



City Council Meeting and Workshop

February 18, 2014

Agenda

5:30 P.M. Workshop

- A. Auburn Water District Bond Issuance – John Storer (30-45 minutes to be followed by public input)
- B. Norway Savings Bank Arena Financial Update and Goals – Josh MacDonald (45-60 minutes)

7:00 P.M. City Council Meeting

Roll call votes will begin with Councilor Lee

Pledge of Allegiance

I. Consent Items – All items listed with an asterisk (*) are considered as routine and will be approved in one motion. There will be no separate discussion of these items unless a Councilor or citizen 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 14-02182014***
Accepting the transfer of \$4,491.00 forfeiture assets in U.S. currency (Gary Wallace).
2. **Order 15-02182014***
Accepting the transfer of \$6,250.00 forfeiture assets in U.S. currency (Herbert Simmons).
3. **Order 16-02182014***
Accepting the transfer of \$2,634.00 forfeiture assets in U.S. currency (Taurus Allen).

II. Minutes

- February 3, 2014 Regular Council Meeting
- February 10, 2014 Special Council Meeting

III. Reports

Mayor's Report

City Councilors' Reports

City Manager Report

- Street Lights Ownership Update
- Redistricting Ward lines

Finance Director, Jill Eastman

- January 2014 Monthly Finance Report

IV. Communications, Presentations and Recognitions

- Coffee with a Cop – Sgt. Barry Schmieks
- Recognition – Stephen Martelli

Auburn City Council Meeting & Workshop

February 18, 2014

- 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 01-02032014**
Amending an Ordinance – Chapter 2, Article VI, Division 2, Section 2-514). Second reading.
- VII. New Business**
- 2. Order 17-02182014**
Reappointing Renee LaChapelle as the City Assessor for a two year term beginning March 15, 2014 through March 15, 2016.
- VIII. Executive Session** - Discussion on labor negotiations (MAP Patrol), pursuant to 1 M.R.S.A. §405(6)(D).
- IX. Open Session** - Members of the public are invited to speak to the Council about any issue directly related to City business which is *not on this agenda*.
- X. Adjournment**

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

- A. Discussion of personnel issues
- B. Discussion or consideration by a school board of suspension or expulsion
- C. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency
- D. Labor contracts
- 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: February 18, 2014

Item A

Author: Jim Saffian, of Pierce Atwood

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: Auburn Water District – Auburn City Council permission to issue \$1,000,000 of Water District Bonds

Information:

Auburn Water District plans to finance an in-lake aluminum sulfate (alum) or other chemical treatment to Lake Auburn to mitigate algae growth related to excess phosphorus in the water, and to the extent funds remain therefore, to finance upgrades to the Water District's water distribution system, including water main replacement, with other improvements ancillary and related thereto.

Section 13 of the Auburn Water District Charter provides that the Auburn City Council must give its permission before the Auburn Water District issues its bonds.

Financial: The bonds are an obligation of the Auburn Water District, not the City of Auburn. The District has established rates (approved by the Public Utilities Commission) to cover the proposed bond issuance. There will not be any additional rate adjustments related to the bonds.

Action Requested at this Meeting:

Previous Meetings and History:

Attachments: Draft Resolve

*Agenda items are not limited to these categories.

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

RESOLVE XX-XXXX2014

RESOLVED, that the Auburn City Council, in accordance with Section 13 of the Auburn Water District Charter, hereby grants permission to the Auburn Water District (the “Water District”) to issue its bonds (and notes in anticipation thereof) (referred to herein as the “Water District Bonds”) in the aggregate principal amount not to exceed \$1,000,000 to finance an in-lake aluminum sulfate (alum) or other chemical treatment to Lake Auburn to mitigate algae growth related to excess phosphorus in the water, and to the extent funds remain therefore, to finance upgrades to the Water District’s water distribution system, including water main replacement, with other improvements ancillary and related thereto.

Be it further resolved by the Auburn City Council, that the Water District Bonds shall not constitute any debt or liability of the City or a pledge of the faith and credit of the City, but shall be payable solely by the Water District; and the issuance of the Water District Bonds shall not directly or indirectly or contingently obligate the City to levy or to pledge any form of taxation whatever therefor or to make any appropriation for their payment.

This resolve shall be final immediately upon enactment.



City Council Workshop Information Sheet

City of Auburn

Council Workshop Date: February 18th, 2014

Item B

Author: Joshua MacDonald, Ice Arena General 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: Council FY15 Arena Budget Presentation and Arena Goals Review

Information:

The purpose of this session is to provide the Council with projected budget for FY15 for Norway Savings Bank Arena Enterprise. Staff has been hard at working hard collecting data on utilities, usage, programming and staffing levels necessary for financial forecasts for maximizing operational procedures and functionality for operations of the facility.

Staff has worked to develop a draft Program Budget, and line item information on the operation of the department based upon its Mission statement and Vision/Purpose statement, and overall operation of the facility.

Staff has worked closely with its partners on ice availability, schedules, rental agreements and programming commitments for the transitional year as it moves forward for FY14 budget understanding. The FY15 budget has been refined to coordinate the operation of a standalone enterprise. Understanding the commitments, utilities, and staffing needs for appropriately assessing the needs of both facilities has been a challenge as the opening date for the facility has been a moving target. The first full standalone year budget has been developed for FY15, based upon calculations from earlier assumptions (Utility requirements), recent projections, staffing needs, rental agreements, scheduled ice times and advertisement revenues.

This budget was created under the guidance of the initial goals of the Enterprise, and Arena staff seeks additional input from the Council as to the future goals of the Arena.

Financial: Proposed FY 15 Enterprise Budget

Action Requested at this Meeting: Develop goals and directives for the Arena for FY15 and beyond.

Previous Meetings and History:

Attachments:

- FY15 Line item budget
- FY15 Program based budget

*Agenda items are not limited to these categories.



City of Auburn

Norway Savings Utilities

Fiscal Year 2015
Proposed 1.10.2014

Projected Revenues and Expenses for FY15

Actual expenses may vary according to changing circumstances

Norway Savings Bank Arena	<i>FY14</i>	<i>FY15</i>			
	<i>Proposed</i>	<i>Proposed</i>			<i>Manager</i>
Norway Savings Bank Arena Expense Detail	\$ 224,615	\$ 209,146	<i>Change</i>	<i>Dept. Request</i>	<i>Proposed</i>
<u>Expenses</u>					
Utilities - Water & Sewer	\$ 12,000	\$ 11,750	\$ (250)	\$ 11,750	
Utilities - Electricity	\$ 156,000	\$ 142,200	\$ (13,800)	\$ 142,200	
Utilities - Natural Gas	\$ 46,115	\$ 36,600	\$ (9,515)	\$ 36,600	
Utilites - Propane (AmeriGas)	\$ 9,000	\$ 6,200	\$ (2,800)	\$ 6,200	
Utilities - Security Monitoring	\$ 1,500	\$ 1,500	\$ -	\$ 1,500	
Utilities - Communications		\$ 8,596	\$ 8,596	\$ 8,596	
Utilities - Waste Disposal		\$ 2,300	\$ 2,300	\$ 2,300	



City of Auburn Norway Savings Utilities

Fiscal Year 2015
Proposed 1.10.2014

DESCRIPTION:

Norway Saving Bank Arena is an Enterprise Fund of the City of Auburn, Maine. It operates financially as the Ice Arena Enterprise Fund dba Norway Savings Bank Arena, and is responsible for the coordination, direction and implementation of a profit center for the City of Auburn. The General Manager of the Enterprise reports directly to the City Manager and oversees the operation, maintenance, fiscal oversight (specifically budget creation and capital improvements) and long range planning of the Enterprise.

MISSION:

The “Norway Savings Bank Arena” is designed to serve the Auburn Community and the region through opportunities for skating activities. The Arena shall provide exceptional, year round, affordable ice skating opportunities in a safe, healthy, community based skating environment. We shall provide for a comfortable, well designed, skating and events center that serves as a community gathering place: focused primarily on ice related recreational activities and its viewership.

VISION/PURPOSE: “Serving Our Community through Skating”

In the spirit of community; through teamwork, safety, and sportsmanship, we shall seek a high quality level of programming and facilities to teach and support the sports of ice hockey, figure skating and other ice related activities for people of all ages.

The Arena shall provide safe, stable and reliable recreational skating opportunities to area residents, with regularly scheduled recreational skating, shinny hockey and “stick & puck” time that is open to all.

In addition to its commitment to the community, the arena shall support multiple local user groups including the Twin City Titans Youth Hockey Association, Maine Gladiators Youth Hockey, Edward Little High School Hockey, St. Dominics Academy Hockey, Poland-Gray/New Gloucester High School Hockey, Leavitt Area High School Hockey, Southern Maine Middle School Hockey League, and Community based recreational opportunities with multiple other local, regional and national user groups. Norway Savings Bank Arena shall operate as a year round facility. Marketing, promotions and the scheduling of ice time and other programming shall be scheduled to maximize the directive of the mission statement, provide financial stability and provide a balance among the many regional skating and viewing interests. The Arena shall strive to be the premier ice surfaces in the state and New England.

PROGRAMS

1. OPERATIONS:

Oversight of all events, activities, and related programming of the Enterprise to ensure proper staffing, goals, objectives, and coordination for the operation of a multipurpose, multi-use ice skating facility. Management of staff which includes a Director of Operations and Scheduling, Olympia Drivers and all part time staff. Coordinating the Activities include but are not limited to: scheduling of events, activities, negotiate, maintain and evaluate third party contracts for leased/contracted space. Provide a clean, safe and friendly environment for patrons in accordance with all facility policies and procedures. Operations consist of the bulk of staff time, preparing, maintaining and post event activities.

2. FINANCE AND ADMINISTRATION:

Provide financial oversight and administration of all activities of the facility. Together, the General Manager and the Administrative Assistant monitor budgets, accounts payable and receivable in conjunction with the municipal finance department to maintain the economic viability and fiscal responsibility of the Arena. Developing a budget and fee based structure that provides excellent services at a minimal cost. Reports consistently to City Manager and City Council financial budgeting quarterly, and cooperates monthly with financial health of the Enterprise in the monthly financial reports as presented by the Finance Department. Consistently review the value of the long term economic impact on the facility on the community.

3. MARKETING AND ADVERTISING:

The Marketing and Advertising within the facility is the responsibility of the General Manager with assistance from the Administrative Assistant. By building and managing local, regional and national marketing and advertising partnerships, the GM is responsible for the overall economic viability and fiscal responsibility of the Arena. Annual advertising and marketing of these partnerships within the facility and for special events, activities the local and regional participation provide for unlimited exposure and additional resources for the facility. Website development and promotion provide for electronic media growth and additional avenues for promoting the facility. Through programming and development of tournaments, and other regional events and activities, the Arena works to serve as an Economic Development opportunity for the community; bringing people from outside of the region supporting local businesses and community as a whole.

GOALS AND OBJECTIVES

- Provide a premier safe, affordable, entertainment experience for customers, participants and spectators. Instituting procedures and a culture to engage and welcome the community.
- Develop an internal programming and rental base that provide consistent revenue stream to properly maintain the facility and grow economic opportunities in the region
- Provide clean and quality services throughout the facility.
- Build staffing levels to maximize efficiency and operation of the facility.
- Operate 100% as an Enterprise Fund, using a budget model based on using zero community tax based revenue.
- Develop a fee based structure that is commensurate to the operation, minimizing expenditures, maintaining a high quality delivery of services.
- Monitor and coordinate Utility expenses to remain on budget
- Maintain a positive social and electronic media interface to interact and communicate with our users, including updated website and point of sale.
- Develop and implement a Marketing strategy for branding Arena activities, events and rental uses.

PERFORMANCE MEASURES

PERFORMANCE MEASURES			
MEASURE	GOALS	FY 2013	FY 2014
Achieve 100% Enterprise Sustainability	Develop financial budgets and policies intended on operating without municipal tax assistance, while maintaining fees commensurate to the operation/market demand.	N/A	Unknown
Ice Commitments	Maximize prime time ice rental, achieving 85-90% of all primetime ice rental filled, generating ice/facility rental income of \$800,000	N/A	Monitoring
Advertising Revenue	To attain 95%-100% revenue renewal rate from advertising partnerships equivalent to or greater than \$185,000 annually	N/A	At Least \$188,350
Utilities and Services	Monitor and coordinate utility expenses to maintain a strong level of customer satisfaction, while remaining on budget. Finding new ways to reduce utility expenses.	N/A	N/A
Tournament Play/ Economic Development	Provide a minimum of 5 stay and play tournament opportunities, generating a minimum of \$40,000 in annual income, and 350 hotel nights within the community.	N/A	Monitoring

BUDGET DRIVERS

- 1. Rent:** The triple net lease with Slapshot LLC, (\$528,408), represents 44% of the overall budget for the facility. The largest financial commitment of the facility is a fixed expense and shall remain in place through the entirety of the lease agreement.
- 2. Utilities:** Utilities are a function of operation and time. Efforts are made to monitor and reduce utility costs, and are currently based upon projections of current use and trends. Fluctuations in commodity pricing create vulnerability in the budget process and are a significant portion of the remaining 56% of budget expenditures. (17% or \$209,146)
- 3. Regular Salaries/ Additional Labor:** Staffing levels are maintained at a minimum to provide the level of service and maintenance to the facility. Efforts are made to reduce overtime, maximize the skills of the staff, but consist of approximately 26% (\$318,446) of the overall budget.

PROGRAM BUDGET-Operations				
Full Time Equivalent	4.5	Budgeted FY 2014	Actual FY 2014	Budgeted FY 2015
Revenue				\$988,710
Salaries				\$155,199
Contracted Services				\$24,500
Operations				\$850,554

PROGRAM BUDGET-Finance and Administration				
Full Time Equivalent	1.05	Budgeted FY 2014	Actual FY 2014	Budgeted FY 2015
Revenue				\$0
Salaries				\$63,922
Contracted Services				\$500
Operations				\$1000

PROGRAM BUDGET-Marketing and Advertising				
Full Time Equivalent	0.85	Budgeted FY 2014	Actual FY 2014	Budgeted FY 2015
Revenue				\$237,225
Salaries				\$59,748
Contracted Services				\$13,500
Operations				\$2,844



City Council Agenda Information Sheet

City of Auburn

Council Meeting Date: February 18, 2014

Order 14-02182014*

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 – Gary Wallace

Information:

In November 2013, Auburn police officers executed a search warrant at a downtown residential apartment building in the City of Auburn. Upon executing the warrant officers located and seized 2.7 grams of marijuana, .3 grams of crack cocaine, digital scale with white residue as well as numerous other related items associated with trafficking in illegal drugs. In addition, \$4,491.00 in US Currency was seized as suspected drug proceeds.

Mr. Wallace was arrested and charged with Aggravated Trafficking in Schedule “W” Drugs (Cocaine Base), Class A; Title 17-A Sec. 1105-A.E.1. The charge is elevated to “Aggravated” due to the fact the suspects residence was within 1000’ of a designated “SAFE ZONE” (Bonney Park) pursuant to Title 30-A sec. 3253.

Financial: The State of Maine, Office of the Attorney General, seeks to transfer \$4,491.00 U.S. Currency, to the Auburn Police Department.

Action Requested at this Meeting: Vote to accept transfer of \$4,491.00 in U.S. Currency.

Previous Meetings and History: N/A

Attachments:

- Memo to City Manager
- Order 14-02182014

*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: February 7, 2014
Re: Criminal Forfeiture Funds – **Gary Wallace**

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

- **Superior Court Criminal Docket No. CR-13-1311 – Gary Wallace \$4,491.00**

In November 2013, Auburn police officers executed a search warrant at a downtown residential apartment building in the City of Auburn. Upon executing the warrant officers located and seized 2.7 grams of marijuana, .3 grams of crack cocaine, digital scale with white residue as well as numerous other related items associated with trafficking in illegal drugs. In addition, \$4,491.00 in US Currency was seized as suspected drug proceeds.

The male subject was arrested and charged with Aggravated Trafficking in Schedule “W” Drugs (Cocaine Base), Class A; Title 17-A Sec. 1105-A.E.1. The charge is elevated to “Aggravated” due to the fact the suspects residence was within 1000’ of a designated “SAFE ZONE” (Bonney Park) pursuant to Title 30-A sec. 3253.

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 14-02182014

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 (Gary Wallace) in Rem, or any portion thereof (\$4,491.00 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 (Gary Wallace) in Rem, or any portion thereof (\$4,491.00 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 February 18, 2014.



City Council Agenda Information Sheet

City of Auburn

Council Meeting Date: February 18, 2014

Order 15-02182014*

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 – Herbert Simmons

Information:

In November of 2012, Auburn Police officers responded to a burglary in progress complaint. In conducting their investigation with the assistance of Auburn Police Department's assigned MDEA drug agent, officers were able to determine the true nature of the incident.

The investigation revealed the incident was not a burglary complaint but rather a disturbance as a result of a drug deal "rip off". The "rip off" involved only money, \$6,250.00 which was intended to be used to purchase illegal drugs. Officers seized the money due to the nature of the intent in which the money was to be used.

Financial: The State of Maine, Office of the Attorney General, seeks to transfer \$6,250.00 U.S. Currency, to the Auburn Police Department.

Action Requested at this Meeting: Vote to accept transfer of \$6,250.00 in U.S. Currency.

Previous Meetings and History: N/A

Attachments:

- Memo to City Manager
- Order 15-02182014

*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: February 7, 2014
Re: Criminal Forfeiture Funds – **Herbert Simmons**

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

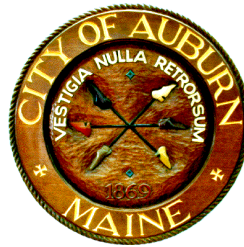
- **Superior Court Criminal Docket No. CR-13-1230 – Herbert Simmons \$6,250.00**

In November of 2012, Auburn Police officers responded to a burglary in progress complaint. In conducting their investigation with the assistance of Auburn Police Department's assigned MDEA drug agent, officers were able to determine the true nature of the incident.

The investigation revealed the incident was not a burglary complaint but rather a disturbance as a result of a drug deal "rip off". The "rip off" involved only money, \$6,250.00 which was intended to be used to purchase illegal drugs. Officers seized the money due to the nature of the intent in which the money was to be used

No criminal drug charges were brought against any of the involved parties.

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 15-02182014

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 (Herbert Simmons) in Rem, or any portion thereof (\$6,250.00 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 (Herbert Simmons) in Rem, or any portion thereof (\$6,250.00 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 February 18, 2014.



City Council Agenda Information Sheet

City of Auburn

Council Meeting Date: February 18, 2014

Order 16-02182014*

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 – Taurus Allen

Information:

In October 2013, Auburn police officers executed a search warrant at a local motel in the City of Auburn. Upon executing the warrant a male subject who had an active warrant for his arrest for Unlawful Trafficking in Schedule Drugs was located and arrested. The search of his person and room resulted in the seizure of 6.0 grams of marijuana, .6 grams of crack cocaine, digital scale containing a white residue and other related items associated with trafficking in illegal drugs. In addition, \$2,634.00 in US Currency was seized as suspected drug proceeds.

Mr. Allen was arrested on the warrant. The case was submitted to the District Attorney's Office for additional charges of trafficking.

Financial: The State of Maine, Office of the Attorney General, seeks to transfer \$2,634.00 U.S. Currency, to the Auburn Police Department.

Action Requested at this Meeting: Vote to accept transfer of \$2,634.00 in U.S. Currency.

Previous Meetings and History: N/A

Attachments:

- Memo to City Manager
- Order 16-02182014

*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: February 7, 2014
Re: Criminal Forfeiture Funds – **Taurus Allen**

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

- **Superior Court Criminal Docket No. CR-13-1409 – Taurus Allen \$2,634.00**

In October 2013, Auburn police officers executed a search warrant at a local motel in the City of Auburn. Upon executing the warrant a male subject who had an active warrant for his arrest for Unlawful Trafficking in Schedule Drugs was located and arrested. The search of his person and room resulted in the seizure of 6.0 grams of marijuana, .6 grams of crack cocaine, digital scale containing a white residue and other related items associated with trafficking in illegal drugs. In addition, \$2,634.00 in US Currency was seized as suspected drug proceeds.

Mr. Allen was arrested on the warrant. The case was submitted to the District Attorney's Office for additional charges of trafficking.

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 16-02182014

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 (Taurus Allen) in Rem, or any portion thereof (\$2,634.00 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 (Taurus Allen) in Rem, or any portion thereof (\$2,634.00 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 February 18, 2014.

IN COUNCIL REGULAR MEETING FEBRUARY 4, 2014 VOL. 34 PAGE 7

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. Councilor Hayes had an excused absence. All other Councilors were present.

I. Consent Items* - None

II. Minutes

- January 21, 2014 Regular Council Meeting

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to approve the minutes of January 21, 2014 as presented. Passage 6-0.

III. Reports

Mayor's Report – reported

City Manager's Report – reported on the items below and provided an update on the transportation center.

- Sale of the Chilling System at Ingersoll Arena being put out with bid process
- Joint School and City Budget calendar

City Committee Reports – Councilors Walker and Crowley reported. Councilor Crowley also had a Sewer District slide presentation.

Councilor Reports- Councilors Gerry and Crowley reported.

IV. Communications, Presentations and Recognitions - None

V. Open Session

Dom Casavant, 158 Valview Drive
Dan Herrick, 470 Hatch Road
Ginger Lee Smith, River Road

VI. Unfinished Business - None

VII. New Business

1. Public Hearing

Public hearing on Solid Waste and Recycling contracts.

Dom Casavant, 158 Valview Drive
Robert Hansen, 376 Lake Street
Larry Pelletier, 129 Second Street
Deb Desjardins, Turner Road
Betty Ann Sheets, 32 Waterboro Drive

IN COUNCIL REGULAR MEETING FEBRUARY 4, 2014 VOL. 34 PAGE 8

2. Order 11-02032014

Naming the ball field at Pettengill Park. Public hearing.

Colby Dill, post 153 vice commander who would like to name the field The Ted Ricker Memorial Field.

Motion was made by Councilor LaFontaine and seconded by Councilor Young not to name the ball field at Pettengill Park. Passage 6-0.

3. Ordinance 01-02032014

Amending an Ordinance – Chapter 2, Article VI, Division 2, Section 2-514). First reading.

Motion was made by Councilor LaFontaine and seconded by Councilor Lee to amend the Ordinance (Chapter 2, Article VI, Division 2, Section 2-514) by striking the second line as presented. Passage 6-0. A roll call vote was taken.

4. Resolve 01-02032014

Supporting the Rail to Trail Project.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker supporting the Rail to Trail Project. Passage 6-0.

5. Resolve 02-02032014

Opposing the State Revenue Sharing Reduction.

The City Manager will rewrite this Resolve and will bring it back to the February 18, 2014.

6. Order 12-02032014

Authorizing the City Manager to reinstate funding (\$2,205 to be taken from the Fund Balance) to support five polling places instead of one for the June 10, 2014 election.

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley authorizing the City Manager to reinstate funding (\$2,205 to be taken from the Fund Balance) to support five polling places instead of one for the June 10, 2014 election. Passage 6-0.

VIII Open Session

Betty Ann Sheets on behalf of Colby Dill.

IX. Executive Session

IN COUNCIL REGULAR MEETING FEBRUARY 4, 2014 VOL. 34 PAGE 9

- Discussion regarding a personnel matter, pursuant to 1 M.R.S.A. §405(6)(A).

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley to enter into Executive Session. Passage 4-0-1 (Councilor Lee abstained and Councilor Walker was out of the room during the vote). Time 9:25 P.M.

The Mayor declared Council out of Executive Session at 10:25 P.M.

X. Adjournment

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley to adjourn. Passage 5-0 (Councilor Young was not present for this vote), 10:25 P.M.

A True Copy.

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

IN COUNCIL SPECIAL MEETING FEBRUARY 10, 2014 VOL. 34 PAGE 10

Mayor LaBonté called the meeting to order at 7:25 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Councilor LaFontaine had an excused absence. All other Councilors were present.

I. New Business

1. Order 13-02102014

Authorizing the City Manager to sign an easement with Slap Shot, LLC.

Motion was made by Councilor Lee and seconded by Councilor Walker to authorize the City Manager to sign an easement with Slap Shot, LLC.
Passage 6-0.

II. Adjournment

Motion was made by Councilor Walker and seconded by Councilor Crowley to adjourn. Passage 6-0, 7:30 P.M.

A True Copy.

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

Date: (Filing No. H-)

ENERGY, UTILITIES AND TECHNOLOGY

Reproduced and distributed under the direction of the Clerk of the House.

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
126TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 885, L.D. 1251, Bill, “An Act To Lower Costs to Municipalities and Reduce Energy Consumption through Increased Competition in the Municipal Street Light Market”

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

Sec. 1. 35-A MRSA §2523 is enacted to read:

§2523. Street lights; use of poles

This section governs street lights that are attached to utility poles in the public way.

1. Ownership and maintenance options. On or after October 1, 2014, a transmission and distribution utility shall provide the following options to municipalities for street and area lighting provided by light fixtures attached to poles owned by the transmission and distribution utility or on shared-use poles in the electrical space under the contractual management of the transmission and distribution utility located in the public way:

A. The transmission and distribution utility provides all of the components of the street lighting system, including installation on the utility poles and maintenance, and provides electricity delivery to the street lighting system from a power vendor selected by the municipality. The transmission and distribution utility shall apply a monthly charge for these services as approved by the commission that reflects the total cost to provide street lighting equipment for each light and a separate charge for power delivery consistent with subsection 3;

B. The transmission and distribution utility installs all of the components of the street lighting hardware as selected, purchased and owned by the municipality on utility poles owned by the transmission and distribution utility or in the electrical space under contractual management of the transmission and distribution utility on shared-use poles and connects the light to the power source on the pole. The transmission and distribution utility may apply a one-time charge per light fixture for installation as established by the commission.

COMMITTEE AMENDMENT

1 Any repairs made by the transmission and distribution utility to the mounting
2 hardware or the power supply wire connection following installation must be billed at
3 a rate established by the commission. Maintenance of all components of the light
4 fixture is the responsibility of the municipality or its contractor. Any person
5 performing maintenance work on behalf of the municipality pursuant to this provision
6 must be qualified pursuant to applicable federal or state standards or any standards
7 established by the commission for such work and must have liability insurance in an
8 amount and with terms determined by the commission. Light locations, the street
9 lighting hardware installed and delivery charges are governed by subsections 2 and 3;
10 and

11 C. The transmission and distribution utility connects to the power lines a light fixture
12 either owned by or owned and installed by the municipality or its contractor on a pole
13 owned by the transmission and distribution utility or on a shared-use pole in the
14 electrical space under the contractual management of the transmission and
15 distribution utility. Light locations, the street lighting hardware installed and delivery
16 charges are governed by subsections 2 and 3. Maintenance of the light fixture and
17 mounting hardware is the responsibility of the municipality or its contractor. Any
18 person installing or working on municipally owned street lighting equipment
19 pursuant to this paragraph on behalf of the municipality must be qualified pursuant to
20 applicable federal and state standards or any standards established by the commission
21 for such work and must have liability insurance in an amount and with terms
22 determined by the commission. The transmission and distribution utility may apply a
23 one-time power connection charge per light fixture as established by the commission.

24 **2. Lighting location and installation.** For municipally owned street lighting
25 hardware located on poles owned by the transmission and distribution utility or in the
26 electrical space under the contractual management of the transmission and distribution
27 utility on shared-use poles in the public way, the location on the pole and the street
28 lighting hardware installed, as well as any associated charges, are governed by the
29 following provisions.

30 A. The commission shall establish criteria, based on standard utility industry
31 practice, for determining possible locations on the utility pole for the street lighting
32 hardware, determining any changes that may be needed, including, but not limited to,
33 relocating equipment already on the pole, installing a taller pole or bracing an
34 existing pole, as well as determining any one-time fees the transmission and
35 distribution utility may charge the municipality for making the determinations and
36 undertaking the work necessitated by the determinations. The criteria must also
37 specify the conditions under which a request from a municipality to locate a light
38 fixture on a pole may reasonably be denied by the transmission and distribution
39 utility.

40 B. The commission shall establish basic criteria, consistent with standard utility
41 industry practice, for municipally owned street lighting hardware installed on utility
42 poles that address any reasonable safety and compatibility issues with other
43 equipment on or uses of the pole. The criteria must provide a basis for determining
44 when no additional assessment work, and related fees pursuant to paragraph A, would
45 be warranted for a replacement light fixture because the new light fixture places

1 comparable or lower demands on the utility pole and related utility equipment than
2 the light fixture being replaced.

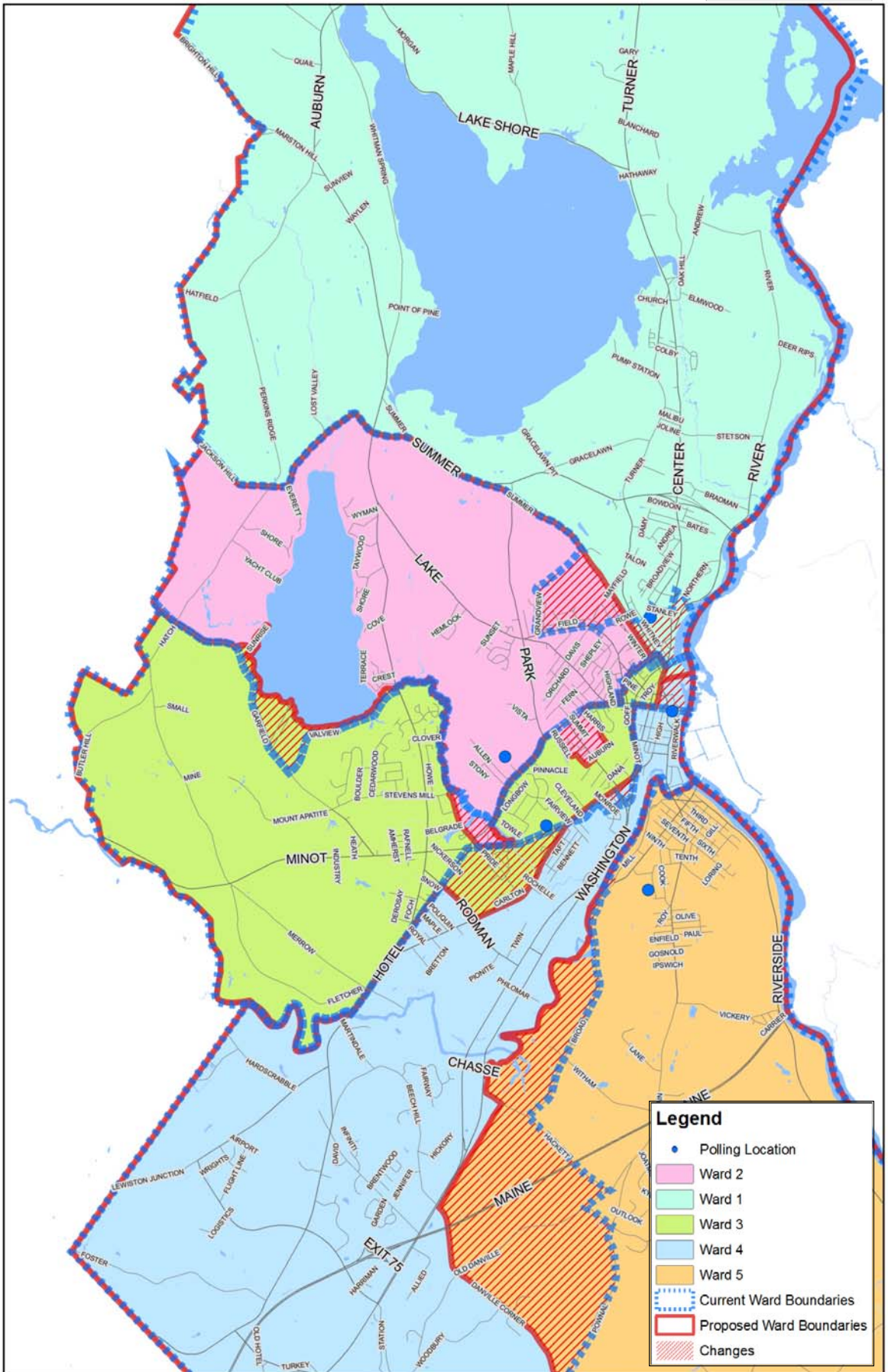
3 **3. Delivery rates and associated charges.** The commission shall establish through
4 appropriate proceedings the charges for the transmission and distribution utility to deliver
5 electricity to the municipal street lighting systems as provided in subsection 1. For
6 municipal street lighting system options described in subsection 1, paragraphs B and C,
7 the commission shall determine what, if any, ongoing fees beyond the power-only
8 delivery charge may be assessed, including a pole attachment fee. In making this
9 determination, the commission shall weigh, among other factors, the municipal interest to
10 serve the general public and the location of the poles in municipal rights-of-way.

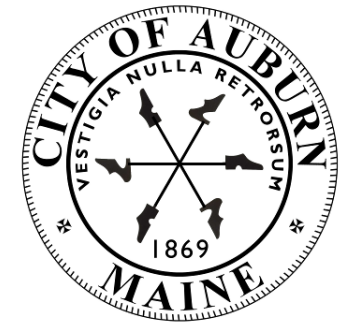
11 **4. Transfer of ownership.** A transmission and distribution utility shall allow a
12 municipality to transfer utility-owned street and area lighting for which the municipality
13 is billed to either form of municipal ownership in subsection 1, paragraphs B and C in a
14 time frame and under terms established by the commission. The commission shall also
15 determine a fair and equitable cost for all aspects of the transfer and establish guidelines
16 to best enable the contiguous ownership of lighting fixtures.'

17 SUMMARY

18 This amendment strikes and replaces the provisions of the bill. The amendment
19 requires electricity transmission and distribution utilities to provide new options for
20 municipal street lighting programs and provides for how a municipality may be charged
21 for the utility infrastructure services provided, how the location of street and area lighting
22 will be provided, at what rates or by what methods the electricity delivery charges may be
23 assessed and how a municipality may transition from one option to another during the
24 course of any year.

City of Auburn Redistricting All Wards

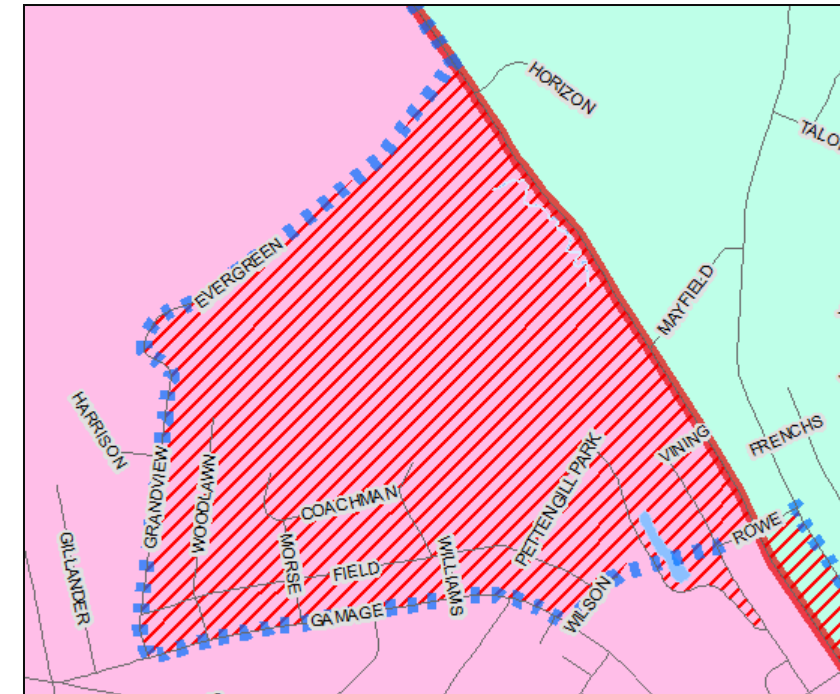
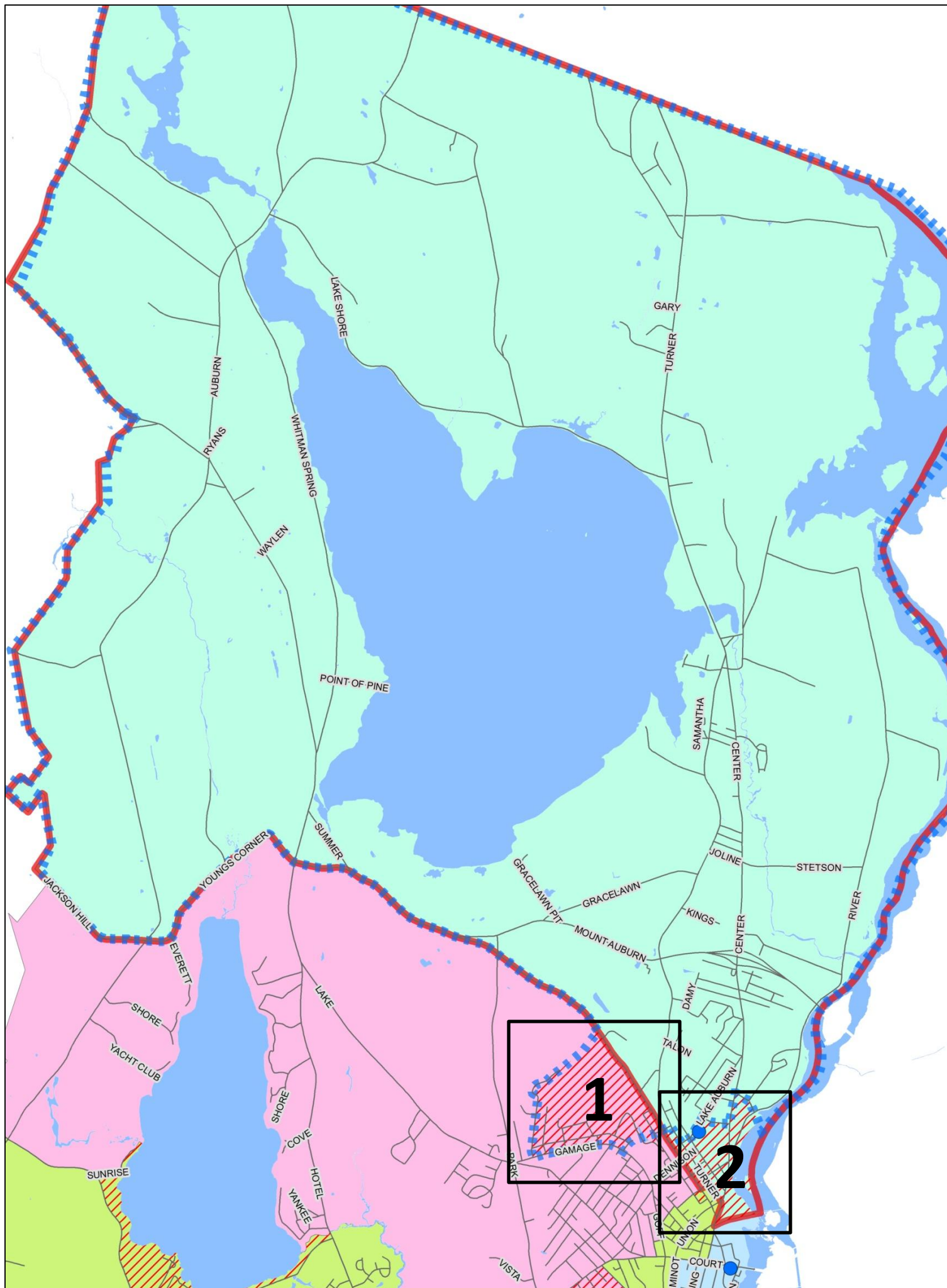




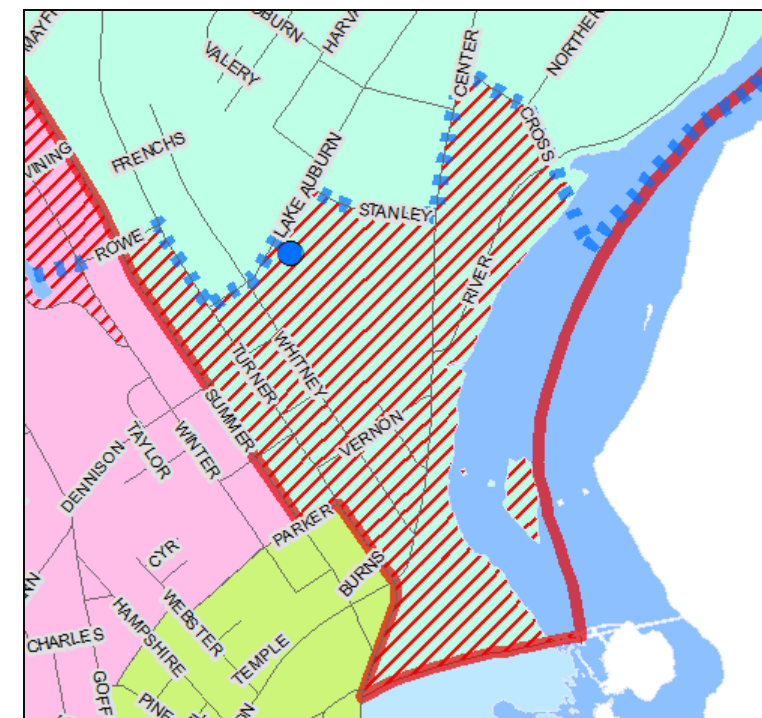
City of Auburn Redistricting Ward 1

Legend

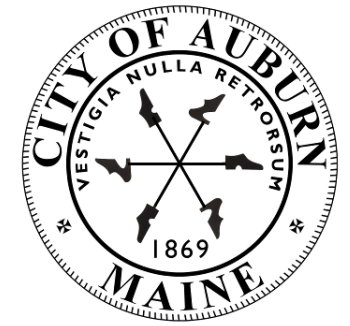
- Polling Location
- Ward 2
- Ward 1
- Ward 3
- Ward 4
- Ward 5
- Current Ward Boundaries
- Proposed Ward Boundaries
- Changes



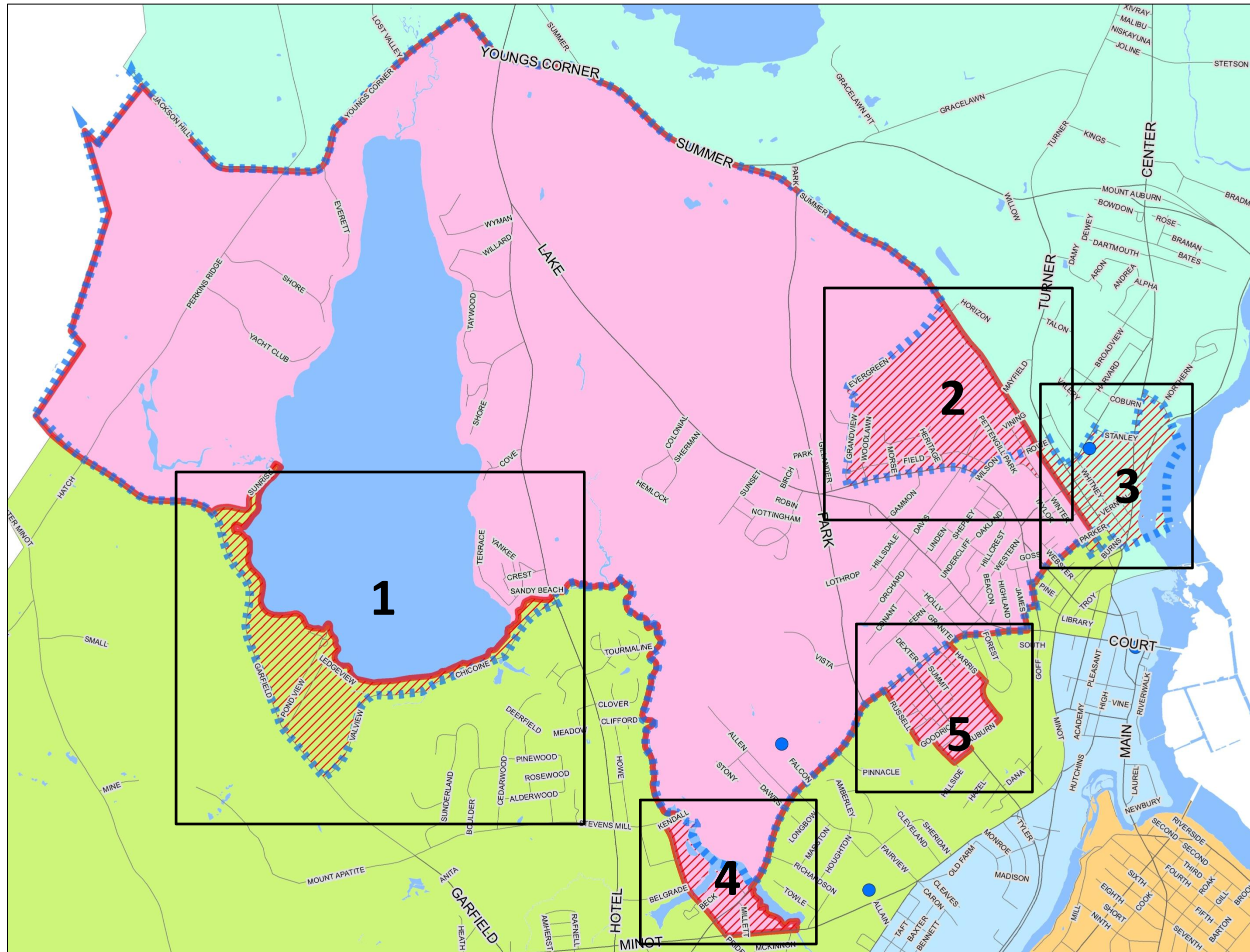
1. Subtraction



2. Addition

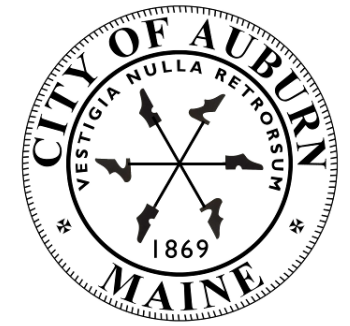


City of Auburn Redistricting Ward 2



Legend

- Polling Location
- Ward 2
- Ward 1
- Ward 3
- Ward 4
- Ward 5
- Current Ward Boundaries
- Proposed Ward Boundaries
- Changes



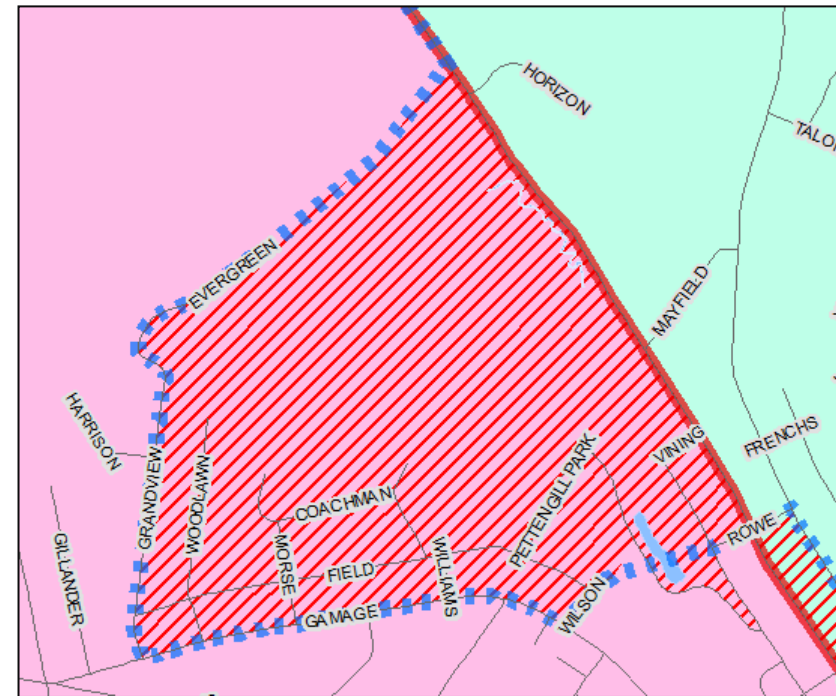
City of Auburn Redistricting Ward 2

Legend

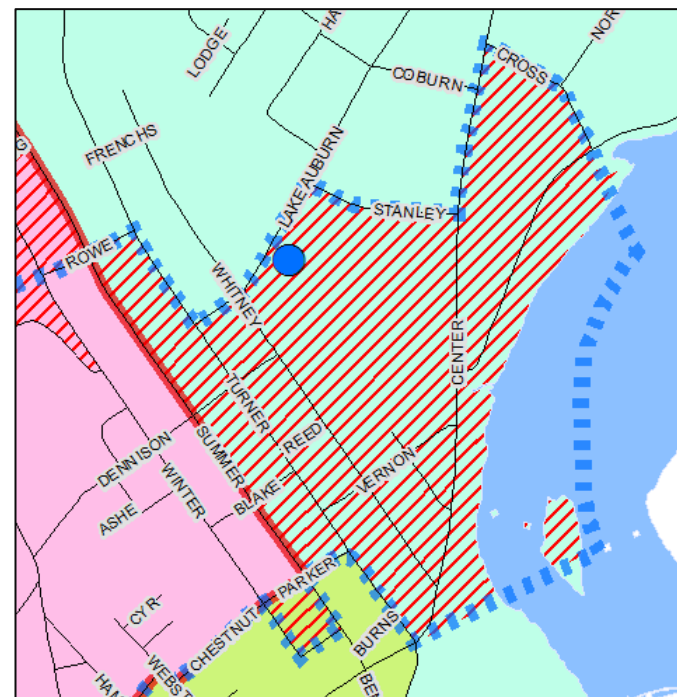
- Polling Location
- Ward 2
- Ward 1
- Ward 3
- Ward 4
- Ward 5
- Current Ward Boundaries
- Proposed Ward Boundaries
- Changes



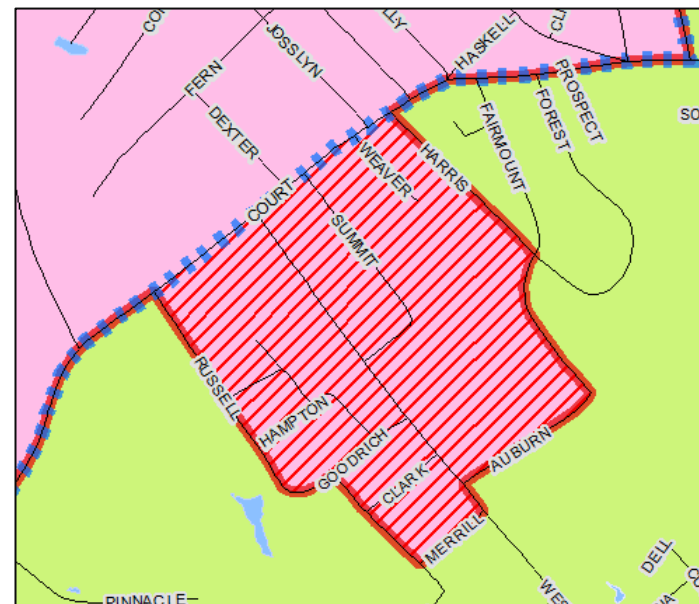
1. Subtraction



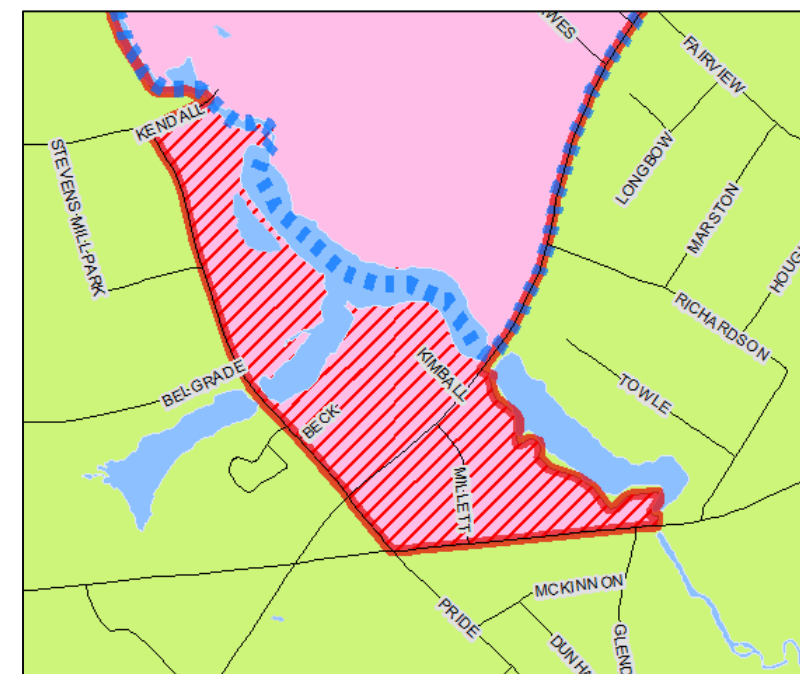
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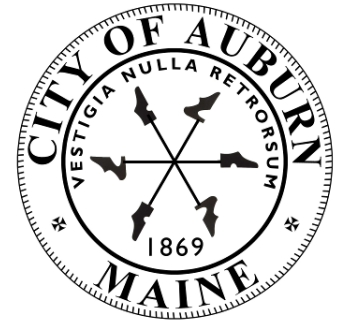
3. Subtraction



4. Addition

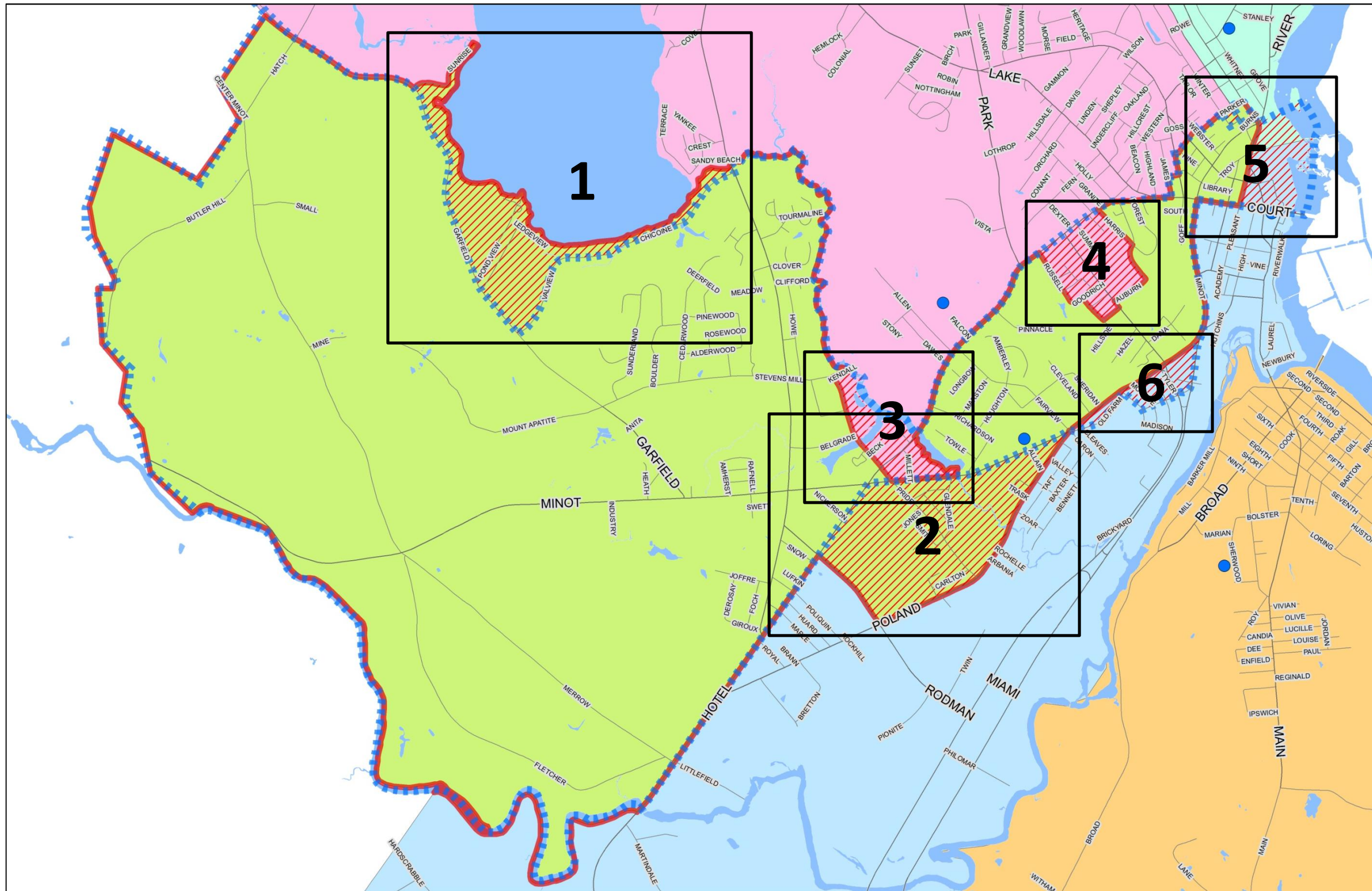


5. Addition



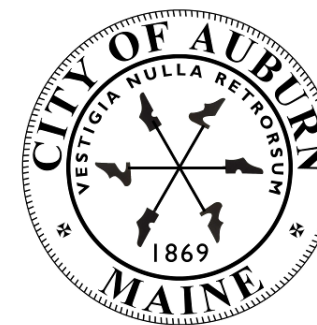
City of Auburn Redistricting

Ward 3



Legend

- Polling Location
- Ward 2
- Ward 1
- Ward 3
- Ward 4
- Ward 5
- Current Ward Boundaries
- Proposed Ward Boundaries
- Changes



City of Auburn Redistricting

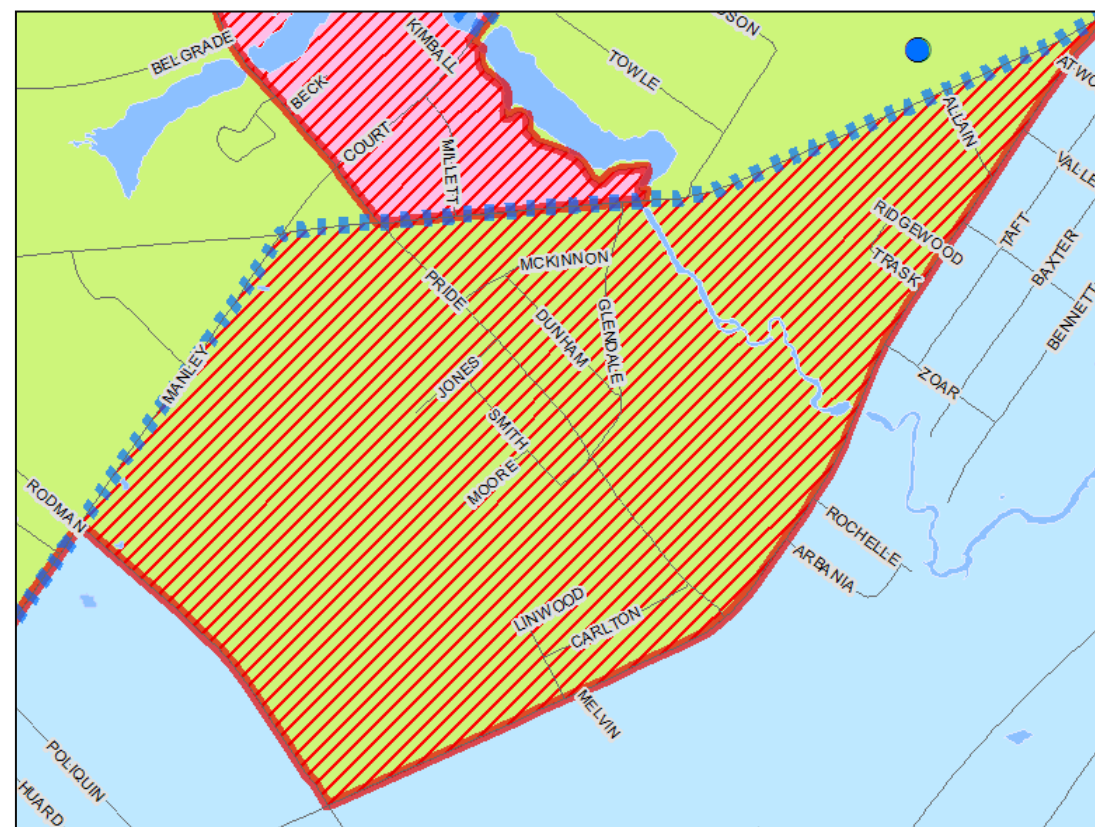
Ward 3

Legend

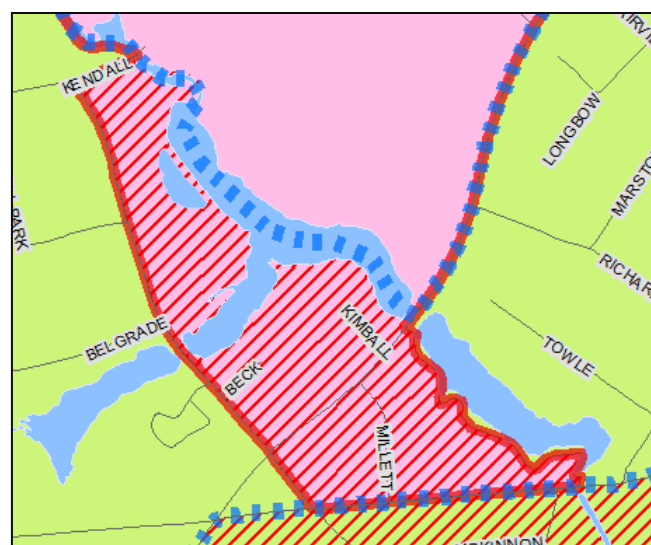
- Polling Location
- Ward 2
- Ward 1
- Ward 3
- Ward 4
- Ward 5
- Current Ward Boundaries
- Proposed Ward Boundaries
- Changes



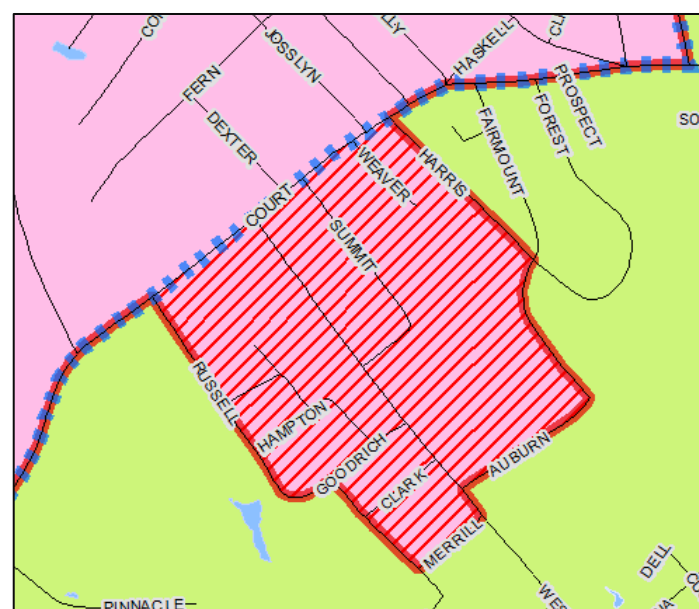
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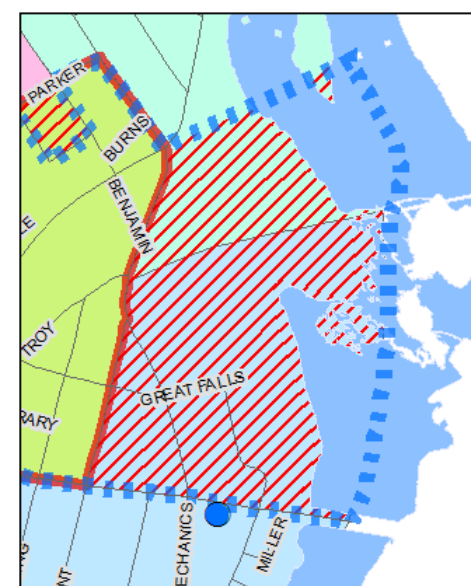
2. Addition



3. Subtraction



4. Subtraction

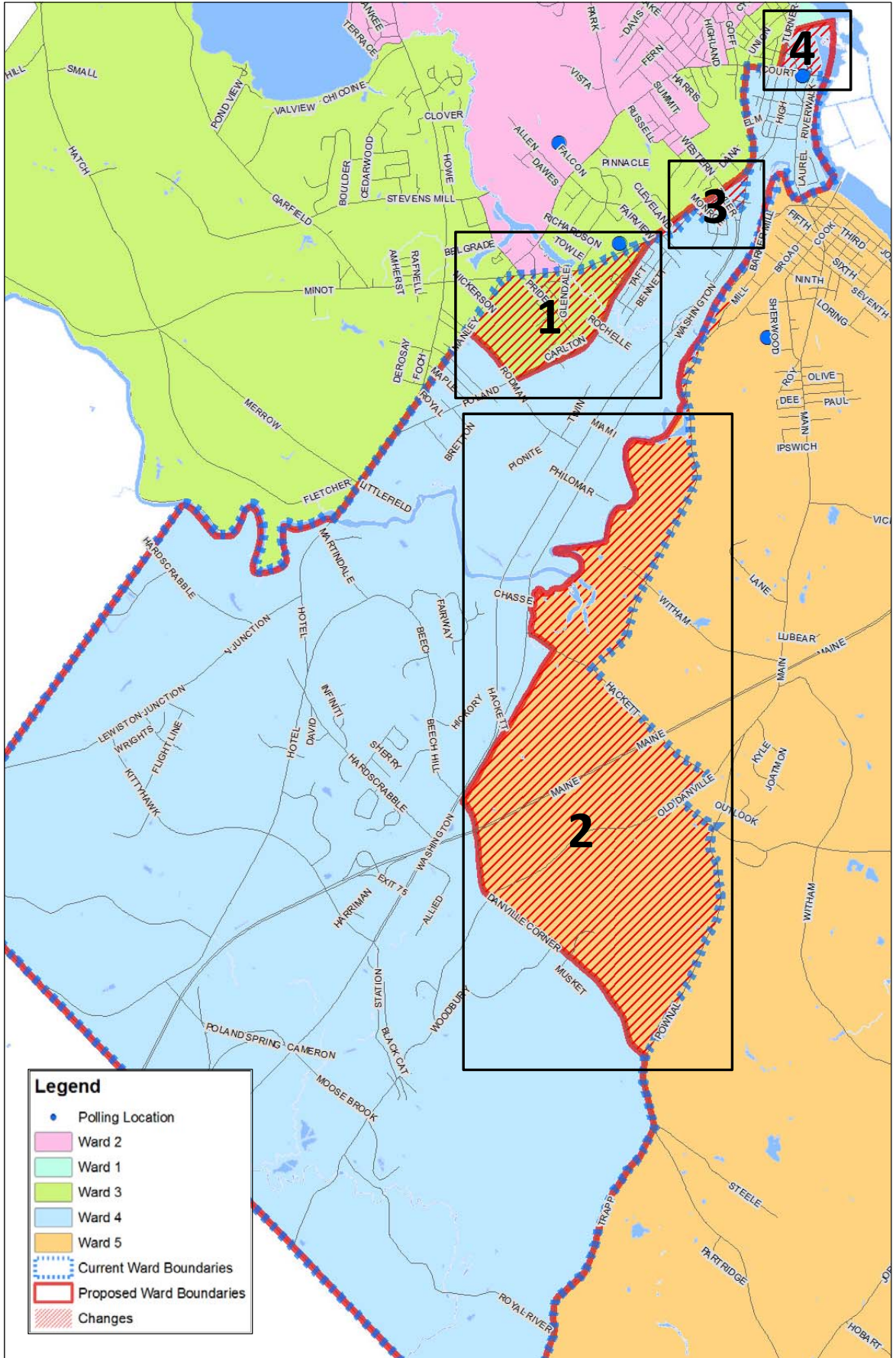
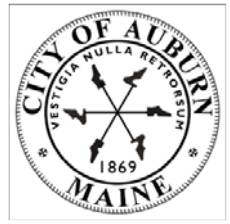


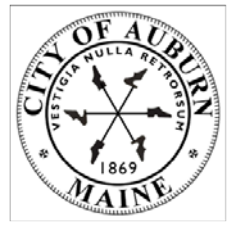
5. Subtraction



6. Subtraction

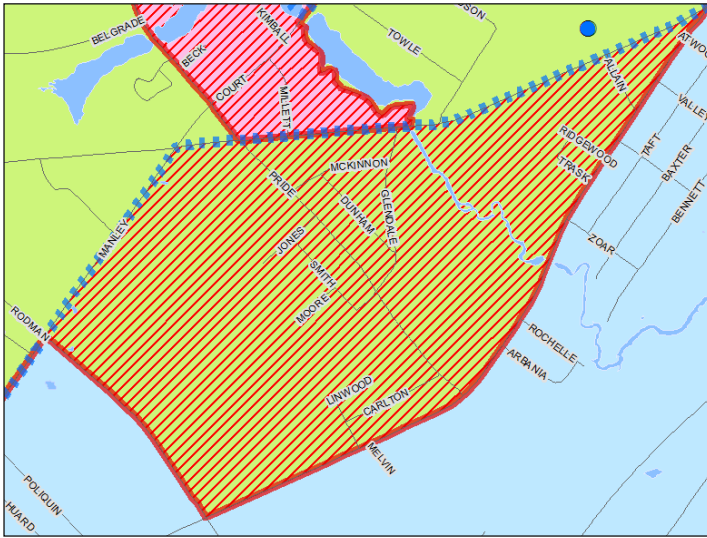
City of Auburn Redistricting Ward 4



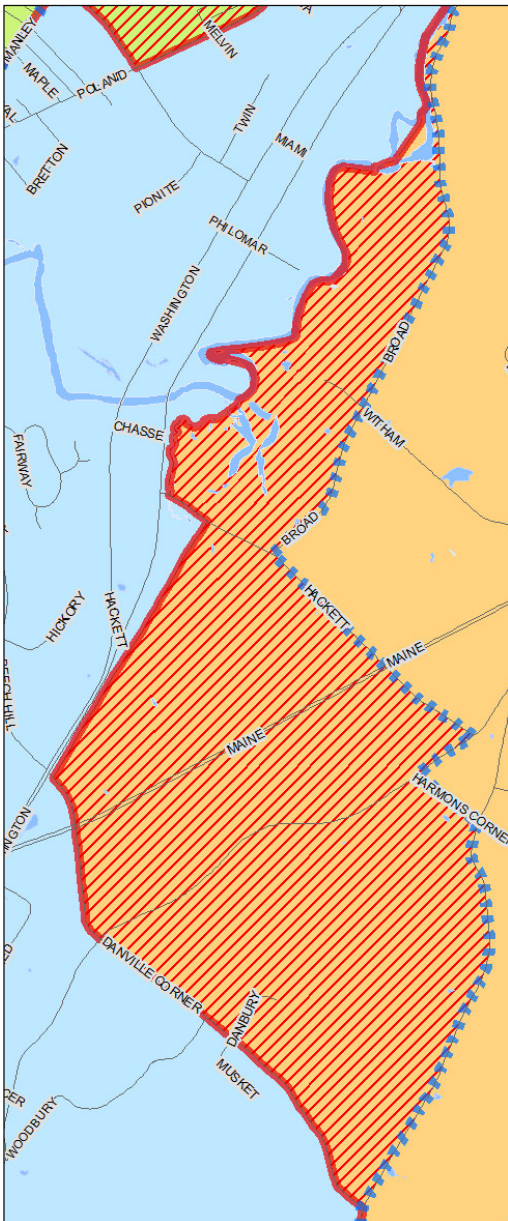
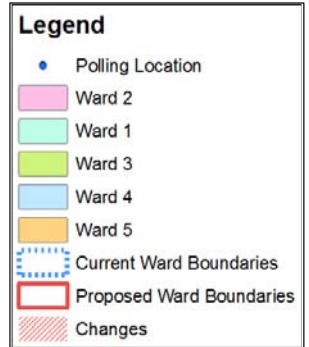


City of Auburn Redistricting

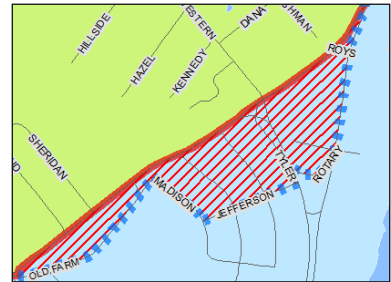
Ward 4



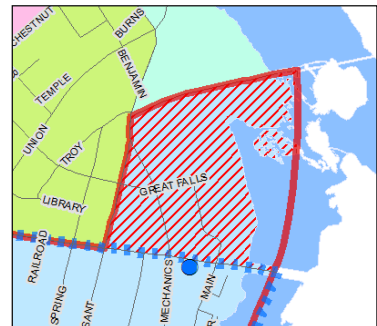
1. Subtraction



2. Subtraction

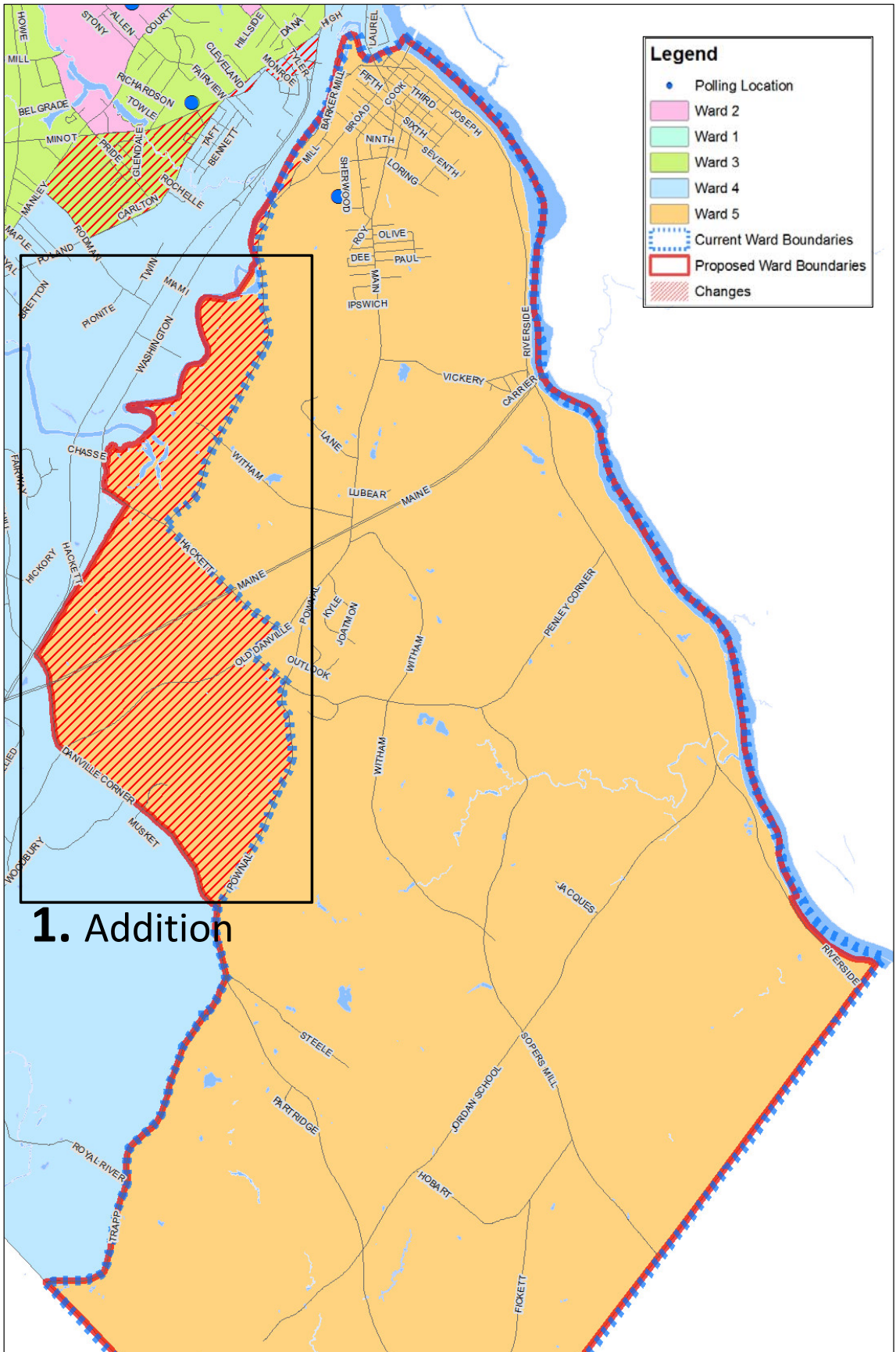


3. Addition



4. Addition

City of Auburn Redistricting Ward 5



Ward	Target Population	Population with Proposed Changes	Variance from Target
1	4611	4721	110
2	4611	4549	-62
3	4611	4674	63
4	4611	4451	-160
5	4611	4660	49
	23055	23055	

Variance between ward with largest and smallest population: 270

Auburn's Land Area (not including Roads)	57.0	square miles
Area changed with proposed changes	3.2	square miles
	6%	area changed

Total Population	23055
Population affected by change	3015
% of population affected by change	13%

City of Auburn, Maine

"Maine's City of Opportunity"

Financial Services



TO: Clinton Deschene, City Manager

FROM: Jill Eastman, Finance Director

REF: January 2014 Financial Report

DATE: February 10, 2014

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

The City has completed its seventh month of the current fiscal year. As a guideline for tracking purposes, revenues and expenditures should amount to approximately 58.3% of the annual budget. However, not all costs and revenues are distributed evenly throughout the year; individual line items can vary based upon cyclical activity.

Revenues

Revenues collected through January 31st, including the school department were \$39,980,481, or 55.22%, of the budget. The municipal revenues including property taxes were \$29,355,889, or 56.19% of the budget which is less than the same period last year by 0.55%. The accounts listed below are noteworthy.

- A. The current year tax revenue is at 55.95% the same as last year.
- B. Excise tax for the month of January is at 62.59%. This is a \$141,147 increase from FY 13. Our excise revenues for FY14 are 4.29% above projections as of January 31, 2014.
- C. State Revenue Sharing at the end of January is 57.68% or \$951,460. This is 31.2% decrease this year from last January.
- D. Licenses and Permits are behind last year at this time, but still within budget projections.

Expenditures

City expenditures through January 2014 were \$22,294,764 or 61.69%, of the budget. This is 5.97% less than the same period last year. Noteworthy variances are:

- A. The operating departments are all in line with where they should be at this time. Several line items are paid quarterly, semi-annually or annually thus creating the appearance of being over budget. I have and will continue to monitor each department's expenditures throughout the fiscal year.
- B. The TIF transfer has not been made yet this year which is the major variance compared to last year at this time.

Investments

This section contains an investment schedule as of January 31st. Currently the City's funds are earning an average interest rate of .22%.

Respectfully submitted,



Jill M. Eastman
Finance Director

CITY OF AUBURN, MAINE
BALANCE SHEET - CITY GENERAL FUND, WC AND UNEMPLOYMENT FUND
AS of January 2014, December 2013, and June 2013 (audited)

	UNAUDITED Jan 31 2014	UNAUDITED Dec 31 2013	Increase (Decrease)	AUDITED JUNE 30 2013
ASSETS				
CASH	\$ 8,110,464	\$ 9,886,084	\$ (1,775,619)	\$ 11,268,551
RECEIVABLES			-	
ACCOUNTS RECEIVABLES	761,606	758,244	3,361	1,178,345
TAXES RECEIVABLE-CURRENT	18,437,902	19,098,386	(660,484)	89,723
DELINQUENT TAXES	546,197	548,004	(1,806)	543,772
TAX LIENS	612,253	677,344	(65,091)	1,267,670
NET DUE TO/FROM OTHER FUNDS	5,352,562	4,980,663	371,898	1,602,354
TOTAL ASSETS	\$ 33,820,984	\$ 35,948,725	\$ (2,127,741)	\$ 15,950,415
LIABILITIES & FUND BALANCES				
ACCOUNTS PAYABLE	\$ (230,826)	\$ (140,531)	\$ (90,295)	\$ (536,867)
PAYROLL LIABILITIES	20,123	10,830	9,293	(93,082)
ACCRUED PAYROLL	(4,655)	(4,655)	-	(1,066,178)
STATE FEES PAYABLE	(47,539)	(56,991)	9,452	-
ESCROWED AMOUNTS	(41,865)	(41,865)	-	(41,865)
DEFERRED REVENUE	(19,469,483)	(20,196,140)	726,657	(1,832,681)
TOTAL LIABILITIES	\$ (19,774,246)	\$ (20,429,353)	\$ 655,107	\$ (3,570,673)
FUND BALANCE - UNASSIGNED	\$ (13,180,905)	\$ (14,653,539)	\$ 1,472,634	\$ (8,775,150)
FUND BALANCE - RESTRICTED FOR WORKERS COMP & UNEMPLOYMENT	1,001,137	1,001,137	-	(2,450,020)
FUND BALANCE - ASSIGNED	(1,866,970)	(1,866,970)	-	(1,154,572)
TOTAL FUND BALANCE	\$ (14,046,738)	\$ (15,519,372)	\$ 1,472,634	\$ (12,379,742)
TOTAL LIABILITIES AND FUND BALANCE	\$ (33,820,984)	\$ (35,948,725)	\$ 2,127,741	\$ (15,950,415)

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

REVENUE SOURCE	FY 2014 BUDGET	ACTUAL REVENUES THRU JAN 2014	% OF BUDGET	FY 2013 BUDGET	ACTUAL REVENUES THRU JAN 2013	% OF BUDGET	VARIANCE
TAXES							
PROPERTY TAX REVENUE-	\$ 42,844,641	\$ 23,972,057	55.95%	\$ 42,121,141	\$ 23,568,422	55.95%	\$ 403,635
PRIOR YEAR REVENUE	\$ -	\$ 717,865		\$ -	\$ 761,164		\$ (43,299)
HOMESTEAD EXEMPTION REIMBURSEMENT	\$ 482,575	\$ 371,573	77.00%	\$ 514,584	\$ 377,161	73.29%	\$ (5,588)
ALLOWANCE FOR ABATEMENT	\$ -	\$ -		\$ -	\$ -		\$ -
ALLOWANCE FOR UNCOLLECTIBLE TAXES	\$ -	\$ -		\$ -	\$ -		\$ -
EXCISE	\$ 3,068,500	\$ 1,920,550	62.59%	\$ 3,018,500	\$ 1,779,403	58.95%	\$ 141,147
PENALTIES & INTEREST	\$ 140,000	\$ 72,023	51.44%	\$ 140,000	\$ 87,576	62.55%	\$ (15,553)
TOTAL TAXES	\$ 46,535,716	\$ 27,054,068	58.14%	\$ 45,794,225	\$ 26,573,726	58.03%	\$ 480,342
LICENSES AND PERMITS							
BUSINESS	\$ 47,300	\$ 32,939	69.64%	\$ 39,900	\$ 39,405	98.76%	\$ (6,466)
NON-BUSINESS	\$ 338,300	\$ 198,866	58.78%	\$ 260,700	\$ 208,019	79.79%	\$ (9,153)
TOTAL LICENSES	\$ 385,600	\$ 231,805	60.12%	\$ 300,600	\$ 247,424	82.31%	\$ (15,619)
INTERGOVERNMENTAL ASSISTANCE							
STATE-LOCAL ROAD ASSISTANCE	\$ 440,000	\$ 473,451	107.60%	\$ 378,000	\$ 228,022	60.32%	\$ 245,429
STATE REVENUE SHARING	\$ 1,649,470	\$ 951,460	57.68%	\$ 2,400,000	\$ 1,383,572	57.65%	\$ (432,112)
WELFARE REIMBURSEMENT	\$ 53,000	\$ 29,234	55.16%	\$ 53,083	\$ 29,644	55.84%	\$ (410)
OTHER STATE AID	\$ 22,000	\$ 3,025	13.75%	\$ 21,000	\$ 20,742	98.77%	\$ (17,717)
CITY OF LEWISTON	\$ 155,000	\$ -	0.00%	\$ 158,362	\$ -	0.00%	\$ -
TOTAL INTERGOVERNMENTAL ASSISTANCE	\$ 2,319,470	\$ 1,457,170	62.82%	\$ 3,010,445	\$ 1,661,980	55.21%	\$ (204,810)
CHARGE FOR SERVICES							
GENERAL GOVERNMENT	\$ 140,240	\$ 81,426	58.06%	\$ 130,955	\$ 93,877	71.69%	\$ (12,451)
PUBLIC SAFETY	\$ 366,152	\$ 164,930	45.04%	\$ 263,102	\$ 70,308	26.72%	\$ 94,622
EMS AGREEMENT	\$ 100,000	\$ 58,333	58.33%	\$ 100,000	\$ 50,000	50.00%	\$ 8,333
TOTAL CHARGE FOR SERVICES	\$ 606,392	\$ 304,690	50.25%	\$ 494,057	\$ 214,185	43.35%	\$ 90,505
FINES							
PARKING TICKETS & MISC FINES	\$ 40,000	\$ 14,875	37.19%	\$ 45,000	\$ 14,192	31.54%	\$ 683
MISCELLANEOUS							
INVESTMENT INCOME	\$ 20,000	\$ 289	1.44%	\$ 30,000	\$ 13,762	45.87%	\$ (13,473)
INTEREST-BOND PROCEEDS	\$ 2,000	\$ -	0.00%	\$ 2,000	\$ -	0.00%	\$ -
RENTS	\$ 122,000	\$ -	0.00%	\$ 122,000	\$ 121,827	99.86%	\$ (121,827)
UNCLASSIFIED	\$ 17,500	\$ 47,794	273.11%	\$ 5,150	\$ 32,123	623.75%	\$ 15,671
SALE OF RECYCLABLES	\$ 4,800	\$ -	0.00%	\$ -	\$ -		\$ -
COMMERCIAL SOLID WASTE FEES	\$ -	\$ 30,935		\$ -	\$ 32,038		\$ (1,103)
SALE OF PROPERTY	\$ 20,000	\$ 60,164	300.82%	\$ 20,000	\$ 16,694	83.47%	\$ 43,470
RECREATION PROGRAMS/ARENA	\$ -	\$ -		\$ 43,275	\$ -	0.00%	\$ -
MMWAC HOST FEES	\$ 204,000	\$ 120,046	58.85%	\$ 197,400	\$ 117,779	59.67%	\$ 2,267
9-1-1 DEBT SERVICE REIMBURSEMENT	\$ -	\$ -		\$ -	\$ (20)	0.00%	\$ 20
TRANSFER IN: TIF	\$ 520,000	\$ -	0.00%	\$ 324,212	\$ 324,212	100.00%	\$ (324,212)
ENERGY EFFICIENCY	\$ 2,000	\$ 279	13.96%	\$ 2,000	\$ 858	42.90%	\$ (579)
CDBG	\$ 58,000	\$ 20,443	35.25%	\$ 8,000	\$ 1,334	16.68%	\$ 19,109
UTILITY REIMBURSEMENT	\$ 37,500	\$ 13,332	35.55%	\$ 37,500	\$ 13,728	36.61%	\$ (396)
CITY FUND BALANCE CONTRIBUTION	\$ 1,350,000	\$ -	0.00%	\$ 1,350,000	\$ -	0.00%	\$ -
TOTAL MISCELLANEOUS	\$ 2,357,800	\$ 293,282	12.44%	\$ 2,141,537	\$ 674,335	31.49%	\$ (381,053)
TOTAL GENERAL FUND REVENUES	\$ 52,244,978	\$ 29,355,889	56.19%	\$ 51,785,864	\$ 29,385,842	56.74%	\$ (29,953)
SCHOOL REVENUES							
EDUCATION SUBSIDY	\$ 17,942,071	\$ 10,343,942	57.65%	\$ 17,942,071	\$ 9,938,100	55.39%	\$ 405,842
EDUCATION	\$ 1,358,724	\$ 280,650	20.66%	\$ 1,358,724	\$ 248,167	18.26%	\$ 32,483
SCHOOL FUND BALANCE CONTRIBUTION	\$ 855,251	\$ -	0.00%	\$ 855,251	\$ -	0.00%	\$ -
TOTAL SCHOOL	\$ 20,156,046	\$ 10,624,592	52.71%	\$ 20,156,046	\$ 10,186,267	50.54%	\$ 438,325
GRAND TOTAL REVENUES	\$ 72,401,024	\$ 39,980,481	55.22%	\$ 71,941,910	\$ 39,572,109	55.01%	\$ 408,372

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

DEPARTMENT	FY 2014 BUDGET	Unaudited EXP THRU JAN 2014	% OF BUDGET	FY 2013 BUDGET	Unaudited EXP THRU JAN 2013	% OF BUDGET	VARIANCE
ADMINISTRATION							
MAYOR AND COUNCIL	\$ 71,079	\$ 38,663	54.39%	\$ 99,690	\$ 61,407	61.60%	\$ (22,744)
CITY MANAGER	\$ 238,903	\$ 143,517	60.07%	\$ 343,296	\$ 155,958	45.43%	\$ (12,441)
ECONOMIC DEVELOPMENT	\$ 318,933	\$ 143,928	45.13%	\$ -	\$ -		\$ 143,928
ASSESSING SERVICES	\$ 172,277	\$ 101,852	59.12%	\$ 183,801	\$ 97,259	52.92%	\$ 4,593
CITY CLERK	\$ 162,045	\$ 95,536	58.96%	\$ 150,676	\$ 81,283	53.95%	\$ 14,253
FINANCIAL SERVICES	\$ 405,976	\$ 233,602	57.54%	\$ 419,539	\$ 234,519	55.90%	\$ (917)
HUMAN RESOURCES	\$ 139,566	\$ 74,997	53.74%	\$ 137,836	\$ 74,764	54.24%	\$ 233
INFORMATION COMMUNICATION TECHNOLOGY	\$ 395,350	\$ 278,356	70.41%	\$ 386,632	\$ 233,772	60.46%	\$ 44,584
LEGAL SERVICES	\$ 100,000	\$ 29,291	29.29%	\$ 85,000	\$ 14,667	17.26%	\$ 14,624
TOTAL ADMINISTRATION	\$ 2,004,129	\$ 1,139,742	56.87%	\$ 1,806,470	\$ 953,629	52.79%	\$ 186,113
COMMUNITY SERVICES							
ENGINEERING	\$ 280,188	\$ 152,727	54.51%	\$ 320,370	\$ 176,019	54.94%	\$ (23,292)
COMMUNITY PROGRAMS	\$ -	\$ -		\$ 14,050	\$ 10,850	77.22%	\$ (10,850)
PLANNING & PERMITTING	\$ 775,230	\$ 450,547	58.12%	\$ 776,532	\$ 377,377	48.60%	\$ 73,170
PARKS AND RECREATION	\$ 567,334	\$ 307,709	54.24%	\$ 602,191	\$ 320,315	53.19%	\$ (12,606)
HEALTH & SOCIAL SERVICES	\$ 189,539	\$ 133,131	70.24%	\$ 176,567	\$ 133,603	75.67%	\$ (472)
PUBLIC LIBRARY	\$ 946,737	\$ 619,158	65.40%	\$ 968,292	\$ 645,528	66.67%	\$ (26,370)
TOTAL COMMUNITY SERVICES	\$ 2,759,028	\$ 1,663,272	60.28%	\$ 2,858,002	\$ 1,663,692	58.21%	\$ (420)
FISCAL SERVICES							
DEBT SERVICE	\$ 6,321,584	\$ 5,801,562	91.77%	\$ 6,682,797	\$ 6,083,464	91.03%	\$ (281,902)
PROPERTY	\$ 715,667	\$ 421,951	58.96%	\$ 699,114	\$ 468,885	67.07%	\$ (46,934)
WORKERS COMPENSATION	\$ 431,446	\$ -	0.00%	\$ 415,000	\$ -	0.00%	\$ -
WAGES & BENEFITS	\$ 4,397,585	\$ 2,624,795	59.69%	\$ 4,602,545	\$ 2,467,329	53.61%	\$ 157,466
EMERGENCY RESERVE (10108062-670000)	\$ 375,289	\$ -	0.00%	\$ 333,818	\$ -	0.00%	\$ -
TOTAL FISCAL SERVICES	\$ 12,241,571	\$ 8,848,308	72.28%	\$ 12,733,274	\$ 9,019,678	70.84%	\$ (171,370)
PUBLIC SAFETY							
FIRE DEPARTMENT	\$ 4,024,789	\$ 2,395,670	59.52%	\$ 3,904,344	\$ 2,259,867	57.88%	\$ 135,803
POLICE DEPARTMENT	\$ 3,589,583	\$ 2,030,925	56.58%	\$ 3,439,583	\$ 1,949,382	56.67%	\$ 81,543
TOTAL PUBLIC SAFETY	\$ 7,614,372	\$ 4,426,595	58.13%	\$ 7,343,927	\$ 4,209,249	57.32%	\$ 217,346
PUBLIC WORKS							
PUBLIC WORKS DEPARTMENT	\$ 4,730,432	\$ 2,597,940	54.92%	\$ 4,617,744	\$ 2,604,093	56.39%	\$ (6,153)
WATER AND SEWER	\$ 558,835	\$ 429,591	76.87%	\$ 558,835	\$ 418,214	74.84%	\$ 11,377
TOTAL PUBLIC WORKS	\$ 5,289,267	\$ 3,027,531	57.24%	\$ 5,176,579	\$ 3,022,307	58.38%	\$ 5,224
INTERGOVERNMENTAL PROGRAMS							
AUBURN-LEWISTON AIRPORT	\$ 105,000	\$ 105,000	100.00%	\$ 105,000	\$ 78,750	75.00%	\$ 26,250
E911 COMMUNICATION CENTER	\$ 1,036,409	\$ 777,638	75.03%	\$ 1,035,381	\$ 776,339	74.98%	\$ 1,299
LATC-PUBLIC TRANSIT	\$ 235,496	\$ 235,373	99.95%	\$ 235,548	\$ 176,635	74.99%	\$ 58,738
LAEGC-ECONOMIC COUNCIL	\$ -	\$ -		\$ 160,687	\$ 80,343	50.00%	\$ (80,343)
COMMUNITY LITTLE THEATER	\$ -	\$ -		\$ 20,160	\$ -	0.00%	\$ -
TAX SHARING	\$ 270,000	\$ 41,793	15.48%	\$ 289,000	\$ 43,602	15.09%	\$ (1,809)
TOTAL INTERGOVERNMENTAL	\$ 1,646,905	\$ 1,159,804	70.42%	\$ 1,845,776	\$ 1,155,669	62.61%	\$ 4,135
COUNTY TAX							
TIF (10108058-580000)	\$ 2,029,513	\$ 2,029,512	100.00%	\$ 2,006,244	\$ 2,006,244	100.00%	\$ 23,268
OVERLAY	\$ 2,555,723	\$ -	0.00%	\$ 2,619,142	\$ 2,590,947	98.92%	\$ (2,590,947)
	\$ -	\$ -		\$ -	\$ -	0.00%	\$ -
	\$ -	\$ -		\$ -	\$ -	0.00%	\$ -
TOTAL CITY DEPARTMENTS	\$ 36,140,508	\$ 22,294,764	61.69%	\$ 36,389,414	\$ 24,621,415	67.66%	\$ (2,326,651)
EDUCATION DEPARTMENT	\$ 37,128,028	\$ 16,227,761	43.71%	\$ 34,705,246	\$ 14,700,262	42.36%	\$ 1,527,499
TOTAL GENERAL FUND EXPENDITURES	\$ 73,268,536	\$ 38,522,525	52.58%	\$ 71,094,660	\$ 39,321,677	55.31%	\$ (799,152)

**CITY OF AUBURN, MAINE
INVESTMENT SCHEDULE
AS Of January 31, 2014**

INVESTMENT	FUND	BALANCE January 31, 2014	BALANCE December 31, 2013	INTEREST RATE	WEIGHTED AVG YIELD
BANKNORTH MNY MKT	24-1242924 GENERAL FUND	\$ 55,376.86	\$ 55,369.81	0.20%	
BANKNORTH MNY MKT	24-1745910 GF-WORKERS COMP	\$ 49,264.67	\$ 49,261.32	0.10%	
BANKNORTH MNY MKT	24-1745944 GF-UNEMPLOYMENT	\$ 66,954.30	\$ 66,945.77	0.20%	
BANKNORTH CD	7033 GF-UNEMPLOYMENT	\$ 102,404.84	\$ 102,404.84	2.64%	
BANKNORTH MNY MKT	24-1809302 SPECIAL REVENUE	\$ 52,599.15	\$ 52,592.45	0.20%	
BANKNORTH MNY MKT	24-1745902 SR-PERMIT PARKING	\$ 198,148.99	\$ 198,123.75	0.20%	
BANKNORTH MNY MKT	24-1745895 SR-TIF	\$ 1,118,706.94	\$ 1,118,564.44	0.20%	
BANKNORTH MNY MKT	24-1746819 CAPITAL PROJECTS	\$ 11,767,424.73	\$ 11,765,925.78	0.20%	
BANKNORTH MNY MKT	24-1745928 ICE ARENA	\$ 249,490.96	\$ 249,459.18	0.10%	
GRAND TOTAL		\$ 13,660,371.44	\$ 13,658,647.34		0.22%

City of Auburn, Maine

"Maine's City of Opportunity"

Financial Services

To: Clinton Deschene, City Manager
From: Jill Eastman, Finance Director
Re: Arena Financial Reports for January 31, 2014



Attached you will find a Statement of Net Assets and a Statement of Activities for the Ingersoll Arena and the Norway Savings Bank Arena as of January 31, 2014. After comments on the December Financial Report I have separated the balance sheets to reflect both arenas.

INGERSOLL ARENA

Statement of Net Assets:

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

Current Assets:

As of the end of January 2014 the total current assets of Ingersoll were \$213,662. These consisted of cash and cash equivalents of \$249,484, accounts receivable of \$24,950 and an interfund payable of \$60,772, which means that Ingersoll owes the General Fund \$60,772, so net cash available to Ingersoll is \$188,712 at the end of January.

The accounts receivable of \$24,950 remains the same as it was last month.

Noncurrent Assets:

Ingersoll's noncurrent assets are the building, equipment and any building and land improvements, less depreciation. There will be an adjustment to the equipment, since some of this has been transferred to Norway Savings Bank Arena. The total value of the noncurrent assets as of January 31, 2014 were \$630,402.

Liabilities:

Ingersoll had no liabilities as of January 31, 2014.

Statement of Activities:

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

The operating revenues for Ingersoll Arena through January 2014, are \$72,336. This revenue comes from the concessions, sign advertisements, pro shop lease, youth programming, shinny hockey, public skating and ice rentals.

The operating expenses for Ingersoll Arena through January 2014, were \$143,076. These expenses include personnel costs, supplies, utilities, repairs, capital purchases and maintenance.

As of January 2014 Ingersoll Arena has an operating losses of \$70,740.

Non-operating revenue and expenses consist of interest income and debt service payments. The interest income to date is \$757 and debt service expense to date is \$82,801.

As of January 31, 2014 Ingersoll Arena has a decrease in net assets of \$152,784.

NORWAY SAVINGS BANK ARENA

Statement of Net Assets:

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

Current Assets:

As of the end of January 2014 the total current assets of Norway Savings Bank Arena were (\$137,278). These consisted of cash and cash equivalents of \$454, and an interfund payable of \$137,732, which means that Norway owes the General Fund \$137,732 at the end of January.

Noncurrent Assets:

Norway's noncurrent assets are equipment that was purchased, less depreciation (depreciation is posted at year end). There will be an adjustment to the equipment to account for the equipment that was transferred from Ingersoll Arena. The total value of the noncurrent assets as of January 31, 2014 were \$200,454.

Liabilities:

Norway Arena had accounts payable of \$14,805 as of January 31, 2014.

Statement of Activities:

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

The operating revenues for Norway Arena through January 2014 are \$317,020. This revenue comes from the concessions, sign advertisements, pro shop lease, youth programming, shinny hockey, public skating and ice rentals.

The operating expenses for Norway Arena through January 2014 were \$268,649. These expenses include personnel costs, supplies, utilities, repairs, capital purchases and maintenance.

As of January 2014 Norway Arena has an operating gain of \$48,371.

As of January 31, 2014 Norway Arena has a increase in net assets of \$48,371.

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

Business-type Activities - Enterprise Funds

	Ingersoll	Norway Savings	Combined
ASSETS			
Current assets:			
Cash and cash equivalents	\$ 249,484	\$ 454	\$ 249,938
Interfund receivables	\$ (60,772)	\$ (137,732)	(198,504)
Accounts receivable	24,950		24,950
Total current assets	213,662	(137,278)	76,384
Noncurrent assets:			
Capital assets:			
Buildings	18,584		18,584
Equipment	672,279	200,454	872,733
Land improvements	826,911		826,911
Less accumulated depreciation	(887,372)		(887,372)
Total noncurrent assets	630,402	200,454	830,856
Total assets	844,064	63,176	907,240
LIABILITIES			
Accounts payable		\$ 14,805	14,805
Total liabilities	-	14,805	14,805
NET ASSETS			
Invested in capital assets	\$ 630,402	\$ 200,454	830,856
Unrestricted	\$ 213,662	\$ (152,083)	61,579
Total net assets	\$ 844,064	\$ 48,371	\$ 892,435

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

	Ingersoll Ice Arena	Norway Savings Arena	Total
Operating revenues:			
Charges for services	\$ 72,336	\$ 317,020	\$ 389,356
Operating expenses:			
Personnel	70,196	78,419	148,615
Supplies	6,799	72,433	79,232
Utilities	52,802	24,029	76,831
Repairs and maintenance	9,612	2,157	11,769
Depreciation	-	-	-
Capital expenses		4,500	4,500
Other expenses	3,667	87,111	90,778
Total operating expenses	143,076	268,649	411,725
Operating gain (loss)	(70,740)	48,371	(22,369)
Nonoperating revenue (expense):			
Interest income	757	-	757
Interest expense (debt service)	(82,801)	-	(82,801)
Total nonoperating expense	(82,044)	-	(82,044)
Gain before transfer	(152,784)	48,371	(104,413)
Transfers out	-	-	-
Change in net assets	(152,784)	48,371	(104,413)
Total net assets, July 1	996,848	-	996,848
Total net assets, December 31, 2013	\$ 844,064	\$ 48,371	\$ 892,435



The **Auburn Police Department's** "Coffee with a Cop" Program is a brand new initiative of the APD.

There will be no agenda, no speeches...just a chance for community members to ask questions, voice concerns, and get to know the officers who serve their community & neighborhood.

PROGRAM HIGHLIGHTS:

- An informal, neutral space to discuss community issues, build relationships and drink some coffee
- Mobilize citizens to participate in neighborhood watch groups
- Our first "Coffee with a Cop" event will be Tuesday, March 4, from 9:00 - 11:00am at Rolly's Diner, 87 Mill Street
- Creates lasting connections with citizens, one cup at a time
- **This is Auburn's community-police partnership at its very best!**



City Council Agenda Information Sheet

City of Auburn

Council Meeting Date: February 18, 2014

Ordinance 01-02032014

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: Proposal to repeal the second sentence of an Ordinance (Chapter 2, Article VI, Division 2 Section 2-514)

Information: We are proposing to repeal the second sentence of Chapter 2, Article VI, Division 2 (under Capital Improvement Program) as it conflicts with Section 8.10 (Action on Capital Program) in our City Charter. Please see attached.

Financial: N/A

Action Requested at this Meeting: Recommend passage (second reading).

Previous Meetings and History: Discussed at the 1/21/2014 Council Workshop and passage of first reading was on February 3, 2014.

Attachments:

Capital Program - Charter Sec. 8.10
Capital Program Ordinance Sec 2-514
Ordinance 01-02032014

*Agenda items are not limited to these categories.

Sec. 8.10. Action on capital program.

- A. *Notice and hearing.* The city council and school committee shall publish the general summary of the capital program and a notice stating:
 - 1. The times and places where copies of the capital program are available for inspection by the public; and
 - 2. The time and place, not less than two weeks after such publication, for joint public hearing(s) on the capital program.
- B. *Adoption.* The city council by resolution shall adopt the capital program with or without amendment after the public hearing and on or before the last day of the last month of the current fiscal year.

Sec. 2-514. Public notice and hearing.

The council shall publish its capital improvements program on its website and make it available for inspection in the office of the city clerk. ~~Notice of public hearing on the capital improvements program shall be given not less than seven nor more than 15 calendar days prior to the date of hearing.~~

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDINANCE 01-02032014

ORDERED, that the Code of Ordinances (Chapter 2, Article VI, Division 2 Section 2-514) hereby be amended as follows;

Sec. 2-514. Public notice and hearing.

The council shall publish its capital improvements program on its website and make it available for inspection in the office of the city clerk. ~~Notice of public hearing on the capital improvements program shall be given not less than seven nor more than 15 calendar days prior to the date of hearing.~~



City Council Agenda Information Sheet

City of Auburn

Council Meeting Date: February 18, 2014

Order 17-02182014

Author: Clint 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: Appointment of Tax Assessor

Information: Approval of this order will confirm the City Manager's appointment of Renee Lachapelle as Tax Assessor for a period of two years from March 15, 2014 to March 14, 2016.

Financial: N/A

Action Requested at this Meeting: Recommend passage

Previous Meetings and History: Renee Lachapelle was originally appointed to Tax Assessor on March 15, 2010. She was reappointed on March 15, 2012 for a two year term.

Attachments:

- Order 17-02182014

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

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

Order 17-02182014

ORDERED, that Renee Lachapelle be and hereby appointed as Tax Assessor for the period of March 15, 2014 to March 14, 2016.



City Council Information Sheet

City of Auburn

Council Meeting Date: February 18, 2014

Subject: Executive Session- Discussion on the Labor Negotiations (MAP Patrol), pursuant to 1 M.R.S.A. §405(6)(D).

Information: Staff will present recommendations during the Executive Session.

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

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

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

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

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

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

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

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

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

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

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

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