



**City Council Workshop & Meeting
September 18, 2017
Agenda**

5:30 P.M. Workshop

- A. Sports Tourism – Jason Paquin (20 minutes)
- B. Staying Home Rental Assistance Program – Yvette Bouttenot (20 minutes)
- C. Tax Increment Financing District #22, Advanced Payroll Services, Inc. – Eric Cousens and Ben Averill (15 minutes)
- D. City Manager Report on Additional School Subsidy Issue – Peter Crichton (15 minutes)

7:00 P.M. City Council Meeting

Roll call votes will begin with Councilor Burns

Pledge of Allegiance

- I. **Consent Items** – All items listed with an asterisk (*) are considered as routine and will be approved in one motion. There will be no separate discussion of these items unless a Councilor or citizen requests. If requested, the item will be removed from the consent agenda and considered in the order it appears on the agenda.
- II. **Minutes**
 - September 11, 2017 Regular Council Meeting
- III. **Communications, Presentations and Recognitions**
 - Communications - Charter Commission Responses to Public Hearing Comments
- IV. **Open Session** - Members of the public are invited to speak to the Council about any issue directly related to City business which is *not on this agenda*.
- V. **Unfinished Business**
 - 1. **Ordinance 10-09112017**

Adopting a zoning ordinance text amendment to Article IV District Regulations, Division 2. Agriculture and Resource Protection District, Section 6-145 Use Regulations, (b) Special Exceptions (16), to allow Kennels as a Special Exception in the Agricultural and Resource Protection Zone. Second reading.
 - 2. **Order 81-09112017**

Approving the renewal of the Auto Graveyard/Junkyard permit for Don's No Preference Towing, DBA Morris Auto Parts & Sales, located at 940 Washington St. N.
- VI. **New Business**

3. Order 89-09182017

Designating Robert Stone as the official Voting Delegate and Denise Clavette as the alternate Voting Delegate for Auburn to the Maine Municipal Association Annual Business Meeting scheduled for October 4, 2017.

4. Order 90-09182017

Appointing Jody Durisko to the Lewiston Auburn Transit Committee (LATC).

VII. Reports

a. Mayor's Report

b. City Councilors' Reports

c. City Manager Report

d. Finance Director, Jill Eastman – August 2017 Monthly Finance Reports

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

IX. Executive Session

- Discussion regarding an Economic Development matter, pursuant to 1 M.R.S.A. §405(6)(C)

X. Adjournment

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: 09-18-2017

Author: Jason Paquin, General Manager, Norway Savings Bank Arena / Sports Tourism Coordinator

Subject: Huddle Up Group Introduction

Information: Mayor LaBonte and the City Council set forth a Sports Tourism initiative which received funding for a study to be completed through the FY18 CIP. As a result, Huddle Up Group, LLC was contracted by the City to complete a Sports Tourism/Events Strategic Planning Process with City Staff. Jon Schmieder and Gary Alexander from Huddle Up Group have already conducted Phase I of this project in the form of Stakeholder Interviews. Phase II begins September 19th, 2017 with staff led venue and facility tours. On September 20th, 2017, an informal 90-minute community meeting will be held in the Community Room located at City Hall from 8:00AM to 9:30AM where all are invited.

Through the contracting of Huddle Up Group, the City is demonstrating a desire to developing a valuable economic tool in Sports Tourism. Five main receivables have been identified for this study to assist the City in developing a strategic approach to Sports Tourism:

1. Complete market assessment (audit) on current sports tourism efforts of the City.
 2. In-person sports tourism and venue evaluation in the City of auburn Region.
 3. Development of a long-range strategic plan for the City of Auburn.
 4. Presentations of final recommendations.
 5. Continued support on sports tourism efforts for 1 full year.
-

Advantages: Develops a strategic approach to the City's sport tourism efforts and creates a more desirable City to live, work and play in.

Disadvantages: None known.

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

Staff Recommended Action: None

Previous Meetings and History:

Attachments: Huddle Up Group Itinerary



Sports Tourism/Events Strategic Planning Process Sample Schedule

Phase I – Stakeholder Interviews

Phase II – Site Visit #1

- Day 1 – Late afternoon arrival, dinner with Huddle Up Group staff and organization leadership.
- Day 2 – Staff led venue tours of the key facilities in the area, including but not limited to:
 - University venues
 - Parks and recreation sites
 - Professional sports team stadiums
 - Outdoor/water venues
 - School district facilities
 - Locations of any existing festivals and/or events
 - Any significant attractions that are unique to the area
- Day 2 – An informal 90-minute dinner with organization’s board and key internal stakeholders (key staff usually attend this event as well). For all meal functions, Huddle Up Group staff will need a computer, projector, and a screen to show a Power Point presentation.
- Day 3 – An informal 90-minute breakfast (usually at the host hotel) for the area’s hospitality contingent and other external stakeholders, followed by additional venue tours as needed. Huddle Up Group staff departs mid-to-late afternoon.

Phase III – First draft report completed and submitted to key staff for review.

Phase IV – Site Visit #2

- Day 1 – Late afternoon arrival, dinner with Huddle Up Group staff and organization leadership.
- Day 2 – Morning executive summary presentation of final recommendations to external stakeholders. Afternoon full presentation of final recommendations to organization’s key stakeholders including the board. Huddle Up Group staff departs early evening or Day 3 morning.



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: September 18, 2017

Author: Yvette Bouttenot, Community Development Manager

Subject: Staying HOME Rental Assistance Program

Information: The Staying HOME Rental Assistance Program is a City Council Initiative that has been funded with \$75,000 of HOME funds. The goal of this program is aligned with the 5 Year Consolidated Plan goal of preventing homelessness in Auburn. This will be a tenant based rental subsidy program targeted to families who are homeless, living in motels or in danger of become homeless through no fault of their own. The Program will provide subsidies to the families in the form of security deposit payments, monthly rental payments and payment for monthly utilities. In turn, the parent(s) will be asked to participate in a self-sufficiency program so that they are able to continue living in the apartment without the subsidies. Being homeless can be a full time job where parents must make difficult choices between going to a soup kitchen, meeting with social service workers, applying for the various assistance programs, looking for employment, finding transportation all while ensuring their child is able to get to school and back safely. This program will provide a basic need giving the parents one less worry as they work to improve their situation while the children continue receiving a quality education.

This pilot program is estimated to assist 8 families for one year. This includes a security deposit of \$750, monthly rent averaging \$625 and utilities of \$50 monthly. The total annual subsidy per family will average \$8,850. HUD regulations allows for 24 months of assistance.

Advantages: There are several advantages but the most important is that children can stay in the same classroom throughout the school year which improves overall learning. The families will be in a safe, decent home and the parents will have the opportunity to work towards self-sufficiency without the obstacles and challenges that homelessness brings. This will reduce the # of homeless families in Auburn.

Disadvantages: It is unknown how many families will need this assistance and if the funded amount will be sufficient to meet those needs. Families may become dependent on the subsidies.

City Budgetary Impacts: Families may be referred to the Health and Social Services Department for assistance with utility costs. This can help stretch the program funding but may put an additional burden on city resources.

Staff Recommended Action: City Council consent for staff to move forward with implementation of this program. The guidelines will be finalized based on City Council recommendations and then approved by the City Manager.

Previous Meetings and History: August 18, 2018

Attachments: Program Synopsis, Draft Guidelines

STAYING HOME RENTAL ASSISTANCE PROGRAM SYNOPSIS

The City of Auburn's Department of Economic and Community Development is creating a rental assistance program to support homeless families with school-aged children attending Auburn Schools. The program will provide funds for security deposits, monthly rental subsidies and utility deposits. Participating organizations include the City's Community Development Office, Auburn School Department, the Auburn Housing Authority and Auburn's Health and Social Services Department. Other organizations to involve as resources include Community Concepts Inc. (CCI) and Community Partnerships for Protecting Children (CPPC).

The overall goal of this program will be to provide financial assistance to families with school-aged children so that they may have a stable home and remain in one school for the entirety of the school year. Families will receive rental subsidies while they work to correct the circumstances that created the homelessness. They will be encouraged to participate in self-sufficiency programs.

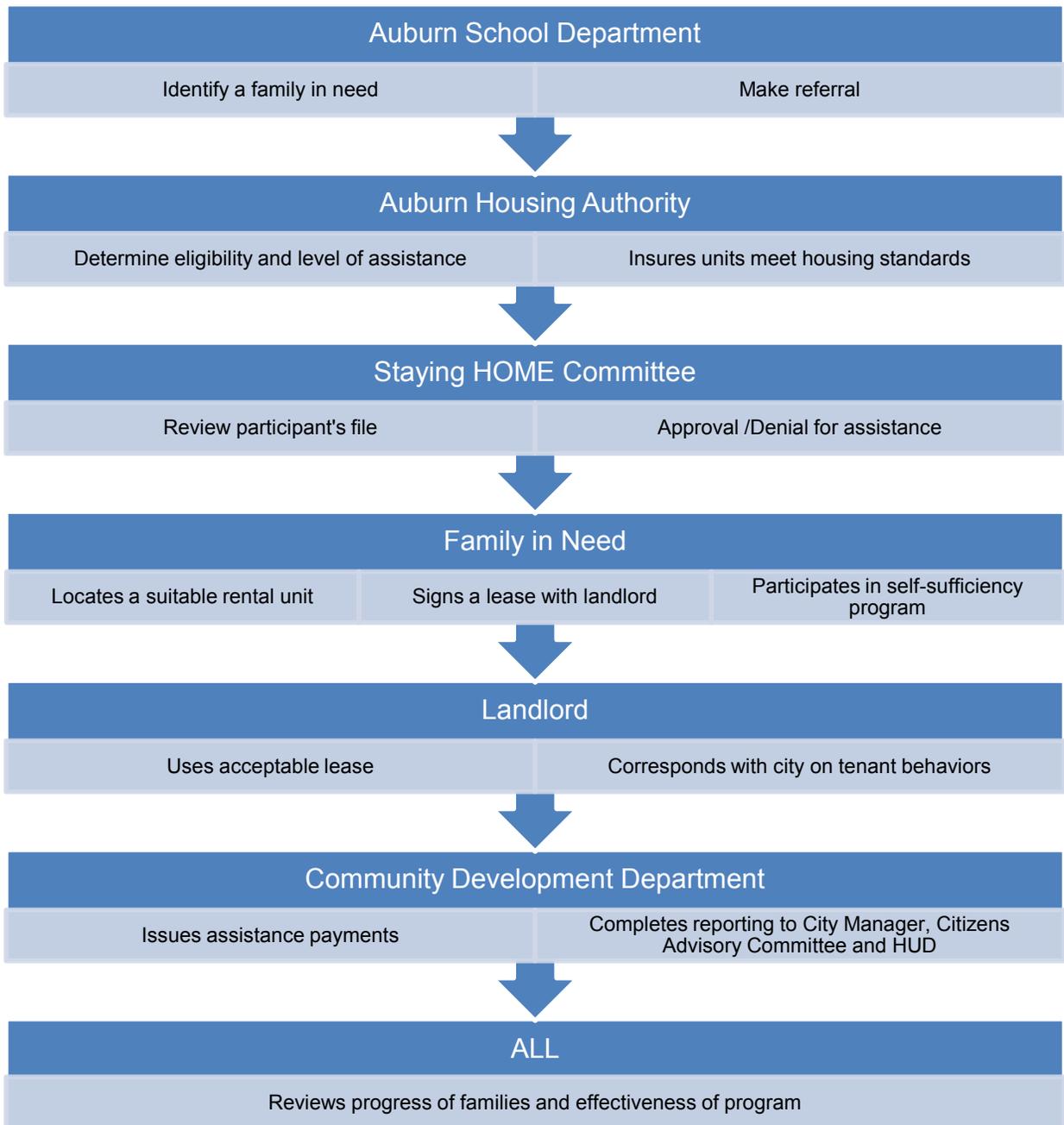
To be eligible a family must first be determined to be homeless or near homeless by the school department personnel who will then refer them to the Auburn Housing Authority. The level of assistance will be determined by the family's current financial situation. The assistance can last for a period of 2 years.

Assistance can include security deposits, monthly rent, and utility hook-ups. Household income can be no more than 60% of the median income for the area; the family will pay no more than 30% of their income towards housing. Some families may qualify for full rental subsidy.

The family will be required to complete an application, provide financial information, find a suitable rental unit, sign a one-year lease agreement, meet periodically with program personnel to determine continued eligibility and participate in a self-sufficiency program.

A committee will meet to determine if a family meets the criteria to receive assistance. The make-up of this committee will include one person from each of the following: Economic and Community Development Department, Health and Social Services Department, Auburn School Department and the Auburn Housing Authority.

PROGRAM CHART



TIMELINE FOR SUCCESS



DRAFT STAYING HOME RENTAL ASSISTANCE PROGRAM

I. BACKGROUND

The City of Auburn is the recipient of Home Investment Partnership Program (HOME) funds from the US Department of Housing and Urban Development and has created a tenant based rental assistance program under city council direction. Program funds will be used to support homeless families of school-aged children attending Auburn Schools by providing funds for security deposits, monthly rental subsidies and utility deposits so that they may have stable housing and allowing the children to remain at the same school throughout the year. The program will be operated by the Auburn Housing Authority and the Auburn School Department will provide the referrals when a homeless family has been identified by administrators. The Rental Assistance Program Manager will oversee the intake process, calculate subsidies and inspect units. A committee of four will meet as necessary for approval once eligibility and level of assistance has been determined. The committee will be made up of the Community Development Manager, Director of Health and Social Services Department, the Auburn Housing Authority's Rental Assistance Program Manager and an Auburn School Official.

II. PROGRAM OBJECTIVE

- A. Reduce the number of families with school aged children who are homeless by removing the barriers that prevents them from securing housing;
- B. Provide financial assistance for stable housing to the participants;
- C. Provide referrals to Community Concepts Inc. and Community Partnerships for Protecting Children for parents to enroll in self-sufficiency programs.

III. DEFINITIONS

- A. **Participant**—a household made up of a parent/legal guardian with a school aged child or children in Grades K – 8 and attending classes in the Auburn School District;
- B. **Affordable Rent**—total rent and utilities contribution shall be affordable to tenant and be no more than 30% of the documented income;
- C. **Maximum Rent Amount** – to be determined annually using the HUD Fair Market Rent Documentation System;
- C. **Landlord**—the owner or agent who controls the property;
- D. **Homeless**—a household who is currently living in a motel without financial assistance, in a car or tent, or are staying with friends/family;
- E. **Near Homeless-** a household who is in danger of losing their housing because of an extreme financial hardship but through no fault of their own.

IV. PARTICIPANT ELIGIBILITY CRITERIA

- A. The participant must be homeless or near homeless;
- B. The participant household must include a parent or legal guardian and a school aged child or children in grades kindergarten through 8 and attending classes in the Auburn School District;
- C. The participant must not have taken action to cause his/her own displacement;
- D. The participant does not have the resources to pay for the security deposit, monthly rent and utility deposit;
- E. Household incomes cannot exceed 60% of area median income; households with income above 60% may qualify for assistance through the Gorman funded Security Deposit Program;
- E. The participant must agree to attend periodic meetings to determine continued eligibility in the program. The initial meeting will be 3 months from the date the tenant signed the lease;
- F. Participants will be recertified after 12 months and may be eligible for additional assistance not to exceed a total of 24 months as long as funding is available.

V. RENTAL UNIT ELIGIBILITY CRITERIA

- A. The unit must be inspected by the Auburn Housing Authority and meet Housing Quality Standards and cannot have a State Lead Abatement Order. Units must be inspected annually;
- B. The amount of rent for the unit cannot exceed the Fair Market Rent as determined by HUD for the area;
- C. The landlord or property owner must use an approved one-year lease that contains provisions to protect tenants' rights.

VI. INTAKE PROCEDURE

- A. Participants will be referred to the Auburn Housing Authority by a school department official;
- B. The intake process shall include:
 - 1. Full disclosure and verification of all members expected to occupy the unit;
 - 2. Verification of income, other resources, and expenses;
 - 3. Assistance in locating a rental unit that meets housing quality standards;
 - 4. Determination of the level of assistance needed to house the family;

VII. DETERMINATION OF SUBSIDY

- A. **Households with Income.** The Staying Home Rental Assistance Program will provide assistance in the form of subsidies to be paid directly to the landlord or utility company. Households will be required to pay a maximum of 30% of their household income towards monthly housing expense;

- B. **Households with No Income.** The Staying Home Rental Assistance Program will provide 100% rental subsidies for families with no income. Participants will be required to attend periodic meetings with the Auburn Housing Authority to determine if subsidy level remains appropriate. If a household financial capacity changes after the first three months the subsidy received will be reviewed and may be adjusted.
- C. **Method for Subsidy Calculation:** The rental subsidy will be determined by the household income of the family. The family will pay no more than 30% of their income towards their housing expense.
- D. **Eligible Expenses.** Funds may be used to pay for the security deposits, monthly rent or utility hook-up/connection fee to get the utility established. Families may be referred to the Health and Social Services Office for assistance with monthly utilities.
- E. **Ineligible Expense.** Funds cannot be used to pay for cable, internet or phone connection fees.
- F. **Maximum Subsidy.** The maximum subsidy shall not exceed one-month's rent for security deposit, HUD's Fair Market Monthly Rent Determination for monthly rent based on unit size and \$150 for each utility connection. Utilities include electricity, gas for heat and/or cooking.

VIII. CONDITIONS

- A. Participant must find an affordable rental unit in Auburn;
- B. The participant has not already moved into the rent prior to the approval with the exception of extraordinary circumstances;
- C. The participant must take advantage of all other resources identified by the Committee;
- D. Tenant must agree to a one-year lease;
- E. Participant must have the Landlord complete and sign a Landlord Agreement; Security deposits will be held in accordance with Maine law and returned to the City of Auburn's Community Development Office when the tenant vacates the unit;
- F. The City will issue checks to be sent directly to landlord or utility company;
- G. Participants are eligible for assistance for one year; the subsidy may be renewed for a second year following a review of participant's income and expenses and subject to availability of funding. The review will include the steps the participant has taken to move towards self-sufficiency;
- H. Participant must notify the Auburn Housing Authority if they move out of the unit. Moving out of the unit will end subsidy payments. The subsidy may not be transferred to a new unit without the approval of the Committee and can only be approved if the tenant had to move through no fault of their own.

XV. STAYING HOME RENTAL ASSISTANCE COMMITTEE

The committee shall be made up of the City of Auburn's Community Development Manager, the Auburn Housing Authority's Housing Rental Program Manager, Auburn

School Department Official and the Director of Health and Social Services Department. The Committee is responsible for approving subsidies for each participant. Approval will be by unanimous vote and all committee members must be in attendance. If all members are not available to meet in person, a qualified substitute must be available to represent the absent member.

The role of the Auburn School Department Official is to provide referrals to the Auburn Housing Authority, to provide documentation that the participant is homeless or near homeless, that the household members include a parent or legal guardian, a child/children attending Auburn Schools from K – 8th grade and reporting if a participant is not attending school on a regular basis.

The role of the Housing Rental Program Manager is for overseeing the intake process to include determining eligibility and level of assistance; to provide the City with proper documentation for processing subsidy payments; inspection of rental units to ensure they meet Housing Quality Standards; and to review participants for renewal. Auburn Housing will maintain participant files that will be available for monitoring.

The role of the Community Development Manager will be to monitor the program and ensure it meets HUD regulations, process security deposit and rental subsidy payments to landlords; payments for establishing utilities; and complete reports to HUD.

The role of the Director of Health and Social Services will be to meet with the families who may need additional resources.

X. OTHER RESOURCES

Community Concepts-Bridges Out of Poverty and CCFC Family Self-sufficiency Program;
Community Partnerships for Protecting Children

9.13.2017 (Draft)



**City of Auburn
City Council Information Sheet**

Workshop Meeting Date: September 18th, 2017

Author: Michael Chamings, Director of Economic and Community Development

Subject: Workshop for creation of Tax Increment Financing District # 22, Advantage Payroll Services, Inc.

Information: Advantage Payroll Services Inc is requesting the creation of a Tax Increment Financing (TIF) District for the purpose of the retention of one hundred forty-four (144) jobs. The district will serve to ensure that Advantage Payroll Services Inc. can make needed upgrades to their existing facility on Merrow Road which will allow the site to remain feasible. These upgrades include the purchase and installation of new furniture and equipment, parking lot expansion, and site improvements to include HVAC replacements, Installation of ADA qualifying restrooms, and efficiency improvements with a total estimated cost of \$2,980,000. It is expected that all site improvements will be completed within the first two years of the creation of the district.

Advantages: The Corporation previously reviewed three potential sites, two out of the state, with the third option in the existing facility. The creation of a TIF district will allow for the City to remain competitive relative to other locations and will allow the developer to make necessary improvements to their existing structure. The creation of a TIF district will allow for the retention of one hundred forty-four jobs within the City.

Disadvantages: There may be future loss of additional future taxes to the general fund during the duration of the TIF district.

City Budgetary Impacts: Minimal, the tax shift/general fund loss will be minimal as well as there may be minimal legal fees impacted from the budget.

Staff Recommended Action: The staff recommends scheduling of a public hearing and first reading for the proposed TIF district on October 2nd.

Previous Meetings and History: Previously reviewed in two separate council meetings in executive session

Attachments: Application for TIF # 22



TO: Mayor and Council Members
 FROM: Ben Averill, Economic Development Specialist
 RE: Background information regarding proposed TIF # 22
 DATE: September 15, 2017

Current Situation: Advantage Payroll Services Inc. currently employs 144 employees and has been located at their current site since 1987. Improvements are needed to the existing facility in order to allow the current site to remain competitive relative to alternative sites in locations that are being considered outside of the state. The creation of a TIF district will allow Advantage Payroll Service Inc. the ability to retain all 144 existing jobs at their facility.

Request: Advantage Payroll Services Incorporated has requested the creation of a Tax Increment Financing (TIF) district at their current location at 126 Merrow Road; PID # 186-003 . The proposed TIF district will allow needed upgrades estimated to cost \$2,980,000 to be completed on the site. A summary of the proposed development program and improvements is to the right. The current real estate value of the parcel is \$2,524,100. The current personal property value is \$227,100. We currently lack the details on the exact finishes, plans or equipment to accurately predict the valuation increase; however an estimated breakdown of the anticipated range of increased values and associated revenues is given below. We anticipate that the improvements would result in a value increase between \$100,000 and \$1,000,000. Much of that range will depend on what equipment and furniture is purchased and how much of that value is BETE exempt based on the type of equipment.

Improvements	Estimated Cost
Floor plan revisions and improvements	\$960,000
Additional ADA restrooms	\$330,000
HVAC Replacement and efficiency improvements	\$215,000
Parking lot expansion	\$175,000
Purchase & installation of new furniture and equipment	\$1,300,000
Total Cost	\$2,980,000

Valuation Increase	MIL Rate	Annual Tax Revenues	20 yrs
\$ 100,000.00	\$ 22.99	\$ 2,299.00	\$ 45,980.00
\$ 200,000.00	\$ 22.99	\$ 4,598.00	\$ 91,960.00
\$ 400,000.00	\$ 22.99	\$ 9,196.00	\$ 183,920.00
\$ 600,000.00	\$ 22.99	\$ 13,794.00	\$ 275,880.00
\$ 800,000.00	\$ 22.99	\$ 18,392.00	\$ 367,840.00
\$ 1,000,000.00	\$ 22.99	\$ 22,990.00	\$ 459,800.00

Purpose of consideration: The overall purpose of the TIF district is to allow the existing business to make needed improvements which will allow for the retention of the business and the currently existing 144 jobs. The proposed improvements and CEA assistance set forth in the TIF district may allow the business to consider future expansion at the site as well. If the business leaves Auburn we lose a successful business, 144 jobs and tax revenues from their personal property valuation in the amount of \$5,221.03 annually. The existing real estate value remains on the site and would likely be repurposed to another use.

If the business stays we retain a successful business, 144 jobs and tax revenues from their personal property valuation in the amount of \$5,221.03 annually by agreeing to return any increased taxes generated by the current development plan to the business for a period of 20 years. We also retain the potential for future expansions, more substantial increases in value and associated tax revenues and new jobs.

Recommendation: Staff recommends that we create TIF #22 and return new tax revenues generated by the proposed development program to the developer to reduce the risk of losing 144 jobs and existing tax revenues and to help make the site competitive with out-of-state competition. Any future value or expansions that are not outlined in the development program are not subject to this agreement. Staff recommends that future proposals should be capped at the then current tax shift amount that would be lost to increased county assessments, decreases in revenue sharing, and decreases in school subsidies, however, that would be decided by the Council at the time that they are proposed.

APPLICATION COVER SHEET

MUNICIPAL TAX INCREMENT FINANCING
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A. General Information

1. Municipality Name: City of Auburn		
2. Address: 60 Court Street, Auburn, ME 04210		
3. Telephone: 207-333-6601	4. Fax: 207-333-6620	5. Email: baverill@auburnmaine.gov
6. Municipal Contact Person: Ben Averill and Michael Chammings		
7. Business Name: Advantage Payroll Services, Inc.		
8. Address: 126 Merrow Road, Auburn, ME 04210		
9. Telephone: 585-387-6704	10. Fax:	11. Email: ccsimmons@paychex.com
12. Business Contact Person: Mr. Chris Simmons		
13. Principal Place of Business: Rochester, NY		
14. Company Structure (e.g. corporation, sub-chapter S, etc.): C Corp		
15. Place of Incorporation: Delaware		
16. Names of Officers: NASDAQ (PAYX) https://www.paychex.com/		
17. Principal Owner(s) Name: Publically Traded		
18. Address:		

B. Disclosure

1. Check the public purpose that will be met by the business using this incentive (any that apply):		
job creation	job retention <input checked="" type="checkbox"/>	capital investment
training investment	tax base improvement	public facilities improvement
other (list):		
2. Check the specific items for which TIF revenues will be used (any that apply):		
real estate purchase	machinery & equipment purchase <input checked="" type="checkbox"/>	training costs
debt reduction	other (list):	

C. Employment Data

List the company's goals for the number, type and wage levels of jobs to be created or retained as part of this TIF development project (<i>please use next page</i>).
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EMPLOYMENT GOALS

Company Goals for Job Creation and Job Retention

<i>A. Job Creation Goals</i>			
<i>Occupational Cluster*</i>	<i>Full-time</i>	<i>Part-time</i>	<i>Wage Level</i>
1. Executive, Professional & Technical	0	0	\$0
2. Administrative Support, inc. Clerical	0	0	\$0
3. Sales & Service	0	0	\$0
4. Agriculture, Forestry & Fishing	0	0	\$0
5. Maintenance, Construction, Production, & Transportation	0	0	\$0
<i>B. Job Retention Goals</i>			
<i>Occupational Cluster*</i>	<i>Full-time</i>	<i>Part-time</i>	<i>Wage Level</i>
1. Executive, Professional & Technical	19	0	\$62,090
2. Administrative Support, inc. Clerical	5	2	\$24,830
3. Sales & Service	120	1	\$33,330
4. Agriculture, Forestry & Fishing	0	0	\$0
5. Maintenance, Construction, Production, & Transportation	0	1	\$22,560
<i>*Please use the Occupational Cluster descriptions on the next page to complete this form.</i>			

INSTRUCTIONS

A. Job Creation Goals. Please list the number, type and wage level of jobs created as a result of the economic development incentive. NOTE: For this form, “full-time” employment means 30 hours or more; “part-time” employment means less than 30 hours. “Wage level” means the average annual wage paid for jobs created within an occupational cluster, e.g. either their annual salary, or their hourly wage times their annual hours. Also, “type” means “occupational cluster” which refers to the 12 categories defined below. Please include the number of your employees (both full-time and part-time) working within the category that most closely reflects their job duties.

B. Job Retention Goals. Please list the number, type and wage level of jobs retained as a result of the economic development incentive. Part B should be completed using same definitions in Part A.

OCCUPATIONAL CLUSTERS

1. EXECUTIVE, PROFESSIONAL & TECHNICAL

Executive, administrative and managerial. Workers in executive, administrative and managerial occupations establish policies, make plans, determine staffing requirements, and direct the activities of businesses and other organizations. Workers in management support occupations, such as accountant and auditor or underwriter, provide technical assistance to managers.

Professional specialty. This group includes engineers; architects and surveyors; computer, mathematical, and operations research occupations; life, physical, and social scientists; lawyers and judges; social, recreational, and religious workers; teachers, librarians, and counselors; health diagnosing, assessment, and treating occupations; and communications, visual arts, and performing arts occupations.

Technicians and related support. This group includes health technologists and technicians, engineering and science technicians, computer programmers, tool programmers, aircraft pilots, air traffic controllers, paralegals, broadcast technicians, and library technicians.

2. ADMINISTRATIVE SUPPORT, INCLUDING CLERICAL

Administrative support, including clerical. Workers in this group prepare and record memos, letters and reports; collect accounts; gather and distribute information; operate office machines; and handle other administrative tasks.

3. SALES AND SERVICE

Marketing and sales. Workers in this group sell goods and services, purchase commodities and property for resale, and stimulate consumer interest.

Service. This group includes a wide range of workers in protective, food and beverage preparation, health, personal, private household, and cleaning and building services.

4. AGRICULTURE, FORESTRY AND FISHING

Agriculture, forestry and fishing. Workers in these occupations cultivate plants, breed and raise animals, and catch fish.

5. MAINTENANCE, CONSTRUCTION, PRODUCTION AND TRANSPORTATION

Mechanics, installers, and repairers. Workers in this group adjust, maintain, and repair automobiles, industrial equipment, computers, and many other types of machinery.

Construction trades and extractive. Workers in this group construct, alter, and maintain buildings and other structures or operate drilling and mining equipment.

Production. These workers set up, adjust, operate, and tend machinery and/or use hand tools and hand-held power tools to make goods and assemble products.

Transportation and material moving. Workers in this group operate the equipment used to move people and materials. This group also includes handlers, equipment cleaners, helpers, and laborers who assist skilled workers and perform routine tasks.

Development Program

I. Introduction

A. Introduction

Industrial land suitable for development and served by air, rail, and highway transportation is in short supply in the City of Auburn (the “City”). The City has been making efforts to encourage and accomplish industrial development and expansion and retention of well paying jobs within the City. The establishment of a TIF District would allow for the retention of one hundred forty four (144) jobs from Advantage Payroll Services Inc. at their facility in Auburn. This district will serve to ensure that the City continues to be economically viable. Their current location on Merrow Road is well suited for the currently sited business as it is located adjacent to several businesses and conveniently located near the Maine Turnpike.

B. Zoning and background

The current zoning of the parcel is Industrial. The purpose of the Industrial District is intended to provide for those manufacturing, processing, transportation and storage uses which should be separated from other uses by reason of characteristics which may conflict with other uses. The exclusion of residential and commercial uses is intended to promote the economic welfare of the city by reserving especially suited areas for industry.

The proposed location of the District at 126 Merrow Road is well suited for the proposed development as it is the current site of Advantage Payroll Services Inc. and their facility. The proposed location of the District is located in close proximity to the highway, rail, and air transportation. The proposed site is approximately 10.52 acres located at 126 Merrow Road.

A copy of the Industrial District zoning ordinance is attached as Exhibit H.

Within Auburn municipal boundaries there are approximately 42,073 acres. The proposed TIF District is approximately 10.52 acres in size which is .0025% of the total acreage of the municipality, well below the 2% cap.

The City of Auburn has approved 21 TIF districts of which 6 are retired and the remaining 15 are active. The combined acreage of TIF districts in the City is 733.75 acres or 1.11 % of the City’s total acreage, well within the 5% cap.

C. Designation of TIF District

The City desires to attract and retain quality jobs and commercial development, create and maintain a healthy tax base, improve the economy of the City and the State of Maine, and provide for the construction of new public infrastructure and improvements to facilitate economic development. In order to fulfill these goals, certain properties are being designated as the Advantage Payroll Services Inc. Tax Increment Financing District, an area approximately 10.52 acres, comprising a portion of the City, as shown on Exhibit A attached hereto and incorporated herein by reference (the “District”). This district

will be bounded by industrially zoned land currently sited for businesses located on Merrow Road. The District is bounded by 120 Merrow and 194 Merrow Road as well as 139 Fletcher Road.

II. Development Program Narrative

A. Development Program

The Development Program described herein is proposed for the purpose of administering the District as a municipal tax increment financing (TIF) district pursuant to Chapter 206 of the title 30-A of the Maine Revised Statutes. Upon resolution of the Auburn City Council designating the District and adopting this Development Program on September, 2017 the designation of the District and adoption of the Development Program becomes final subject to approval by the Commissioner of the Maine Department of Economic and Community Development. (“DECD”)

The purpose of the District is to reimburse Advantage Payroll Service’s incorporated costs associated with improvements within or in support of the District. The City will use the captured tax increment revenues from the District to finance the Project as permitted under 30- A M.R.S.A 5225 (the “ Project Costs”), including the cost of the Public District improvements. The estimated Project Costs to be included, as part of this Development Program.

By designating the District and adopting this Development Program, the City can accomplish the following goals:

- Ensure the maintenance and reinvestment of an existing structure
- Maintain existing tax revenues
- Enhance future tax revenues with increased assessed value of property within the district
- Retain approximately one hundred and forty jobs within the City.

B. Developer’s use of TIF Revenue

Reimbursement to the Project’s developer of the entirety of one hundred percent (100%) of the captured taxes paid on the increased assessed value of the District achieves two complementary goals. First, the TIF revenues will provide a source of revenue to support the capital infrastructure project inside the District. Secondly, the designation of the District and adoption of the development program will allow for the developer to complete needed renovations, maintenance, and technological upgrades that will allow them to remain competitive in the market.

C. Strategic Growth and Development

By designating the District and adopting the development program, the City is capitalizing on the tax shift benefits so that the City will not lose new tax revenue to subsidy loses and increased obligations related to the captured assessed value in the District. The District’s designation and implementation of the Development program is expected to allow the City’s economy to not suffer any loss of jobs and will provide economic benefits as the District is enhanced.

III. Physical Description

This article III addresses the conditions for approval contained in 30-A M.R.S.A 5233(3).

The proposed municipal TIF district will encompass approximately 10.52 acres of taxable property as shown in Exhibit A. The statutory threshold limits addressing the conditions for approval mandated by 30-A M.R.S.A 5223(3) are set forth in Exhibit C.

III. Financial Plan

The original assessed land value of the proposed district as of April 1, 2016 was \$2,585,700. One hundred percent (100%) of the increased assessed value of the taxable real property located within the District will be captured by the Project and reinvested into the District. Estimates of the increased assessed property values of the District, the anticipated TIF revenues generated by the District and the estimated tax shifts are shown in Exhibits D and E.

The current and future developers owning or leasing properties located within the District will pay for or finance improvements located in the District through public and private sources.

A. Public Indebtedness

Except as determined by further action of the City Council, none of the costs of any private development within the District will be financed through issuance of any municipal indebtedness.

B. Anticipated Revenues

The anticipated municipal TIF revenues will be generated by real property improvements made within the district. Investment by District developers in the City of Auburn is estimated to result in a collective municipal assessed value of \$2,980,000.

C. Description of the terms and conditions of any agreements, contracts, or other obligations related to the development program

The City anticipates entering into CEA's with developers within the District to reimburse up to 100% of the property taxes paid on the Increased Assessed Value (IAV) in the District for twenty (20) years, or a recovery threshold not to exceed \$1.4 million, whichever comes first. This is to reimburse Payroll Services Incorporated for building infrastructure consistent with Development Agreement signed on 2017.

Duration of Development Program

The duration of the District will begin after designation of the District by the Auburn City Council and the effective date of its approval by the Commissioner of the Maine Economic and Community Development (the original assessed value is based on the valuation as of with the first payment during the 2018-2019 fiscal year and end in 2038).

Physical Description of the District

The District consists of one parcel of 10.52 acres. The District is delineated on Exhibit A hereto.

Description of Public Facilities to be constructed

There are no public facilities to be constructed with this project.

Relocation of Displaced Persons

No persons or businesses will be displaced or relocated as a result of the development activities proposed in the District.

Proposed regulations and facilities to improve transportation

There are no plans to improve transportation within the District.

Environmental Controls

The improvements contemplated by this Development Program will comply with all federal, state, and local environmental and land development laws, rules, regulations, and ordinances.

Plan of Operation after Completion

The improvements in the District will at all times be owned by the Developers, its successors or assigns, which will be responsible for payment of all maintenance expenses, insurance and taxes on said improvements.

During the life of the District, the City Manager or the Manager's designee will be responsible for all administrative matters concerning the implementation and operation of the District. The Developers shall be solely responsible for implementation of the Project in the District.

Public Hearing

Attached hereto as Exhibit F is a copy of the Notice of Public Hearing held in accordance with the requirements of 30-A M.R.S.A 5226(1). The Notice was published in the Lewiston Sun Journal, a newspaper of general circulation in Auburn on ____ at least ten (10) days prior to the public hearing.

Authorizing votes

Attached as Exhibit G are copies of the votes by the City Council of the City of Auburn meeting thereof and duly called and held on _____ approving the designation of the District and adoption of the Development Program.



City of Auburn, Maine
Office of the Assessor
www.auburnmaine.gov | 60 Court Street
Auburn, Maine 04210
207.333.6601

Exhibit B

ASSESSOR'S CERTIFICATE

126 Merrow Road Municipal Development and Tax Increment Financing District #22

CITY OF AUBURN MAINE

The undersigned Assessor for the City of Auburn does hereby certify pursuant to the provisions of M.R.S.A. Title 30-A §5227(2) that:

The assessed value of the taxable real property of the 126 Merrow Road Municipal Development Tax Increment Financing District (#22) as described in the Development Program to which this Certificate is included, was 2,585,700 as of March 31, 2016.

In witness whereof, this Certificate has been executed as of this ____ day of September 2017.

Assessor, City of Auburn, Maine

Karen Scammon, CMA

Exhibit C

STATUTORY REQUIREMENTS & THRESHOLDS

A. ACRE LIMITATION																																		
1. Total Acreage of Municipality		42,073																																
2. Total Acreage of Proposed Municipal TIF District		10.52																																
3. Total Pine Tree Zone acres contained in the Proposed Municipal TIF District		0																																
4. Total Downtown acres contained in the Proposed Municipal TIF District		0																																
5. Total acreage of Proposed Municipal TIF District counted towards 2% cap (A2-A3-A4)		10.52																																
6. Percentage of total acreage in proposed municipal TIF District (cannot exceed 2%) Divide A5 by A1		0.0002																																
7. Total acreage of all existing and proposed municipal TIF districts in the municipality. Add A2 to sum of all existing TIF district acreage. <table border="1" style="margin-left: auto; margin-right: auto; border-collapse: collapse; text-align: center;"> <thead> <tr> <th style="padding: 2px;">Municipal TIF #</th> <th style="padding: 2px;">Acres</th> </tr> </thead> <tbody> <tr><td style="padding: 2px;">4</td><td style="padding: 2px;">40</td></tr> <tr><td style="padding: 2px;">6</td><td style="padding: 2px;">84</td></tr> <tr><td style="padding: 2px;">9</td><td style="padding: 2px;">57.74</td></tr> <tr><td style="padding: 2px;">10</td><td style="padding: 2px;">266</td></tr> <tr><td style="padding: 2px;">12</td><td style="padding: 2px;">144</td></tr> <tr><td style="padding: 2px;">13</td><td style="padding: 2px;">29.67</td></tr> <tr><td style="padding: 2px;">14</td><td style="padding: 2px;">38.91</td></tr> <tr><td style="padding: 2px;">15</td><td style="padding: 2px;">1.50</td></tr> <tr><td style="padding: 2px;">16</td><td style="padding: 2px;">1.40</td></tr> <tr><td style="padding: 2px;">17</td><td style="padding: 2px;">3.84</td></tr> <tr><td style="padding: 2px;">18</td><td style="padding: 2px;">8.53</td></tr> <tr><td style="padding: 2px;">19</td><td style="padding: 2px;">43</td></tr> <tr><td style="padding: 2px;">20</td><td style="padding: 2px;">.81</td></tr> <tr><td style="padding: 2px;">21</td><td style="padding: 2px;">3.83</td></tr> <tr><td style="padding: 2px;">22</td><td style="padding: 2px;">10.52</td></tr> </tbody> </table>	Municipal TIF #	Acres	4	40	6	84	9	57.74	10	266	12	144	13	29.67	14	38.91	15	1.50	16	1.40	17	3.84	18	8.53	19	43	20	.81	21	3.83	22	10.52		733.75
Municipal TIF #	Acres																																	
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8. Total acreage of an existing or Proposed Downtown TIF District in the municipality.		266																																
9. Total acreage of all existing or Proposed Pine Tree Zone TIF Districts in the municipality.		0																																
10. Total acreage of all existing and Proposed Municipal TIF Districts in the municipality counted toward 5% cap. Subtract A8+A9 from A7.		467.75																																
11. Percentage of total acreage in all existing and proposed Municipal TIF Districts (cannot exceed 5%) Divide A10 by A1.		1.11%																																
12. Total Acreage of all real property in the Proposed Municipal TIF District that is:																																		
(Note: a, b, or c must be at least 25%)	Acres	%																																
a. Blighted (Divide acres by A2)																																		
b. In need of rehabilitation/conservation (Divide acres by A2)																																		
c. Suitable for industrial/commercial site (Divide acres by A2)	10.52	100																																
TOTAL																																		
B. VALUATION LIMITATION																																		
1. Total Aggregate Value of Municipality (TAV) <i>Use most recent April 1st</i>		\$1,998,286,739																																

Exhibit C

2. Original Assessed Value (OAV) of Proposed Municipal TIF District. <i>Use March 31st of tax year proceeding date of municipal designation</i>	\$2,585,700																														
3. Total OAV of all existing and Proposed Municipal TIF Districts in the municipality. <i>Add b2 to sum of all existing TIF district OAVs.</i>	\$116,534,340 Or \$113,904,740																														
<table border="1" style="margin: auto; border-collapse: collapse;"> <thead> <tr> <th style="padding: 2px;">Municipal TIF #</th> <th style="padding: 2px;">OAV</th> </tr> </thead> <tbody> <tr><td style="text-align: center; padding: 2px;">4</td><td style="text-align: right; padding: 2px;">\$1,702,000</td></tr> <tr><td style="text-align: center; padding: 2px;">6</td><td style="text-align: right; padding: 2px;">\$520,900</td></tr> <tr><td style="text-align: center; padding: 2px;">9</td><td style="text-align: right; padding: 2px;">\$366,000</td></tr> <tr><td style="text-align: center; padding: 2px;">10</td><td style="text-align: right; padding: 2px;">\$5,956,300</td></tr> <tr><td style="text-align: center; padding: 2px;">12</td><td style="text-align: right; padding: 2px;">\$84,411,000</td></tr> <tr><td style="text-align: center; padding: 2px;">13</td><td style="text-align: right; padding: 2px;">\$334,200</td></tr> <tr><td style="text-align: center; padding: 2px;">14</td><td style="text-align: right; padding: 2px;">\$5,425,400</td></tr> <tr><td style="text-align: center; padding: 2px;">15</td><td style="text-align: right; padding: 2px;">\$11,328,400</td></tr> <tr><td style="text-align: center; padding: 2px;">16</td><td style="text-align: right; padding: 2px;">\$4,900</td></tr> <tr><td style="text-align: center; padding: 2px;">17</td><td style="text-align: right; padding: 2px;">\$468,800</td></tr> <tr><td style="text-align: center; padding: 2px;">18</td><td style="text-align: right; padding: 2px;">\$1,564,100</td></tr> <tr><td style="text-align: center; padding: 2px;">19</td><td style="text-align: right; padding: 2px;">\$1,178,340</td></tr> <tr><td style="text-align: center; padding: 2px;">20</td><td style="text-align: right; padding: 2px;">\$474,300</td></tr> <tr><td style="text-align: center; padding: 2px;">21</td><td style="text-align: right; padding: 2px;">\$170,100</td></tr> </tbody> </table>	Municipal TIF #	OAV	4	\$1,702,000	6	\$520,900	9	\$366,000	10	\$5,956,300	12	\$84,411,000	13	\$334,200	14	\$5,425,400	15	\$11,328,400	16	\$4,900	17	\$468,800	18	\$1,564,100	19	\$1,178,340	20	\$474,300	21	\$170,100	
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4. OAV of an existing or proposed Downtown TIF District in the municipality.	\$84,411,000																														
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6. Total OAV of all existing and Proposed Municipal TIF Districts in the municipality counted toward 5% cap <i>Subtract B4+B5 from B3</i>	\$29,423,740																														
7. Percentage of total OAV to TAV in all existing and Proposed Municipal TIF Districts (cannot exceed 5%) <i>Divide B6 by B1</i>	1.48%																														

Exhibit D

Estimated Captured Assessed Values of TIF District #22

Tif Year	Tax Year	Original Assessed Value	Projected Additional Assessed Value	Percent of Value Captured	Projected Mil Rate	Taxes on captured assessed value	Project Revenue at 100%
1	2018	\$2,585,700	2,980,000	100%	0.02299	\$68,510	\$68,510
2	2019	\$2,585,700	2,980,000	100%	0.02299	\$68,510	\$68,510
3	2020	\$2,585,700	2,980,000	100%	0.02299	\$68,510	\$68,510
4	2021	\$2,585,700	2,980,000	100%	0.02299	\$68,510	\$68,510
5	2022	\$2,585,700	2,980,000	100%	0.02299	\$68,510	\$68,510
6	2023	\$2,585,700	2,980,000	100%	0.02299	\$68,510	\$68,510
7	2024	\$2,585,700	2,980,000	100%	0.02299	\$68,510	\$68,510
8	2025	\$2,585,700	2,980,000	100%	0.02299	\$68,510	\$68,510
9	2026	\$2,585,700	2,980,000	100%	0.02299	\$68,510	\$68,510
10	2027	\$2,585,700	2,980,000	100%	0.02299	\$68,510	\$68,510
11	2028	\$2,585,700	2,980,000	100%	0.02299	\$68,510	\$68,510
12	2029	\$2,585,700	2,980,000	100%	0.02299	\$68,510	\$68,510
13	2030	\$2,585,700	2,980,000	100%	0.02299	\$68,510	\$68,510
14	2031	\$2,585,700	2,980,000	100%	0.02299	\$68,510	\$68,510
15	2032	\$2,585,700	2,980,000	100%	0.02299	\$68,510	\$68,510
16	2033	\$2,585,700	2,980,000	100%	0.02299	\$68,510	\$68,510
17	2034	\$2,585,700	2,980,000	100%	0.02299	\$68,510	\$68,510
18	2035	\$2,585,700	2,980,000	100%	0.02299	\$68,510	\$68,510
19	2036	\$2,585,700	2,980,000	100%	0.02299	\$68,510	\$68,510
20	2037	\$2,585,700	2,980,000	100%	0.02299	\$68,510	\$68,510
						\$1,370,204	\$1,370,204
Total Cost						\$1,370,204	

Exhibit E

City of Auburn TIF #22 Advantage Payroll Services Inc.

Tax Year	Avoided Loss in State Allocation For Education	Avoided Loss in Revenue Sharing	Avoided Increase In County Tax	Total Tax Shifts
FY 18-19	26,820.00	131.08	46.44	\$ 26,997.52
FY19-20	26,820.00	131.08	46.44	\$ 26,997.52
FY20-21	26,820.00	131.08	46.44	\$ 26,997.52
FY21-22	26,820.00	131.08	46.44	\$ 26,997.52
FY 22-23	26,820.00	131.08	46.44	\$ 26,997.52
FY23-24	26,820.00	131.08	46.44	\$ 26,997.52
FY24-25	26,820.00	131.08	46.44	\$ 26,997.52
FY25-26	26,820.00	131.08	46.44	\$ 26,997.52
FY26-27	26,820.00	131.08	46.44	\$ 26,997.52
FY27-28	26,820.00	131.08	46.44	\$ 26,997.52
FY28-29	26,820.00	131.08	46.44	\$ 26,997.52
FY29-30	26,820.00	131.08	46.44	\$ 26,997.52
FY30-31	26,820.00	131.08	46.44	\$ 26,997.52
FY31-32	26,820.00	131.08	46.44	\$ 26,997.52
FY32-33	26,820.00	131.08	46.44	\$ 26,997.52
FY33-34	26,820.00	131.08	46.44	\$ 26,997.52
FY34-35	26,820.00	131.08	46.44	\$ 26,997.52
FY35-36	26,820.00	131.08	46.44	\$ 26,997.52
FY36-37	26,820.00	131.08	46.44	\$ 26,997.52
FY38-39	26,820.00	131.08	46.44	\$ 26,997.52
Totals:	\$ 536,400.00	\$ 2,621.60	\$ 928.80	\$ 539,950.40

TAX SHIFT FORMULAS

It is required during any application for designation as a tax increment financing district to calculate tax shifts that result from the creation of the District. These tax shifts are noted in the following basic formulae that use local property tax valuation as a basis for calculations. These formulae provided by DECD are:

- Municipal Share of County Taxes
- Revenue Sharing
- Education Costs

The following is the process used to derive these tax shifts.

County Tax Shift

In order to produce this result, information must be obtained from the Maine Revenue Services and the County government of which the District will reside in. First, the most recent County State Valuation should be obtained. The averaged Captured Assessed Value for the District for the life of the project will then be determined. The averaged Captured Assessed Value is then divided by the Current County State Valuation. To find the estimated average county tax over the life of the District, you must obtain the County Tax for the Town for the last five years. The average change is then determined and projected to the middle of the districts life. This projected tax was multiplied by the factor developed above to arrive at the County Tax Shift.

$$\frac{\textit{(Captured Assessed Value)}}{\textit{(Captured Assessed Value + Current County State Valuation)}} \times \textit{Estimated Average Annual County Tax}$$

Revenue Sharing Shift

The total Municipal Revenue Sharing amount was obtained from the State Treasurer in order to complete the following formula:

Step 1:

$$\frac{\textit{Municipal Population} \times \textit{Local Property Tax Levied}}{\textit{State Local Valuation}} = \textit{Current Factor}$$

Step 2:

$$\frac{\textit{Municipal Population} \times \textit{Local Property Tax Levied}}{\textit{State Local Valuation} + \textit{Captured Assessed Value}} = \textit{Adjusted Factor}$$

Step 3:

$$\frac{\textit{Current Factor}}{\textit{Adjusted Factor}} = 1.X$$

Step 4:

$$1.X - 1.0 = .X$$

Step 5:

.X (Total Municipal Revenue Sharing Amount) = Revenue Sharing Shift

Education Tax Shift

State law requires that an estimate be made of how much of a loss in State aid to education a community would experience had the TIF District not been created. The premise for this requirement is that if the TIF did not exist and the development still occurred, other taxing jurisdictions would benefit by the (TIF) Town paying more *and receiving less*.

Historically, the methodology used to determine the fiscal impact from the establishment of a TIF District was to multiply the Captured Assessed Value by the constant .009. The result would be an annual and cumulative “Education Tax Shift” for the proposed district. Changes in the distribution of State funding for education have required TIF applicants to develop other methodologies that more accurately reflect the “Education Shift”.

Exhibit H

- **DIVISION 15. - INDUSTRIAL DISTRICT**

- **Sec. 60-577. - Purpose.**

This district is intended to provide for those manufacturing, processing, transportation and storage uses which should be separated from other uses by reason of characteristics which may conflict with other uses. The exclusion of residential and commercial uses is intended to promote the economic welfare of the city by reserving especially suited areas for industry.

(Ord. of 9-21-2009, § 3.71A)

- **Sec. 60-578. - Use regulations.**

(a)

Permitted uses. The following uses are permitted, provided that the use proposed will not be noxious, offensive or detrimental to the neighborhood or to the city by reason of danger of fire or explosion; pollution of waterways or groundwater; vibration; emission of corrosive, toxic or unhealthful fumes, gas, smoke, soot obnoxious dust, disagreeable odors, offensive noises or other objectionable characteristics:

(1)

Farming of field crops, row crops, orchards and truck gardens.

(2)

Plant and tree nurseries, wholesale nurseries, landscape services and greenhouses; on-premises sales permitted.

(3)

Farm dwellings on premises actively farmed.

(4)

Financial institutions.

(5)

Office buildings.

(6)

Post offices.

(7)

Telephone exchanges or telephone business offices.

(8)

Public transportation passenger stations.

(9)

Churches or temples.

(10)

Municipal uses buildings.

(11)

Wholesale businesses, warehouses, trucking terminals and similar nonprocessing storage and distribution uses, except bulk storage of chemicals, petroleum products and other flammable, explosive or noxious material.

- (13) Manufacture, compounding, processing or packaging of foods and food products, except uses approved by resolution of the city council allowing review and recommendation of the planning board in the same manner as a special exception.
- (14) Manufacture, compounding or assembling of articles using the following prepared materials: bone or shell, cellophane, fur, glass, leather, plastics, precious or semi-precious metals or stones, rubber textiles or cloth products, tobacco, or wood, bark or wood products.
- (15) Manufacture of ceramic products, brick and cinder blocks.
- (16) Manufacture or assembling from prepared material of the following: musical instruments, clocks or watches, toys or novelties, electrical devices, light sheet metal products, office equipment.
- (17) Building material sales yard and contractor's equipment storage yard and plant.
- (18) Research, experimental or testing laboratories.
- (19) Lumber yard, including planning, milling and other processing.
- (20) Ice manufacturing and storage plant.
- (21) Beverage bottling plants.
- (22) Public utilities uses, such as electric substations, storage of material and trucks, repair facilities, offices and electric generating plants.
- (23) Accessory uses and buildings, including but not limited to:
 - a. Retail sales of products manufactured on premises.
 - b. Dwellings used as living quarters for caretakers or watchmen and their families.
 - c. Storage boxes or space trailers as defined in [section 60-666](#)(12) used for the storage of nonhazardous material by the commercial or industrial use which occupies the property.
- (24) Training schools.
- (25) Uses similar to those in this subsection (a) and not elsewhere named in the following subsections, provided that the use will not be noxious.
- (26)

Any new or existing building proposed as a complex of three or more business and/or offices provided that they are approved by the planning board as a subdivision under division 4 of article XVI of this chapter.

(b)

Special exception uses. The following uses are permitted as special exceptions after approval by the planning board in accordance with division 3 of article XVI of this chapter; upon determination that such a use will not unduly disturb or harmfully influence other uses in the areas adjoining:

(1)

Uses similar to those found in subsection (a) of this section and not elsewhere named in the following subsection; that in the determination of the municipal officer charged with enforcement do not meet the requirements subsection (a) of this section.

(2)

Automobile filling stations.

(3)

Automobile and marine repair and service stations, automobile and marine paint and body repair shops.

(4)

Restaurants and diners, including drive-in and carry-out restaurants.

(5)

Retail food stores.

(6)

Microwave, radio, radar, television or radio-telephone transmitting or broadcasting towers, including studios or offices for such transmitting or broadcasting, provided that:

a.

Every such tower shall be installed in a location and manner that ensures its safe operation and the safety of surrounding residents, building occupants, land uses and properties.

b.

In no case shall such tower be located less than 1½ times its height from the nearest property line.

(7)

Motels and hotels.

(8)

Automobile scrap yards.

(9)

Off-street parking accessory, to a permitted use whether or not located on the same lot.

(10)

Outdoor advertising.

(11)

Junkyard.

(12)

Airplane manufacture or assembly.

(13)

Alcohol, methanol, or ethanol manufacture.

(14)

- Automobile or automotive manufacture or assembly.
- (15) Brewery or distillery.
- (16) Manufacture, or bulk storage of chemicals, petroleum products and other flammable, explosive or noxious materials.
- (17) Machinery and machine tool manufacture.
- (18) Metal fabrication plant.
- (19) Municipal incinerator or sewage treatment plant.
- (20) Manufacture of cosmetics, toiletries and pharmaceuticals.
- (21) Asphalt batching plant.
- (22) Grain processing and storage.
- (23) Concrete or cement products manufacture.
- (24) Coal distillation and derivation of coal products.
- (25) Iron or steel foundry.
- (26) Meat products manufacture.
- (27) Packinghouse, including meat and poultry canning and curing, processing or freezing.
- (28) Plastic and pyroxylin manufacture.
- (29) Uses similar to the uses of this section and not elsewhere named in the following subsections.
- (30) Accessory uses building and structures, including but not limited to:
- a. Retail sales of products manufactured on the premises and products accessory to the industry.
 - b. A single dwelling unit for security personnel. Such dwelling unit shall be located in the principal building.
- (31) Hospital.
- (32) Automobile and marine sales lots and agencies.

(33) Child day care centers over 5,000 square feet (building area).

(34) Outpatient addiction treatment clinics.

(35) Any new building of 10,000 square feet or more or any existing building which proposes a use permitted under subsection (a) of this section which will occupy an area of 10,000 square feet or more.

(36) Adaptive reuse of structures of community significance.

(c) *Uses allowed only by resolution of the city council.* The following uses and others of a similar nature are prohibited, unless approved by resolution of the city council following review and recommendation of the planning board in the same manner as a special exception:

(1) Uses similar to those found in subsection (a) of this section and not elsewhere named in the following subsections; that in the determination of the municipal officer charged with enforcement do not meet the requirements of subsection (a) of this section.

(2) Fish smoking, curing or canning.

(3) Oilcloth or linoleum manufacture.

(4) Stove or shoe polish manufacture.

(5) Textile dyeing or bleaching.

(6) Acetylene gas manufacturing or storage.

(7) Ammonia or bleaching powder manufacture.

(8) Asphalt manufacture or refining.

(9) Cement, lime, gypsum or plaster of Paris manufacture.

(10) Chlorine or hydrochloric, nitric, picric or sulfuric acid manufacture.

(11) Creosote manufacture or treatment.

(12) Distillation of bones.

(13) Explosives, fireworks or gunpowder manufacture or storage of same.

(14) Fertilizer manufacture.

(15)

- Gas manufacture from coal.
- (16) Offal or dead animal reduction or dumping.
- (17) Petroleum refining or storage in more than tank car lots.
- (18) Processing or canning of fish.
- (19) Processing of vinegar or yeast.
- (20) Rendering or refining of fats and oils.
- (21) Rubber or gutta-percha manufacture or treatment.
- (22) Soap manufacture.
- (23) Sodium compound manufacture.
- (24) Slaughterhouse, stockyard, abattoir, dressing plant.
- (25) Smelting of tin, copper, zinc or iron ore, including blast furnace or blooming mill.
- (26) Steel furnace or rolling mill.
- (27) Tanning or curing raw hides.
- (28) Tar distillation, tar products manufacture.
- (29) Wool fueling or scouring.
- (30) Private dumps for liquid or solid waster disposal.
- (31) Processing of fish or poultry wastes.
- (32) Paint, oil, shellac, turpentine, lacquer or varnish manufacture.
- (33) Paper mills.
- (34) The treatment, storage, processing or disposal of solid waste, (except those materials included in subsection (a)(19) of this section, oily waste, hazardous waste or radioactive waste, by any person, partnership, corporation or other entity designed for the primary purpose of such treatment, processing, storage or disposal.
- (35) Any use which is found by the city to be a public nuisance by reason of the emission of dust, fumes, gas, smoke, odor, noise, vibration or other disturbance is and shall be

expressly prohibited. No such finding shall be made by the planning board except after a hearing upon reasonable notice, and any person, the planning board or the city council may file a petition with the planning board for such hearings.

(36)

Adaptive reuse of structures of community significance.

(Ord. of 9-21-2009, § 3.71B; Ord. 11-09062011-02, 9-6-2011; Ord. No. 05-04032017, § 2, 4-24-2017)

- **Sec. 60-579. - Dimensional regulations.**

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

(1)

Minimum lot width and depth. Each lot shall have not less than 150 feet width. No lot shall be less than 250 feet in depth.

(2)

Density. Not more than 40 percent of the total lot area shall be covered by buildings.

(3)

Yard requirements.

a.

Rear. There shall be behind every building a rear yard having a minimum depth of 50 feet or 20 percent of the average depth of the lot, whichever is less.

b.

Side. There shall be a distance of five feet between any building and the side property line, plus the side yard setback shall be increased one foot for every three feet or part thereof increased in street frontage over 60 feet to a maximum of 35 feet for side yard setback.

c.

Front. There shall be in front of every building a front yard having a minimum depth of 35 feet or 15 percent of the average depth of the lot, whichever is less. No front yard need be any deeper than the average depth of front yards on the lots next thereto on either side. A vacant lot or a lot occupied by a building with a front yard more than 35 feet shall be considered as having a front yard of 35 feet.

d.

Principal buildings. More than one principal building may be erected on a lot provided that the building meet all yard setback requirements and are separated by a distance equivalent to the height of the higher building or 30 feet, whichever is greater.

e.

Railroad tracks. Where the principal use requires access to a railroad, the yard requirements are disregarded for the side of the building adjacent to the railroad trackage. The engineering requisites for a safe and properly designed siding and building setback acceptable to the railroad shall take precedence.

f.

Open and unbuilt spaces. Any yard, space or are required to be kept open and unbuilt on may be used, if otherwise lawful, for outdoor storage of articles, supplies and

materials except that such storage shall be screened from the view of abutting residential property owners and/or street by a solid wall or evergreen hedge.

g.

Landscaping. Landscaping shall be provided and maintained as follows:

1. Within a parking lot, landscaping shall be provided in an amount equal to ten percent of the area of the parking lot.
2. The perimeter of a principal building, except for entrances and loading doors, shall be landscaped in an amount equal to 20 percent of the building footprint. Emphasis shall be given to the front and sides of the building.
3. All lots which abut the side or rear lot line of a lot in a residential district or use shall be screened from said lot by an evergreen tree line planted in staggered rows having the base of the trees not more than ten feet apart. The minimum width of the screened buffer line shall be 30 feet.
4. Side and rear lot lines between nonresidential uses shall be planted with evergreen trees in the same manner as subsection (3)g3 of this section, except that the width of the screened buffer line shall not be less than 15 feet.
5. Landscaping is considered to be vegetative treatment with trees, shrubs, flowering plants and grass and/or bark mulch. Grass only is not deemed to satisfy this requirement. Evergreen trees shall be used as required in subsections (3)g3 and (3)g4 of this section. Trees shall be a minimum of six feet at the time of planting. Where possible, existing trees shall be preserved, building shall be oriented with respect to natural landscape features, topography and natural drainage areas.

(4)

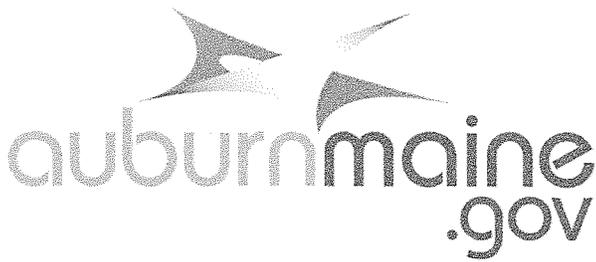
Height. Buildings shall not exceed 75 feet in height, except in the airport approach zone where Federal Aviation Administration height regulations shall apply.

(5)

Off-street parking. Off-street parking and loading spaces shall be provided in accordance with the requirements for specific uses as set forth in articles V through XI of this chapter.

(Ord. of 9-21-2009, § 3.71C)

- **Secs. 60-580—60-606. - Reserved.**



City of Auburn, Maine

Office of the City Manager

www.auburnmaine.gov | 60 Court Street

Auburn, Maine 04210

207.333.6601

TO: Mayor and Council Members

FROM: Peter J. Crichton, City Manager

A handwritten signature in black ink, appearing to read "Peter", is written over the name "Peter J. Crichton" in the "FROM" line.

RE: Additional School Subsidy Workshop

DATE: September 15, 2017

At the last Council meeting there was a Workshop on the issue of the Additional School Subsidy, presented by the School Committee Chairman Tom Kendall. The purpose of the Workshop was for School officials to provide comments on the Council's agreement with the School Committee Chairman and Superintendent of Schools on having 100% of the additional school subsidy go toward tax relief for the FY18 Budget.

When the agreement was being discussed there was no mention of Essential Programs & Services (EPS) having an impact on the 100% tax relief for the FY18 Budget. Nor was this possibility raised at the City Council meeting by the Superintendent when the FY18 School Budget was approved by the Council or at any other time when the 100% tax relief discussion was taking place.

As background, on the evening of July 26th, I received an email from Katy Grondin stating that \$128,755 of the \$1,222,442 in additional school subsidy needed to be used as the Auburn School Department's local cost share to meet 100% of EPS. With the tax commitment due to be set by the City, this became a major concern to resolve as quickly as possible without having a negative effect on the schools and the community. The tax commitment had to be made on July 27th. Therefore, with this question unresolved, the tax commitment was made without the \$128,755.

As I have reported, when I learned of the potential issue with EPS for the Auburn School Department I had a phone conversation from the office of one of the Maine Municipal Association attorneys with the Deputy Commissioner for Education Suzan Beaudoin and the Commissioner of Education Bob Hasson. Suzan Beaudoin said that she would research the EPS question and later on I received a phone call from her telling me that the Auburn School Department had already met the EPS requirement within their approved budget.



City of Auburn, Maine

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Auburn, Maine 04210

207.333.6601

At the Workshop last Monday, Mr. Kendall with the Superintendent and School Finance Director present continued to state that EPS was still an issue. As a result, I advised the Council that I would follow up with Suzan Beaudoin to either confirm what she had told me or inform me that there has been a change and there was an EPS issue. The next day, on Tuesday, September 12th I wrote to Suzan Beaudoin asking her to confirm what she had told me. As you can read from the attached email, she confirmed "there has been no change." She went on to state, "Based on the Department's calculation for the 2017-18 school year, Auburn has met the local share agreement and as a result there will be no adjustment to Auburn's 2017-18 State subsidy pursuant to 20-A MRS Section 1590(1) (C).

Therefore, I stand by my earlier recommendation to keep the agreement that was reached on 100% tax relief for the FY18 budget and have \$128,755 credited to the taxpayers utilizing the software that the City has, with the great assistance and cooperation of the Finance Director Jill Eastman.

Peter Crichton

From: Beaudoin, Suzan [Suzan.Beaudoin@maine.gov]
Sent: Wednesday, September 13, 2017 9:10 AM
To: Peter Crichton
Cc: Hasson, Robert G; Katy Grondin; Allen, Joanne
Subject: FW: EPS

Hi Peter

There has been no change. Based on the Department's calculation for the 2017-18 school year, Auburn has met the local share requirement and as a result there will be no adjustment to Auburn's 2017-18 State subsidy pursuant to 20-A MRS §15690(1)(C).

Suzan C. Beaudoin
Deputy Commissioner
Department of Education
Email: suzan.beaudoin@maine.gov
Tel. 207-624-6620
DOE website: www.maine.gov/doe

From: Peter Crichton [<mailto:pcrichton@auburnmaine.gov>]
Sent: Tuesday, September 12, 2017 4:26 PM
To: Beaudoin, Suzan
Cc: DOE, Commish
Subject: EPS

Suzan,

I am following up on my voicemail from this morning. As you will recall, I spoke by phone with Bob Hasson and yourself from the office of one of the MMA attorneys a few weeks ago regarding the School Budget Resolution that Auburn residents voted on in June. There was a verbal agreement between the Superintendent of Schools, the School Committee Chairman, the Mayor, Council, and myself to have 100% of the additional school subsidy (\$1,222,442) go toward tax relief for this year's FY18 budget, which was included in the Resolution.

Then hours before the tax commitment had to be made I received an email from the Superintendent of Schools Katy Grondin that due to the need for the local contribution to match 100% of EPS, a portion of the additional subsidy (\$128,755) would have to go towards EPS. Then during the phone conversation that I had with you and Bob from the MMA, you said that you would research the EPS question. You did so and I later received a phone call from you telling me that the Auburn School Department had already met the EPS requirement within their approved budget.

I am now being informed by Katy that there is apparently a gap in EPS funding and the Auburn School Department does need the \$128,755 for EPS. I am writing to ask you to confirm what you told me earlier or to inform me that there has been a change. I'll look forward to your response.

Sincerely,

Peter

Peter J. Crichton, MPA, CMM, ICMA-CM
City Manager

IN COUNCIL REGULAR MEETING SEPTEMBER 11, 2017 VOL. 35 PAGE 66

Mayor LaBonté called the meeting to order at 7:07 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag and a moment of silence in recognition of the 9/11 victims. All Councilors were present.

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 75-09112017*

Approving the temporary sign request for Saint Dominic Academy's Annual Holiday Festival.

2. Order 76-09112017*

Appointing Assistant City Manager Denise Clavette as the alternate member of the Maine Municipal Association's Legislative Policy Committee.

3. Order 77-09112017*

Approving the renewal of the Auto Graveyard/Junkyard permit for M & P Auto located at 227 Merrow Road.

4. Order 78-09112017*

Approving the renewal of the Auto Graveyard/Junkyard permit for Randy's Auto Parts located at 899 Broad Street.

5. Order 79-09112017*

Approving the renewal of the Auto Graveyard/Junkyard permit for Prolerized New England Company, LLC located at 522 Washington St. N.

6. Order 80-09112017*

Approving the renewal of the Auto Graveyard/Junkyard permit for Isadore T. Miller Co., a Division of Schnitzer NE located at 78 & 80 Hotel Road.

7. Order 81-09112017*

Approving the renewal of the Auto Graveyard/Junkyard permit for Don's No Preference Towing, DBA Morris Auto Parts & Sales, located at 940 Washington St. N.

8. Order 82-09112017*

Approving the renewal of the Auto Graveyard/Junkyard permit for Ty Auto, located at 249 Merrow Road.

Motion was made by Councilor Titus and Seconded by Councilor Pross to approve all consent items with the exception of Order 81-09112017 which would be moved to new business.

Passage 7-0.

II. Minutes

August 21, 2017 Regular Council Meeting

Motion was made by Councilor Burns and seconded by Councilor Walker to accept the minutes of the August 21, 2017 Council meeting. Passage 6-0-1 (Councilor Pross abstained because he was not present at that meeting).

August 31, 2017 Special Council Meeting

Motion was made by Councilor Pross and seconded by Councilor Walker to accept the minutes of the August 31, 2017 Council meeting. Passage 5-0-2 (Councilor Burns and Titus abstained because they were not present for that meeting).

III. Communications, Presentations and Recognitions

Proclamation - Lakes & Mountains Area Walk to End Alzheimer's on September 16th, 2017

Donna Manson, volunteer for the Alzheimer's Association spoke and challenged everyone in the room to join on the 2017 walk.

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

Dan Herrick, 470 Hatch Road, commented on the planning and permitting department, and union employees.

Robert Shaw, 165 West Shore Drive regarding a special text amendment that passed recently that allowed for industrial business to be located on the Youngs Corner Road and Lost Valley Road. He said he was surprised and disappointed by this special text amendment and would like it to be reviewed.

Brad White, 14 Elm Street, spoke in regards to Fire Department inspections.

V. Unfinished Business

1. Ordinance 08-08212017

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

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

Public hearing - Rita May Morin, 150 Sopers Mill Road, opposed to the proposed ordinance, and asked why a proposed zone change is being considered before the Ag study is done.

Kelly McGovern Shaw, 165 West Shore Road, spoke in opposition to the proposed zone change noting that it seems like this is more about commercial development. She voiced her concerns about the Taylor Pond watershed which she said may be negatively impacted by commercial development.

Jason Levesque, 205 Youngs Corner Road spoke in favor of this proposed amendment stating that it's time to move Auburn forward.

Jan Philips, 173 West Shore Road, stated that she is strongly opposed to the proposed amendment and allowing commercial zoning and any special exceptions that permit industrial manufacturing maintenance at Lost Valley.

Ray Cote, Penley Corner Road spoke in opposition of the proposed amendment stating that he is concerned about more traffic and the possibility that other developments could come in.

Barbara Mitchell, 179 West Shore Road, asked for someone to define "commercial" as it applies to this proposed amendment. She said that she is a supporter of recreation in Auburn but does not support the inclusion of commercial development in the recreational and residential areas in Auburn.

Resident of 736 South Witham Road stated that some things we may pay for in the future are not worth the cost now. She said that she relies on a lot of environmental factors to successfully farm and growth and progress have different meaning for her.

Linda Walbridge, said that she thinks we should slow this thing down before moving forward on it.

Leslie Burns, 419 Sopers Mill Road stated that she and her partner bought their dream home here in Auburn and now people are talking about changing everything about it that they love. She feels that this is being pushed through without the proper protocol.

Albert Bergen, 469 Sopers Mill Road, said he is concerned about what this type of zoning change can do to property taxes and what will happen to property values. He said that he also shares the same concerns voiced by others adding that he is opposed to the proposed amendment.

Virginia Levasseur, 177 Sopers Mill Road, said she has been in their home for 53 years and said that she would like it to remain the AG zone. She also spoke about some clear cutting that was going on in her neighborhood.

Rudy Wing, said that he sold his home on Allen Avenue and bought the Penley Corner Church in hopes to use it as a learning center. He bought it in fire condition and found it was a struggle to work on it between what was needed for permits, regulations, and costs, adding that it has been fifteen years in process. He urged councilors to start listening to the people in the community.

Motion was made by Councilor Lee and seconded by Councilor Titus to table indefinitely.

Motion failed 2-5 (Councilors Young, Pross, Stone, Walker, and Burns opposed).

Passage of original motion 5-2 (Councilors Lee and Titus opposed). A roll call vote was taken.

2. Ordinance 09-08212017

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

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

Public hearing – no one from the public spoke.

Passage 6-1 (Councilor Titus opposed). A roll call vote was taken.

VI. New Business

Order 81-09112017 (moved from the consent agenda).

Motion was made by Councilor Titus and seconded by Councilor Burns to postpone until 9/18/2017. Passage 4-2-1 (Councilors Young and Walker opposed, Councilor Pross abstained).

3. Order 83-09112017

Appointing Gilda Berube and Danelle Martel to serve on the Auburn Housing Authority, each with a term expiration of 10/1/2022.

Motion was made by Councilor Burns and seconded by Councilor for passage of Orders 83-09112017, 84-09112017, 85-09112017, 86-09112017, and 87-09112017.

Public comment – no one from the public spoke.

Passage 7-0.

4. Order 84-09112017

Appointing Levi Gervais to serve as a full member on the Board of Assessment with a term expiration of 10/01/2022.

5. Order 85-09112017

Appointing Dana Bonenfant and Christopher Brann to serve on the Community Development Block Grant (CDBG) Loan Committee with term expirations of 10/1/2020.

6. Order 86-09112017

Appointing Maurice Keene to serve on the Conservation Commission with a term expiration of 6/1/2020.

7. **Order 87-09112017**

Appointing Timothy Cogle, Howard Fogle, and Belinda Gerry to the Parks and Recreation Advisory Board, each with a term expiration of 10/1/2019.

8. **Order 88-09112017**

Approving a 20 year extension of rights to certain paper streets.

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

Public comment – no one from the public spoke.

Passage 7-0.

9. **Ordinance 10-09112017**

Adopting a zoning ordinance text amendment to Article IV District Regulations, Division 2. Agriculture and Resource Protection District, Section 6-145 Use Regulations, (b) Special Exceptions (16), to allow Kennels as a Special Exception in the Agricultural and Resource Protection Zone. Public hearing and first reading.

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

Public hearing – no one from the public spoke.

Motion failed 3-4 (Councilors Walker, Titus, Stone, and Burns opposed). A roll call vote was taken.

VII. Reports

Mayor LaBonte – no report

Councilor Young – reported that Councilor Pross did a great job on his ½ marathon.

Councilor Pross – no report

Councilor Stone – no report

Councilor Titus – no report

Councilor Lee – no report

Councilor Burns – no report

Councilor Walker – no report

City Manager Report – reported that Public Works received good news, they received accreditation, the first in the state of Maine.

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

Joe Gray, Sopers Mill Road commented on the school subsidy item. He also reported on the \$600,000 in TIF money that is "sitting around", he suggested that we fix art wall, and maintain projects. He thanked the Public Services department for their responsiveness on a particular matter, and he also commented on Council action on an ordinance amendment that passed earlier.

Mamie Anthoine Ney, Auburn Public Library Director, invited people to attend the debate on the proposed Lewiston Auburn consolidation to be held at the Auburn Public Library on Monday 9/25/17 from 6:00 to 7:30 PM at the Library. A debate will also be held at the Lewiston Public Library on 9/14/2017.

IX. Executive Session – discussion regarding a personnel issue, pursuant to 1 M.R.S.A. 405 (6)(a).

Motion was made by Councilor Burns and seconded by Councilor Walker to enter into executive session. Passage 7-0, time 9:04 PM.

Council was declared out of executive session at 9:10 PM.

X. Adjournment

Motion was made by Councilor Burns and seconded by Councilor Walker to adjourn. Passage 5-0 (Councilors Stone and Young were not in the room for the vote). Time 9:10 PM.

A True Copy.

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

Report to Auburn City Council

From Lewiston And Auburn Joint Charter Commission

September 7, 2017

At the public hearing held on July 31 at Central Maine Community College we listened to comments made and questions asked by the persons who spoke.

Our thanks to the Mayor and Council for holding the hearing and for the orderly way it was conducted.

With the help of notes provided to us by Auburn's city clerk here are our reactions and responses.

Favorable Comments

Jim Wellehan. There is a need for consolidation and a need for efficiencies. Consolidation would provide an economic benefit, with reasonable taxes and better schools.

Clift Greim: There are four common threads: 1) we all want this community to prosper; 2) we want to attract business here; 3) we want to keep and attract people to live here; 4) how are we going to grow this community and redefine ourselves? When a business or company looks to reduce spending and save money, the first thing they look for is consolidation opportunities. Consolidation can make us more efficient and in the long term save us money.

Mary LaFontaine. Rules, codes, taxes and fees will be the same and ease business between the cities. Pay rates and benefits will no longer be a competition between Fire and Police Departments and staff. As one city, it would be an opportunity to build a school system that allows growth, specialties, and potential beyond what we can imagine and one that is better than the two separate school systems. This is an opportunity for us to be leaders and innovators and we should take this opportunity for our youth and our future.

Kristy Phinney. We need to take a step back and stop pointing out the negatives to our neighbors across the river and look forward to the future. A combined city of 60,000 people will bring new and different opportunities. It is time to take this community to the next level by thinking more boldly. It is time to show the rest of Maine what we are made of.

Dan Thayer. Whenever consolidation comes up, he wonders what it is that makes us so different? He finds the current divisiveness troubling. There is a dire need to be considered one. A community is a place where people work, live, and learn together. Communities do not have fences. We are one community and one economic unit, and he hopes we take it to the next level.

James Ayotte. There are no guarantees or certainties that the numbers are going to come out and things will be great. It is not going to happen overnight. It is going to be tough, but it is an investment in the future. We have to analyze the risk, analyze the rewards, and make the best decision we can. We have to move forward with the best set of ideas possible.

Bruce Rioux. He doesn't necessarily feel the merger will benefit him but he hopes that his son and daughter will settle down in this area and feels the merger will benefit them and their future. He feels that merging will result in significant savings.

Charles Morrison: Questions regarding proposed savings will be answered, as best they can, by the Joint Charter Commission. Since 1996, four groups have looked into consolidation savings; the range of saving was a low of \$2.0 million to a high of \$2.7 million from three of the former study groups. Three major reasons to consolidate: 1) joint planning and joint economic development – much better done together than separately; 2) to improve our schools; 3) to show that we can do something really big.

Speaking In Opposition

Matt Leonard. This is an old idea and not one that is innovative; it will take 26-month process to figure out how to put the cities together. He has 3 questions regarding consolidation.

1. Public law requires up-to-date data

CC Response. The Commission operates under state statute -- 30-A MRSA Section 2152. It says the joint charter commission shall draft an agreement between the consolidating municipalities which includes:

MRSA Section 2152	Requirement
A	Names of the municipalities
B	Name under which it is proposed to consolidate, which must be distinguishable from the name of any other municipality in the State, other than the consolidating municipalities
C	Property, real and personal, belonging to each municipality, and its fair value
D	Indebtedness, bonded and otherwise, of each municipality
E	Proposed name and location of the municipal office
F	Proposed Charter
G	Terms for apportioning tax rates to service the existing bonded indebtedness of the respective municipalities
H	Any other necessary and proper facts and terms

[Assets, indebtedness, and tax apportionment](#) information using the most recent information we have was presented in the document set given to Auburn City Officials on June 30.

2. Data used in property evaluation is not appropriate.

CC Response. Using state equalized values for property values (as was detailed in the [“Options and Impacts”](#) study) is the best way to appropriately compare property taxation between municipalities.

3. Reconciliation of proposed savings with costs is not included in the financial analysis.

CC Response. The [Options and Impacts](#) study detailed all costs and savings which it felt could be accurately counted.

There are other costs and savings are which are more difficult to precisely count. Responding to a COLAC challenge, those elements were included the [“Follow the Money” section of the 8.20.2017 Letter To LA.](#)

Matters relating to city/union agreements are very challenging for outside parties to address because state statutes dictate processes for bargaining unit determination and negotiations between the units and the city. Decisions regarding these and related matters will be made by the city council and school committee under a consolidation plan, and the Joint Charter Commission did not want to impose anything relating to those items that are subject to collective bargaining.

Collective bargaining agreements are not affected by the Consolidation Agreement and in effect are protected in the Transitional Section 10.5 of the proposed charter.

Sharon Beaudoin. She is concerned with all the “rosy promises” that have been made, adding that bigger isn’t always better, and bigger may not create the efficiencies that you are looking for. Regarding School District Consolidations, there were 3 areas that consolidation of services worked: 1) purchase of supplies, 2) transportation, 3) staff development. Studies show relatively modest savings and may lead to increased costs for more than a decade; and, can lead to unintended consequences both positive and negative.

CC Response. Bigger isn’t necessarily better. Smaller isn’t necessarily better, either.

Our position is the merging two side-by-side school districts offers professional educators a once-in-a-lifetime opportunity to rethink and reinvent our education system in LA with the goal of making it the best city system in the state. A larger system offers the opportunity to offer greater breadth and depth of offerings – and thus more personalized experience for every student. We must improve education in LA, and this is our best opportunity.

Kyle Butler. There will be individual resident costs to update individual address information for things like credit cards and driver’s licenses.

CC Response. Credit cards, checking account information, etc. can easily be changed on line or when making a monthly payment. Address info on checks only need to be changed when a supply is replenished. Drivers’ licenses will be changed when they need to be renewed. The costs to change personal information will be the time it takes to make a call or go online.

Since zip codes are not changing, the mail will be delivered as it currently is.

Stephanie Crystal. Will Auburn have to absorb the General Assistance costs in Lewiston? Will consolidation require property revaluation? If the consolidation doesn’t work, is there an exit strategy? She would prefer a different name than Lewiston-Auburn.

CC Response. The cost of General Assistance is substantially reimbursed by the State of Maine.

Property values will have to be placed on the same basis so that everyone is taxed fairly. Auburn’s values are close to market value. Lewiston has not had a full revaluation since the late 1980s. Their values are roughly at 80% of market. An update was put in place several years ago but not implemented. Given that it has been 30 years, an updating is long overdue, and there’s not a better time than when significant cost savings are being put in place.

The same referendum process that allowed for a merger could reverse it.

Neil Lagasse: He has yet to see any government save any money.

CC Response. You have not yet seen two cities merge. We have put together a detailed road map regarding how and where money can be saved. If the cities merger, city officials and citizens will have the tools to assure the benefits are realized.

Belinda Gerry. Two is better than one and, bigger is not always better. We don't need clout to be big. Clout in the legislature is a team effort. Most people don't like big government. A little competition in economic development from Auburn and Lewiston is a good thing. She is against the merger because she wants to preserve Auburn's future.

Having 10 ward councilors from separate wards does not provide the safety net which is current in the Auburn's system which also has at-large councilors.

CC Response. The issue of "clout" is not limited to legislators alone. There is impact when an area of 60,000 people is being represented before legislative committees, state, and quasi-state agencies.

From an economic development perspective, data is now maintained for Lewiston and Auburn separately, by counties, and metro-areas. It would enhance opportunities to have data sets that automatically combine Lewiston-Auburn rather than a population of 37,000 and 23,000 respectively. By national standards, even a population of 60,000 is considered quite small but a significant step-up regionally!

More significantly, clout comes from government officials and outsiders recognizing the new energy coming from an LA that has been reborn and is on the move. Clout comes from being a place where government professionals, educators, and people who want to live – a dynamic and exciting place reborn and rethinking, reengineering, recommitting, and refocusing itself on the future.

Economic development competition for two side-by-side cities is not good at all. Any business that is interested in our area will look at both sides of the river for the best site. Only by combining resources can we afford the professional staffs that can effectively reach out and sell our attributes.

It is not clear what was meant by redundancy and a safety net. The proposed charter provides for a mayor, elected-at-large, who will be a voting member of the City Council. In addition, there are five wards with two councilors in each ward elected in alternating years which provides for continuity as no more than 50% of the councilors will leave office in any given election.

Betty Perkins: Who pays for changes of signs on Routes 202, 100, 196 and the Turnpike; duplicate street names? Will Auburn properties be assessed a "rain tax" as is done in Lewiston?

CC Response. Signs on those roadways are put up and maintained by MDOT and the Turnpike Authority respectively.

Duplicate street names currently exist and are a non-issue with the 9-11 Emergency access/dispatch center, police and fire departments.

There are about 30 duplicate street names. Changing signs is a minor matter. Our recommendation is to add East to duplicate streets on the former Lewiston side, and add West to duplicate streets on the former Auburn side.

With postal zip codes remaining the same, it should be a non-issue with mail.

There is a cost to dispose of water runoff. In Auburn that cost is built into real estate taxes. In Lewiston this cost is shared among all real estate owners, including those which do not pay real estate taxes, such as churches, hospitals, and colleges).

A user-fee raised from all real estate owners provides some property tax relief. That is, if such a system were applied to Auburn, money raised from a user-fee proportionately reduces required tax revenue.

The new Lewiston-Auburn City Council will have to decide whether to use the Lewiston or the Auburn model.

Louise Decoteau. She has seen communities come together out of necessity and it hasn't always worked out in the best educational interest of the children. She thinks they can develop committees between Lewiston and Auburn to enhance the value of education without merging the communities.

CC Response. There has been no community coming together like we are proposing. The Charter Commission is proposing a merger precisely because separate political entities just don't have the will to work together no matter how logical the rationale to do so. In fact, it is clear that our two cities are pulling away from each other right now, just the opposite of what one would expect during hard times.

Gentleman[?]: He didn't think the merger changes anything except add confusion.

CC Response. Every day people complain about their city government and schools – about how it doesn't work and how it should work better. And it is darn tough to use the political process to address change because of inertial and vested interests. The merger is a game changer because Auburn and Lewiston citizens have a unique once-in-a-lifetime opportunity to actually rethink and reengineer how government and schools run.

If we don't take this opportunity, we'll be right back to where we are. The complainers will be complaining, and they will be right.

For most people though there will be little personal impact. We see ourselves as one LA today. Tomorrow the government will be more efficient, and the educators will be working to improve the schools. And step by step our community will be rising.

Mark Cyr

1. How will the mill rate be determined?

CC Response. The tax rate will be set as it is by the cities individually today. Operating costs will be shared by all properties in proportion to their property values.

It is important to note that current Auburn debt will be paid by current Auburn taxpayers, and current Lewiston debt will be paid by current Lewiston taxpayers. That means there will be slightly different tax rates until all pre-merger debt is totally retired.

2. Will Auburn taxes go up?

CC Response. Page 78 of the "Options and Impacts" study projects significant expense savings from merging the two cities. That would mean political pressure to reduce taxes or hold taxes unchanged.

3. Will Lewiston residents need to pay for the new ELHS?

CC Response. The new Auburn high school will be paid for by the state, not Auburn or Lewiston taxpayers.

Peter Whitmore: Lewiston and Auburn are and have been one community. Merging the two cities was not going to accomplish anything. Until the business climate is changed on a state level, we will not attract businesses from out of state.

CC Response. And when might we expect the business climate state wide to change? By this logic we do not control our own destiny, and we should resign ourselves to an inevitable decline.

Our answer is to be proactive and take control of our destiny by pooling resources and finding solutions that overcome the larger statewide economic and democratic challenges that face us. We believe we have the people and the creativity to chart a uniquely LA course to a better future, but we have to work as one, not as two rival cities holding on to a past that is not coming back.

Ron Potvin: No matter how you look at this, these is a cost factor. The consultant's report says Auburn taxes will go up.

CC. This is false. Here is the passage from page 80 of the [Options and Impacts](#) study:

Summary of Fiscal Impacts

Recommendations made by the workgroups could generate \$2.3 million in direct net savings (i.e. a 2.5 percent reduction off current tax levies) and would translate into annual recurring property tax savings for the median property in both Lewiston (\$125/yr) and Auburn (\$37/yr). At the max-level savings values, CGR estimates that total savings could rise to nearly \$4.2 million (i.e. a 4.4 percent reduction off current tax levies), generating tax savings amounts for the median Lewiston property of \$190 and the median Auburn property of \$105.

There are projected tax savings for both Auburn and Lewiston taxpayers.



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: September 18, 2017

Ordinance: 10-09112017

Author: Doug Greene, Department of Economic and Community Development

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

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

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

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

City Budgetary Impacts: None

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

Previous Meetings and History: Planning Board initiates text amendment (May 9, 2017) and discussed the proposal on June 13 (public hearing) and July 11th. The text amendment was presented to the City Council at the August 21, 2017 workshop. A public hearing and first reading was held on 9/11/2017. It failed the first reading 3-4 with Councilors Walker, Burns, Stone, and Titus opposed.

Attachments:

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



Attachment 1 City of Auburn, Maine

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

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

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

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

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

B. How Zoning Districts Treat Kennels as a Land Use

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

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

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

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

April 20, 2017

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

Eric,

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

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

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

V/r
Terry M. Dailey



PLANNING BOARD STAFF REPORT

To: Auburn Planning Board

From: Zach Mosher, City Planner

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

Date: June 13, 2017

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

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

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

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

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

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

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

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

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

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



Zach Mosher
City Planner



City of Auburn, Maine

Office of Economic and Community Development

60 Court Street, Auburn, Maine 04210

www.auburnmaine.gov 207.333.6601

To: Planning Board, City of Auburn

From: Zach Mosher, City Planner

Date: July 11, 2017

RE: Continued Discussion of a Dog Kennel Text Amendment

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

Staff Comments:

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

Staff Recommendation:

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

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

Conditions:

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

PLANNING BOARD REPORT to the CITY COUNCIL

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

From: Daniel Philbrick, Chairman, Auburn Planning Board

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

Date: July 17, 2017

SUMMARY - On July 11, 2017, the Auburn Planning Board held a public hearing and made a recommendation on a Zoning Ordinance Text Amendment to allow Dog Kennels in the Agricultural and Resource Protection district. The meeting consisted of a staff presentation, discussion by the Planning Board, public comment from 1 person during the public hearing, and then discussion. After the discussion, the Planning Board voted 5-2-0 in favor (motion by Cyr, seconded by Scoggins) to send a recommendation of APPROVAL for the Text Amendment on to the City Council for final action.

PROPOSAL - Dog kennels are not currently allowed in the AGRP district. The text amendment would allow dog kennels in the AGRP district as a special exception use. Dog kennels are only mentioned in the Low Density Rural Residential district (LDRR) in Auburn's residential zoning districts. The LDRR district allows kennels as a special exception use #7: "Licensed kennels provided that there shall be available land area of at least three acres." The use also carries over into smaller lot residential districts if the 3 acre minimum lot size is met.

By allowing dog kennels in the AGRP district, they would also be allowed to carry over into the Low Density Country Residential (LDCR) district as a special exception. These two districts are the only districts affected by the recommended change.

Staff recommended to the Planning Board that dog kennels are a reasonable and sensible use in Auburn's AGRP district as well as noting The City of Auburn's Comprehensive Plan supports "... a broader range of rural uses" (Chapter 2, p. 108). Staff also provided the interpretation that dog kennels do not constitute an agricultural use or farm as currently defined and therefore building an accessory dwelling unit should not be permitted even if the income requirement is met for the AGRP district.

PLANNING BOARD MEETING - The Staff presented a report at the Planning Board's June & July meetings that included a draft text amendment. The amendment would consist of two conditions, 1) the minimum lot size of the zoning district or three acres, whichever is greater

and 2) new residential dwelling units shall not be permitted as an accessory to the dog kennel use.

PUBLIC HEARING – Resident Terry Dailey, who brought the idea before Staff and the Planning Board, spoke against condition 2, prohibiting residential dwelling units accessory to the dog kennel use.

PLANNING BOARD DELIBERATION AND RECOMMENDATION - The Planning Board discussed whether dog kennels constitute an agricultural or farm use. A straw poll was taken by Planning Board Chair Philbrick asking whether kennels constitute a farming operation and it was voted 0-7 against. There was also Planning Board agreement to add condition 3 to the text amendment, specifying that licensed kennels operate for the purpose of overnight care or long-term care and not for daycare.

Planning Board member Cyr made a motion, seconded by Scoggins to forward a recommendation of Approval to the City Council to amend the Auburn Code of Ordinances by permitting licensed kennels in the AGRP under Chapter 60, sec. 60-145 subject to the following 3 conditions:

1. Minimum lot size of the zoning district or three acres, whichever is greater.
2. Residential dwelling unit(s) shall not be allowed as an accessory to a kennel.
3. The licensed kennel operates for the purpose of overnight care or long-term care and not for daycare.

The Planning Board voted 5-2-0 in favor (motion by Cyr, seconded by Scoggins, Bowyer, Hamlyn, Philbrick) to send this recommendation to the City Council for final action.



Dan Philbrick
Planning Board Chair

Cc: Dan Philbrick, Chair Auburn Planning Board
File

DIVISION 2. - AGRICULTURE AND RESOURCE PROTECTION DISTRICT

Sec. 60-144. - Purpose.

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

(Ord. of 9-21-2009, § 3.31A)

Sec. 60-145. - Use regulations.

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

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

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

- b. In cases where no minimum setback is established by division 5 of article XII of this chapter an open yard space of at least ten feet between the building as reconstructed and each of the property lines shall be maintained.
- (7) Rifle, pistol, skeet or trap shooting ranges, public or private.
- (8) Cemeteries, subject to the following conditions:
 - a. At least 20 acres in area.
 - b. Not located in any environmental overlay district or over any known aquifer.
- (9) Municipal sanitary landfills, subject to the following conditions:
 - a. Not located in any environmental overlay district or over any known aquifer.
 - b. Provisions shall be made to avoid surface water and groundwater pollution.
 - c. Provisions shall be made for frequent covering of deposited wastes with earth to counteract vermin, insects, odors, and windblown debris.
- (10) Radio, radar, television and radio telephone transmitting or broadcasting towers, but not studios or offices for such transmitting or broadcasting, provided that:
 - a. Every such tower shall be installed in a location and manner that ensures its safe operation and the safety of the surrounding residents, building occupants, land uses and properties.
 - b. In no case shall such tower be located less than one and one-half times its height from the nearest property line.
- (11) Wholesale nurseries, subject to the following conditions:
 - a. At least one-half of the area of the lot (up to a maximum of three acres) is in active nursery production in a husband type manner.
 - b. The plants and trees propagated, grown and nurtured in the nursery are used as the primary products by the owner/operator of the landscape service.
- (12) Processing and storage of compost and bulking agents from the municipal wastewater sewerage sludge facilities provided that:
 - a. All compost and amendments are to be stored undercover or screened from the public way and abutting property as determined by the planning board.
 - b. All federal, state and local ordinances and laws relating to the processing and storage of waste are complied with.
 - c. An end-use plan must be filed as part of the planning board process.
- (13) Licensed hospice care facility provided that it shall be licensed by the state as a Medicare certificate hospice.
- (14) Slaughterhouse, stockyard, abattoir, dressing plant in compliance with state and federal regulations subject to the following conditions:
 - a. The facility shall not be located within the Lake Auburn Watershed Overlay District, the Watershed of Taylor Pond, the Shoreland Overlay District or the Floodplain Overlay District.
 - b. The proposed use shall not occupy more than 10,000 square feet of building area.
 - c. The number of employees shall be limited to not more than 15.

- d. Accessory retail sales shall be limited to 10 percent of building area or 1,000 square feet, whichever is smaller.
 - e. Hours of operation shall limited to between 6 a.m. and 8 p.m.
- (15) Compost operations, excluding municipal and industrial waste, to process products such as manure, bedding, animal mortalities, waste feed, produce, forestry by-products, leaves and yard trimmings in compliance with state and federal regulations, subject to the following conditions:
- a. All compost sites shall be evaluated for suitability by a properly qualified professional, including benchmark water testing prior to approval.
 - b. Provisions shall be made to avoid surface and groundwater pollution.
 - c. Provisions shall be made to counteract vermin, insects and odors.
 - d. Must comply with all applicable state department of environmental protection and state department of agriculture rules and regulations and best management practices.
 - e. Shall not be located within the Lake Auburn Watershed Overlay District.

(16) Licensed kennels subject to the following conditions:

- a. Minimum lot size of the zoning district or three acres, whichever is greater.**
- b. Residential dwelling unit(s) shall not be allowed as an accessory to a kennel.**
- c. The licensed kennel operates for the purpose of overnight care or long-term care and not for daycare.**

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

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDINANCE 10-09112017

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

DIVISION 2. - AGRICULTURE AND RESOURCE PROTECTION DISTRICT

Sec. 60-144. - Purpose.

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

(Ord. of 9-21-2009, § 3.31A)

Sec. 60-145. - Use regulations.

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

- (1) One-family detached dwellings, including manufactured housing subject to all the design standards, except the siting requirements of section 60-173, as set forth in article XII of this chapter, accessory to farming operations subject to the following restrictions:
 - a. No certificate of occupancy shall be issued for any such farm residence until the barns, livestock pens, silos, or other such buildings or structures which are to be erected in connection with the proposed agricultural use as shown on the plans and specifications presented to the municipal officer charged with enforcement are substantially completed.
 - b. In no case shall any farm residence constructed under the provisions of this section after the effective date of the amended ordinance from which this section is derived continue to be occupied as a residence if the principal agricultural use has been abandoned or reduced in scope below the minimum requirements as shown on the plans and specifications presented to the municipal officer charged with enforcement.
 - c. Any residence constructed under this article shall not be converted to nonfarm residential use except by permission of the planning board based upon a finding that the abandonment or

reduction in such use resulted from causes beyond the control of the applicant and not from any intention to circumvent the requirements of this article.

- (2) Buildings, equipment and machinery accessory to the principal use including, but not limited to: barns silos, storage buildings and farm automobile garages.
 - (3) Forest products raised for harvest.
 - (4) Field crop farms.
 - (5) Row crop farms.
 - (6) Orchard farms.
 - (7) Truck gardens.
 - (8) Plant and tree nurseries.
 - (9) Greenhouses.
 - (10) Handling, storage and sale of agriculture produce and processed agricultural products derived from produce grown on the premises.
 - (11) Livestock operations including poultry farms, cattle farms, dairy farms, stud farms, hog farms, sheep ranches, other animal farms, including farms for raising fur-bearing animals.
 - (12) Wayside stands.
 - (13) Two-family dwellings which are created from the conversion of a one-family dwelling structure which was constructed prior to 1900.
- (b) *Special exception uses.* The following uses are permitted by special exception after approval by the planning board in accordance with the provisions of division 3 of article XVII of this chapter:
- (1) Sawmills and their customary accessory land uses and buildings incidental to the harvesting of forest products, subject to the following conditions:
 - a. Sawmill and accessory activity shall not be detrimental to the neighborhood or the city by reason of special danger of fire or explosion, pollution of rivers or perennial streams or accumulation of refuse.
 - b. Wood processing operation shall be located no closer than 75 feet from any river or perennial stream, 250 feet from any zoning district boundary or residential dwelling and shall be limited to four persons employed.
 - c. Where natural vegetation is removed, it shall be replaced within six months with other vegetation which will be equally effective in retarding erosion and will preserve natural beauty.
 - (2) Veterinary hospitals, where operated by licensed veterinarians, including offices and facilities for temporarily boarding animals.
 - (3) Handling, storage and sale of agricultural services, equipment, and supplies accessory to the farming use.
 - (4) Bona fide residences required for farm labor. Any residence constructed for farm labor shall not be converted to nonfarm residential use except by permission of the planning board based upon a finding that the abandonment or reduction in such use resulted from causes beyond the control of the applicant and not from any intention to circumvent the requirements of this division. The findings and the conditions upon which such altered use may be continued shall be made a part of the permanent records.
 - (5) Recreational uses of land intended or designed for public use subject to the following conditions:

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



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

Jonathan P. LaBonte, Mayor

- a. No such recreational use shall be expanded or extended so as to occupy additional land area greater than 20 percent of the original area or one acre, whichever is less; or by the construction of a structure or an addition to an existing structure by more than 900 square feet of additional floor space unless the owner or occupant first obtains approval of the planning board in the manner and upon the same terms as approvals of initial recreational uses.
 - b. Any proposed new or expanded recreational use shall be completed on or before the estimated completion date except that the planning board may grant reasonable extension of time where good cause for the failure to complete is shown.
- (6) Any legally nonconforming summer camp or cottage may be rebuilt if destroyed by fire or other casualty, subject to the following conditions:
- a. Such reconstruction shall comply with all ordinances applicable to new construction. Such reconstruction need not, however, comply with zoning provisions which would otherwise be applicable except for the provisions of article XII of this chapter.
 - b. In cases where no minimum setback is established by division 5 of article XII of this chapter an open yard space of at least ten feet between the building as reconstructed and each of the property lines shall be maintained.
- (7) Rifle, pistol, skeet or trap shooting ranges, public or private.
- (8) Cemeteries, subject to the following conditions:
- a. At least 20 acres in area.
 - b. Not located in any environmental overlay district or over any known aquifer.
- (9) Municipal sanitary landfills, subject to the following conditions:
- a. Not located in any environmental overlay district or over any known aquifer.
 - b. Provisions shall be made to avoid surface water and groundwater pollution.
 - c. Provisions shall be made for frequent covering of deposited wastes with earth to counteract vermin, insects, odors, and windblown debris.
- (10) Radio, radar, television and radio telephone transmitting or broadcasting towers, but not studios or offices for such transmitting or broadcasting, provided that:
- a. Every such tower shall be installed in a location and manner that ensures its safe operation and the safety of the surrounding residents, building occupants, land uses and properties.
 - b. In no case shall such tower be located less than one and one-half times its height from the nearest property line.
- (11) Wholesale nurseries, subject to the following conditions:
- a. At least one-half of the area of the lot (up to a maximum of three acres) is in active nursery production in a husband type manner.
 - b. The plants and trees propagated, grown and nurtured in the nursery are used as the primary products by the owner/operator of the landscape service.

- (12) Processing and storage of compost and bulking agents from the municipal wastewater sewerage sludge facilities provided that:
- a. All compost and amendments are to be stored undercover or screened from the public way and abutting property as determined by the planning board.
 - b. All federal, state and local ordinances and laws relating to the processing and storage of waste are complied with.
 - c. An end-use plan must be filed as part of the planning board process.
- (13) Licensed hospice care facility provided that it shall be licensed by the state as a Medicare certificate hospice.
- (14) Slaughterhouse, stockyard, abattoir, dressing plant in compliance with state and federal regulations subject to the following conditions:
- a. The facility shall not be located within the Lake Auburn Watershed Overlay District, the Watershed of Taylor Pond, the Shoreland Overlay District or the Floodplain Overlay District.
 - b. The proposed use shall not occupy more than 10,000 square feet of building area.
 - c. The number of employees shall be limited to not more than 15.
 - d. Accessory retail sales shall be limited to 10 percent of building area or 1,000 square feet, whichever is smaller.
 - e. Hours of operation shall limited to between 6 a.m. and 8 p.m.
- (15) Compost operations, excluding municipal and industrial waste, to process products such as manure, bedding, animal mortalities, waste feed, produce, forestry by-products, leaves and yard trimmings in compliance with state and federal regulations, subject to the following conditions:
- a. All compost sites shall be evaluated for suitability by a properly qualified professional, including benchmark water testing prior to approval.
 - b. Provisions shall be made to avoid surface and groundwater pollution.
 - c. Provisions shall be made to counteract vermin, insects and odors.
 - d. Must comply with all applicable state department of environmental protection and state department of agriculture rules and regulations and best management practices.
 - e. Shall not be located within the Lake Auburn Watershed Overlay District.

(16) Licensed kennels subject to the following conditions:

- a. Minimum lot size of the zoning district or three acres, whichever is greater.**
- b. Residential dwelling unit(s) shall not be allowed as an accessory to a kennel.**
- c. The licensed kennel operates for the purpose of overnight care or long-term care and not for daycare.**

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

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

Jonathan P. LaBonte, Mayor



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: September 18, 2017 **Order:** 81-09112017

Author: Kelsey Earle, License Specialist

Subject: Automobile Graveyard/Junkyard permits renewals

Information: This is an annual renewal of currently existing Automobile Graveyard/Junkyards in Auburn. Reminder letters and applications were sent out 08/03/2017. Inspections have been made. Council approval is required for renewal of these licenses. Because this is a renewal, it *does not* require a public hearing. Inspections have been conducted by the Code and Fire Departments and have passed inspection with the condition by the Code office that a section of the fence be repaired.

Title 30-A, Sec. 3754 states *“Municipal officers or county commissioners, as provided for in section 3753, shall hold a public hearing before granting a permit to establish a new automobile graveyard, automobile recycling business or junkyard and may hold public hearings annually regarding the relicensing of these facilities”*.

Advantages: Allows existing taxpaying businesses to continue operating as long as they meet requirements. Junkyards provide a special service; to both people searching for inexpensive car parts and to the environment, since they reuse valuable vehicle parts that would otherwise go to waste.

Disadvantages: Junkyards can potentially be a source of pollution if they are not properly maintained and regulated.

City Budgetary Impacts: N/A

Staff Recommended Action: Consider renewal.

Previous Meetings and History: Annual Renewal

Attachments:

1. Automobile Graveyard/Junkyard applications
2. Inspection Memo – Eric Cousens (Economic and Community Development)
3. Inspection Memo – David O’Connell (Fire Department)
4. 30-A §3753, 30-A §3754
5. Order 81-09112017

AUBURN FIRE DEPARTMENT

Office of Fire Prevention



David N. O'Connell
Fire Inspector/Fire Investigator
doconnell@auburnmaine.gov

Sarah L. Hulbert
Fire Prevention Planner
shulbert@auburnmaine.gov

To: Mayor and City Council

From: David O'Connell, Fire Prevention Officer

Re: 2017 Junkyard License Inspections

Date: September 11, 2017

The City Clerk requested that this office inspect licensed junkyards which have applied for license renewals - prior to the Council's consideration of their applications. Inspections were completed by September 7, 2017, and crews found the following:

Randy's Auto Parts, 899 Broad St.: No deficiencies noted after inspection. Fire Department approves.

M & P Auto, Inc., 227 Merrow Rd.: No deficiencies noted after inspection. Fire Department approves.

Isadore, 78 & 80 Hotel Rd.: Site is vacant; no buildings. No comments or concerns.

Prolerized New England Company, 522 Washington St. N.: Fire Department approves.

Morris Auto Mart, 940 Washington St. N.: Fire Department approves.

TY Auto, 249 Merrow Rd.: Fire Department approves.

Sincerely,

David O'Connell



City of Auburn, Maine

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

To: Mayor and City Council
From: Eric J. Cousens, Deputy Director of Economic and Community Development
Re: 2017 Junkyard License Inspections
Date: August 24, 2017

The City Clerk requested that this office inspect licensed junkyards that have applied for license renewals prior to the Council's consideration of their application. Inspections were completed during the month of August and staff found the following:

In general there are still more cars stored at junkyards in Auburn than usual. It is normal to see fluctuations in storage as worldwide prices for scrap metal fluctuate. I was told this year that steel prices are rising and they are starting to sell more of their scrap cars again.

Randy's Auto Parts - 899 Broad St. - No concerns. The site is meeting junkyard requirements.

M & P Auto, Inc. - 227 Merrow Rd. - No Concerns. The site is meeting junkyard requirements.

Morris Auto Parts - 940 Washington ST. N – Over the last few years the inspections revealed that there were some operational violations and we have worked closely with this business since then. They have made substantive management and operational changes and are operating mostly in compliance with the applicable junkyard requirements. They need to make some repairs to their screening along Washington Street for full compliance and they have promised that they will do so by September 8th.

Prolerized New England Company – 522 Washington Street- No concerns. The site is meeting junkyard requirements.

Isadore T. Miller Co. – 78 & 80 Hotel Road - No concerns. The site is mostly empty and still meeting junkyard requirements.

Ty Auto - 249 Merrow Road - No concerns. The site is mostly cleared and still meeting junkyard requirements.

Maine Revised Statutes
Title 30-A: MUNICIPALITIES AND COUNTIES
Chapter 183: ECONOMIC REGULATION

§3753. PERMIT REQUIRED

A person may not establish, operate or maintain an automobile graveyard, automobile recycling business or junkyard without first obtaining a nontransferable permit from the municipal officers of the municipality in which the automobile graveyard, automobile recycling business or junkyard is to be located, or from the county commissioners of the county of any unorganized territory in which the automobile graveyard, automobile recycling business or junkyard is to be located. Permits issued to an automobile graveyard or junkyard under this section are valid until the first day of the following year; except that, beginning in calendar year 2004, permits issued to an automobile graveyard or junkyard under this section are valid until the first day of October of the following year. Permits issued to an automobile recycling business under this section are valid for 5 years from the date of issuance and are renewable provided that the permit holder furnishes a sworn statement, annually, on the anniversary date of the granting of the permit, that the facility complies with the standards of operation applicable at the time of issuance of the permit. A person operating a business that involves the recycling of automobiles may operate under a permit for an automobile graveyard or a permit for an automobile recycling business. [2003, c. 312, §7 (AMD).]

SECTION HISTORY

1987, c. 737, §§A2,C106 (NEW). 1989, c. 6, (AMD). 1989, c. 9, §2 (AMD). 1989, c. 104, §§C8,10 (AMD). 1993, c. 173, §4 (AMD). 2003, c. 312, §7 (AMD).

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

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

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

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

Maine Revised Statutes
Title 30-A: MUNICIPALITIES AND COUNTIES
Chapter 183: ECONOMIC REGULATION

§3754. HEARINGS

Municipal officers or county commissioners, as provided for in section 3753, shall hold a public hearing before granting a permit to establish a new automobile graveyard, automobile recycling business or junkyard and may hold public hearings annually regarding the relicensing of these facilities. Municipal officers or county commissioners shall require an applicant to provide proof of mailing the notice of the application to all abutting property owners. Municipal officers or county commissioners shall also post a notice of the hearing at least 7 and not more than 14 days before the hearing in at least 2 public places in the municipality or unorganized territory and publish a notice in one newspaper having general circulation in the municipality or unorganized territory in which the automobile graveyard, automobile recycling business or junkyard is to be located. The municipal officers or county commissioners shall give written or electronic notice of the application to establish a new automobile graveyard or automobile recycling business to the automobile dealer licensing section of the Department of the Secretary of State, Bureau of Motor Vehicles by mailing a copy of the application at least 7 and not more than 30 days before the hearing. The municipal officers or county commissioners shall give written notice of the application to the public water supplier if the application is for an automobile graveyard, automobile recycling business or junkyard located within the supplier's source water supply area. The notice may be given by mailing a copy of the application at least 7 and not more than 14 days before the hearing. [2005, c. 424, §2 (AMD).]

SECTION HISTORY

1987, c. 737, §§A2,C106 (NEW). 1989, c. 6, (AMD). 1989, c. 9, §2 (AMD). 1989, c. 104, §§C8,10 (AMD). 1993, c. 173, §4 (AMD). 1999, c. 761, §5 (AMD). 2003, c. 312, §8 (AMD). 2005, c. 424, §2 (AMD).

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--



Auto Salvage

AUTOMOBILE GRAVEYARD/JUNKYARD PERMIT APPLICATION

To the City of Auburn, County of Androscoggin, Maine:

I/We Donald Sturmain hereby
Make application for a permit to establish, operate or maintain an Automobile Graveyard and/or
Junkyard at the following described location and in accordance with the provisions of Title 30-A
MRSA Sections 3751-3760.

Physical Address: 940 WASHINGTON ST N.

Mailing Address: PO Box 283
Auburn ME 04812-0283

Phone Number: 207 7844619 OR 207 7847374

E-Mail: donaldst@yaho.com

Answer all questions in full.

1. Where is the location of the Automobile Graveyard and/or Junkyard?
940 WASHINGTON ST N.

2. Is this application made by or for a company, partnership, corporation or individual:

3. Is this property leased? No Property owned by: Donald Sturmain
Address: 940 WASHINGTON ST N.

4. How is "yard" screened?
 Fence (type) wood Height: 6' & 7' Red TRUCK
 Trees (type) _____



City of Auburn, Maine

Office of The City Clerk

www.auburnmaine.gov | 60 Court Street

Auburn, Maine 04210

207.333.6601

- Embankment: _____
- Gully: _____
- Hill: _____
- Other: _____

5. How far is edge of "yard" from center of highway?

40 feet

6. Can junk be seen from any part of highway? Yes ? No NO

7. Were Junkyard Law, Requirements and Fees explained to you? Yes X No _____

8. Is any portion of this "yard" on public property? Yes _____ No X

9. Is "yard" within 300 feet of a Public Park, Public Playground, Public Bathing Beach, School, Church or Cemetery? Yes _____ No X

10. When was "yard" established? 1938 By whom? MORRIS BARKES

11. When was last permit issued? 2017 By whom? DONALD SOBELMAN

The undersigned certified that the above information is true and correct to the best of his/her knowledge and that he/she is the owner or agent of the property or that he/she has been duly authorized by the owner, individual, partnership, company or corporation to make this application and to receive the permit under the law.

Signed by: [Signature] for: DONALD B.A. MORRIS Auto Parts Sales
Name of Company, Corporation, Partnership or Individual

Address: 940 W ASHINGTON ST. N

Make complete sketch of "yard". Show footage of all sides and location in relationship to adjacent properties. Show distance (in feet) from edge of "yard" to center of highway. Fill in Route Number or Local Road Name. Name of nearest City/Town in each direction. Distance from nearest intersection, bridge or other known reference point.

Tax Map No. _____

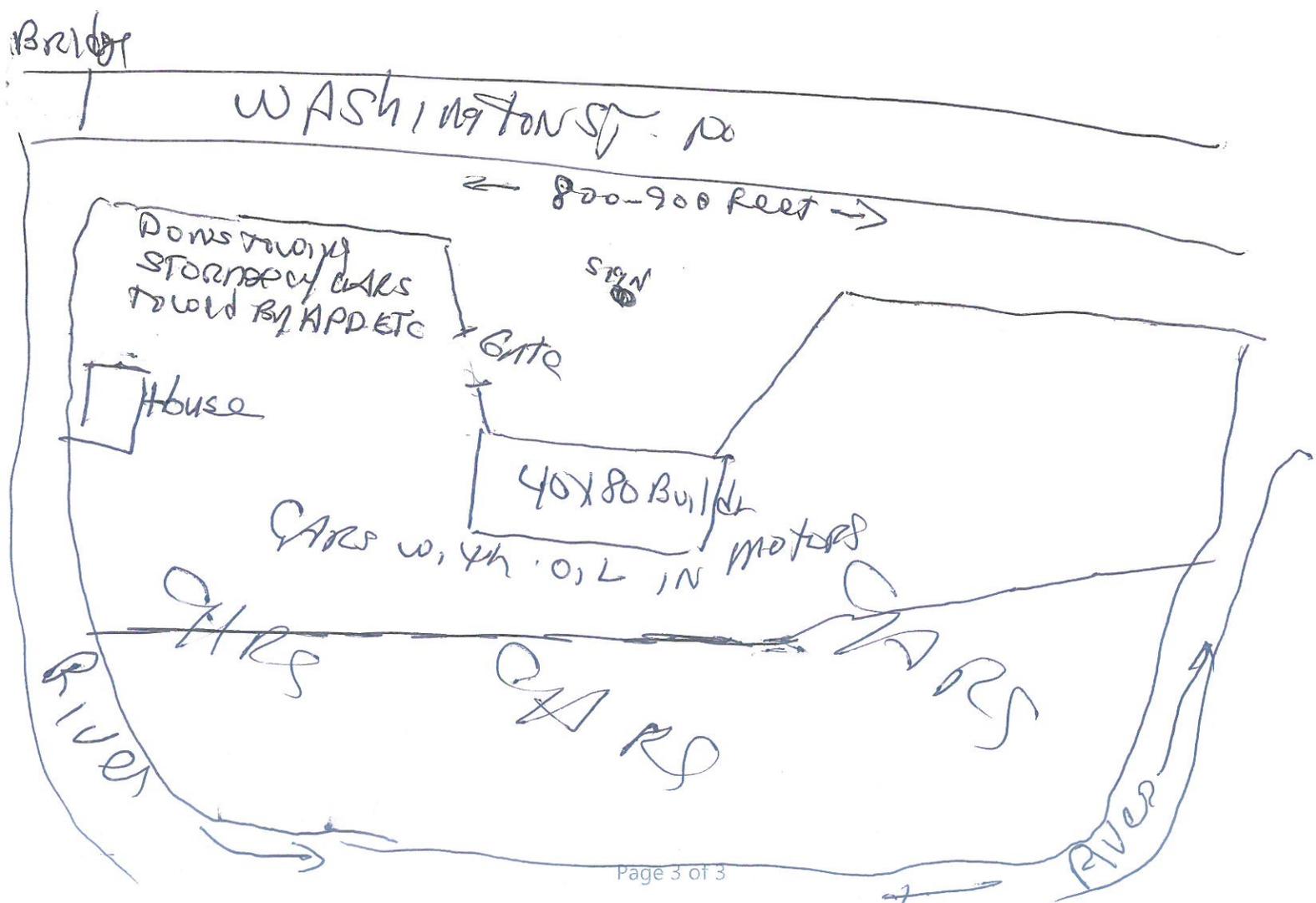
Lot No. _____

Zone _____

Check correct direction:

- North
- East
- West
- South

- 1 copy of application to City
- 1 copy of application to Applicant
- 1 copy of application to State Police, Augusta
- 1 Copy of application to Dept. of Transportation, Augusta (Right of Way Division)



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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 81-09112017

ORDERED, that the City Council hereby approves the annual renewal request for an Auto Graveyard/Junkyard permit for Don's No Preference Towing of L/A, Inc., dba Morris Auto Parts, 940 Washington St. North.



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: 9/18/2017 **Order:** 89-09182017

Author: Sue Clements-Dallaire, City Clerk

Subject: Designating Official Voting Delegates for Auburn to the Maine Municipal Association (MMA) Annual Business Meeting

Information: The Maine Municipal Association's Annual Business meeting will take place on Oct. 4, 2017 at 1:30 PM in Augusta. Municipal officers may designate their municipality's voting representative and alternate. Please see the attached memo.

Advantages: Provides Auburn representation

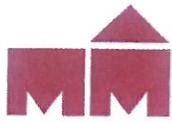
Disadvantages: None

City Budgetary Impacts: None

Staff Recommended Action: Recommend passage

Previous Meetings and History: N/A

Attachments: Memo from MMA, MMA Annual Business Meeting Agenda, MMA Voting Delegate Credential Form, and Order 89-09182017



Maine Municipal
Association

60 COMMUNITY DRIVE
AUGUSTA, MAINE 04330-9486
(207) 623-8428
www.memun.org

MEMORANDUM

TO: Key Municipal Officials of MMA Member Cities, Towns and Plantations

FROM: Stephen W. Gove, Executive Director

DATE: September 1, 2017

SUBJECT: Voting Credentials for MMA Annual Business Meeting

The Maine Municipal Association Annual Business Meeting is being held in conjunction with the MMA Annual Convention and will take place on **Wednesday, October 4, 2017, at 1:30 p.m. in the Cumberland Room at the Augusta Civic Center.** The MMA Bylaws entitle each member community to one (1) voting representative.

Enclosed please find the ***MMA Voting Delegates Credential Form*** on which the municipal officers may designate their municipality's voting representative and alternate. We have also attached the Proposed Agenda for the MMA Annual Business Meeting for your reference. The current MMA Bylaws as adopted in 2013 will be available at the MMA Annual Business Meeting or may be viewed on the MMA website at:

<http://www.memun.org/public/MMA/Gov/bylaws.pdf>.

Please note that the MMA Executive Committee is not putting forth any proposed amendments to the MMA bylaws for this year. If you plan to be at the MMA Annual Convention and would like to have a Voting Delegate represent your municipality, please complete the MMA Voting Delegate Credential Form and return to our office by **Tuesday, October 3, 2017** or bring it with you to the MMA Annual Business Meeting. We have provided a self-addressed, self-stamped envelope for your convenience.

We look forward to seeing you at this year's 81st MMA Annual Convention at the Augusta Civic Center. We have a great line up of speakers, workshops and networking opportunities at this year's convention. If you have any questions on this information, please contact Theresa Chavarie at 1-800-452-8786 ext. 2211 or in the Augusta area at 623-8428.

**Maine Municipal Association
Annual Business Meeting
Wednesday, October 4, 2017
1:30 – 2:15 p.m.
Augusta Civic Center, Augusta, Maine
Cumberland Room**

PROPOSED AGENDA

1. **Introductions and Welcoming Remarks** – MMA President Laurie Smith
(Town Manager, Kennebunkport)
2. **Approval of 2016 MMA Annual Business Meeting Minutes** – Laurie Smith
3. **Introduction of New Executive Committee Members** – Laurie Smith
4. **MMA President's Report** – Laurie Smith
5. **Executive Director's Report** – Stephen Gove, MMA Executive Director
6. **Other Business** (*comments from the floor*)
7. **Adjournment**

MAINE MUNICIPAL ASSOCIATION
VOTING DELEGATE CREDENTIALS

_____ is hereby designated as the official Voting Delegate and
(name)
_____ as the alternate voting delegate for _____
(name) (municipality)
to the Maine Municipal Association Annual Business Meeting which is scheduled to be held,
Wednesday, October 4, 2017, 1:30 p.m., at the Augusta Civic Center, Augusta, Maine.

The Voting Delegate Credentials may be cast by a majority of the municipal officers, or a municipal official designated by a majority of the municipal officers of each Municipal member.

Date: _____ Municipality: _____

Signed by a Municipal Official designated by a majority of Municipal Officers:

Name: _____ Position: _____

Or Signed by a Majority of Municipal Officers:

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Please return this form no later than **Tuesday, October 3, 2017** or bring it with you to the MMA Annual Business Meeting. If mailing, send to:

MMA Annual Business Meeting
Maine Municipal Association
60 Community Drive
Augusta, Maine 04330
FAX: 207-626-3358

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 89-09182017

ORDERED, that the City Council hereby designates Robert Stone as the official Voting Delegate and Denise Clavette as alternate Voting Delegate for Auburn to the Maine Municipal Association Annual Business Meeting scheduled for Wednesday, October 4, 2017 at the Augusta Civic Center, Augusta, Maine.



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: September 18, 2017

Order: 90-09182017

Author: Sue Clements-Dallaire, City Clerk

Subject: Appointing Jody Durisko to the Lewiston-Auburn Transit Committee (LATC)

Information: Passage of this order would be to confirm the appointment of Jody Durisko, Executive Assistant to City Manager to the Lewiston-Auburn Transit Committee, a seat previously held by former Karen Veilleux with a term expiration of 7/1/2019.

Advantages: It fills this Auburn seat and provides representation of the viewpoints of the city.

Disadvantages: None.

City Budgetary Impacts: N/A

Staff Recommended Action: Recommend passage.

Previous Meetings and History: N/A

Attachments: Order 90-09182017

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 90-09182017

ORDERED, that the City Council hereby confirms the appointment of Jody Durisko, to the Lewiston-Auburn Transit Committee (LATC) with a term expiration of 07/01/2019.

City of Auburn, Maine

"Maine's City of Opportunity"

Financial Services



TO: Peter Crichton, City Manager

FROM: Jill Eastman, Finance Director

REF: August 2017 Financial Report

DATE: September 12, 2017

The following is a discussion regarding the significant variances found in the City's August 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 second month of the current fiscal year. As a guideline for tracking purposes, revenues and expenditures should amount to approximately 16.66% 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.

Balance Sheet

The following are significant variances from July:

- A. Taxes Receivable-Current and Deferred Revenue have both decreased due to the tax payments received in August. These two accounts are directly related to each other.

Revenues

Revenues, for the City, collected through August 31st were \$7,533,651, or 12.62%, of the budget, which is lower than last year at this time by 0.03%. The accounts listed below are noteworthy.

- A. Excise taxes of \$679,517-up \$16,247 over last year.
- B. Property tax revenue of \$5,223,716 an increase over last year of \$28,457.

C. State Revenue Sharing for the month of August is 16.77% or \$253,039. This is an increase over last year of \$18,185.

D. Homestead Exemption for the month of August is \$821,845 or \$252,757 more than last year.

Expenditures

City expenditures through August 31st were \$4,469,533, or 10.71%, of the budget as compared to last year at \$4,508,103 or 11.33%. Noteworthy variances are:

Most of the operating departments are in line with last year at this time. LA 911 is lower than last year due to the timing of the subsidy payments.

Investments

This section contains an investment schedule as of August 31st with a comparison to August 31st. Currently the City's funds are earning an average interest rate of .72%.

Respectfully submitted,



Jill M. Eastman
Finance Director

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

ASSETS	UNAUDITED August 31 2017	UNAUDITED July 31 2017	Increase (Decrease)	AUDITED JUNE 30 2016
CASH	\$ 12,768,632	\$ 9,642,275	\$ 3,126,357	\$ 11,951,131
RECEIVABLES			-	
ACCOUNTS RECEIVABLES	1,648,903	2,312,484	(663,581)	2,429,419
TAXES RECEIVABLE-CURRENT	40,802,001	45,861,686	(5,059,685)	37,898
DELINQUENT TAXES	682,599	684,621	(2,022)	571,005
TAX LIENS	1,375,385	1,456,025	(80,640)	1,721,395
NET DUE TO/FROM OTHER FUNDS	2,832,645	3,606,954	(774,309)	266,370
TOTAL ASSETS	\$ 60,110,165	\$ 63,564,045	\$ (3,453,880)	\$ 16,977,218
 LIABILITIES & FUND BALANCES				
ACCOUNTS PAYABLE	\$ (29,147)	\$ (411,916)	\$ 382,769	\$ (1,935,471)
PAYROLL LIABILITIES	(1,534,320)	(1,828,116)	293,796	-
ACCRUED PAYROLL	-	(2,501,981)	2,501,981	(2,329,832)
STATE FEES PAYABLE	(55,334)	(66,009)	10,675	-
ESCROWED AMOUNTS	(2,826)	(2,826)	0	(6,039)
DEFERRED REVENUE	(42,694,504)	(47,942,781)	5,248,277	(1,860,686)
TOTAL LIABILITIES	\$ (44,316,130)	\$ (52,753,629)	\$ 8,437,499	\$ (6,132,028)
FUND BALANCE - UNASSIGNED	\$ (14,703,082)	\$ (9,719,463)	\$ (4,983,619)	\$ (8,018,394)
FUND BALANCE - RESTRICTED FOR WORKERS COMP & UNEMPLOYMENT	776,017	776,017	-	
FUND BALANCE - RESTRICTED	(1,866,970)	(1,866,970)	0	(2,826,796)
TOTAL FUND BALANCE	\$ (15,794,035)	\$ (10,810,416)	\$ (4,983,619)	\$ (10,845,190)
TOTAL LIABILITIES AND FUND BALANCE	\$ (60,110,165)	\$ (63,564,045)	\$ 3,453,880	\$ (16,977,218)

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

REVENUE SOURCE	FY 2018 BUDGET	ACTUAL REVENUES THRU AUG 2017	% OF BUDGET	FY 2017 BUDGET	ACTUAL REVENUES THRU AUG 2016	% OF BUDGET	VARIANCE
TAXES							
PROPERTY TAX REVENUE-	\$ 48,061,530	\$ 5,223,716	10.87%	\$ 46,032,435	\$ 5,195,259	11.29%	\$ 28,457
PRIOR YEAR TAX REVENUE	\$ -	\$ 217,008		\$ -	\$ 179,822		\$ 37,186
HOMESTEAD EXEMPTION REIMBURSEMENT	\$ 1,015,000	\$ 821,845	80.97%	\$ 750,000	\$ 569,088	75.88%	\$ 252,757
EXCISE	\$ 3,810,000	\$ 679,517	17.84%	\$ 3,365,000	\$ 663,270	19.71%	\$ 16,247
PENALTIES & INTEREST	\$ 150,000	\$ 14,727	9.82%	\$ 150,000	\$ 17,499	11.67%	\$ (2,772)
TOTAL TAXES	\$ 53,036,530	\$ 6,956,813	13.12%	\$ 50,297,435	\$ 6,624,938	13.17%	\$ 331,875
LICENSES AND PERMITS							
BUSINESS	\$ 62,000	\$ 3,410	5.50%	\$ 48,000	\$ 6,075	12.66%	\$ (2,665)
NON-BUSINESS	\$ 345,000	\$ 23,059	6.68%	\$ 427,384	\$ 100,256	23.46%	\$ (77,197)
TOTAL LICENSES	\$ 407,000	\$ 26,469	6.50%	\$ 475,384	\$ 106,331	22.37%	\$ (79,862)
INTERGOVERNMENTAL ASSISTANCE							
STATE-LOCAL ROAD ASSISTANCE	\$ 400,000	\$ -	0.00%	\$ 400,000	\$ -	0.00%	\$ -
STATE REVENUE SHARING	\$ 1,509,117	\$ 253,039	16.77%	\$ 1,468,313	\$ 234,854	15.99%	\$ 18,185
WELFARE REIMBURSEMENT	\$ 95,000	\$ 22,979	24.19%	\$ 59,000	\$ -	0.00%	\$ 22,979
OTHER STATE AID	\$ 32,000	\$ 472	1.48%	\$ 22,000	\$ -	0.00%	\$ 472
CITY OF LEWISTON	\$ 228,384	\$ -	0.00%	\$ 160,000	\$ -	0.00%	\$ -
TOTAL INTERGOVERNMENTAL ASSISTANCE	\$ 2,264,501	\$ 276,491	12.21%	\$ 2,109,313	\$ 234,854	11.13%	\$ 41,637
CHARGE FOR SERVICES							
GENERAL GOVERNMENT	\$ 144,440	\$ 22,890	15.85%	\$ 132,640	\$ 14,315	10.79%	\$ 8,575
PUBLIC SAFETY	\$ 236,277	\$ 5,014	2.12%	\$ 139,077	\$ 11,340	8.15%	\$ (6,326)
EMS TRANSPORT	\$ 1,250,000	\$ 160,137	12.81%	\$ 1,250,000	\$ 183,491	14.68%	\$ (23,354)
TOTAL CHARGE FOR SERVICES	\$ 1,630,717	\$ 188,042	11.53%	\$ 1,521,717	\$ 209,146	13.74%	\$ (21,104)
FINES							
PARKING TICKETS & MISC FINES	\$ 70,000	\$ 6,636	9.48%	\$ 65,000	\$ 10,441	16.06%	\$ (3,805)
MISCELLANEOUS							
INVESTMENT INCOME	\$ 32,000	\$ 5,200	16.25%	\$ 10,000	\$ 2,676	26.76%	\$ 2,524
RENTS	\$ 35,000	\$ 10,923	31.21%	\$ 18,000	\$ 6,015	33.42%	\$ 4,908
UNCLASSIFIED	\$ 10,000	\$ 13,515	135.15%	\$ 10,000	\$ 15,142	151.42%	\$ (1,627)
COMMERCIAL SOLID WASTE FEES	\$ -	\$ 11,576		\$ -	\$ 10,845		\$ 731
SALE OF PROPERTY	\$ 20,000	\$ 2,358	11.79%	\$ 20,000	\$ 10,239	51.20%	\$ (7,881)
RECREATION PROGRAMS/ARENA	\$ -	\$ -		\$ -	\$ -		\$ -
MMWAC HOST FEES	\$ 215,000	\$ 35,628	16.57%	\$ 210,000	\$ 35,109	16.72%	\$ 519
TRANSFER IN: TIF	\$ 1,287,818	\$ -	0.00%	\$ 1,537,818	\$ -	0.00%	\$ -
TRANSFER IN: REC SPEC REVENUE	\$ 54,718	\$ -	0.00%	\$ 54,718	\$ -	0.00%	\$ -
ENERGY EFFICIENCY	\$ -	\$ -		\$ -	\$ 1,625		\$ (1,625)
CDBG	\$ 214,430	\$ -	0.00%	\$ 254,127	\$ -	0.00%	\$ -
UTILITY REIMBURSEMENT	\$ 27,500	\$ -	0.00%	\$ 27,500	\$ -	0.00%	\$ -
CITY FUND BALANCE CONTRIBUTION	\$ 412,500	\$ -	0.00%	\$ 825,000	\$ -	0.00%	\$ -
TOTAL MISCELLANEOUS	\$ 2,308,966	\$ 79,199	3.43%	\$ 2,967,163	\$ 81,651	2.75%	\$ (2,452)
TOTAL GENERAL FUND REVENUES	\$ 59,717,714	\$ 7,533,651	12.62%	\$ 57,436,012	\$ 7,267,361	12.65%	\$ 266,290
SCHOOL REVENUES							
EDUCATION SUBSIDY	\$ 22,039,568	\$ 1,779,148	8.07%	\$ 21,373,337	\$ 1,694,197	7.93%	\$ 84,951
EDUCATION	\$ 811,744	\$ 8,337	1.03%	\$ 814,540	\$ 40,316	4.95%	\$ (31,979)
SCHOOL FUND BALANCE CONTRIBUTION	\$ 906,882	\$ -	0.00%	\$ 906,882	\$ -	0.00%	\$ -
TOTAL SCHOOL	\$ 23,758,194	\$ 1,787,485	7.52%	\$ 23,094,759	\$ 1,734,513	7.51%	\$ 52,972
GRAND TOTAL REVENUES	\$ 83,475,908	\$ 9,321,136	11.17%	\$ 80,530,771	\$ 9,001,874	11.18%	\$ 319,261

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

DEPARTMENT	FY 2018 BUDGET	Unaudited EXP THRU AUG 2017	% OF BUDGET	FY 2017 BUDGET	Unaudited EXP THRU AUG 2016	% OF BUDGET	VARIANCE
ADMINISTRATION							
MAYOR AND COUNCIL	\$ 80,300	\$ 2,785	3.47%	\$ 78,464	\$ 10,265	13.08%	\$ (7,480)
CITY MANAGER	\$ 581,170	\$ 78,127	13.44%	\$ 378,880	\$ 50,500	13.33%	\$ 27,627
CITY CLERK	\$ 181,332	\$ 25,676	14.16%	\$ 177,906	\$ 20,333	11.43%	\$ 5,343
FINANCIAL SERVICES	\$ 675,239	\$ 105,206	15.58%	\$ 637,754	\$ 91,651	14.37%	\$ 13,555
HUMAN RESOURCES	\$ 156,887	\$ 27,326	17.42%	\$ 150,435	\$ 13,565	9.02%	\$ 13,761
INFORMATION TECHNOLOGY	\$ 531,551	\$ 101,375	19.07%	\$ 479,324	\$ 95,305	19.88%	\$ 6,070
LEGAL SERVICES	\$ -	\$ -		\$ 45,650	\$ 10,934	23.95%	\$ (10,934)
TOTAL ADMINISTRATION	\$ 2,206,479	\$ 340,495	15.43%	\$ 1,948,413	\$ 292,553	15.01%	\$ 47,942
COMMUNITY SERVICES							
ECONOMIC & COMMUNITY DEVELOPMENT	\$ 1,717,028	\$ 145,787	8.49%	\$ 1,938,437	\$ 150,433	7.76%	\$ (4,646)
HEALTH & SOCIAL SERVICES	\$ 220,870	\$ 49,589	22.45%	\$ 171,474	\$ 28,925	16.87%	\$ 20,664
RECREATION & SPECIAL EVENTS*	\$ 388,581	\$ 41,165	10.59%	\$ 341,772	\$ 42,222	12.35%	\$ (1,057)
PUBLIC LIBRARY	\$ 998,189	\$ 166,365	16.67%	\$ 979,516	\$ 170,867	17.44%	\$ (4,502)
TOTAL COMMUNITY SERVICES	\$ 3,324,668	\$ 402,906	12.12%	\$ 3,431,199	\$ 392,447	11.44%	\$ 10,459
FISCAL SERVICES							
DEBT SERVICE	\$ 6,366,533	\$ 90,807	1.43%	\$ 6,406,845	\$ 90,807	1.42%	\$ -
FACILITIES	\$ 640,201	\$ 165,887	25.91%	\$ 645,756	\$ 308,325	47.75%	\$ (142,438)
WORKERS COMPENSATION	\$ 555,164	\$ -	0.00%	\$ 522,088	\$ -	0.00%	\$ -
WAGES & BENEFITS	\$ 5,960,970	\$ 924,743	15.51%	\$ 5,274,528	\$ 895,144	16.97%	\$ 29,599
EMERGENCY RESERVE (10108062-670000)	\$ 415,454	\$ -	0.00%	\$ 375,289	\$ -	0.00%	\$ -
TOTAL FISCAL SERVICES	\$ 13,938,322	\$ 1,181,437	8.48%	\$ 13,224,506	\$ 1,294,276	9.79%	\$ (112,839)
PUBLIC SAFETY							
FIRE DEPARTMENT	\$ 4,227,575	\$ 710,100	16.80%	\$ 4,049,396	\$ 602,649	14.88%	\$ 107,451
FIRE EMS	\$ 708,828	\$ 144,863	20.44%	\$ 590,997	\$ 160,388	27.14%	\$ (15,525)
POLICE DEPARTMENT	\$ 4,043,998	\$ 571,897	14.14%	\$ 3,875,113	\$ 499,671	12.89%	\$ 72,226
TOTAL PUBLIC SAFETY	\$ 8,980,401	\$ 1,426,860	15.89%	\$ 8,515,506	\$ 1,262,708	14.83%	\$ 164,152
PUBLIC WORKS							
PUBLIC SERVICES DEPARTMENT	\$ 4,611,116	\$ 529,128	11.48%	\$ 4,496,349	\$ 523,890	11.65%	\$ 5,238
SOLID WASTE DISPOSAL*	\$ 964,118	\$ 75,136	7.79%	\$ 932,689	\$ 73,418	7.87%	\$ 1,718
WATER AND SEWER	\$ 632,716	\$ 158,179	25.00%	\$ 599,013	\$ 146,627	24.48%	\$ 11,552
TOTAL PUBLIC WORKS	\$ 6,207,950	\$ 762,443	12.28%	\$ 6,028,051	\$ 743,935	12.34%	\$ 18,508
INTERGOVERNMENTAL PROGRAMS							
AUBURN-LEWISTON AIRPORT	\$ 167,800	\$ 164,992	98.33%	\$ 106,000	\$ 26,500	25.00%	\$ 138,492
E911 COMMUNICATION CENTER	\$ 1,088,857	\$ 451	0.04%	\$ 1,088,857	\$ 295,425	27.13%	\$ (294,974)
LATC-PUBLIC TRANSIT	\$ 189,949	\$ 189,949	100.00%	\$ 182,244	\$ 182,244	100.00%	\$ 7,705
LA ARTS	\$ -	\$ -		\$ -	\$ -		\$ -
TAX SHARING	\$ 270,000	\$ -	0.00%	\$ 270,000	\$ 18,015	6.67%	\$ (18,015)
TOTAL INTERGOVERNMENTAL	\$ 1,716,606	\$ 355,392	20.70%	\$ 1,647,101	\$ 522,184	31.70%	\$ (166,792)
COUNTY TAX							
TIF (10108058-580000)	\$ 2,296,224	\$ -	0.00%	\$ 2,167,824	\$ -	0.00%	\$ -
OVERLAY	\$ 3,049,803	\$ -	0.00%	\$ 2,824,803	\$ -	0.00%	\$ -
	\$ -	\$ -		\$ -	\$ -	0.00%	\$ -
							\$ -
TOTAL CITY DEPARTMENTS	\$ 41,720,453	\$ 4,469,533	10.71%	\$ 39,787,403	\$ 4,508,103	11.33%	\$ (38,570)
EDUCATION DEPARTMENT							
	\$ 41,755,455	\$ 1,391,485	3.33%	\$ 40,743,368	\$ 1,343,542	3.30%	\$ 47,943
TOTAL GENERAL FUND EXPENDITURES	\$ 83,475,908	\$ 5,861,018	7.02%	\$ 80,530,771	\$ 5,851,645	7.27%	\$ 9,373

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

INVESTMENT		FUND	BALANCE August 31, 2017	BALANCE July 31, 2017	INTEREST RATE
ANDROSCOGGIN BANK	449	CAPITAL PROJECTS	\$ 2,187,539.55	\$ 2,186,263.46	0.45%
ANDROSCOGGIN BANK	502	SR-TIF	\$ 1,009,455.25	\$ 1,008,866.42	0.45%
ANDROSCOGGIN BANK	836	GENERAL FUND	\$ 983,729.99	\$ 3,981,466.15	0.45%
ANDROSCOGGIN BANK	801	WORKERS COMP	\$ 50,428.93	\$ 50,399.52	0.45%
ANDROSCOGGIN BANK	748	UNEMPLOYMENT	\$ 50,428.82	\$ 50,399.41	0.45%
ANDROSCOGGIN BANK	684	EMS CAPITAL RESERVE	\$ 331,680.61	\$ 331,487.16	0.45%
NORTHERN CAPITAL	02155	CAPITAL PROJECTS	\$ 750,000.00	\$ 750,000.00	1.15%
NORTHERN CAPITAL	02155	GENERAL FUND	\$ 500,000.00	\$ 500,000.00	0.70%
NORTHERN CAPITAL	02155	GENERAL FUND	\$ 500,000.00	\$ 500,000.00	1.00%
NORTHERN CAPITAL	02155	GENERAL FUND	\$ 500,000.00	\$ 500,000.00	1.15%
NORTHERN CAPITAL	02155	GENERAL FUND	\$ 500,000.00	\$ 500,000.00	1.25%
GRAND TOTAL			\$ 6,363,263.15	\$ 10,358,882.12	0.72%

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

	Beginning	August 2017			Write-Offs	Ending
	Balance	New Charges	Payments	Adjustments		Balance
	08/01/17					8/31/2017
Bluecross	\$ 8,111.15	\$ 5,319.60	\$ (5,475.13)	\$ (4,872.25)		\$ 3,083.37
Intercept	\$ 200.00		\$ (200.00)			\$ -
Medicare	\$ 63,381.18	\$ 121,672.00	\$ (39,529.88)	\$ (55,181.71)		\$ 90,341.59
Medicaid	\$ 31,699.95	\$ 33,361.80	\$ (11,965.66)	\$ (12,712.88)		\$ 40,383.21
Other/Commercial	\$ 84,675.75	\$ 31,967.40	\$ (22,742.64)	\$ (11,404.45)		\$ 82,496.06
Patient	\$ 534,738.09	\$ 20,029.80	\$ (6,292.68)	\$ (2,254.12)	\$ (1,294.43)	\$ 544,926.66
Worker's Comp	\$ 1,843.79	\$ 685.00	\$ (872.40)			\$ 1,656.39
TOTAL	\$ 724,649.91	\$ 213,035.60	\$ (87,078.39)	\$ (86,425.41)	\$ (1,294.43)	\$ 762,887.28

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

	July 2017	August 2017	Adjustment	Totals	% of Total
No Insurance Information				\$ -	0.00%
Bluecross	\$ 7,616.80	\$ 5,319.60	\$ 873.80	\$ 13,810.20	3.56%
Intercept	\$ 200.00			\$ 200.00	0.05%
Medicare	\$ 93,981.80	\$ 121,672.00	\$ (15,883.80)	\$ 199,770.00	51.51%
Medicaid	\$ 29,998.80	\$ 33,361.80	\$ (190.20)	\$ 63,170.40	16.29%
Other/Commercial	\$ 26,335.20	\$ 31,967.40	\$ 16,778.60	\$ 75,081.20	19.36%
Patient	\$ 15,784.20	\$ 20,029.80	\$ (1,578.40)	\$ 34,235.60	8.83%
Worker's Comp	\$ 872.40	\$ 685.00		\$ 1,557.40	0.40%
TOTAL	\$ 174,789.20	\$ 213,035.60	\$ (0.00)	\$ 387,824.80	100.00%

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

	July 2017	August 2017	Adjustment	Totals	% of Total
No Insurance Information				0	0.00%
Bluecross	9	7		16	3.25%
Intercept	2			2	0.41%
Medicare	117	151		268	54.36%
Medicaid	39	44		83	16.84%
Other/Commercial	36	41		77	15.62%
Patient	20	25		45	9.13%
Worker's Comp	1	1		2	0.41%
TOTAL	224	269	0	493	100.00%

TOTAL REVENUE COLLECTED AS OF 08/31/17 \$160,137.47.

TOTAL EXPENDITURES AS OF 08/31/17 \$144,862.54.

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

	Current		31-60		61-90		91-120		121+ days		Totals	
Bluecross	\$ 3,128.21	78%	\$ 669.60	17%	\$ -	0%	\$ 671.00	17%	\$ (443.47)	-11%	\$ 4,025.34	0.53%
Intercept	\$ -		\$ -		\$ -		\$ -		\$ -		\$ -	0.00%
Medicare	\$ 50,031.71	96%	\$ 685.00	1%	\$ 1,324.68	3%	\$ 142.17	0%	\$ (294.70)	-1%	\$ 51,888.86	6.80%
Medicaid	\$ 38,040.90	70%	\$ 6,398.19	12%	\$ 3,258.99	6%	\$ 1,413.65	3%	\$ 5,462.50	10%	\$ 54,574.23	7.15%
Other/Commercial	\$ 32,276.16	42%	\$ 16,368.62	21%	\$ 5,971.35	8%	\$ 5,791.29	8%	\$ 16,728.07	22%	\$ 77,135.49	10.11%
Patient	\$ 37,366.50	7%	\$ 27,599.86	5%	\$ 16,127.14	3%	\$ 19,651.40	3%	\$ 473,833.46	82%	\$ 574,578.36	75.32%
Worker's Comp	\$ 685.00	100%	\$ -		\$ -		\$ -	0%	\$ -		\$ 685.00	0.09%
TOTAL	\$ 161,528.48		\$ 51,721.27		\$ 26,682.16		\$ 27,669.51		\$ 495,285.86		\$ 762,887.28	
	21%		7%		3%		4%		65%		100%	100.00%

CITY OF AUBURN
SPECIAL REVENUE FUNDS
As of August 31, 2017

	1902	1905	1910	1913	1914	1915	1917	1922	1926	1927	1928	1929	1930	1931
	Riverwatch	Winter Festival	Community Service	Police Fitness Equipment	Oak Hill Cemeteries	Fire Training Building	Wellness Grant	Walmart Risk/Homeless	Healthy Androscoggin	Insurance Reimbursement	Vending	Fire Prevention	211 Fairview	Donations
Fund Balance 7/1/17	\$ 972,422.92	\$ (1,530.30)	\$ 4,380.34	\$ 5,932.53	\$ 27,343.39	\$ (1,488.84)	\$ 4,582.27	\$ 6,378.18	\$ 1,784.05	\$ 925.21	\$ (83.88)	\$ 4,791.12	\$ (566,303.71)	\$ 2,069.13
Revenues FY18	\$ 15,003.63		\$ 134.00		\$ 200.00			\$ 60.94			\$ 247.00			
Expenditures FY18							\$ 165.00		\$ 840.00		\$ 111.29			
Fund Balance 6/30/18	\$ 987,426.55	\$ (1,530.30)	\$ 4,514.34	\$ 5,932.53	\$ 27,543.39	\$ (1,488.84)	\$ 4,417.27	\$ 6,439.12	\$ 944.05	\$ 925.21	\$ 51.83	\$ 4,791.12	\$ (566,303.71)	\$ 2,069.13

	2003	2005	2006	2007	2008	2010	2013	2014	2019	2020	2025	2030	2032	2033
	Byrne JAG	MDOT	PEACE	Seatbelt Grant	Homeland Security	State Drug Money	OUI Grant	Speed Grant	Law Enforcement Training	CDBG	Community Cords	Parking	HEAPP	Safe School/Health (COPS)
Fund Balance 7/1/17	\$ 2,808.57	\$ (300,767.41)	\$ 4,155.42	\$ 2,197.62	\$ (73,633.75)	\$ 14,432.07	\$ 6,210.37	\$ 8,831.00	\$ (5,669.72)	\$ 4,323,336.57	\$ 29,316.61	\$ 11,690.86	\$ (4,994.50)	\$ (15,906.07)
Revenues FY18	\$ -					\$ 25.00			\$ 1,670.00	\$ 8,053.83	\$ 244.80	\$ 28,112.00		
Expenditures FY18			\$ 80.23			\$ 315.00	\$ 3,024.00	\$ 3,195.00		\$ 130,231.12		\$ 59,302.04		
Fund Balance 6/30/18	\$ 2,808.57	\$ (300,767.41)	\$ 4,075.19	\$ 2,197.62	\$ (73,633.75)	\$ 14,142.07	\$ 3,186.37	\$ 5,636.00	\$ (3,999.72)	\$ 4,201,159.28	\$ 29,561.41	\$ (19,499.18)	\$ (4,994.50)	\$ (15,906.07)

	2037	2038	2040	2041	2044	2045	2046	2048	2050	2052	2053	2054	2055	2056
	Bulletproof Vests	Community Action Team	Great Falls TV	Blanche Stevens	Federal Drug Money	Forest Management	Joint Land Use Study	TD Tree Days Grant	Project Lifesaver	Nature Conservancy	St Louis Bells	EMS Transport Capital Reserve	Work4ME-PAL	Lake Auburn Neighborhood
Fund Balance 7/1/17	\$ 8,478.66	\$ 7,206.21	\$ 45,319.88	\$ 47,037.73	\$ 16,988.54	\$ 4,436.52	\$ 0.57	\$ -	\$ 150.00	\$ 975.05	\$ 2,357.75	\$ 331,362.88	\$ (13,692.41)	\$ 125.00
Revenues FY18				\$ 3,940.00	\$ 386.42							\$ 124.28		
Expenditures FY18				\$ 863.56									\$ 3,962.49	
Fund Balance 6/30/18	\$ 8,478.66	\$ 7,206.21	\$ 45,319.88	\$ 50,114.17	\$ 17,374.96	\$ 4,436.52	\$ 0.57	\$ -	\$ 150.00	\$ 975.05	\$ 2,357.75	\$ 331,487.16	\$ (17,654.90)	\$ 125.00

	2057	2058	2059	2060	2201	2500
	ASPCA Grant	Barker Mills Greenway	Distracted Driving	My Life My Choice JJAG	EDI Grant	Parks & Recreation
Fund Balance 7/1/17	\$ 800.00	\$ (2,597.43)	\$ 301.00	\$ -	\$ (1,484,407.18)	\$ 191,966.40
Revenues FY18						\$ 62,946.36
Expenditures FY18			\$ 2,496.00	\$ 2,000.00		\$ 100,219.37
Fund Balance 6/30/18	\$ 800.00	\$ (2,597.43)	\$ (2,195.00)	\$ (2,000.00)	\$ (1,484,407.18)	\$ 154,693.39

	2600	2600	2600	2600	2600	2600	2600	2600	2600	2600	2600	2600	2600	2600	2600	Total Special Revenues
	Tambrands TIF 4	J Enterprises TIF 5	Tambrands II TIF 6	J & A Properties TIF 7	Formed Fiber TIF 8	Mall TIF 9	Downtown TIF 10	Safe Handling TIF 11	Auburn Industrial TIF 12	Auburn Plaza TIF 13	Auburn Plaza II TIF 14	Webster School TIF 16	Bedard Pharm TIF 17	Slapshot LLC TIF 18	Hartt Transport TIF 19	
Fund Balance 7/1/17	\$ (8,073.02)	\$ 14,500.44	\$ (365,270.76)	\$ 2,558.27	\$ 30,486.17	\$ 149,591.94	\$ (4,529.96)	\$ 183.21	\$ (350,651.92)	\$ (37,076.39)	\$ 9,722.38	\$ 360.91	\$ 31,366.79	\$ 47,165.25	\$ (5.40)	\$ 3,140,347.13
Revenues FY18																\$ 121,148.26
Expenditures FY18							\$ 9,084.78									\$ 315,889.88
Fund Balance 6/30/18	\$ (8,073.02)	\$ 14,500.44	\$ (365,270.76)	\$ 2,558.27	\$ 30,486.17	\$ 149,591.94	\$ (13,614.74)	\$ 183.21	\$ (350,651.92)	\$ (37,076.39)	\$ 9,722.38	\$ 360.91	\$ 31,366.79	\$ 47,165.25	\$ (5.40)	\$ 2,945,605.51

City of Auburn, Maine

"Maine's City of Opportunity"

Financial Services

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

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

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

NORWAY SAVINGS BANK ARENA

Statement of Net Assets:

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

Current Assets:

As of the end of August 2017 the total current assets of Norway Savings Bank Arena were (\$738,359). These consisted of cash and cash equivalents of \$91,181, accounts receivable of \$81,616, and an interfund payable of \$911,156, which means that Norway owes the General Fund \$911,156 at the end of August.

Noncurrent Assets:

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

Liabilities:

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

Statement of Activities:

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

The operating revenues for Norway Arena through August 2017 are \$191,572. 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 August 2017 were \$200,643. These expenses include personnel costs, supplies, utilities, repairs, rent, capital purchases and maintenance.

As of August 2017 Norway Arena has an operating loss of \$9,071 compared to the August 2016 operating loss of \$59,626.

As of August 31, 2017 Norway Arena has a increase in net assets of \$9,071.

The budget to actual reports for revenue and expenditures, with comparison to the same period last year show that revenue for FY18 is \$59,411 more than in FY17 and expenditures in FY18 are \$8,856 more than last year in August.

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

	August 31, 2017	July 31, 2017	Increase/ (Decrease)
ASSETS			
Current assets:			
Cash and cash equivalents	\$ 91,181	\$ 91,189	\$ (8)
Interfund receivables	\$ (911,156)	\$ (862,447)	\$ (48,709)
Prepaid Rent		\$ -	\$ -
Accounts receivable	81,616	101,558	\$ (19,942)
Total current assets	(738,359)	(669,700)	(68,659)
Noncurrent assets:			
Capital assets:			
Buildings	35,905	35,905	-
Equipment	417,455	417,455	-
Land improvements	-	-	-
Less accumulated depreciation	(135,157)	(135,157)	-
Total noncurrent assets	318,203	318,203	-
Total assets	(420,156)	(351,497)	(68,659)
LIABILITIES			
Accounts payable	\$ -	\$ -	\$ -
Net pension liability	77,298	77,298	-
Total liabilities	77,298	77,298	-
NET ASSETS			
Invested in capital assets	\$ 318,203	\$ 318,203	\$ -
Unrestricted	\$ (815,657)	\$ (746,998)	\$ (68,659)
Total net assets	\$ (497,454)	\$ (428,795)	\$ (68,659)

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

	Norway Savings Arena
Operating revenues:	
Charges for services	\$ 191,572
Operating expenses:	
Personnel	69,691
Supplies	3,111
Utilities	37,883
Repairs and maintenance	-
Rent	84,414
Depreciation	-
Capital expenses	-
Other expenses	5,544
Total operating expenses	200,643
Operating gain (loss)	(9,071)
Nonoperating revenue (expense):	
Interest income	-
Interest expense (debt service)	-
Total nonoperating expense	-
Gain (Loss) before transfer	(9,071)
Transfers out	-
Change in net assets	(9,071)
Total net assets, July 1	(488,383)
Total net assets, August 31, 2017	\$ (497,454)

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

REVENUE SOURCE	FY 2018 BUDGET	ACTUAL REVENUES THRU AUG 2017	% OF BUDGET	FY 2017 BUDGET	ACTUAL REVENUES THRU AUG 2016	% OF BUDGET	VARIANCE
CHARGE FOR SERVICES							
Concussions	\$ 18,000	\$ -	0.00%	\$ 18,000	\$ -	0.00%	\$ -
Sponsorships	\$ 275,000	\$ 71,568	26.02%	\$ 230,000	\$ 40,125	17.45%	\$ 31,443
Pro Shop	\$ 8,500	\$ -	0.00%	\$ 8,500	\$ 1,100	12.94%	\$ (1,100)
Programs	\$ 31,000		0.00%	\$ 31,000		0.00%	\$ -
Rental Income	\$ 705,250	\$ 98,704	14.00%	\$ 672,250	\$ 52,951	7.88%	\$ 45,753
Camps/Clinics	\$ 50,000	\$ 16,050	32.10%	\$ 50,000	\$ 37,985	75.97%	\$ (21,935)
Tournaments	\$ 50,000	\$ 5,250	10.50%	\$ 50,000	\$ -	0.00%	\$ 5,250
TOTAL CHARGE FOR SERVICES	\$ 1,137,750	\$ 191,572	16.84%	\$ 1,059,750	\$ 132,161	12.47%	\$ 59,411
INTEREST ON INVESTMENTS	\$ -	\$ -		\$ -	\$ -		
GRAND TOTAL REVENUES	\$ 1,137,750	\$ 191,572	16.84%	\$ 1,059,750	\$ 132,161	12.47%	\$ 59,411

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

DESCRIPTION	ACTUAL			ACTUAL			VARIANCE
	FY 2016 BUDGET	EXPENDITURES THRU AUG 2017	% OF BUDGET	FY 2016 BUDGET	EXPENDITURES THRU AUG 2016	% OF BUDGET	
Salaries & Benefits	\$ 344,000	\$ 69,691	20.26%	\$ 311,000	\$ 50,891	16.36%	\$ 18,800
Purchased Services	\$ 71,656	\$ 5,544	7.74%	\$ 87,306	\$ 5,735	6.57%	\$ (191)
Supplies	\$ 37,100	\$ 3,111	8.39%	\$ 37,150	\$ 3,118	8.39%	\$ (7)
Utilities	\$ 225,150	\$ 37,883	16.83%	\$ 199,800	\$ 36,629	18.33%	\$ 1,254
Capital Outlay	\$ 103,500	\$ -	0.00%	\$ 57,000	\$ 11,000	19.30%	\$ (11,000)
Rent	\$ 507,000	\$ 84,414	16.65%	\$ 507,000	\$ 84,414	16.65%	\$ -
	\$ 1,288,406	\$ 200,643	15.57%	\$ 1,199,256	\$ 191,787	15.99%	\$ 8,856
GRAND TOTAL EXPENDITURES	\$ 1,288,406	\$ 200,643	15.57%	\$ 1,199,256	\$ 191,787	15.99%	\$ 8,856

City of Auburn, Maine

"Maine's City of Opportunity"

Financial Services

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

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

INGERSOLL TURF FACILITY

Statement of Net Assets:

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

Current Assets:

As of the end of August 2017 the total current assets of Ingersoll Turf Facility were \$27,546. This consisted of an interfund receivable of \$27,546, which means that the General Fund owes Ingersoll \$27,546 at the end of August.

Noncurrent Assets:

Ingersoll's noncurrent assets are the building and equipment that was purchased, less depreciation. The total value of the noncurrent assets as of August 31, 2017 was \$167,406.

Liabilities:

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

Statement of Activities:

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

The operating revenues for Ingersoll Turf Facility through August 2017 are \$2,288. This revenue comes from the sponsorships, programs, rental income and batting cages.

The operating expenses for Ingersoll Turf Facility through August 2017 were \$23,499. These expenses include personnel costs, supplies, utilities, repairs, capital purchases and maintenance.

As of August 2017 Ingersoll has an operating loss of \$21,211.

As of August 31, 2017 Ingersoll has a decrease in net assets of \$21,211.

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

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

	August 31, 2017	July 31, 2017	Increase/ (Decrease)
ASSETS			
Current assets:			
Cash and cash equivalents		\$ -	\$ -
Interfund receivables/payables	\$ 27,546	\$ 20,504	7,042
Accounts receivable	-	-	-
Total current assets	27,546	20,504	7,042
Noncurrent assets:			
Capital assets:			
Buildings	672,279	672,279	-
Equipment	86,625	86,625	-
Land improvements	18,584	18,584	-
Less accumulated depreciation	(610,082)	(581,829)	(28,253)
Total noncurrent assets	167,406	195,659	(28,253)
Total assets	194,952	216,163	(21,211)
LIABILITIES			
Accounts payable	\$ -	\$ -	\$ -
Total liabilities	-	-	-
NET ASSETS			
Invested in capital assets	\$ 167,406	\$ 195,659	\$ (28,253)
Unrestricted	\$ 27,546	\$ 20,504	\$ 7,042
Total net assets	\$ 194,952	\$ 216,163	\$ (21,211)

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

	Ingersoll Turf Facility
Operating revenues:	
Charges for services	\$ 2,288
Operating expenses:	
Personnel	15,496
Supplies	
Utilities	1,565
Repairs and maintenance	-
Rent	-
Depreciation	-
Capital expenses	5,970
Other expenses	468
Total operating expenses	23,499
Operating gain (loss)	(21,211)
Nonoperating revenue (expense):	
Interest income	-
Interest expense (debt service)	-
Total nonoperating expense	-
Gain (Loss) before transfer	(21,211)
Transfers out	-
Change in net assets	(21,211)
Total net assets, July 1	216,163
Total net assets, August 31, 2017	\$ 194,952

CITY OF AUBURN, MAINE
REVENUES - INGERSOLL TURF FACILITY
Through August 31, 2017 compared to August 31, 2016

REVENUE SOURCE	FY 2018 BUDGET	ACTUAL REVENUES THRU AUG 2017	% OF BUDGET	FY 2017 BUDGET	ACTUAL REVENUES THRU AUG 2016	% OF BUDGET
CHARGE FOR SERVICES						
Sponsorship	\$ 17,000	\$ 1,000	5.88%	\$ 15,000	\$ 1,000	6.67%
Batting Cages	\$ 11,520	\$ 65	0.56%	\$ 9,940	\$ 705	7.09%
Programs	\$ 80,000	\$ 872	1.09%	\$ 90,000	\$ 2,629	2.92%
Rental Income	\$ 103,650	\$ 351	0.34%	\$ 100,000	\$ 550	0.55%
TOTAL CHARGE FOR SERVICES	\$ 212,170	\$ 2,288	1.08%	\$ 214,940	\$ 4,884	2.27%
INTEREST ON INVESTMENTS	\$ -			\$ -		
GRAND TOTAL REVENUES	\$ 212,170	\$ 2,288	1.08%	\$ 214,940	\$ 4,884	2.27%

**CITY OF AUBURN, MA
EXPENDITURES - INGERSOLL TU
Through August 31, 2017 compared to**

DESCRIPTION	ACTUAL		
	FY 2018 BUDGET	EXPENDITURES THRU AUG 2017	% OF BUDGET
Salaries & Benefits	\$ 106,624	\$ 15,496	14.53%
Purchased Services	\$ 21,110	\$ 468	2.22%
Programs	\$ 7,000		0.00%
Supplies	\$ 5,000		0.00%
Utilities	\$ 39,720	\$ 1,565	3.94%
Insurance Premiums	\$ 2,431	\$ -	0.00%
Capital Outlay	\$ 42,490	\$ 5,970	14.05%
	\$ 224,375	\$ 23,499	10.47%
GRAND TOTAL EXPENDITURES	\$ 224,375	\$ 23,499	10.47%



City of Auburn City Council Information Sheet

Council Workshop or Meeting Date: September 18, 2017

Subject: Executive Session

Information: Discussion regarding economic development, pursuant to 1 M.R.S.A. Section 405(6) (C).

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

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

- (1) An executive session may be held only if public discussion could be reasonably expected to cause damage to the individual's reputation or the individual's right to privacy would be violated;
 - (2) Any person charged or investigated must be permitted to be present at an executive session if that person so desires;
 - (3) Any person charged or investigated may request in writing that the investigation or hearing of charges or complaints against that person be conducted in open session. A request, if made to the agency, must be honored; and
 - (4) Any person bringing charges, complaints or allegations of misconduct against the individual under discussion must be permitted to be present.
- This paragraph does not apply to discussion of a budget or budget proposal;

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

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

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

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

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

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

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

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