage as an example. He asked Council to be careful shifting costs to next year or the year after that. He said making cuts could

**IN COUNCIL REGULAR MEETING JUNE 17, 2013 VOL. 33 PAGE 146**

have a negative impact. Cuts to the Fire Department could cause insurance rates to go up. Cutting Parks and Recreation programs could impact kids, possibly with them getting into trouble, breaking into cars for example. He said housing prices may drop. He said it is a tough thing to balance but please keep both sides in mind.

- Andy Titus, 17 Lamplighter Circle said he was confused about the shortfall this year being added to next year because of the misguided mil rate. He suggested spending more time through the year to get things more in line. He would like to see Council be more proactive in looking at the different departments and how things are being spent without micro managing. He would like to see the budget process begin in July for the next year in terms of what is in each budget and how we can spend more efficiently.

Motion by Councilor Gerry and seconded by Councilor Crowley to postpone the budget as it stands until the June 24, 2013 special meeting. Passage 7-0.

**VII. New Business**

**7. Order 45-06172013**

Approving the Post Issuance Compliance and Monitoring Policy for Tax Exempt Obligations.

Motion was made by Councilor Crowley and seconded by Councilor LaFontaine.

Public comment – no one from the public spoke.

Passage 7-0.

**8. Ordinance 09-06172013**

Approving the Flood Ordinance and Map Updates for 2013 National Flood Insurance Program (NFIP) Requirements (public hearing and first reading).

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley.

Public comment – Jodd Bowles, 239 Lake Street commented that his sister lost her home to a flood a few years ago in New York State which was not in a flood zone. She did not have flood insurance. They rebuilt and the value of the home has decreased.

Passage 6-1 (Councilor Walker opposed).

**9. Order 46-06172013**

**IN COUNCIL REGULAR MEETING JUNE 17, 2013 VOL. 33 PAGE 147**

Authorizing the City Manager to initiate a new 2 year agreement and to sign all necessary documents with Lewiston-Auburn Canoe and Kayaks and to reevaluate for a possible proposal process.

Motion was made by Councilor LaFontaine and seconded by Councilor Shea.

Public comment –

- Larry Pelletier, 129 Second Street said he did not see a problem with passing this. He said they've come to the city with something to offer, we are trying to promote the river, they've done a terrific job, let them do it.
- Jodd Bowles, 239 Lake Street said he feels the same way as the previous speaker. They purchased new boats, they hire Maine Guides with a skill set usually working the stands, and have invested a lot into this. He said he feels this is a recreational opportunity and a positive thing.
- Darren Deschene, 6 Fairmount Avenue and the operations manager of Lewiston Auburn Canoe and Kayak. He said there really are no other vendors with interest at this point (that he is aware of) and they are acting as the guinea pig and feels fortunate that they are. When they are able to demonstrate success on the river, others will want to follow but they need to be given the opportunity to do that.

Passage 5-1-1 (Councilor Crowley opposed, Councilor Walker abstained).

**10. Order 47-06172013**

Approving the Special Amusement Permit for Eddy's Drive-in Diner, dba The Village Inn.

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry.

Public comment – no one from the public spoke.

Passage 7-0.

**VIII. Open Session – No one from the public spoke**

**IX. Executive Session – Discussion on Labor Negotiations (the proposed MSEA contract). Pursuant to 1 M.R.S.A. §405(6)(D), with possible action to follow.**

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry. Passage 6-0-1 (Councilor Walker abstained) 8:34 P.M.

**IN COUNCIL REGULAR MEETING JUNE 17, 2013 VOL. 33 PAGE 148**

The Mayor declared Council out of executive session at 9:04 P.M.

Motion was made by Councilor Gerry and seconded by Councilor Crowley "to authorize the City Manager to provide as budgeted in the current Fiscal Year 2% wage adjustments for the members of the new MSEA union subsequent to their anniversary date and that staff are further directed to continue labor negotiations." This is Order 48-06172013. Passage 6-0-1 (Councilor Walker abstained).

**X. Future Agenda/Workshop Items - None**

**XI. Adjournment**

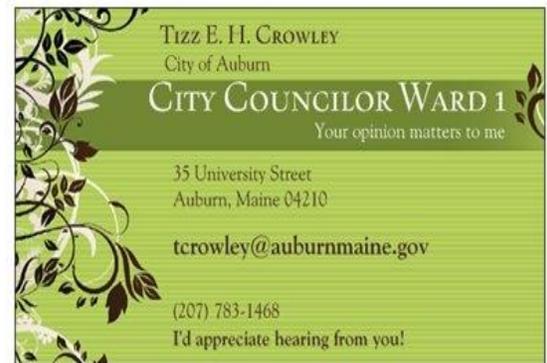
Motion was made by Councilor LaFontaine and seconded by Councilor Young to adjourn. Passage 7-0, 9:10 P.M.

A True Copy.

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

## Auburn Sewerage District Report for Meeting Monday 2013.07.01

**Prepared:** Wednesday 2013.06.26  
**TO:** Residents of Auburn and the Auburn City Council  
**FROM:** Tizz E. H. Crowley- Auburn City Council Ward 1  
Mayor LaBonte's representative to AWD



The Auburn Sewerage District Trustees met on Tuesday, June 18, 2013.

The financial position of the Sewerage District remains stable although revenue is down about 2%, however we have 6 or 7 new customers from recent new construction. We are planning to meet budget and end the year with a cash position of around \$600K-\$700K. Good news for the first half of the year was a report on the Lewiston-Auburn Water Pollution Control Authority (LAWPCA) usage. For the first half of 2013, Auburn is \$48,209. below budget because our use was lower than anticipated.

The new vacuum truck is being fully utilized in routine and preventative maintenance items. We expect to see a reduction in overflows and other similar incidents. Problems this month included giant root ball, bricks/rocks/sands, and dealing with the consequences of 2011 flooding on Newbury Street.

I'm happy to report the Washington Avenue project is finally complete.

Mark your calendar for the Open House at the Anaerobic Digester facility scheduled for September 9<sup>th</sup>. This will be the first municipally owned digester in Maine. We have already making a quantity of gas sufficient to keep the flare going 24 hours a day. We are taking waste and making watts!

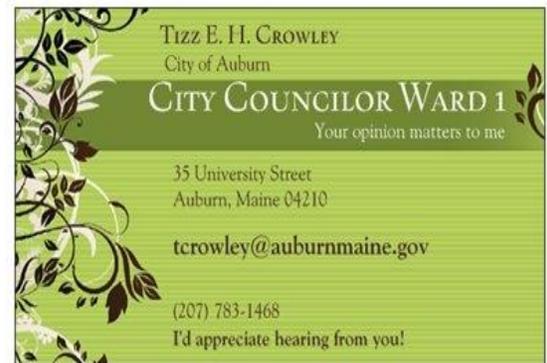
Discussions and evaluation have started regarding a rate increase expected in January. Part of our financial needs will be to replace at least 1.20 miles of pipe per year... which will take us 100 years to complete the full system. While we have pipe that is 100 years old, a number of our recent pipe problems were in the 20-30 year range.

The Trustees briefly discussed the suggestion by Auburn City Manager Clint Deschene to merge the Auburn Water District, Auburn Sewerage District with the City of Auburn. The City Manager suggested this may provide additional revenues to the City. The Trustees do not see this as beneficial to the rate payers and do not see savings. If this type of dialogue is to continue, it was suggested that the City of Auburn look at Augusta area as a model for a utility district. Monies are paid by users, including non-profit who uses currently use City services but do not pay City taxes. In the Augusta model there are no exceptions for non-payment by any non-profit groups. I wonder how Auburn taxpayers feel about the "rain tax" system of Lewiston. Is this what we want in our city? Will it benefit taxpayers?

As always, thank you Mayor LaBonte for the opportunity to serve in your place at the Auburn Sewerage District

## Auburn Water District Report for Meeting Monday 2013.07.01

**Prepared:** Wednesday 2013.06.26  
**TO:** Residents of Auburn and the Auburn City Council  
**FROM:** Tizz E. H. Crowley- Auburn City Council Ward 1  
Mayor LaBonte's representative to AWD



The Auburn Water District Trustees met on Wednesday, June 19, 2013. The draft minutes for the April minutes were corrected. The financial report update should state that sales are down.

Preliminary discussion has started on the anticipated water rate increase. With the lake issues and the potential need for remediation, capital needs may be substantial. It will be important we continue to maintain our pipe system. Even if we achieve the target of 1.35 miles per year, it will take us 100 years to complete the system. As Trustees, we feel it is important this work continue, although we may be looking at the 1 mile/year goal. Lewiston Water Division has a 20% rate increase effective July 1, 2013.

Currently, Auburn Water District is the second lowest water rate in Maine serving populations of 1000 or greater. The customer letter to Lewiston Water customers only addresses operation and routine maintenance expenses. It does not address the Lake issue and any remediation. Auburn Water District Trustees want to plan for both as we look at a rate change. One additional element we're discussing is to see if we could lower minimum water amounts for the base. Currently we use 1200cf as a minimum for billing. We plan to look at lower limits to encourage conservation and to assist single member family households, often seniors on fixed income. Of course, over all financial stability must be achieved.

CDM Smith provided staff and Trustees with preliminary budgetary costs for management of Lake Auburn water quality. CDM Smith recommends a budget of approximately \$3.3M for planning and implementation of an alum addition in Lake Auburn. If the climatic conditions cooperate, this activity could be pushed off until the next season.

CEI report estimates \$3.09M for area-specific capital improvements over 10 years with a maximum O&M cost of approximately \$51,000. LAWPC has not established priorities yet; these are only consultants' information and need further review. The data is just coming in and is preliminary, so caution is needed. Auburn Water Trustees expect to discuss the need to bond its portion of the alum addition if needed.

Water revenues continue to be lower than last year and a bit behind budget. It is interesting to note use of water is a good indicator of the economic process. Currently we're seeing restaurant use down, commercial use down, and personal use of water down.

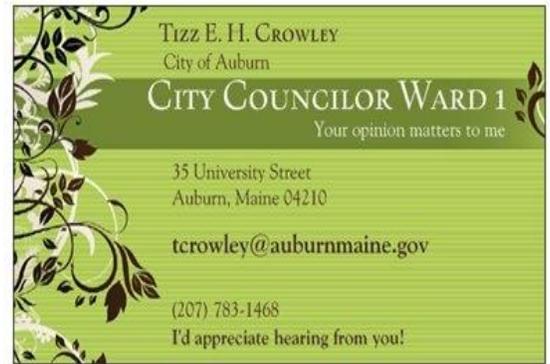
It is concern of mine that we had 102 Red Tag Notices to turn off service for non-payment in May a total of 402 this year. We do not know the reason for non-payments, but my worry is residents are continuing to be challenged with housing/living costs.

The Water District work in the South Main Street construction project will be completed by July 1<sup>st</sup>, so there should be no additional costs for pavement to the District.

As always, it's a pleasure to serve in Mayor Labonte's stead on this Board. Thank you.

## Auburn Ward 1 Report for Meeting Monday 2013.07.01

**Prepared:** Wednesday 2013.06.26  
**TO:** Residents of Auburn and the Auburn City Council  
**FROM:** Tizz E. H. Crowley- Auburn City Council Ward 1



### “Thank you”- Thank you to all **members of the Maine**

**Legislature** who helped get the budget passed. I’m relieved to know there will not be a government shutdown and appreciate the damages to municipalities and taxpayers have not worsened. I know it was difficult for some legislators to vote against the party leader, so thank you.

Congratulations to the performers in the **Inspired Voices concert** hosted by Tri-County Mental Health Services. The concert was a wonderful celebration of diversity. The music, dance, poetry and individual stories truly were inspiring and most enjoyable.

Congratulations to the **Auburn Community Concert Band** for having the largest opening night audience with over 300 in attendance. I arrived a little late and was delighted to see so many enjoying a beautiful evening on the riverfront. What a great prize basket given that evening. I was only two seats away from the winner.

Congratulations to the **Auburn Sears Hometown** Store which is located at 600 Center Street in ward 1. Welcome to the neighborhood. It was nice of you to invite the community to your ribbon cutting event on Thursday, June 27<sup>th</sup> at 11:00am.

**Dates to watch-** Please watch for the next **New Auburn Center Study public meeting**. There were only 6 or 7 residents at the first meeting. The work of this study may focus in New Auburn, but the outcome will benefit all residents of Auburn.

**Visiting Hours-** Just a reminder visiting hours are Thursday, June 27<sup>th</sup> from 5-7pm, Tuesday July 9<sup>th</sup> from 2-4pm, and Thursday July 25<sup>th</sup> from 5-7pm. These are always held at the Auburn Public Library. Members of the community are invited to drop in- say hello and share your thoughts about Auburn.

**Information provided to residents this period:** As a Councilor I get calls and questions from Auburn residents. Helping to find the answers is one of my favorite parts of serving on the Council. Since our last meeting we’ve looked at several things including:

Foul odor at Festival Plaza during Wednesday’s concert- The Auburn Sewerage District came and addressed the issue.



Feeding wild animals- at the request of a constituent I am working on the situation. It is dangerous to feed wild animals... yes squirrels and raccoons are wild. Do not leave out food or encourage these characters to visit.

Bike Ped Committee- I did attend the complete streets training session and will share more in a future report.

**Public Health Committee** recently reported on the significant increase in Gonorrhoea in our county. I was surprised to see the numbers and concerned about the spread of the disease, especially in women ages 20-29.

**Number and Rate of Gonorrhoea Cases Maine, 2013** Cases reported through April 27, 2013

County	# of New Cases	# of Cases	Rate per 100,000
Maine	10	87	6.55
Androscoggin	5	29	27.00
Cumberland	2	31	10.98

**Safety Reminder-**

People with conventional hobbies and do-it-yourselfers accumulate bug spray, drain cleaner, old paint, used motor oil, pool chemicals, old lighter fluid, nail polish, old batteries, rat poison, unused electronic items, compact fluorescent lights (CFLs), nail polish remover and dozens of other ordinary consumer products that can be hazardous to people and the environment. Unused medicines are also a problem.

**Those things aren't all hazardous, are they? Come on -- light bulbs?**

Many of the items listed are considered to be household hazardous materials. They should be stored carefully as some are flammable, and can catch fire easily -- in some cases; they can be explosive, too. Some hazardous consumer products, like nail polish remover, bug spray and rat poison can be highly toxic to children and pets. And CFLs contain mercury, a potentially toxic material.

**Yikes -- I have all that stuff in my house. I guess I should throw it out.**

Not so fast: Just store it appropriately and use it according to the directions. It is better to use the material as needed rather than disposing it. If you feel you need to dispose it, you should not just put it down the sink or toilet where it will end up at our sewerage treatment plant where some of the materials are difficult to treat. And if you're on a septic tank, those chemicals may kill the bugs in your tank that process your septic waste.



Fortunately, for those of us in Auburn, our garbage is safely handled in MMWAC's modern waste-to-energy plant. This plant is designed to safely handle items normally found in household trash. The best way to dispose latex paint is to open the lid, let it dry, and put the cans of dry paint in your trash; alkaline batteries are also fine in the trash for MMWAC to process. MMWAC's operation is also appropriate for

small quantities of discarded medicines. For other materials we've talked about there is a better way, and a few materials are not supposed to go into the trash at all.

**Well then, what should I do with it?**

Motor oils should go to a service station that is willing to accept it. A good option for household hazardous waste such as your old fluorescent and CFL light bulbs, cans of oil based paint, pesticides, etc is to take them down to our local haz-mat disposal center located at the Lewiston Solid Waste Facility at 424 River Rd., where you can pay to use the facility. Specific rules and hours apply; see <http://envdepot.com/>

TVs, computers, monitors, and fluorescent bulbs can be taken to Auburn Public Works at 296 Gracelawn St. See <http://www.auburnmaine.gov/Pages/Residents/Trash-Recycling-Schedule> for information Auburn posts on solid waste and recycling matters.

See MMWAC's web site to learn what they do at: <http://midmainewaste.com/> . “Thank you” to Joe Kazar for your help.

The DEP's E-Waste web site is found here: [http://www.maine.gov/dep/gis/datamaps/brwm\\_recycling/](http://www.maine.gov/dep/gis/datamaps/brwm_recycling/)

**July is National Recreation and Parks Month.** Whether it's the local picnic area here at Lake Grove Park in Auburn or Acadia National Park, parks are a vital asset to Auburn and our State. They keep communities green and allow people to take a breath of fresh air in this fast paced world. Some of our local parks serve as habitat preservation for all different kinds of animal species. Park facilities also offer programs that can be healthier alternatives for children and families. We recognize this holiday in July – a perfect month to enjoy a picnic or go visit one of our local parks. National Recreation and Parks Month also recognizes the volunteers and employees who keep the parks running smoothly. Help them out, pick up your trash when you leave.

**In closing,** I want to wish everyone a **Happy Independence Day!** I hope you will join me on Wednesday evening, July 3<sup>rd</sup> at 6pm for a picnic at Festival Plaza before the Band concert. I will bring treats to share, but encourage you to bring a sandwich, drink and lawn chair.



# MANAGER'S REPORT

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*July 1, 2013*

## **ICE ARENA STATUS**

- Great news! Staff was able to secure additional advertisement for the ice arena. Hilton Gardens/Hampton Inn will be the premiere accommodations provider facility for 5 years for \$25,000 per year!
- Cote Crane of Auburn has also agreed to advertise on one side of the ice resurfacers for \$3750 per year. We look forward to their presence!
- The "Founders Wall" web site is now live and ready for orders. Visit [www.getetched.com/auburnicearena](http://www.getetched.com/auburnicearena) to place your order. This sponsorship opportunity offers three tiers of support ranging from: \$100 - bronze level, \$250 - silver level and \$500 - gold level.
- Staff continues to attend client meetings focused on sponsorship and advertising.
- Staff secured a total \$2,250 in sponsorship/advertising revenue from one client. **A total of \$43,500 has been collected for advertising/sponsorship!**  
**Great job!**
- Ravi finished a draft RFP for vending machines and arcade games and forwarded to the City Manager and Purchasing Agent for review.
- The first on-site construction meeting was scheduled for June 19.

## **ROUTE 4 PROJECTS**

ATRC (Androscoggin Transportation Research Center) Policy Committee has recommended funding the following Auburn projects:

- \$500,000 for Route 4, south of Lake Shore Dr to north of Blanchard Rd: overlay and restriping to 5 lanes;
- \$150,000 for Route 4 at Fair/Martin/boat launch: PE for future roundabout
- \$150,000 for Route 4 at Lake Shore: PE for future roundabout
- \$195,000 transfer to PIN 11599.20, Minot Ave bin wall: funding shortfall based on latest MaineDOT estimate

- \$400,000 transfer to PIN 14787.10 (South Main St, Vickery Road to Cook St) funding shortfall based on latest Maine DOT estimate

As you can see a significant amount of funding has come our way to deal with safety issues on Route 4 and funding shortfalls on a few MDOT projects. There is a public comment period between now and June 27, 2013.

Posted on: May 30, 2013

### **ATRC TIP Amendment**

#### AMENDMENTS TO THE ATRC FY 2012-2015 TRANSPORTATION IMPROVEMENT PROGRAM

The Androscoggin Transportation Resource Center (ATRC), being the designated Metropolitan Planning Organization (MPO) for Lewiston, Auburn, Lisbon and Sabattus, is amending the ATRC Transportation Improvement Program (TIP) for the years 2012-2015 as follows:

Take the following funds out of PIN 14272.00, and create these new projects:

- \$500,000 for Auburn, Route 4, south of Lake Shore Dr to north of Blanchard Rd: overlay and restriping to 5 lanes;
- \$150,000 for Auburn, Route 4 at Fair/Martin/boat launch: Preliminary engineering for future roundabout;
- \$150,000 for Auburn, Route 4 at Lake Shore: Preliminary engineering for future roundabout;
- \$1,500,000 for Lewiston, Bartlett St, East to College: resurfacing;
- \$195,000 transfer to PIN 11599.20, Minot Ave, Auburn, bin wall repairs;
- \$400,000 transfer to PIN 14787.10, Auburn, South Main St, Vickery Rd to Cook St: reconstruction funding shortfall;
- \$1,000,000 for traffic signal upgrades: Lewiston and Auburn;
- TOTAL: \$3,895,000

ATRC is now requesting public input and/or comments on these projects. Please forward your comments by Wednesday, June 26, 2013, to AVCOG/ATRC at 125 Manley Road, Auburn, Maine 04210. For further information, please contact Jennifer Williams at the above address or (207) 783-9186 or e-mail at [jwilliams@avcog.org](mailto:jwilliams@avcog.org).

### **School Budget Schedule**

#### Basic Information

- State Law requires the School Committee to wait 10 days before submitting a new budget. If 14 days for absentee is added this means the earliest a vote could occur is July 8<sup>th</sup>.
- The School Committee must present a new budget within 45 days. The Council has 30 days to call a vote, so the longest is 75 days. This would be August 26<sup>th</sup>.
- Commitment and tax due date. Usually the 15<sup>th</sup> of September is the due date. This means August 15<sup>th</sup> is the date we need to send out bills and

## Manager's Report

July 1, 2013

with one week lead time that is August 8<sup>th</sup>. Practically speaking the City could force a short process that has a validation vote on August 21<sup>st</sup>. This would require extra effort to publicize.

- Voting Machines are switching June 30<sup>th</sup>. Which means the City will most likely have to hand count. The State is controlling the new machines and we will be trained by August 14<sup>th</sup>. but the State doesn't expect us to use until November.

### Potential Timeline

1. School starts discussions with Committee on:	June 12, 2013 (Wednesday)
2. City Council Reviews <u>City</u> Budget on:	June 17, 2013 (Monday)
3. School Committee adopts revised budget on:	June 26, 2013 (Wednesday)
4. City Council approves voting date and revised budget:	July 1-8, 2013 (Monday)
5. Absentee begins:	July 2-9, 2013 (Tuesday)
6. Validation vote:	July 23, 2013 (Tuesday)
<hr/>	
7. Third Try School starts discussions with Committee on:	July 24, 2013 (Wednesday)
8. School Committee adopts revised budget on:	July 31, 2013 (Wednesday)
9. City Council approves voting date and revised budget:	August 2, 2013 (Monday)
10. Absentee begins:	August 3, 2013 (Tuesday)
11. Validation vote:	August 20, 2013 (Tuesday)
12. Commitment:	August 21, 2013 (Wednesday)

### **School Budget Validation Referendum election costs**

Based on the cost for the June 11, 2013 School Budget Validation Referendum election the City Clerk has provided me with an analysis of the potential costs for the second School Budget election tentatively scheduled for July 23, 2013. (Please note this will be in FY14 and is a new expense.) We could either hand count ballots or use tabulating machines for this election. Our current vendor, LHS, would be willing to give us a 1-2 month extension on our contract. Staff has also contacted Julie Flynn, Deputy Secretary of State to ask if their office would have any objections with us doing that since the new tabulating machines were delivered on June 20<sup>th</sup>, however, training on the new machines will not be provided until August. Ms. Flynn agreed to extend our contract with LHS for the School Budget Election.

Below are the actual costs for the June 11, 2013 School Budget Election:

\$ 656.50 - Ballots  
\$ 120.00 - S&H of ballots  
\$ 500.00 - Programming the machines  
\$ 870.74 - Election workers  
\$ 250.24 - Postage (absentee ballots)  
\$ 211.05 – Sun Journal display ad

\$ 312.30 – Re-usable Vote Today signs (initial expense but we can re-use for other elections)

\$ 200.00 – Public Works cost to post Vote Today signs and parking garage signs

\$ 270.00 – Parks and Recreation cost to set up voting booths

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**\$3,390.83 – Total**

**The estimated cost for another election in July (which is not included in the City Clerk FY14 budget):**

**Hand Count**

\$1,400.00 - Election Workers (additional staff/election clerks due to hand counting)

\$ 211.00 - Sun Journal display ad

\$ 250.00 - Postage (absentee ballots)

\$ 15.00 - Print paper ballots

\$ 200.00 – Public Works cost to put out signs

\$ 270.00 – Parks and Recreation cost to set up voting booths

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\$2,346.00 – Total

**Tabulating Machines Option**

\$ 650.00 – 2,500 Ballots

\$ 65.00 - S&H of ballots

\$ 450.00 - Programming the machines

\$ 870.00 - Election workers

\$ 250.00 - Postage (absentee ballots)

\$ 211.00 – Sun Journal display ad

\$ 200.00 – Public Works cost to post Vote Today signs and parking garage signs

\$ 270.00 – Parks and Recreation cost to set up voting booths

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**\$2,966.00 – Total**

**I recommend that we use the Hand count option to process ballots. This will eliminate the need to wait for ballots and have them available the day after City Council approves the budget being forwarded to voters.** Further we did not budget for an extra election since we can't predict outcomes nor should we.

**Crosswalk Painting**

Several questions have risen regarding the painting of crosswalks as part of the shortfall we had in FY13 cuts were made to the crosswalk painting budget in the amount of \$10,000.00. In keeping with minimum standards we did paint lines that outlined the crosswalk not the interior lines that are often referred to as 'piano key'. Several crosswalks in close proximity to schools still received the "piano key" type cross walks.

**Outlet Beach E-Coli Testing**

Testing by the Auburn Water District for E. Coli have returned results that are as follows:

AUBURN OUTLET BEACH						
COLLECTION Date	COLLECTION Time	Quantitray MPN per 100 mls			Ducks	Geese
			E. Coli	Enterococci		
5/31/2013	0500		<u>11.0</u>	1.0		
6/3/2013	0630		<u>547.5</u>	56.0		
6/5/2013	0645		<u>167.0</u>	17.3	8	
6/7/2013	0540		<u>151.5</u>	20.9	14	7
6/10/2013	0800		<u>193.5</u>	39.7	21	8
6/12/2013	0530		<u>&gt;2419.6</u>	108.1	25	10
6/14/2013	0530		<u>161.6</u>	24.5	23	18
6/17/2013	0815		<u>435.2</u>	25.9	14	0
6/19/2013	0710		<u>148.3</u>	19.1	30	
6/21/2013	0645		<u>214.3</u>	31.5	40	
6/24/2013	0845		<u>770.1</u>	47.3	5	20
			-			
			-			

### **Recycling Program**

The City currently has 2 locations for residents to drop off approved recycling material. Those locations are Mid-Maine Waste Action Corp., 110 Goldthwaite Rd., 783-8805 or Auburn Public Works, 296 Gracelawn Road, 333-6600. One option that we are considering is working with the School Department to have recycling bins at their facilities. This has been successful across the state in terms of availability for citizens to recycle more often. We are going to negotiate for curbside pickup starting July 1, 2014 or sooner if financially viable.

### **Volleyball Courts**

Public Works has worked hard to get the volleyball court installed at the municipal beach park. The volleyball court has been cleared and is waiting for Digsafe to inspect the area for utilities. The court will be available to the public on Tuesday, 2 July 2013.



# Auburn Police Department



## Memorandum

Phillip L. Crowell  
Chief of Police

Jason D. Moen  
Deputy Chief

Rita P. Beaudry  
Executive Assistant

**To:** Honorable Mayor Jonathan LaBonte and Members of the City Council

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

**Date:** June 6, 2013

**Re:** Badge Pinning Ceremony K-9 Officer Rocky and Handler Tyler Ham

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K-9 Rocky, who is approximately 26 months old, was named by Officer Ham to always remember the heroism of Auburn Police Department Officer Rodney (Rocky) Bonney, who dove into the Androscoggin River in April, 1981 in an attempt to save a young man who had fallen in. Both Officer Bonney and the young man perished.

During the past 14 weeks, K-9 Rocky and his Handler Officer Tyler Ham have attended the Maine Criminal Justice Academy's Patrol K-9 training program. For the first time, the K-9 training program was extended from a 12 week program to a 14 week program. Fourteen teams participated in the training. Components of the training program include: Building / Vehicle searches, Baggage / Parcel searches, Open Area searches, Suspect Apprehension, Tracking, and Officer Safety.

The K-9, without assistance from the Handler, must be able to: track a suspect or evidence at minimum of one half mile where the trail is 30 minutes old, detect where a suspect is and at all times protect the officer. When apprehending a suspect, the K-9 must be able to complete routine bite work as well as display tolerance with a suspect. He must be able to recognize an assault on his handler and react appropriately.

I am pleased to announce that on June 4<sup>th</sup>, K-9 Rocky and his Handler Officer Ham successfully completed the MCJA and NESPAC (New England State Police Administrative Conference) requirements for certification and are deemed competent to perform the duties of a Patrol K-9 Handler Team.

MCJA graduation exercises took place on June 14<sup>th</sup>. Please join me in congratulating the Auburn Police Department's newest officer, K-9 Officer Rocky and his Handler Officer Tyler Ham.

# Auburn City Council Meeting

## Police Department Swearing-In and Badge Pinning Ceremony



Auburn Police Department  
60 Court Street | Auburn, Maine 04210  
[www.auburnpd.com](http://www.auburnpd.com)



July 1, 2013

## Law Enforcement Oath of Honor

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On My Honor,  
I Will Never Betray My Badge,  
My Integrity, My Character,  
Or The Public Trust.

I Will Always Have  
The Courage To Hold Myself  
And Others Accountable For Our Actions.

I Will Always Uphold the Constitution,  
My Community And the Agency I Serve.

## New K-9 Officer

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### K-9 Officer "Rocky"

Graduated from the Maine Criminal Justice Academy on  
June 14, 2013.

### K-9 Handler, Patrol Officer Tyler Ham

Graduated from the Maine Criminal Justice Academy on  
June 14, 2013.

K-9 Rocky was named by Officer Ham to always  
remember the heroism of Auburn Police Department  
**Officer Rodney "Rocky" Bonney**,  
who dove into the Androscoggin River in April, 1981  
in an attempt to save a young man who had fallen in.  
Both Officer Bonney and the young man perished.

Badge presented by Chief Phillip L. Crowell, Jr. and Cherrie Bonney, widow of Officer Rocky Bonney  
Oath of Office administered by Mayor Jonathan P. LaBonté

# CITY OF AUBURN



## PROCLAMATION

### TO CONGRATULATE KEN BLAIS FOR BEING NAMED THE 2013 CITY OF AUBURN'S SPIRIT OF AMERICA'S TRIBUTE RECIPIENT

**WHEREAS**, Ken Blais has been a prominent figure in Auburn for many years; and

**WHEREAS**, Ken has been instrumental in the revitalization efforts of New Auburn and is always willing to generously support community events and projects such as the holiday lighting, Easter Egg Hunt, Dinny Sullivan Day, New Auburn Association monthly meetings and many others; and

**WHEREAS**, He has owned and operated Rolly's Diner for numerous years and recently was awarded the first ever City of Auburn Community Service award at the recent LAEGC Award banquet; and

**WHEREAS**, Ken has given back in multiple ways that go above and beyond and truly show his compassion and dedication to his community; and

**NOW, THEREFORE**, the Auburn City Council, on behalf of the Citizen of Auburn, hereby expresses its strong appreciation for Ken Blais by naming him as the City of Auburn's 2013 Spirit of America Tribute recipient.

**IN WITNESS WHEREOF**, we have hereunto set our hand and caused the Seal of the City of Auburn to be imprinted this First day of July, Two Thousand Thirteen.

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Mayor Jonathan P. LaBonté

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Councilor Tizz E.H. Crowley

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Councilor Robert Hayes

---

Councilor Mary LaFontaine

---

Councilor David Young

---

Councilor Leroy Walker

---

Councilor Joshua Shea

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Councilor Belinda Gerry





## City Council Agenda Information Sheet

City of Auburn

Council Meeting Date: July 1, 2013

Ordinance 09-06172013

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

Item(s) checked below represent the subject matter related to this workshop item.

**Comprehensive Plan**    **Work Plan**    **Budget**    **Ordinance/Charter**    **Other Business\***    **Council Goals\*\***

\*\*If Council Goals please specify type:    *Safety*    *Economic Development*    *Citizen Engagement*

Subject: Flood Ordinance and Map Updates for 2013 NFIP Requirements

Information: The Federal Emergency Management Agency (FEMA) published revised floodplain maps for Androscoggin County in June of 2012. As a result, proposed floodplain designations for some properties in Auburn were reclassified on the draft maps. Some properties now fall within a more stringent floodplain zone, while others may have been removed from previously identified floodplain areas. One substantial change is an approximately 1 foot lower flood elevation around Taylor Pond. Last summer a notice was sent to property owners and was followed by a number of public meetings to provide local comments and information for FEMA to consider in revising the Flood Insurance Rate Maps (FIRMs). Those maps have been finalized by FEMA and will become effective on July 8, 2013. The next phase of this process is for local adoption of the flood maps by the City. If we wish to continue to participate in the National Flood Insurance Program (NFIP), the local adoption of the maps is mandatory. The attached letter was sent to over 1400 property owners and the City has undergone an extensive 12 month public information and engagement process on these maps in partnership with Lewiston Staff. Staff from Auburn was very pleased to be called a "poster child" for public outreach by both State Floodplain Management Program Staff and Carlene Tremblay of Senator Collins Office.

The two major changes include the updated maps and a reformatting of the ordinance to match the new State Model. The reformatting makes this review more difficult to follow, however, it will make future State mandated edits easier to follow and implement.

Financial: Some property owners will be required to have flood insurance and others will not. The adoption will allow access to the National Flood Insurance Program for public and private property owners.

Action Requested at this Meeting: Second and final reading.

Previous Meetings and History: July 7, 2012 and May 2, 2013 Public Outreach Meetings, May 14, 2013 Planning Board Meeting and Public Hearing, and Council workshop discussion on June 3, 2013, public hearing and passage of first reading on June 17, 2013.

Attachments: May 14, 2013 Planning Board Report and Draft Minutes, Draft ordinance and Map links in PB Staff Report, State Notice for Map and Ordinance Adoption.

*\*Agenda items are not limited to these categories.*

# Auburn Planning Board Meeting Minutes

## May 14, 2013

### Roll Call

**Full Members present:** Robert Gagnon, Evan Cyr, Dan Bilodeau, Emily Mottram, Robert Bowyer Presiding, Marc Tardif and Dan Philbrick.

**Associate Members present:** Kenneth Bellefleur.

**Associate Members absent:** Mia Poliquin Pross

**Also present:** Director / City Planner Eric Cousens who represented City staff.

### Minutes

A request to approve the April 9, 2013 meeting minutes was made by staff.

A motion was made by Robert Gagnon and seconded by Marc Tardif to approve the April 9, 2013 meeting minutes as presented. After a vote of 7-0-0, the motion carried.

### Public Hearings:

Public hearing for a recommendation to the City Council on a proposal to amend the City Of Auburn Zoning Ordinance Chapter 60, Article XII, Division 2. Floodplain Overlay District, including the referenced Flood Map. The changes are mandated by FEMA if the City wishes to continue participating in the National Flood Insurance Program to allow property owners to access flood insurance.

Chairperson Bowyer explained the procedure that is used for Public Hearings.

Eric Cousens read the staff report.

Board members commented on the proposed draft stating it was a generic document because it referenced a tidal community and ship building in the language. There was additional conversation between the Planning Board members and Eric regarding the draft.

### Open Public Hearing

A motion was made by Dan Bilodeau and seconded by Evan Cyr to close the public hearing. After a vote of 7-0-0, the motion carried.

A motion was made by Dan Bilodeau and seconded by Robert Gagnon to forward a positive recommendation to the City Council to adopt the standards and referenced maps and continue participating in the NFIP and that the effective date of the adopted ordinance coincide with the FEMA date of July 8, 2013.

After a vote of 7-0-0, the motion carried.

Chairperson Bowyer suggested that Eric append to the recommendation a reminder to the City Council of the extensive notification process and the effort that was made by the City to contact the property owners.

**OLD BUSINESS:** None at this time.

### **MISCELLANEOUS**

#### **Discussion about the Hickory Drive Zoning Change**

Eric placed a map of the area in discussion on the projector screen for the Planning Board members to see. He explained the situation before them and said they did not have to take action at this time. A discussion ensued and it was decided that the Hickory Drive zoning change proposal was worthy of consideration.

#### **Discussion about the Joint Land Use Study**

Eric gave the Board members a status of the Joint Land Use Study. He spoke about the Open House that is scheduled for May 29, 2013 and mentioned that the committee would like to come before the Board and Council on June 25, 2013 to present their findings.

#### **Status on Hiring New City Planner & Next Month's Meeting**

Eric gave a brief update on the prospect of hiring a City Planner and informed the Board members about next month's Public Hearing.

### **ADJOURNMENT**

A motion was made by Robert Gagnon and seconded by Emily Mottram to adjourn. After a vote of 7-0-0, the motion carried.



STATE OF MAINE  
DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY

93 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0093

WALTER E. WHITCOMB  
COMMISSIONER

PAUL R. LEPAGE  
GOVERNOR

January 10, 2013

Mr. Clinton Deschene, City Manager  
City of Auburn  
60 Court Street  
Auburn, Maine 04210

COPY

[Certified Mail]

RE: Updated ordinance requirement for compliance with the National Flood Insurance Program (NFIP)

Dear Mr. Deschene

Your community should have recently received a Letter of Final Determination (LFD) from the Federal Emergency Management Agency (FEMA) which sets the effective date of the new digital flood maps for all of Androscoggin County for July 8, 2013. This letter marks the beginning of a six month time period for communities to update their Floodplain Management Ordinances to reflect any changes since the last ordinance was adopted and to incorporate the new map date. **Your community must adopt an updated Floodplain Management Ordinance which references the new map date on or before July 8, 2013 in order to avoid being immediately suspended from the NFIP.**

Enclosed is a copy of the most current state model Floodplain Management Ordinance that has been customized specifically for your community. Participation in the NFIP provides protection to those members of your community who may be affected by flooding. One of the most important benefits is your town's eligibility for disaster funding to repair roads damaged by flooding when your county is in a declared disaster area. In addition, flood insurance is available to those who have federally backed mortgages in the floodplain. This is all possible by way of your community's commitment to adopt, administer and enforce its floodplain ordinance and your commitment to regulate development within flood prone areas.

Adoption of the new maps prior to the final map date will assure uninterrupted and continued participation in the NFIP. The enclosed ordinance contains all the changes that have occurred at the federal and state level since your ordinance was last adopted. Also enclosed is an instruction sheet that explains the ordinance adoption process. Since FEMA has very specific requirements regarding ordinance language we encourage communities to adopt the ordinance without changes. However, if you would like to make any changes, you should discuss them with this office prior to local consideration. This is to ensure that the ordinance remains compliant.

**Please make sure your community does not adopt any prior versions of the ordinance that we may have previously sent to your community.**

We filled in the application fee (in Article III) using the ordinance that is in effect now for your community. The application fee is set by the municipality so if you would like to review other fee options or change it, just let us know.

PHONE: (207) 287-2801

17 ELKINS LANE, WILLIAMS PAVILION  
[www.maine.gov/acf](http://www.maine.gov/acf)

FAX: (207) 287-2353

Some communities have expressed concern about adopting maps that do not become effective until several months after they are adopted. Please note that is acceptable for the community to set the effective date of the ordinance to coincide with the day the new maps become effective.

Once your ordinance has been adopted, and certified by the Town Clerk, please send this office an electronic copy (if possible) and two (2) certified printed copies. We will forward one copy each to the FEMA regional office and the regional planning commission. An electronic copy will be filed here at the Maine Floodplain Management Program.

**Please provide us with contact information for the person who will be responsible locally for coordinating the ordinance update process. We would also like to know the scheduled dates for your public hearing and town meeting as we must track this information for all of Androscoggin County.** Please contact Janet Parker at 287-9981 or [janet.parker@maine.gov](mailto:janet.parker@maine.gov) as soon as this information is available.

Over the next few months we expect to host at least two outreach meetings in Androscoggin County. Usually one is scheduled for the afternoon and one in the early evening. These will be public informational sessions so that we can answer questions as to how folks will be affected by the new maps, particularly with regard to flood insurance. We hope you will have at least one local official in attendance and that you'll spread the word so that property owners have the opportunity to get their individual questions answered. Please feel free to contact me (287-8063 or [sue.baker@maine.gov](mailto:sue.baker@maine.gov)), Joe (287-8051 or [joseph.young@maine.gov](mailto:joseph.young@maine.gov)), or Janet (298-9981 or [janet.parker@maine.gov](mailto:janet.parker@maine.gov)) at any time throughout this process if you have questions or need additional assistance.

Best Regards,



Sue Baker, CFM  
State NFIP Coordinator

Enclosures: Customized 2013 Model Ordinance  
Adoption Instructions

Cc: Eric Cousens, City Planner

# City of Auburn, Maine

*"Maine's City of Opportunity"*

## Office of Planning & Permitting

April 23, 2013

Dear Property Owner,

The Federal Emergency Management Agency (FEMA) published revised floodplain maps for Androscoggin County in June of 2012. As a result, proposed floodplain designations for some properties in Auburn were reclassified on the draft maps. Some properties now fall within a more stringent floodplain zone, while others may have been removed from previously identified floodplain areas. One substantial change is an approximately 1 foot lower flood elevation around Taylor Pond. This letter is being sent to you because City records indicate that you own property that is currently mapped as being located within or proposed to be mapped within the 100-year flood zone. Last summer a notice was sent to property owners and was followed by a number of public meetings to provide local comments and information for FEMA to consider in revising the maps. Those maps have been finalized by FEMA and will become effective in July 2013. The next phase of this process is for local adoption of the flood maps by the City. If we wish to continue to participate in the National Flood Insurance Program (NFIP), the local adoption of the maps is mandatory. This letter is being sent to over 1400 property owners. Due to the large number of property owners we have created a web page to help you access the information you need to determine how the map changes affect your property (ies).

The proposed FEMA Flood Insurance Rate (FIRM) maps are posted for viewing on the City's website at <http://www.auburnmaine.gov/Pages/Government/Floodplain-Info->. The directions on that site will help you search for your property and compare the current flood map to the proposed flood map. There is also a spread sheet with the changes to each property estimated based on mapping information. We made every effort to provide an accurate analysis on that list, but property owners need to view the maps to be sure of the changes. The maps may also be accessed in the City's Planning and Permitting Department, located on the 1st floor of Auburn City Hall between 8am and 4:30pm, M-F. If the maps indicate that the floodplain is close to any structures on your property you are encouraged to view the official paper copies of the maps. Additional information and resources are also linked to the web page to help answer any questions.

FEMA published notices in the local newspaper as required by law, but City Council and staff wanted to mail an additional notice ensure awareness of the changes. FIRMs are used to determine if flood insurance is required for loans and to set insurance rates. The City of Auburn participates in the NFIP to ensure that property owners have access to the Federal Insurance Program. The City also participates in the Community Rating System program to allow for discounted insurance rates throughout the City by meeting Federal flood damage prevention and education requirements.

The process for the current and final phase of the map adoption process will be as follows. You are invited to participate in any of the public meetings or contact the Planning and Permitting Office or State Floodplain Management Program Office for information or questions.

Eric Cousens, Director of Planning and Permitting  
Auburn, Maine 04210  
(207) 333-6601, ext. 1154  
[ecousens@auburnmaine.gov](mailto:ecousens@auburnmaine.gov)

Sue Baker, CFM, Program Coordinator  
207-287-8063  
[sue.baker@maine.gov](mailto:sue.baker@maine.gov)

**May 2, 2013 at 6PM**

Community Room, 2<sup>nd</sup> Floor of Auburn City Hall, 60 Court Street Auburn, Maine 04210  
Joint Auburn/Lewiston and surrounding communities of Androscoggin County Public Outreach Meeting hosted by State and FEMA Staff to cover the following topics and answer questions:

- Insurance availability and policy changes
- Community resilience and hazard mitigation
- Floodplain map availability
- Letters of Map amendment

**May 14, 2013 6PM Auburn Planning Board Meeting**

City Council Chambers at Auburn City Hall, 60 Court Street, Auburn Maine 04210  
Public discussion and public hearing regarding proposed floodplain zoning map changes and forward a recommendation to the Auburn City Council.

**June 3, 2013 5:30PM City Council Workshop**

City Council Chambers at Auburn City Hall, 60 Court Street, Auburn Maine 04210  
Workshop with Council to discuss the proposed maps and the Planning Board Recommendation. This is just an introduction to the subject and no action expected at this meeting. Workshops don't provide an opportunity for public input but the meeting following the workshop at 7pm will have an open session for anyone wishing to speak to the Council.

**June 17, 2013 7pm City Council Meeting**

City Council Chambers at Auburn City Hall, 60 Court Street, Auburn Maine 04210  
The Council will discuss the proposed maps and the Planning Board Recommendation. This is a public reading and public input is requested from anyone wishing to speak to the Council about this subject to help the Council make a decision.

**July 1, 2013 7pm City Council Meeting**

City Council Chambers at Auburn City Hall, 60 Court Street, Auburn Maine 04210  
The Council will discuss the proposed maps and the Planning Board Recommendation. This is a second and final public reading, public hearing and public input is requested from anyone wishing to speak to the Council about this subject to help the Council make a decision.

Please feel free to call or email Sue Baker or myself with any questions.

Sincerely,

Eric Cousens, City Planner / Director of Planning and Permitting

Tizz E. H. Crowley, Ward One  
Robert Hayes, Ward Two  
Mary Lafontaine, Ward Three  
David Young, Ward Four



Leroy Walker, Ward Five  
Belinda Gerry, At Large  
Joshua Shea, At Large

Jonathan LaBonte, Mayor

## IN CITY COUNCIL

### ORDINANCE 09-06172013

BE IT ORDERED, that the City of Auburn Zoning Ordinance and Map is hereby amended pursuant to Chapter 60, Article XVII, Division 2 of the Ordinances of the City of Auburn. The amendment includes the adoption of the attached Chapter 60, Article XII, Division 2 – Floodplain Overlay District and the National Flood Insurance Rate Maps for the City of Auburn, Androscoggin County Effective July 8, 2013. The amendment is based on the finding that changes are consistent with The City's Comprehensive Plan and Future Land Use Map and are a State and Federal requirement if the City wishes to participate in the National Flood Insurance Program.

PART II - CODE OF ORDINANCES  
Chapter 60 - ZONING  
ARTICLE XII. - ENVIRONMENTAL REGULATIONS  
  
DIVISION 2. - FLOODPLAIN OVERLAY DISTRICT

***DIVISION 2. - FLOODPLAIN OVERLAY DISTRICT***

- ~~Sec. 60-892. - Definitions.~~Purpose and Establishment.
- ~~Sec. 60-893. - Enforcement and penalties.~~ Permit required.
- ~~Sec. 60-894. - Establishment.~~ Application for permit.
- ~~Sec. 60-895. - Permit required.~~Application Fee and Expert's Fee.
- ~~Sec. 60-896. - Application for permit.~~Review Standards for Flood Hazard Development Permit Applications.
- ~~Sec. 60-897. - Review of flood hazard development permit applications.~~Development Standards.
- ~~Sec. 60-898. - Development standards.~~Certificate of Compliance.
- ~~Sec. 60-899. - Certificate of compliance.~~Review of Subdivisions and Development Proposals.
- ~~Sec. 60-900. - Review of subdivision and development proposals.~~Appeals and Variances.
- ~~Sec. 60-901. - Appeals and variances.~~Enforcement and Penalties.
- ~~Sec. 60-902. -~~ Validity and Severability.
- ~~Sec. 60-903. -~~ Conflict With Other Ordinances.
- ~~Sec. 60-904. -~~ Definitions.
- ~~Sec. 60-905. -~~ Abrogation.
- ~~Secs. 60-9026—60-920. -~~ Reserved.

**Sec. 60-892. -- DefinitionsPurpose and Establishment.**

~~Unless specifically defined in this section, words and phrases used in this division shall have the same meaning as they have at common law and to give this division its most reasonable application. Words used in the present tense include the future, the singular number includes the plural, and the plural number includes the singular. The term "may" is permissive; the term "shall" is mandatory and not discretionary.~~

~~100-year flood. See Base flood.~~

~~Adjacent grade means the natural elevation of the ground surface prior to construction next to the proposed walls of a structure.~~

~~Area of shallow flooding means a designated AO and AH zone on a community's flood insurance rate map (FRIM) with a one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.~~

~~Area of special flood hazard means the land in the floodplain having a one percent or greater chance of flooding in any given year, as specifically identified in the flood insurance study cited in section 60-894.~~

~~Base flood means the flood having a one percent chance of being equaled or exceeded in any given year, commonly called the 100-year flood.~~

PART II - CODE OF ORDINANCES  
Chapter 60 - ZONING  
ARTICLE XII. - ENVIRONMENTAL REGULATIONS  
DIVISION 2. - FLOODPLAIN OVERLAY DISTRICT

~~*Basement* means any area of the building having its floor subgrade (below ground level) on all sides.~~

~~*Breakaway wall* means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.~~

~~*Building*. See *Structure*.~~

~~*Certificate of compliance* means a document signed by the code enforcement officer stating that a structure is in compliance with all of the provisions of this division.~~

~~*Code enforcement officer* means any person or board responsible for performing the inspection, licensing, and enforcement duties required by a particular statute or ordinance.~~

~~*Development* means any change caused by individuals or entities to improved or unimproved real estate, including but not limited to the construction of buildings or other structures; the construction of additions or substantial improvements to buildings or other structures; mining, dredging, filling, grading, paving, excavation, drilling operations or storage of equipment or materials; and the storage, deposition, or extraction of materials, public or private sewage disposal systems or water supply facilities.~~

~~*Elevated building* means a nonbasement building:~~

- ~~(1) Built, in the case of a building in zones A1-30, AE, A, A99, AO or AH, to have the top of the elevated floor, elevated above the ground level by means of pilings, columns, posts, piers, or stilts; and~~
- ~~(2) Adequately anchored so as not to impair the structural integrity of the building during a flood of up to one foot above the magnitude of the base flood.~~

~~In the case of zones A1-30, AE, A, A99, AO or AH, the term "elevated building" also includes a building elevated by means of fill or solid foundation perimeter walls less than three feet in height with openings sufficient to facilitate the unimpeded movement of floodwaters.~~

~~*Elevation certificate* means an official form (FEMA form 81-31, 05/93, as amended) that:~~

- ~~(1) Is used to verify compliance with the floodplain management regulations of the National Flood Insurance Program; and~~
- ~~(2) Is required for repurchasing flood insurance.~~

~~*Flood or flooding* means:~~

- ~~(1) A general and temporary condition of partial or complete inundation of normally dry land areas from:
  - ~~a. The overflow of inland or tidal waters.~~
  - ~~b. The unusual and rapid accumulation or runoff of surface waters from any source.~~~~
- ~~(2) The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in subsection (1) of this definition.~~

~~*Flood elevation study* means an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations.~~

PART II - CODE OF ORDINANCES  
Chapter 60 - ZONING  
ARTICLE XII. - ENVIRONMENTAL REGULATIONS  
DIVISION 2. - FLOODPLAIN OVERLAY DISTRICT

~~*Flood insurance rate map (FIRM)* means an official map of a community, on which the administrator of the Federal Insurance Administration has delineated both the special hazard areas and the risk premium zones applicable to the community.~~

~~*Flood insurance study.* See *Flood elevation study.*~~

~~*Floodplain or floodprone area* means any land area susceptible to being inundated by water from any source. (See *Flooding*.)~~

~~*Floodplain management* means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works, and floodplain management regulations.~~

~~*Floodplain management regulations* means zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance, and erosion control ordinance) and other applications of police power. The term "floodplain management regulations" describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.~~

~~*Floodproofing* means any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and contents.~~

~~*Floodway.* See *Regulatory floodway.*~~

~~*Floodway encroachment lines* means the lines marking the limits of floodways on federal, state, and local floodplain maps.~~

~~*Freeboard* means a factor of safety, usually expressed in feet, above a flood level for purposes of floodplain management. Freeboard tends to compensate for the many unknown factors, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed that could contribute to flood heights greater than the height calculated for a selected size flood and flood conditions.~~

~~*Functionally dependent use* means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term "functionally dependent use" includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and shipbuilding and ship repair facilities, but does not include long-term storage or related manufacturing facilities.~~

~~*Historic structure* means any structure that is:~~

- ~~(1) Listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;~~
- ~~(2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary of the Interior to qualify as a registered historic district;~~
- ~~(3) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or~~
- ~~(4) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
  - ~~a. By an approved state program as determined by the Secretary of the Interior; or~~
  - ~~b. Directly by the Secretary of the Interior in states without approved programs.~~~~

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~~*Locally established datum* means an elevation established for a specific site to which all other elevations at the site are referenced. This elevation is generally not referenced to the National Geodetic Vertical Datum (NGVD) or any other established datum and is used in areas where mean sea level data is too far from a specific site to be practically used.~~

~~*Lowest floor* means the lowest floor of the lowest enclosed area, including basement. An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable nonelevation design requirements described in section 60-898.~~

~~*Manufactured home* means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes the term "manufactured home" also includes park trailers, travel trailers, and other similar vehicles placed on a site for greater than 180 consecutive days.~~

~~*Manufactured home park or subdivision* means a parcel or contiguous parcels of land divided into two or more manufactured home lots for rent or sale.~~

~~*Mean sea level* means for purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929, or other datum, to which base flood elevations shown on a community's flood insurance rate map are referenced.~~

~~*Minor development* means all development that is not new construction or a substantial improvement, such as repairs, maintenance, or renovations, whose value is less than 50 percent of the market value of the structure. The term "minor development" includes but is not limited to: mining, dredging, filling, grading, paving, excavation, drilling operations, storage of equipment or materials, deposition or structures.~~

~~*New construction* means structures for which the start of construction commenced on or after the effective date of floodplain management regulations adopted by a community and includes any subsequent improvements to such structures.~~

~~*Recreational vehicle* means a vehicle which is:~~

- ~~(1) Built on a single chassis;~~
- ~~(2) 400 square feet or less when measured at the largest horizontal projection;~~
- ~~(3) Designed to be self-propelled or permanently towable by a light duty truck; and~~
- ~~(4) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.~~

~~*Regulatory floodway* means:~~

- ~~(1) The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulative increasing the water surface elevation more than one foot; and~~
- ~~(2) In riverine areas is considered to be the channel of a river or other watercourse and the adjacent land areas to a distance of one-half the width of the floodplain, as measured from the normal high-water mark to the upland limit of the floodplain.~~

~~*Riverine* means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.~~

~~*Special flood hazard area. See Area of special flood hazard.*~~

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~~Start of construction means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, substantial improvement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of pipes, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.~~

~~Structure, for floodplain management purposes, means a walled and roofed building. A gas or liquid storage tank that is principally above ground is also a structure.~~

~~Substantial damage means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damage condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.~~

~~Substantial improvement means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the start of construction of the improvement. The term "substantial improvement" includes structures which have incurred substantial damage, regardless of the actual repair work performed. The term does not, however, induce either:~~

- ~~(1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to ensure safe living conditions; or~~
- ~~(2) Any alteration of an historic structure, provided that the alteration will not preclude the structure's continued designation as an historic structure.~~

~~Variance means a grant of relief by a community from the terms of a floodplain management regulation.~~

~~Violation means the failure of a structure or development to comply with a community's floodplain management regulations.~~

~~(Ord. of 9-21-2009, § 5.1J)~~

Certain areas of the City of Auburn, Maine are subject to periodic flooding, causing serious damages to properties within these areas. Relief is available in the form of flood insurance as authorized by the National Flood Insurance Act of 1968.

Therefore, the City of Auburn, Maine has chosen to become a participating community in the National Flood Insurance Program, and agrees to comply with the requirements of the National Flood Insurance Act of 1968 (P.L. 90-488, as amended) as delineated in this Floodplain Management Ordinance.

It is the intent of the City of Auburn, Maine to require the recognition and evaluation of flood hazards in all official actions relating to land use in the floodplain areas having special flood hazards.

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The City of Auburn has the legal authority to adopt land use and control measures to reduce future flood losses pursuant to Title 30-A MRSA, Sections 3001-3007, 4352, 4401-4407, and Title 38 MRSA, Section 440.

The National Flood Insurance Program, established in the aforesaid Act, provides that areas of the City of Auburn having a special flood hazard be identified by the Federal Emergency Management Agency and that floodplain management measures be applied in such flood hazard areas. This Ordinance establishes a Flood Hazard Development Permit system and review procedure for development activities in the designated flood hazard areas of the City of Auburn, Maine.

The areas of special flood hazard, Zones A and AE for the City of Auburn, Androscoggin County, Maine, identified by the Federal Emergency Management Agency in a report entitled "Flood Insurance Study – Androscoggin County, Maine" dated July 8, 2013 with accompanying "Flood Insurance Rate Map" dated July 8, 2013 with panels: 183, 184, 191, 192, 193, 194, 203, 211, 212, 213, 214, 302, 304, 306, 307, 308, 309, 312, 316, 317, 320, 326, 327, 328, 329, 336, 337, 338, 339, 341, 343, 430, derived from the county wide digital Flood Insurance Rate Map entitled "Digital Flood Insurance Rate Map, Androscoggin County," are hereby adopted by reference and declared to be a part of this Ordinance.

**Sec. 60-893. -~~Enforcement and penalties~~Permit Required.**

- ~~(a) It shall be the duty of the code enforcement officer to enforce the provisions of this division pursuant to 30-A M.R.S.A. § 4452.~~
- ~~(b) The penalties contained in section 1-15 shall apply to any violation of this division.~~
- ~~(c) In addition to any other actions, the code enforcement officer, upon determination that a violation exists, shall submit a declaration to the administrator of the federal insurance administration requesting a denial of flood insurance. The valid declaration shall consist of:~~
- ~~(1) The name of the property owner and address or legal description of the property sufficient to confirm its identity or location;~~
  - ~~(2) A clear and unequivocal declaration that the property is in violation of a cited state or local law or ordinance;~~
  - ~~(3) A statement that the public body making the declaration has authority to do so and a citation to that authority;~~
  - ~~(4) Evidence that the property owner has been provided notice of the violation and the prospective denial of insurance; and~~
  - ~~(5) A clear statement that the declaration is being submitted pursuant to section 1316, as amended, of the National Flood Insurance Act of 1968, 42 USC 4001 et seq.~~
- ~~(Ord. of 9-21-2009, § 5.11)~~

Before any construction or other development (as defined in Section 60-904), including the placement of manufactured homes, begins within any areas of special flood hazard established in Section 60-892, a Flood Hazard Development Permit shall be obtained from the Planning and Development Department. This permit shall be in addition to any other permits which may be required pursuant to the codes and ordinances of the City of Auburn, Maine.

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**Sec. 60-894. ~~Establishment~~Application for Permit.**

- ~~(a) Certain areas of the city are subject to periodic flooding, causing serious damage to properties within these areas. Relief is available in the form of federally subsidized flood insurance as authorized by the National Flood Insurance Act of 1968.~~
- ~~(b) The city has chosen to become a participating community in the National Flood Insurance Program, and agrees to comply with the requirements of the National Flood Insurance Act of 1968, 42 USC 4001 et seq., as delineated in this article.~~
- ~~(c) It is the intent of the city to require the recognition and evaluation of flood hazards in all official actions relating to land use in the floodplain areas having special flood hazards. This body has the legal authority to adopt land use and control measures to reduce future flood losses pursuant to 30-A M.R.S.A. §§ 3001—3007, 4352 and 4401—4407.~~
- ~~(d) The National Flood Insurance Program, established in the aforesaid Act, provides that areas of the community having a special flood hazard be identified by the Federal Emergency Management Agency (FEMA) and that floodplain management measures be applied in such flood hazard areas. This division establishes a flood hazard development permit system and review procedure for development activities in the designated flood hazard areas.~~
- ~~(e) The areas of special flood hazard, zones A and AE, identified by FEMA in a report entitled "Flood Insurance Study—City of Auburn, Maine, Androscoggin County," dated October 18, 1995 with accompanying Flood Insurance Rate Map dated October 18, 1995, is hereby adopted by reference and declared to be a part of this division.~~

~~{Ord. of 9-21-2009, § 5.1A}~~

The application for a Flood Hazard Development Permit shall be submitted to the Planning and Development Department and shall include:

- A. The name, address and phone number of the applicant, owner, and contractor;
- B. An address and a map indicating the location of the construction site;
- C. A site plan showing location of existing and/or proposed development, including but not limited to structures, sewage disposal facilities, water supply facilities, areas to be cut and filled, and lot dimensions;
- D. A statement of the intended use of the structure and/or development;
- E. A statement of the cost of the development including all materials and labor;
- F. A statement as to the type of sewage system proposed;
- G. Specification of dimensions of the proposed structure and/or development;
- [Items H-K.2 apply only to new construction and substantial improvements.]
- H. The elevation in relation to the National Geodetic Vertical Datum (NGVD), North American Vertical Datum (NAVD) or to a locally established datum in Zone A only, of the:

- 1. base flood at the proposed site of all new or substantially improved structures, which is determined;

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- a. in Zones AE, from data contained in the “Flood Insurance Study – Androscoggin County, Maine” as described in Section 60-892; or,
- b. in Zone A:
  - (1) from any base flood elevation data from federal, state, or other technical sources (such as FEMA’s Quick-2 model, FEMA 265), including information obtained pursuant to Section 60-897.K. and 60-899.D.;
  - (2) from the contour elevation extrapolated from a best fit analysis of the floodplain boundary when overlaid onto a USGS Quadrangle Map or other topographic map prepared by a Professional Land Surveyor or registered professional engineer, if the floodplain boundary has a significant correlation to the elevation contour line(s); or, in the absence of all other data,
  - (3) to be the elevation of the ground at the intersection of the floodplain boundary and a line perpendicular to the shoreline which passes along the ground through the site of the proposed building.
- 2. highest and lowest grades at the site adjacent to the walls of the proposed building;
- 3. lowest floor, including basement; and whether or not such structures contain a basement; and,
- 4. level, in the case of non-residential structures only, to which the structure will be floodproofed;
- I. A description of an elevation reference point established on the site of all developments for which elevation standards apply as required in Section 60-897;
- J. A written certification by a Professional Land Surveyor, registered professional engineer or architect, that the base flood elevation and grade elevations shown on the application are accurate;
- K. The following certifications as required in Section 60-897 by a registered professional engineer or architect:
  - 1. a Floodproofing Certificate (FEMA Form 81-65), to verify that the floodproofing methods for any non-residential structures will meet the floodproofing criteria of Section 60-894.H.4.; Section 60-897.G.; and other applicable standards in Section 60-897;
  - 2. a Hydraulic Openings Certificate to verify that engineered hydraulic openings in foundation walls will meet the standards of Section 60-897.L.2.a.;
  - 3. a certified statement that bridges will meet the standards of Section 60-897.M.;
  - 4. a certified statement that containment walls will meet the standards of Section 60-897.N.;

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L. A description of the extent to which any water course will be altered or relocated as a result of the proposed development; and,

M. A statement of construction plans describing in detail how each applicable development standard in Section 60-897 will be met.

**Sec. 60-895. - Permit required Application Fee and Expert's Fee.**

~~Before any construction or other development as defined in section 60-898, including the placement of manufactured homes, begins within any areas of special flood hazard established in section 60-894, a flood hazard development permit shall be obtained from the community development office. This permit shall be in addition to any other building permits which may be required pursuant to the codes and ordinances.~~

~~(Ord. of 9-21-2009, § 5.1B)~~

A non-refundable application fee of \$50 for all minor development and \$100 for all new construction or substantial improvements shall be paid to the City.

An additional fee may be charged if the Planning and Development Department and/or Board of Appeals needs the assistance of a professional engineer or other expert. The expert's fee shall be paid in full by the applicant within 10 days after the town submits a bill to the applicant. Failure to pay the bill shall constitute a violation of the ordinance and be grounds for the issuance of a stop work order. An expert shall not be hired by the municipality at the expense of an applicant until the applicant has either consented to such hiring in writing or been given an opportunity to be heard on the subject. An applicant who is dissatisfied with a decision to hire expert assistance may appeal that decision to the Board of Appeals.

**Sec. 60-896. - Application for permit Review Standards for Flood Hazard Development Permit.**

~~The application for a flood hazard development permit shall be submitted to the community development office Planning and Development Department and shall include:~~

- ~~(1) The name and address of the applicant;~~
- ~~(2) An address and a map indicating the location of the construction site;~~
- ~~(3) A site plan showing location of existing and/or proposed structures, sewage disposal facilities, water supply facilities, areas to be cut and filled, and lot dimensions;~~
- ~~(4) A statement of the intended use of the structure;~~
- ~~(5) A statement as to the type of sewage system proposed;~~
- ~~(6) Specification of dimensions of the proposed structure;~~
- ~~(7) The elevation in relation to the National Geodetic Vertical Datum (NGVD) or to a locally established datum in zone A only, of the:~~

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- ~~a. Base flood at the proposed site of all new or substantially improved structures, which is determined:
    - ~~1. In zones A1-30, AE, AO and AH from data contained in the Flood Insurance Study— City of Auburn, Maine, as described in section 60-894; or~~
    - ~~2. In zone A, to be the elevation of the ground at the intersection of the floodplain boundary and a line perpendicular to the shoreline which passes along the ground through the site of the proposed building;~~~~
  - ~~b. Highest and lowest grades at the site adjacent to the walls of the proposed building;~~
  - ~~c. Lowest floor, including basement; and whether or not such structures contain a basement; and~~
  - ~~d. Level, in the case of nonresidential structures only, to which the structures will be floodproofed;~~
  - ~~(8) A description of a base flood elevation reference point established on the site of all new or substantially improved structures;~~
  - ~~(9) A written certification by a registered land surveyor that the elevations shown on the application are accurate;~~
  - ~~(10) Certification by a registered professional engineer or architect that floodproofing methods for any nonresidential structures will meet the floodproofing criteria of subsection (7)d of this section, section 60-898(7) and other applicable standards in section 60-898~~
  - ~~(11) A description of the extent to which any watercourse will be altered or relocated as a result of the proposed development;~~
  - ~~(12) A statement of construction plans describing in detail how each applicable development standards in section 60-898 will be met; and~~
  - ~~(13) A fee in the amount provided in the city fee schedule.~~
- ~~(Ord. of 9-21-2009, § 5.1C)~~

The Planning and Development Department shall:

- A. Review all applications for the Flood Hazard Development Permit to assure that proposed developments are reasonably safe from flooding and to determine that all pertinent requirements of Section 60-897 (Development Standards) have been, or will be met;
- B. Utilize, in the review of all Flood Hazard Development Permit applications:
  - 1. the base flood and floodway data contained in the “Flood Insurance Study – Androscoggin County, Maine” as described in Section 60-892;
  - 2. in special flood hazard areas where base flood elevation and floodway data are not provided, the Code Enforcement Officer shall obtain, review and reasonably utilize any base flood elevation and floodway data from federal, state, or other technical sources, including information obtained pursuant to Section 60-894.H.1.b.; Section 60-897.K.; and Section 60-899.D., in order to administer Section 60-897 of this Ordinance; and,

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3. when the community establishes a base flood elevation in a Zone A by methods outlined in Section 60-894.H.1.b., the community shall submit that data to the Maine Floodplain Management Program.
- C. Make interpretations of the location of boundaries of special flood hazard areas shown on the maps described in Section 60-892 of this Ordinance;
- D. In the review of Flood Hazard Development Permit applications, determine that all necessary permits have been obtained from those federal, state, and local government agencies from which prior approval is required by federal or state law, including but not limited to Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1344;
- E. Notify adjacent municipalities, the Department of Environmental Protection, and the Maine Floodplain Management Program prior to any alteration or relocation of a water course and submit copies of such notifications to the Federal Emergency Management Agency;
- F. If the application satisfies the requirements of this Ordinance, approve the issuance of one of the following Flood Hazard Development Permits based on the type of development:
1. A two part Flood Hazard Development Permit for elevated structures. Part I shall authorize the applicant to build a structure to and including the first horizontal floor only above the base flood level. At that time the applicant shall provide the Code Enforcement Officer with an Elevation Certificate completed by a Professional Land Surveyor, registered professional engineer or architect based on the Part I permit construction, "as built", for verifying compliance with the elevation requirements of Section 60-897, paragraphs F, G, or H. Following review of the Elevation Certificate data, which shall take place within 72 hours of receipt of the application, the Code Enforcement Officer shall issue Part II of the Flood Hazard Development Permit. Part II shall authorize the applicant to complete the construction project; or,
  2. A Flood Hazard Development Permit for Floodproofing of Non-Residential Structures that are new construction or substantially improved non-residential structures that are not being elevated but that meet the floodproofing standards of Section 60-897.G.1.a., b., and c. The application for this permit shall include a Floodproofing Certificate signed by a registered professional engineer or architect; or,
  3. A Flood Hazard Development Permit for Minor Development for all development that is not new construction or a substantial improvement, such as repairs, maintenance, renovations, or additions, whose value is less than 50% of the market value of the structure. Minor development also includes, but is not limited to: accessory structures as provided for in Section 60-897.J., mining, dredging, filling, grading, paving, excavation, drilling operations, storage of equipment or materials, deposition or extraction of materials, public or private sewage disposal systems or water supply facilities that do not involve structures; and non-structural projects such as bridges, dams, towers, fencing, pipelines, wharves and piers.
- G. Maintain, as a permanent record, copies of all Flood Hazard Development Permit Applications, corresponding Permits issued, and data relevant thereto, including reports of the Board of Appeals on variances granted under the provisions of Section 60-900 of this Ordinance, and copies of Elevation Certificates, Floodproofing Certificates, Certificates of

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Compliance and certifications of design standards required under the provisions of Section 60-894, 60-897 and 60-898 of this Ordinance.

**Sec. 60-897. - Review of flood hazard development permit applications**  
**Development Standards.**

~~The community development office shall:~~

- ~~(1) Review all applications for the flood hazard development permit to ensure that proposed building sites are reasonably safe from flooding and to determine that all pertinent requirements of section 60-898 have, or will be met;~~
- ~~(2) Utilize, in the review of all flood hazard development permit applications, the base flood data contained in the Flood Insurance Study—City of Auburn, Maine, as described in section 60-894. In special flood hazard areas where base flood elevation data are not provided, the CEO shall obtain, review and reasonably utilize any base flood elevation and floodway data from federal, state, or other sources, including information obtained pursuant to sections 60-896(7)a2, 60-898(1)a, and 60-900(4) in order to administer section 60-898~~
- ~~(3) Make interpretations of the location of boundaries of special flood hazard areas shown on the maps described in section 60-894~~
- ~~(4) In the review of flood hazard development permit applications, determine that all necessary permits have been obtained from those federal, state, and local government agencies from which prior approval is required by federal or state law, including but not limited to section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 USC 1334;~~
- ~~(5) Notify adjacent municipalities, the department of environmental protection, the state planning office (floodplain management program), and FEMA prior to any alteration or relocation of a watercourse;~~
- ~~(6) Issue a two part flood hazard development permit for elevated structures. Part I shall authorize the applicant to build a structure to and including the first horizontal floor only above the base flood level. At that time the applicant shall provide the community development office Planning and Development Department with an application for part II of the flood hazard development permit and shall include an elevation certificate completed by a registered state surveyor for compliance with the elevation requirements of section 60-898(6), (7), (8) and (10). Following review of the application, which review shall take place within 72 hours of receipt of the application, the community development office Planning and Development Department shall issue part II of the flood hazard development permit. Part II shall authorize the applicant to complete the construction project; and~~
- ~~(7) Maintain, as a permanent record, copies of all flood hazard development permits issued and data relevant thereto, including reports of the board of appeals on variances granted under the provisions of section 60-901, and copies of elevation certificates and certificates of compliance required under section 60-899~~

~~(Ord. of 9-21-2009, § 5.1D)~~

All developments in areas of special flood hazard shall meet the following applicable standards:

**A. All Development - All development shall:**

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1. be designed or modified and adequately anchored to prevent flotation (excluding piers and docks), collapse or lateral movement of the development resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;
  2. use construction materials that are resistant to flood damage;
  3. use construction methods and practices that will minimize flood damage; and,
  4. use electrical, heating, ventilation, plumbing, and air conditioning equipment, and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during flooding conditions.
- B. Water Supply** - All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the systems.
- C. Sanitary Sewage Systems** - All new and replacement sanitary sewage systems shall be designed and located to minimize or eliminate infiltration of flood waters into the system and discharges from the system into flood waters.
- D. On Site Waste Disposal Systems** - On site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during floods.
- E. Watercourse Carrying Capacity** - All development associated with altered or relocated portions of a watercourse shall be constructed and maintained in such a manner that no reduction occurs in the flood carrying capacity of the watercourse.
- F. Residential** - New construction or substantial improvement of any residential structure located within:
1. Zones AE shall have the lowest floor (including basement) elevated to at least one foot above the base flood elevation.
  2. Zone A shall have the lowest floor (including basement) elevated to at least one foot above the base flood elevation utilizing information obtained pursuant to Section 60-894.H.1.b.; Section 60-896.B; or Section 60-899.D.
- G. Non Residential** - New construction or substantial improvement of any non-residential structure located within:
1. Zones AE shall have the lowest floor (including basement) elevated to at least one foot above the base flood elevation, or together with attendant utility and sanitary facilities shall:
    - a. be floodproofed to at least one foot above the base flood elevation so that below that elevation the structure is watertight with walls substantially impermeable to the passage of water;
    - b. have structural components capable of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy; and,

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c. be certified by a registered professional engineer or architect that the floodproofing design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of this section. Such certification shall be provided with the application for a Flood Hazard Development Permit, as required by Section 60-894.K. and shall include a record of the elevation above mean sea level to which the structure is floodproofed.

2. Zone A shall have the lowest floor (including basement) elevated to at least one foot above the base flood elevation utilizing information obtained pursuant to Section 60-894.H.1.b.; Section 60-896.B; or Section 60-899.D., or

a. together with attendant utility and sanitary facilities meet the floodproofing standards of Section 60-897.G.1.

H. **Manufactured Homes** - New or substantially improved manufactured homes located within:

1. Zones AE shall:

a. be elevated such that the lowest floor (including basement) of the manufactured home is at least one foot above the base flood elevation;

b. be on a permanent foundation, which may be poured masonry slab or foundation walls, with hydraulic openings, or may be reinforced piers or block supports, any of which support the manufactured home so that no weight is supported by its wheels and axles; and,

c. be securely anchored to an adequately anchored foundation system to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to:

(1) over-the-top ties anchored to the ground at the four corners of the manufactured home, plus two additional ties per side at intermediate points (manufactured homes less than 50 feet long require one additional tie per side); or by,

(2) frame ties at each corner of the home, plus five additional ties along each side at intermediate points (manufactured homes less than 50 feet long require four additional ties per side).

(3) all components of the anchoring system described in Section 60-897.H.1.c.(1) & (2) shall be capable of carrying a force of 4800 pounds.

2. Zone A shall:

a. be elevated on a permanent foundation, as described in Section 60-897.H.1.b., such that the lowest floor (including basement) of the manufactured home is at least one foot above the base flood elevation utilizing information obtained pursuant to Section 60-894.H.1.b.; Section 60-896.B; or Section 60-899.D.; and

b. meet the anchoring requirements of Section 60-897.H.1.c.

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**I. Recreational Vehicles** - Recreational Vehicles located within:

1. Zones A and AE shall either:

- a. be on the site for fewer than 180 consecutive days,
- b. be fully licensed and ready for highway use. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions; or,
- c. be permitted in accordance with the elevation and anchoring requirements for "manufactured homes" in Section 60-897.H.1.

**J. Accessory Structures** - Accessory Structures, as defined in Section 60-904, located within Zones A and AE, shall be exempt from the elevation criteria required in Section 60-897.F. & G. above, if all other requirements of Section 60-897 and all the following requirements are met. Accessory Structures shall:

- 1. be 500 square feet or less and have a value less than \$3000;
- 2. have unfinished interiors and not be used for human habitation;
- 3. have hydraulic openings, as specified in Section 60-897.L.2., in at least two different walls of the accessory structure;
- 4. be located outside the floodway;
- 5. when possible be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters and be placed further from the source of flooding than is the primary structure; and,
- 6. have only ground fault interrupt electrical outlets. The electric service disconnect shall be located above the base flood elevation and when possible outside the Special Flood Hazard Area.

**K. Floodways** -

- 1. In Zone AE riverine areas, encroachments, including fill, new construction, substantial improvement, and other development shall not be permitted within a regulatory floodway which is designated on the community's Flood Insurance Rate Map, unless a technical evaluation certified by a registered professional engineer is provided demonstrating that such encroachments will not result in any increase in flood levels within the community during the occurrence of the base flood discharge.
- 2. In Zones A and AE riverine areas for which no regulatory floodway is designated, encroachments, including fill, new construction, substantial improvement, and other development shall not be permitted in the floodway as determined in Section 60-

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897.K.3. unless a technical evaluation certified by a registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing development and anticipated development:

a. will not increase the water surface elevation of the base flood more than one foot at any point within the community; and,

b. is consistent with the technical criteria contained in Chapter 5 entitled "Hydraulic Analyses," *Flood Insurance Study - Guidelines and Specifications for Study Contractors*, (FEMA 37).

3. In Zones A and AE riverine areas for which no regulatory floodway is designated, the regulatory floodway is determined to be the channel of the river or other water course and the adjacent land areas to a distance of one-half the width of the floodplain as measured from the normal high water mark to the upland limit of the floodplain.

**L. Enclosed Areas Below the Lowest Floor** - New construction or substantial improvement of any structure in Zones A and AE that meets the development standards of Section 60-897, including the elevation requirements of Section 60-897, paragraphs F, G, or H and is elevated on posts, columns, piers, piles, "stilts," or crawlspaces may be enclosed below the base flood elevation requirements provided all the following criteria are met or exceeded:

1. Enclosed areas are not "basements" as defined in Section 60-904;

2. Enclosed areas shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of flood water. Designs for meeting this requirement must either:

a. be engineered and certified by a registered professional engineer or architect; or,

b. meet or exceed the following minimum criteria:

(1) a minimum of two openings having a total net area of not less than one square inch for every square foot of the enclosed area;

(2) the bottom of all openings shall be below the base flood elevation and no higher than one foot above the lowest grade; and,

(3) openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the entry and exit of flood waters automatically without any external influence or control such as human intervention, including the use of electrical and other non-automatic mechanical means;

3. The enclosed area shall not be used for human habitation; and,

4. The enclosed areas are usable solely for building access, parking of vehicles, or storage.

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M. **Bridges** - New construction or substantial improvement of any bridge in Zones A and AE shall be designed such that:

1. when possible, the lowest horizontal member (excluding the pilings, or columns) is elevated to at least one foot above the base flood elevation; and
2. a registered professional engineer shall certify that:
  - a. the structural design and methods of construction shall meet the elevation requirements of this section and the floodway standards of Section 60-897.K.; and
  - b. the foundation and superstructure attached thereto are designed to resist flotation, collapse and lateral movement due to the effects of wind and water loads acting simultaneously on all structural components. Water loading values used shall be those associated with the base flood.

N. **Containment Walls** - New construction or substantial improvement of any containment wall located within:

1. Zones A and AE shall:
  - a. have the containment wall elevated to at least one foot above the base flood elevation;
  - b. have structural components capable of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy; and,
  - c. be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of this section. Such certification shall be provided with the application for a Flood Hazard Development Permit, as required by Section 60-894.K.

O. **Wharves, Piers and Docks** - New construction or substantial improvement of wharves, piers, and docks are permitted in Zones A and AE, in and over water and seaward of mean high tide, if the following requirements are met:

1. wharves, piers, and docks shall comply with all applicable local, state, and federal regulations; and
2. for commercial wharves, piers, and docks, a registered professional engineer shall develop or review the structural design, specifications, and plans for the construction.

**Sec. 60-898. - ~~Development standards~~Certificate of Compliance.**

~~All development in areas of special flood hazard shall meet the following applicable standards:~~

- ~~(1) New construction or substantial improvement of any structure shall:~~

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- ~~a. Be designed or modified and adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;~~
- ~~b. Use construction materials that are resistant to flood damage;~~
- ~~c. Use construction methods and practices that will minimize flood damage; and~~
- ~~d. Use electrical, heating, ventilation, plumbing, and air conditioning equipment, and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during flooding conditions.~~
- ~~(2) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems.~~
- ~~(3) All new and replacement sanitary sewage systems shall be designed and located to minimize or eliminate infiltration of floodwaters into the system and discharges from the system into floodwaters.~~
- ~~(4) On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during floods.~~
- ~~(5) All development shall be constructed and maintained in such a manner that no reduction occurs in the flood carrying capacity of any watercourse.~~
- ~~(6) New construction or substantial improvement of any residential structure located within:
  - ~~a. Zones A1-30, AE and AH shall have the lowest floor, including basement, elevated to at least one foot above the base flood elevation.~~
  - ~~b. Zones AO and AH shall have adequate drainage paths around structures on slopes, to guide floodwater away from the proposed structures.~~
  - ~~c. Zone AO shall have the lowest floor, including basement, elevated above the highest adjacent grade:
    - ~~1. At least one foot higher than the depth specified in feet on the community's flood insurance rate map; or~~
    - ~~2. At least three feet if no depth number is specified.~~~~
  - ~~d. Zone A shall have the lowest floor, including basement, elevated to at least one foot above the base flood elevation utilizing information obtained pursuant to sections 60-896(7)a2, 60-897(2), or 60-900(4).~~~~
- ~~(7) New construction or substantial improvement of any nonresidential structure located within:
  - ~~a. Zones A1-30, AE and AH shall have the lowest floor (including basement) elevated to at least one foot above the base flood elevation, or together with attendant utility and sanitary facilities shall:
    - ~~1. Be floodproofed to at least one foot above the base flood level so that below that elevation the structure is watertight with walls substantially impermeable to passage of water;~~
    - ~~2. Have structural components capable of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy; and~~
    - ~~3. Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for~~~~~~

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~~meeting the provisions of this section. Such certification shall be provided with the application for a flood hazard development permit, as required by section 60-896(10) and shall include a record of the elevation above mean sea level to which the structure is floodproofed.~~

- ~~b. Zones AO and AH shall have adequate drainage paths around structures on slopes, to guide floodwater away from them.~~
- ~~c. Zone AO shall have the lowest floor, including basement, elevated above adjacent grade:
  - ~~1. At least one foot higher than the depth specified in feet on the community's flood insurance rate map;~~
  - ~~2. At least three feet if no depth number is specified; or~~
  - ~~3. Together with attendant utility and sanitary facilities be floodproofed to meet the elevation requirements of this section and floodproofing standards of section 60-898(7)a.~~~~
- ~~d. Zone A shall have the lowest floor (including basement) elevated to at least one foot above the base flood elevation utilizing information obtained pursuant to sections 60-896(7)a2, 60-897(2), or 60-900(4).~~

~~(8) New or substantially improved manufactured homes located within:~~

- ~~a. Zones A1-30, AE or AH shall:
  - ~~1. Be elevated on a permanent foundation so that the lowest floor is at least one foot above the base flood elevation; and~~
  - ~~2. Be securely anchored to an adequately anchored foundation system to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to:
    - ~~(i) Over the top ties anchored to the ground at the four corners of the manufactured home, plus two additional ties per side at intermediate points (homes less than 50 feet long require one additional tie per side);~~
    - ~~(ii) Frame ties at each corner of the home, plus five additional ties along each side at intermediate points (homes less than 50 feet long require four additional ties per side); or~~
    - ~~(iii) All components of the anchoring system described in section 60-898(8)a shall be capable of carrying a force of 4,800 pounds.~~~~~~
- ~~b. Zones AO and AH shall have adequate drainage paths around structures on slopes, to guide floodwater away from them.~~
- ~~c. Zone AO shall have the lowest floor, including basement, elevated above the highest adjacent grade:
  - ~~1. At least one foot higher than the depth specified in feet on the community's flood insurance rate map; or~~
  - ~~2. At least three feet if no depth number is specified; and~~
  - ~~3. Meet the requirements of section 60-898(8)a1 and 2.~~~~

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- ~~d. Zone A shall have the lowest floor, including basement, elevated to at least one foot above the base flood elevation utilizing information obtained pursuant to sections 60-896(7)a2, 60-897(2), or 60-900(4).~~
- ~~e. Recreational vehicles located within zone AE shall either:
  - ~~1. Be on the site for fewer than 180 consecutive days;~~
  - ~~2. Be fully licensed and ready for highway use. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions; or~~
  - ~~3. Meet the permit requirements of elevation and anchoring requirements for "manufactured home" in division 6 of article XII of this chapter.~~~~

~~(9) Floodways.~~

- ~~a. In zones A1-30 and AE encroachments, including fill, new construction, substantial improvement, and other development shall not be permitted in riverine areas, for which a regulatory floodway is designated on the community's flood boundary and floodway map, unless a technical evaluation certified by a registered professional engineer is provided demonstrating that such encroachments will not result in any increase in flood levels within the community during the occurrence of the base flood discharge;~~
- ~~b. In zones A1-30 and AE riverine areas, for which no regulatory floodway is designated, encroachments, including fill, new construction, substantial improvement, and other development shall not be permitted unless a technical evaluation certified by a registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing development and anticipated development will not increase the water surface elevation of the base flood more than one foot at any point within the community; and~~
- ~~c. In zone A riverine areas, in which the regulatory floodway is determined to be the channel of the river or other watercourse and the adjacent land areas to a distance of one-half the width of the floodplain as measured from the normal high-water mark to the upland limit of the floodplain, encroachments, including fill, new construction, substantial improvement, and other development shall not be permitted unless a technical evaluation certified by a registered professional engineer is provided meeting the requirements of section 60-898(9)b.~~

~~(10) New construction or substantial improvement of any structure in zones A1-30, AE, AO, AH and A that meets the development standards of section 60-898, including the elevation requirements of section 60-898(6), (7) or (8) and is elevated on posts, columns, piers, piles, stilts, or crawl spaces less than three feet in height and may be enclosed below the elevation requirements provided all the following criteria are met or exceeded:~~

- ~~a. Walls, with the exception of crawl spaces less than three feet in height, shall not be part of the structural support of the building;~~
- ~~b. Enclosed areas are not "basements" as defined in section 60-892~~
- ~~c. Enclosed areas shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwater. Designs for meeting this requirement must either:
  - ~~1. Be certified by a registered professional engineer or architect; or~~~~

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~~2.—Meet or exceed the following minimum criteria:~~

- ~~(i)—A minimum of two openings having a total net area of not less than one square inch for every square foot of the enclosed area;~~
- ~~(ii)—The bottom of all openings shall be no higher than one foot above the lowest grade;~~
- ~~(iii)—Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the entry and exit of floodwaters automatically without any external influence of control such as human intervention, including the use of electrical and other nonautomatic mechanical means;~~

~~d.—The enclosed area shall not be used for human habitation; and~~

~~e.—The enclosed area may be used for building maintenance, access, parking vehicles, or storing of articles and equipment used for maintenance of the building.~~

~~(Ord. of 9-21-2009, § 5.1E)~~

No land in a special flood hazard area shall be occupied or used and no structure which is constructed or substantially improved shall be occupied until a Certificate of Compliance is issued by the Planning and Development Department subject to the following provisions:

A. For New Construction or Substantial Improvement of any elevated structure the applicant shall submit to the Planning and Development Department an Elevation Certificate completed by a Professional Land Surveyor, registered professional engineer, or architect, for compliance with Section 60-897, paragraphs F, G, or H.

B. The applicant shall submit written notification to the Planning and Development Department that the development is complete and complies with the provisions of this ordinance.

C. Within 10 working days, the Planning and Development Department shall:

- 1. review the Elevation Certificate and the applicant's written notification; and,
- 2. upon determination that the development conforms with the provisions of this ordinance, shall issue a Certificate of Compliance.

**Sec. 60-899. - Certificate of compliance Review of Subdivisions and Development Proposals.**

~~(a) No land in a special flood hazard area shall be occupied or used and no structure which is constructed or substantially improved shall be occupied until a certificate of compliance is issued by the community development office subject to the following provisions:~~

~~(1) The applicant shall submit an elevation certificate completed by:~~

~~a.—A registered state surveyor for compliance with section 60-898(6), (7), (8) or (9); and~~

~~b.—A registered professional engineer or architect, in case of floodproofed nonresidential structures, for compliance with section 60-898(7); and~~

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~~(2) The application for a certificate of compliance shall be submitted by the applicant in writing along with a completed elevation certificate to the community development office.~~

~~(b) The community development office shall review the application within ten working days of receipt of the application and shall issue a certificate of compliance, provided the building conforms to the provisions of this division.~~

~~(Ord. of 9-21-2009, § 5.1F)~~

The Planning Board shall, when reviewing subdivisions and other proposed developments that require review under other federal law, state law or local ordinances or regulations and all projects on 5 or more disturbed acres, or in the case of manufactured home parks divided into two or more lots, assure that:

A. All such proposals are consistent with the need to minimize flood damage.

B. All public utilities and facilities, such as sewer, gas, electrical and water systems are located and constructed to minimize or eliminate flood damages.

C. Adequate drainage is provided so as to reduce exposure to flood hazards.

D. All proposals include base flood elevations, flood boundaries, and, in a riverine floodplain, floodway data. These determinations shall be based on engineering practices recognized by the Federal Emergency Management Agency.

E. Any proposed development plan must include a condition of plan approval requiring that structures on any lot in the development having any portion of its land within a Special Flood Hazard Area, are to be constructed in accordance with Section 60-897 of this ordinance. Such requirement will be included in any deed, lease, purchase and sale agreement, or document transferring or expressing an intent to transfer any interest in real estate or structure, including but not limited to a time-share interest. The condition shall clearly articulate that the municipality may enforce any violation of the construction requirement and that fact shall also be included in the deed or any other document previously described. The construction requirement shall also be clearly stated on any map, plat, or plan to be signed by the Planning Board or local reviewing authority as part of the approval process.

**Sec. 60-900. - Review of subdivision and development proposals Appeals and Variances.**

~~The planning board shall, when reviewing subdivisions and other proposed developments that require review under other federal law, state law or local ordinances, ensure that:~~

~~(1) All such proposals are consistent with the need to minimize flood damage.~~

~~(2) All public utilities and facilities, such as sewer, gas, electrical and water systems are located and constructed to minimize or eliminate flood damages.~~

~~(3) Adequate drainage is provided so as to reduce exposure to flood hazards.~~

~~(4) All proposals include base flood elevation and, in a riverine floodplain, floodway data.~~

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~~(5) Any proposed development plan shall include a statement that the developer will require that structures on lots in the development be constructed in accordance with section 60-898 and that such requirement will be included in any deed, lease, or document transferring or expressing an intent to transfer any interest in real estate or structure. The statement shall clearly articulate that the municipality may enforce any violation of the construction requirement and that fact shall also be included in the deed or any other document previously described. The construction requirement shall also be stated on any map, plat, or plan to be signed by the planning board or local reviewing authority as part of the approval process.~~

~~(Ord. of 9-21-2009, § 5.1G)~~

~~The Board of Appeals of the City of Auburn may, upon written application of an aggrieved party, hear and decide appeals where it is alleged that there is an error in any order, requirement, decision, or determination made by, or failure to act by, the Code Enforcement Officer or Planning Board in the administration or enforcement of the provisions of this Ordinance.~~

~~The Board of Appeals may grant a variance from the requirements of this Ordinance consistent with state law and the following criteria:~~

~~A. Variances shall not be granted within any designated regulatory floodway if any increase in flood levels during the base flood discharge would result.~~

~~B. Variances shall be granted only upon:~~

~~1. a showing of good and sufficient cause; and,~~

~~2. a determination that should a flood comparable to the base flood occur, the granting of a variance will not result in increased flood heights, additional threats to public safety, public expense, or create nuisances, cause fraud or victimization of the public or conflict with existing local laws or ordinances; and,~~

~~3. a showing that the issuance of the variance will not conflict with other state, federal or local laws or ordinances; and,~~

~~4. a determination that failure to grant the variance would result in "undue hardship," which in this sub-section means:~~

~~a. that the land in question cannot yield a reasonable return unless a variance is granted; and,~~

~~b. that the need for a variance is due to the unique circumstances of the property and not to the general conditions in the neighborhood; and,~~

~~c. that the granting of a variance will not alter the essential character of the locality; and,~~

~~d. that the hardship is not the result of action taken by the applicant or a prior owner.~~

~~C. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief, and the Board of Appeals may impose such conditions to a variance as it deems necessary.~~

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D. Variances may be issued for new construction, substantial improvements, or other development for the conduct of a functionally dependent use provided that:

1. other criteria of Section 60-900 and Section 60-897.K. are met; and,
2. the structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.

E. Variances may be issued for the repair, reconstruction, rehabilitation, or restoration of Historic Structures upon the determination that:

1. the development meets the criteria of Section 60-900, paragraphs A. through D. above; and,
2. the proposed repair, reconstruction, rehabilitation, or restoration will not preclude the structure's continued designation as a Historic Structure and the variance is the minimum necessary to preserve the historic character and design of the structure.

F. Any applicant who meets the criteria of Section 60-900, paragraphs A. through E. shall be notified by the Board of Appeals in writing over the signature of the Chairman of the Board of Appeals that:

1. the issuance of a variance to construct a structure below the base flood level will result in greatly increased premium rates for flood insurance up to amounts as high as \$25 per \$100 of insurance coverage;
2. such construction below the base flood level increases risks to life and property; and,
3. the applicant agrees in writing that the applicant is fully aware of all the risks inherent in the use of land subject to flooding, assumes those risks and agrees to indemnify and defend the municipality against any claims filed against it that are related to the applicant's decision to use land located in a floodplain and that the applicant individually releases the municipality from any claims the applicant may have against the municipality that are related to the use of land located in a floodplain.

G. Appeal Procedure for Administrative and Variance Appeals

1. An administrative or variance appeal may be taken to the Board of Appeals by an aggrieved party within thirty days after receipt of a written decision of the Code Enforcement Officer or Planning Board.
2. Upon being notified of an appeal, the Code Enforcement Officer or Planning Board, as appropriate, shall transmit to the Board of Appeals all of the papers constituting the record of the decision appealed from.
3. The Board of Appeals shall hold a public hearing on the appeal within thirty-five days of its receipt of an appeal request.
4. The person filing the appeal shall have the burden of proof.

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5. The Board of Appeals shall decide all appeals within thirty-five days after the close of the hearing, and shall issue a written decision on all appeals.
6. The Board of Appeals shall submit to the Planning and Development Department and Code Enforcement Officer a report of all variance actions, including justification for the granting of the variance and an authorization for the Planning and Development Department to issue a Flood Hazard Development Permit, which includes any conditions to be attached to said permit.
7. Any aggrieved party who participated as a party during the proceedings before the Board of Appeals may take an appeal to Superior Court in accordance with State laws within forty-five days from the date of any decision of the Board of Appeals.

**Sec. 60-901. -~~Appeals and variances~~Enforcement and Penalties.**

- ~~(a) The board of appeals of the city may, upon written application of an aggrieved party, hear and decide appeals from determination of the code enforcement officer in the administration of the provisions of this division.~~
- ~~(b) The board of appeals may grant a variance from the requirements of this division consistent with state law and the following criteria:
  - ~~(1) Variances shall not be granted within any designated regulatory floodway if any increase in flood levels during the base flood discharge would result.~~
  - ~~(2) Variances shall be granted only upon:
    - ~~a. A showing of good and sufficient cause;~~
    - ~~b. A determination that should a flood comparable to the base flood occur, the granting of a variance will not result in increased flood heights, additional threats to public safety, public expense, or created nuisances, cause fraud or victimization of the public or conflict with existing local laws or ordinances;~~
    - ~~c. A showing that the existence of the variance will not conflict with other state, federal or local laws or ordinances; and~~
    - ~~d. A determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.~~~~
  - ~~(3) Variances may be issued by a community for new construction, substantial improvements, or other development for the conduct of a functionally dependent use provided that:
    - ~~a. Other criteria or section 60-901 and section 60-898(9) are met;~~
    - ~~b. The structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.~~~~
  - ~~(4) Variances may be issued for the repair, reconstruction, rehabilitation, or restoration of historic structure upon the determination that:
    - ~~a. The development meets the criteria of subsection (b)(1) through (3) of this section; and~~
    - ~~b. The proposed repair, reconstruction, rehabilitation, or restoration will not preclude the structure's continued designation as an historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.~~~~~~

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~~(5) Any applicant who meets the criteria of subsections (b)(1) through (4) of this section shall be notified by the board of appeals in writing over the signature of the Chairman of the board of appeals that:~~

~~a. The issuance of a variance to construct a structure below the base flood level will result in greatly increased premium rates for flood insurance up to amounts as high as \$25.00 per \$100.00 of insurance coverage;~~

~~b. Such construction below the base flood level increases risks to life and property; and~~

~~c. The applicant agrees in writing that the applicant is fully aware of all the risks inherent in the use of land subject to flooding, assumes those risks and agrees to indemnify and defend the municipality against any claims filed against it that are related to the applicant's decision to use land located in a floodplain and that the applicant individually releases the municipality from any claims the applicant may have against the municipality that are related to the use of land located in a floodplain.~~

~~(Ord. of 9-21-2009, § 5.1H)~~

~~A. It shall be the duty of the Code Enforcement Officer to enforce the provisions of this Ordinance pursuant to Title 30-A MRSA § 4452.~~

~~B. The penalties contained in Title 30-A MRSA § 4452 shall apply to any violation of this Ordinance.~~

~~C. In addition to any other actions, the Code Enforcement Officer, upon determination that a violation exists, may submit a declaration to the Administrator of the Federal Insurance Administration requesting a denial of flood insurance. The valid declaration shall consist of:~~

~~1. the name of the property owner and address or legal description of the property sufficient to confirm its identity or location;~~

~~2. a clear and unequivocal declaration that the property is in violation of a cited State or local law, regulation, or ordinance;~~

~~3. a clear statement that the public body making the declaration has authority to do so and a citation to that authority;~~

~~4. evidence that the property owner has been provided notice of the violation and the prospective denial of insurance; and,~~

~~5. a clear statement that the declaration is being submitted pursuant to Section 1316 of the National Flood Insurance Act of 1968, as amended.~~

**Secs. 60-902 – Validity and Severability.**

If any section or provision of this Ordinance is declared by the courts to be invalid, such decision shall not invalidate any other section or provision of this Ordinance.

**Secs. 60-903 – Conflict With Other Ordinances.**

This Ordinance shall not in any way impair or remove the necessity of compliance with any other applicable rule, ordinance, regulation, bylaw, permit, or provision of law. Where this

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Ordinance imposes a greater restriction upon the use of land, buildings, or structures, the provisions of this Ordinance shall control.

**Secs. 60-904 – Definitions.**

Unless specifically defined below, words and phrases used in this Ordinance shall have the same meaning as they have at common law and to give this Ordinance its most reasonable application. Words used in the present tense include the future, the singular number includes the plural, and the plural number includes the singular. The word "may" is permissive; "shall" is mandatory and not discretionary.

**Accessory Structure** - means a small detached structure that is incidental and subordinate to the principal structure.

**Adjacent Grade** - means the natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

**Area of Special Flood Hazard** - means the land in the floodplain having a one percent or greater chance of flooding in any given year, as specifically identified in the Flood Insurance Study cited in Section 60-892 of this Ordinance.

**Base Flood** - means the flood having a one percent chance of being equaled or exceeded in any given year, commonly called the 100-year flood.

**Basement** - means any area of the building having its floor subgrade (below ground level) on all sides.

**Building** - see **Structure**.

**Certificate of Compliance** - A document signed by the Code Enforcement Officer stating that a structure is in compliance with all of the provisions of this Ordinance.

**Code Enforcement Officer** - A person certified under Title 30-A MRSA, Section 4451 (including exceptions in subsection 4451, paragraph 1) and employed by a municipality to enforce all applicable comprehensive planning and land use laws and ordinances.

**Development** - means any man made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation, drilling operations or storage of equipment or materials.

**Elevated Building** - means a non-basement building

- a. built, in the case of a building in Zones A or AE, to have the top of the elevated floor elevated above the ground level by means of pilings, columns, post, piers, or "stilts;" and
- b. adequately anchored so as not to impair the structural integrity of the building during a flood of up to one foot above the magnitude of the base flood.

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In the case of Zones A or AE, **Elevated Building** also includes a building elevated by means of fill or solid foundation perimeter walls with hydraulic openings sufficient to facilitate the unimpeded movement of flood waters, as required in Section 60-897.L..

**Elevation Certificate** - An official form (FEMA Form 81-31) that:

- a. is used to verify compliance with the floodplain management regulations of the National Flood Insurance Program; and,
- b. is required for purchasing flood insurance.

**Flood or Flooding** - means:

- a. A general and temporary condition of partial or complete inundation of normally dry land areas from:
  - 1. The overflow of inland or tidal waters.
  - 2. The unusual and rapid accumulation or runoff of surface waters from any source.
- b. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in paragraph a.1. of this definition.

**Flood Elevation Study** - means an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations.

**Flood Insurance Rate Map (FIRM)** - means an official map of a community, on which the Federal Insurance Administrator has delineated both the special hazard areas and the risk premium zones applicable to the community.

**Flood Insurance Study** - see **Flood Elevation Study**.

**Floodplain or Flood-prone Area** - means any land area susceptible to being inundated by water from any source (see flooding).

**Floodplain Management** - means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works, and floodplain management regulations.

**Floodplain Management Regulations** - means zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance, and erosion control ordinance) and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

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**Floodproofing** - means any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and contents.

**Floodway** - see **Regulatory Floodway**.

**Floodway Encroachment Lines** - mean the lines marking the limits of floodways on federal, state, and local floodplain maps.

**Freeboard** - means a factor of safety usually expressed in feet above a flood level for purposes of floodplain management. Freeboard tends to compensate for the many unknown factors, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions.

**Functionally Dependent Use** - means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

**Historic Structure** - means any structure that is:

- a. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- b. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary of the Interior to qualify as a registered historic district;
- c. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
- d. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
  1. By an approved state program as determined by the Secretary of the Interior, or
  2. Directly by the Secretary of the Interior in states without approved programs.

**Locally Established Datum** - means, for purposes of this ordinance, an elevation established for a specific site to which all other elevations at the site are referenced. This elevation is generally not referenced to the National Geodetic Vertical Datum (NGVD), North American Vertical Datum (NAVD) or any other established datum and is used in areas where Mean Sea Level data is too far from a specific site to be practically used.

**Lowest Floor** - means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor,

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provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements described in Section 60-897.L. of this ordinance.

**Manufactured Home** - means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes the term manufactured home also includes park trailers, travel trailers, and other similar vehicles placed on a site for greater than 180 consecutive days.

**Manufactured Home Park or Subdivision** - means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

**Mean Sea Level** - means, for purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929, North American Vertical Datum (NAVD) or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

**Minor Development** - means all development that is not new construction or a substantial improvement, such as repairs, maintenance, renovations, or additions, whose value is less than 50% of the market value of the structure. It also includes, but is not limited to: accessory structures as provided for in Section 60-897.J., mining, dredging, filling, grading, paving, excavation, drilling operations, storage of equipment or materials, deposition or extraction of materials, public or private sewage disposal systems or water supply facilities that do not involve structures; and non-structural projects such as bridges, dams, towers, fencing, pipelines, wharves, and piers.

**National Geodetic Vertical Datum (NGVD)** - means the national vertical datum, whose standard was established in 1929, which is used by the National Flood Insurance Program (NFIP). NGVD was based upon mean sea level in 1929 and also has been called "1929 Mean Sea Level (MSL)".

**New Construction** - means structures for which the "start of construction" commenced on or after the effective date of the initial floodplain management regulations adopted by a community and includes any subsequent improvements to such structures.

**North American Vertical Datum (NAVD)**- means the national datum whose standard was established in 1988, which is the new vertical datum used by the National Flood Insurance Program (NFIP) for all new Flood Insurance Rate Maps. NAVD is based upon vertical datum used by other North American countries such as Canada and Mexico and was established to replace NGVD because of constant movement of the earth's crust, glacial rebound, and subsidence and the increasing use of satellite technology.

**100-year flood** - see **Base Flood**.

**Recreational Vehicle** - means a vehicle which is:

- a. built on a single chassis;
- b. 400 square feet or less when measured at the largest horizontal projection, not including slideouts;

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- c. designed to be self-propelled or permanently towable by a motor vehicle; and
- d. designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

**Regulatory Floodway -**

- a. means the channel of a river or other water course and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot, and
- b. when not designated on the community's Flood Insurance Rate Map, it is considered to be the channel of a river or other water course and the adjacent land areas to a distance of one-half the width of the floodplain, as measured from the normal high water mark to the upland limit of the floodplain.

**Riverine** - means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

**Special Flood Hazard Area** - see **Area of Special Flood Hazard**.

**Start of Construction** - means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, substantial improvement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, or modification of any construction element, whether or not that alteration affects the external dimensions of the building.

**Structure** - means, for floodplain management purposes, a walled and roofed building. A gas or liquid storage tank that is principally above ground is also a structure.

**Substantial Damage** - means, damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damage condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

**Substantial Improvement** - means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the start of construction of the improvement. This term includes structures which have incurred substantial damage, regardless of the actual repair work performed. The term does not, however, include either:

- a. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code

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enforcement official and which are the minimum necessary to assure safe living conditions;  
or

b. Any alteration of a Historic Structure, provided that the alteration will not preclude the structure's continued designation as a historic structure, and a variance is obtained from the community's Board of Appeals.

**Variance** - means a grant of relief by a community from the terms of a floodplain management regulation.

**Violation** - means the failure of a structure or development to comply with a community's floodplain management regulations.

**Secs. 60-905 – Abrogation.**

This ordinance repeals and replaces any municipal ordinance previously enacted to comply with the National Flood Insurance Act of 1968 (P.L. 90-488, as amended).

**Secs. 60-902~~6~~—60-920. - Reserved.**



## City Council Agenda Information Sheet

City of Auburn

Council Meeting Date: July 1, 2013

Order 50-07012013

Author: Reine Mynahan, Community Development Director

Item(s) checked below represent the subject matter related to this item.

Comprehensive Plan    Work Plan    Budget    Ordinance/Charter    Other Business\*    Council Goals\*\*

\*\*If Council Goals please specify type:    Safety    Economic Development    Citizen Engagement

Subject: 2013 Action Plan of the Community Development Block Grant Program and HOME Investment Partnerships Program

Information: See attached sheet for budget details. This budget is the last one presented to the City Council on June 17, 2013 as a staff recommendation.

Community Development Block Grant \$990,945

HOME Investment Partnerships Program/Auburn grant \$617,259

HOME Investment Partnerships Program/Lewiston grant \$307,044

Other Grants/Auburn Lead Hazard Control grant, NSP-1 NSP \$9,500

This budget does not reflect the allocation of \$50,000 for code enforcement that the City Council acted on June 24<sup>th</sup>. The City Manager has recommended leaving \$25,000 in the budget for recreation scholarships and eliminating the remainder of social services. As you will see in the attached Annual Action Plan, one of the goals in the Consolidated Plan is to fund social services as a way to reduce poverty.

To address this funding gap, staff will meet with the City Council in August to consider a program amendment. By then many of the 2012 projects will be complete. There may be excess funds in various programs including Community Concepts Weatherization Program, Curb Appeal Program, and Small Business Program.

Financial: Annual allocation of Community Development and HOME funds from U. S. Department of Housing and Urban Development

Action Requested at this Meeting: Adoption of Budget and Annual Action Plan

Previous Meetings and History: June 17, April 8, April 1, February 25.

Attachments: Order 50-07012013

*\*Agenda items are not limited to these categories.*

Tizz E. H. Crowley, Ward One  
Robert Hayes, Ward Two  
Mary Lafontaine, Ward Three  
David Young, Ward Four



Leroy Walker, Ward Five  
Belinda Gerry, At Large  
Joshua Shea, At Large

Jonathan LaBonte, Mayor

## **IN CITY COUNCIL**

### **ORDER 50-07012013**

ORDERED, by the Auburn City Council that the 2013 Action Plan be adopted as recommended by Community Development staff.



# City Council Agenda Information Sheet

City of Auburn

**Council Meeting Date:** July 1, 2013

**Order** 51-07012013

**Author:** Clinton Deschene, City Manager

Item(s) checked below represent the subject matter related to this workshop item.

Comprehensive Plan    Work Plan    Budget    Ordinance/Charter    Other Business\*    Council Goals\*\*

\*\*If Council Goals please specify type:    Safety    Economic Development    Citizen Engagement

**Subject:** Adopting the School Budget for FY2014

**Information:** The School Budget Validation Election that did not pass on June 11, 2013 put us in a position that requires the City to review the proposed 2<sup>nd</sup> School Budget. Once you have reviewed the budget you will need to consider forwarding it to the Auburn voters for final approval.

**Financial:** With approval the overall City budget, including municipal and county budgets, will have a 20.70 mil rate based on a 2,006,545,827 overall valuation.

**Action Requested at this Meeting:** Potential approval by City Council to proceed.

**Previous Meetings and History:**

**Attachments:** Order 51-07012013

\*Agenda items are not limited to these categories.

Tizz Crowley, Ward One  
Robert Hayes, Ward Two  
Mary Lafontaine, Ward Three  
David Young, Ward Four



Leroy Walker, Ward Five  
Belinda Gerry, At Large  
Joshua Shea, At Large

Jonathan LaBonte, Mayor

## IN CITY COUNCIL

### ORDER 51-07012013

Ordered that the Auburn City Council hereby adopts and approves the following School Budget articles for Fiscal Year 2013/2014.

1. That \$14,998,045.00 be authorized to be expended for Regular Instruction;
2. That \$7,524,558.00 be authorized to be expended for Special Education;
3. That \$-0- be authorized to be expended for Career and Technical Education;
4. That \$667,705.00 be authorized to be expended for Other Instruction;
5. That \$4,514,948.00 be authorized to be expended for Student and Staff Support;
6. That \$847,935.00 be authorized to be expended for System Administration;
7. That \$1,266,449.00 be authorized to be expended for School Administration;
8. That \$1,294,390.00 be authorized to be expended for Transportation and Buses;
9. That \$3,472,594.00 be authorized to be expended for Facilities Maintenance;
10. That \$2,671,986.00 be authorized to be expended for Debt Service and Other Commitments;
11. That \$-0- be authorized to be expended for All Other Expenditures;
12. That \$34,311,787.00 be appropriated for the total cost of funding public education from Pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act and that \$14,369,821.00 be raised as the municipality's contribution to the total cost of funding public education from Pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act in accordance with the Maine Revised Statutes, Title 20-A, section 15688;

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

13. That \$1,510,976.00 be raised and appropriated for the annual payments on debt service previously approved by the city's legislative body for non-state-funded school construction projects 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;

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

***Explanation:** The additional local funds are those locally raised funds over and above the municipality'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 education programs.*

15. That the school committee be authorized to expend \$37,258,610.00 for the fiscal year beginning July 1, 2013 and ending June 30, 2014 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 \$373,357.00 for adult education and raise \$183,311.00 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 the City of Auburn raise and appropriate \$41,796.00 for the services of Community Services-Crossing Guards.

18. 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;



## City Council Agenda Information Sheet

City of Auburn

**Council Meeting Date:** July 1, 2013

**Order** 52-07012013

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

Item(s) checked below represent the subject matter related to this workshop item.

Comprehensive Plan    Work Plan    Budget    Ordinance/Charter    Other Business\*    Council Goals\*\*

\*\*If Council Goals please specify type:    Safety    Economic Development    Citizen Engagement

**Subject:** Setting the date and location for the School Budget Validation Referendum Election.

**Information:** On May 20, 2013 the City Council adopted the School Budget and it went to referendum on June 11, 2013. The budget did not pass. The School Department will present a new budget for Council to review. Once adopted, it goes to the voters for a 2<sup>nd</sup> vote. There will be one question on the ballot which will read;

“Do you favor approving the City of Auburn school budget for the upcoming school year as adopted by the City Council?”

**Financial:** Budget

**Action Requested at this Meeting:** Recommend setting the date for July 23<sup>rd</sup> and the location to be Auburn Hall.

**Previous Meetings and History:**

**Attachments:** Order 52-07012013

*\*Agenda items are not limited to these categories.*

Tizz E. H. Crowley, Ward One  
Robert Hayes, Ward Two  
Mary Lafontaine, Ward Three  
David Young, Ward Four



Leroy Walker, Ward Five  
Belinda Gerry, At Large  
Joshua Shea, At Large

Jonathan LaBonte, Mayor

## **IN CITY COUNCIL**

### **ORDER 52-07012013**

**ORDERED**, that the City Council hereby sets July 23, 2013 as the date for the School Budget Validation Referendum, and that voting for all wards for that election will be held at Auburn Hall.



## City Council Information Sheet

City of Auburn

**Council Meeting Date:** July 1, 2013

**Subject:** Executive Session

**Information:** Executive Session regarding a personnel matter (City Manager review), pursuant to 1 M.R.S.A. §405(6)(A).

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

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



## City Council Information Sheet

City of Auburn

**Council Meeting Date:** July 1, 2013

**Subject:** Executive Session

**Information:** Discussion on a legal matter, pursuant to 1 M.R.S.A. §405(6)(E)

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

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



## City Council Information Sheet

City of Auburn

**Council Meeting Date:** July 1, 2013

**Subject:** Executive Session

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

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

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