



**City Council Workshop & Meeting
Agenda
February 7, 2022
Auburn Hall, Council Chambers**

5:30 P.M. City Council Workshop

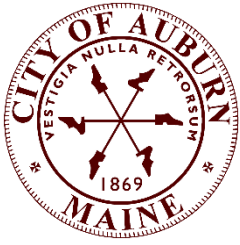
- A. Executive Session-Contract negotiations, pursuant to 1 MRSA Sec. 405(6)(D) with possible action to follow under New Business.
- B. Permitting Software solution – Brian Wood and Jill Cunningham (10 minutes)
- C. Budget Portal Presentation – Jill Eastman & Kelsey Earle (15 minutes)

7:00 P.M. City Council Meeting - Roll call votes will begin with Councilor Milks

Pledge of Allegiance

- I. **Consent Items** - All items with an asterisk (*) are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council member or a citizen so requests, in which event, the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.
 1. **Order 19-02072022***
Appointing a representative (City Manager, Phil Crowell) and alternate (Assistant City Manager, Brian Wood) to vote at the Maine service Centers Coalition business meetings.
 - II. **Minutes** – January 18, 2022 Regular Council Meeting
 - III. **Communications, Presentations and Recognitions**
 - Conservation Commission Communication/Update
 - Auburn Public Library Overview
 - City Clerk Overview
 - Community and Business Development Overview
 - Planning Overview
 - Council Communications (about and to the community)
 - IV. **Open Session** – *Members of the public are invited to speak to the Council about any issue directly related to City business or any item that does not appear on the agenda.*
 - V. **Unfinished Business** - None

- VI. New Business**
- 1. Resolve 01-02072022**
Approving the Auburn Water District \$2 million dollar bond to be used for pipe replacement.
 - 2. Order 20-02072022**
Authorizing the City Manager to negotiate for the purchase of property located at 424 Mt. Auburn Avenue.
 - 3. Order 21-02072022**
Approving the ARPA funding allocation for Employee Retention.
 - 4. Order 22-02072022**
Approving the ARPA funding allocation for Information Technology (IT).
 - 5. Order 23-02072022**
Approving the ARPA funding allocation for water and sewer studies and implementation stemming from studies.
 - 6. Ordinance 03-02072022**
Amending Auburn's Code of Ordinances, Chapter 14, Article XIV, Taxi Cabs. Public hearing and first reading.
 - 7. Ordinance 04-02072022**
Amending Auburn's Code of Ordinances, Appendix A Fees and Charges. Public hearing and first reading.
 - 8. Ordinance 05-02072022**
Adopting a Disorderly House ordinance. Public hearing and first reading.
 - 9. Ordinance 06-02072022**
Board and Committee restructure Ordinance. Public hearing and first reading.
- VII. Open Session - *Members of the public are invited to speak to the Council about any issue directly related to City business or any item that does not appear on the agenda***
- VIII. Reports (from sub-committees to Council)**
- a. Mayor's Report
 - b. City Councilors' Reports
 - c. City Manager Report
 - d. Jill Eastman, December Monthly Finance Report
- IX. Executive Session - Economic Development, pursuant to 1 MRSA Sec. 405(6)(C) with possible action to follow.**
- X. Adjournment**



City of Auburn City Council Information Sheet

Council Workshop or Meeting Date: February 7, 2022

Subject: Executive Session

Information: Contract negotiations, pursuant to 1 M.R.S.A. Section 405(6) (D) with possible action to follow under New Business during the meeting.

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;

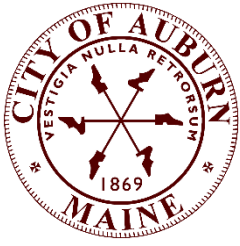
D. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators. The parties must be named before the body or agency may go into executive session. Negotiations between the representatives of a public employer and public employees may be open to the public if both 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: February 7, 2022

Author: Jill Cunningham, IT Department, Database Manager

Subject: Permitting Software and Implementation Solution

Information: The City of Auburn is looking to replace the current Permitting and Licensing software and upgrade to a software that has more customizable functionality for staff and accessibility to the public. Our current platform has provided daily systematic challenges that are compounded with our limited ability to rectify the issues. Customers have been unable to access our services and have been required to come to Auburn Hall to obtain permits and meet with our staff. The new software will allow staff to create online applications where our customers can access our services remotely and reduce the need to execute transactions in person.

This project aligns with the American Rescue Plan Act (ARPA) initiative 2 Negative Economic Impacts -2.9 Small Business Economic Assistance (General)

City Budgetary Impacts: Utilize \$150,000. In ARPA funds.

Staff Recommended Action: Staff recommends the procurement of a new Permitting software and implementation of this project.

Previous Meetings and History: N/A

City Manager Comments:

I concur with the recommendation. Signature:

Attachments:



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: February 7, 2022

Author: Jill Eastman, Finance Director & Kelsey Earle, Deputy Director

Subject: Budget Portal Presentation

Information: This is an introduction to this new tool that will be available for the budget process. This portal was created to better suit the needs of the City, as it provides easier access to budgetary information in a user-friendly manner.

City Budgetary Impacts: N/A

Staff Recommended Action: Review

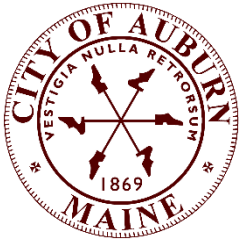
Previous Meetings and History: None

City Manager Comments:

Phillip Crowell Jr.

I concur with the recommendation. Signature:

Attachments: N/A



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: February 7, 2022

Order: 19-02072022

Author: Phillip L. Crowell, Jr.

Subject: MMA - Maine Service Center Coalition Membership and Appointment of Voting Delegate Representative and Alternate

Information: The City of Auburn will be renewing its membership with the Maine Service Centers Coalition. The Maine Service Centers Coalition makes available professional lobbying staff support in providing cities access to policy makers, sound policy advice and effective advocacy services. As part of our renewal, City Council will need to appoint a Representative and designate an Alternate to vote at the Maine Service Centers Coalition business meetings.

City Budgetary Impacts: Annual membership fee: \$2,754.96

Staff Recommended Action: Order to appoint a Representative (City Manager) and designate an Alternate (Assistant City Manager) to vote at the Maine service Centers Coalition business meetings.

Previous Meetings and History: 8/16/2021

City Manager Comments:

Phillip Crowell Jr.

I concur with the recommendation. Signature:

Attachments:



ORDER 19-02072022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council appoint a Representative (City Manager) and designate an Alternate (Assistant City Manager) to vote on behalf of the City of Auburn at the Maine Service Centers Coalition business meetings.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

Mayor Levesque called the meeting to order at 7:03 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

Pledge of Allegiance

- I. Consent Items** - All items with an asterisk (*) are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council member or a citizen so requests, in which event, the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.
- 1. Order 07-01182022***
Appointing Brian Dubois to the Planning Board as a full member with a term expiration of 1-1-2025.
 - 2. Order 08-01182022***
Appointing Toni Ferraro to the Planning Board as full member with a term expiration of 1-1-2024.
 - 3. Order 09-01182022***
Appointing Joshua Daigle to the Planning Board as an associate member with a term expiration of 1-1-2023.
 - 4. Order 10-01182022***
Appointing Kathy Shaw to the Regulatory Advisory Board with a term expiration of 6-1-2022.
 - 5. Order 11-01182022***
Appointing James Timoney to the Auburn-Lewiston Airport Board with a term expiration of 1-1-2023.
 - 6. Order 12-01182022***
Re-appointing Patricia Madore to the 9-1-1 Committee with a term expiration of 1-1-2024.
 - 7. Order 13-01182022***
Re-appointing Jennifer Kimble to the Auburn Housing Authority with a term expiration of 10-1-2025.
 - 8. Order 14-01182022***
Appointing Tina Eugley to the Age Friendly Committee with a term expiration of 6-1-2023.
 - 9. Order 15-01182022***
Appointing Pam Rousseau to the Agriculture Committee with a term expiration of 4-1-2024.

10. Order 16-01182022*

Appointing David Gonyea to the ad hoc Public Safety Building Committee.

Councilor Whiting requested that the three Planning Board appointments (items 1, 2, and 3) be removed from the consent agenda and placed under new business.

Motion was made by Councilor Staples and seconded by Councilor Gerry for passage of the remaining 7 consent items.

Passage 7-0.

II. Minutes – January 3, 2022 Regular Council Meeting

Motion was made by Councilor Walker and seconded by Councilor Staples to approve the minutes of the January 3, 2022 Regular Council Meeting.

Passage 7-0.

III. Communications, Presentations and Recognitions

- Communication from the Agriculture Committee – Kathy Shaw presented
- Budget Portal Presentation – this item was canceled
- Police Overview – Chief Moen presented
- EMS Status / Fire Overview – Chief Chase presented
- Council Communications (about and to the community)

Mayor Levesque announced that he will be giving a presentation to the Greater Portland Council of Governments (GPCOG) on zoning and housing availability via Zoom. He will provide more information as it becomes available. He announced that the Winter Festival will take place January 27, 28, 29, 30th with events taking place throughout the city. More information can be found on the Recreation Department website. He also read a statement he prepared on Recruitment and Staffing for various departments within the City and School Department. He will bring this forward for a vote at the February 7th as part of the ARPA incentive.

IV. Open Session – No one from the public spoke.

V. Unfinished Business

1. Ordinance 01-01032022

Amending Auburn’s Code of Ordinance, Sec. 2-58. Time and place of regular meetings. Second reading.

Motion was made by Councilor Staples and seconded by Councilor Whiting for passage.

Public comment – No one from the public spoke.

Passage 7-0.

2. Ordinance 02-01032022

Amending Auburn’s Code of Ordinance, Sec. 2-430. Membership; responsibility (Regulatory Advisory Board). Second reading.

Motion was made by Councilor Walker and seconded by Councilor Staples for passage.

Public comment – No one from the public spoke.

Motion was made by Councilor Milks and seconded by Councilor Hawes to amend by adding the following language: *“Persons appointed by the city council to serve on other boards, agencies, panels, and or commissions shall not serve concurrently on the Regulatory Advisory Board”*.

Passage of amendment 6-1 (Councilor Staples opposed).

Passage as amended 6-1 (Councilor Gerry opposed). A roll call vote was taken.

VI. New Business

The following three items were removed from the Consent Agenda and added under New Business per the request of Councilor Whiting.

Order 07-01182022

Appointing Brian Dubois to the Planning Board as a full member with a term expiration of 1-1-2025.

Motion was made by Councilor Milks and seconded by Councilor Walker for passage.

Public comment – no one from the public spoke.

Passage 7-0.

Order 08-01182022

Appointing Toni Ferraro to the Planning Board as full member with a term expiration of 1-1-2024.

Motion was made by Councilor Milks and seconded by Councilor Hawes for passage.

Public comment – No one from the public spoke.

Motion was made by Councilor Staples and seconded by Councilor Gerry to amend by replacing Toni Ferraro with Stephen Martelli.

Motion to amend failed 3-4 (Councilors Hawes, Milks, Morin, and Walker opposed).

Ms. Ferraro was in the audience and was asked if she would like to address the Council. She provided them with an overview of her background and qualifications and stated that she feels she is qualified and capable to serve on the Planning Board.

Passage 5-2 (Councilors Gerry and Whiting opposed).

Order 09-01182022

Appointing Joshua Daigle to the Planning Board as an associate member with a term expiration of 1-1-2023.

Motion was made by Councilor Hawes and seconded by Councilor Milks for passage.

Public comment - No one from the public spoke.

Passage 5-2 (Councilors Whiting and Gerry opposed).

1. Order 17-01182022

Adopting the revised CDBG-CV Budget as presented. Public hearing and vote.

Motion was made by Councilor Gerry and seconded by Councilor Staples for passage.

Public hearing – No one from the public spoke.

Passage 7-0.

2. Order 18-01182022

Adopting a remote meeting policy pursuant to 1 M.R.S.A. § 403-B.
Public hearing and vote.

Motion was made by Councilor Staples and seconded by Councilor Whiting for passage.

Public hearing – No one from the public spoke.

Passage 7-0.

Motion was made by Councilor Milks and seconded by Councilor Hawes to temporarily suspend the rules to add an item to the agenda.

Motion failed 4-3 (Councilors Gerry, Whiting, and Staples opposed). A motion to suspend the rules requires a three-fifths vote.

VII. Open Session

Kathy Shaw, Sopers Mill Road stated that she is working on creating a small farmers market in Auburn this season.

VIII. Reports (from sub-committees to Council)

Mayor Levesque reported on the School Committee meetings, another is scheduled for tomorrow. He has been nominated as Chair of the Finance Department for the School Department.

Councilor Walker commented that Stephen Martelli was ok with not being reappointed at this time.

Councilor Whiting reported that all trails are open at the Auburn Nordic Ski Association.

Councilor Gerry reported that the First Auburn Seniors will be meeting tomorrow for their regular meeting.

Councilor Morin provided an update on the Airport Board.

City Manager Crowell reported that the Legislative Policy Committee (through Maine Municipal Association) will begin the process to review proposed bills, beginning January 20th. The FY 23 budget process is underway, budget meetings will begin next week with all departments. He spoke about staffing challenges we are facing, adding that they are working with the Human Resource Department on this. Absences due to COVID are also impacting us in various departments, currently the Tax Office. We are reducing the hours and closing between 1-2pm so staff is able to take a lunch break. The ice rinks are going up at Anniversary Park and the Futsal Court, and last, he noted that the Public Works Department has used roughly 50% of the salt supply due to weather and icy conditions.

December 2021 Final Monthly Report – this item is postponed until the first meeting of February due to the absence of the Finance Director.

IX. Executive Sessions:

Economic development, pursuant to 1 MRSA Sec. 405(6)(C) – taken up during the Council workshop.

Economic development, pursuant to 1 MRSA Sec. 405(6)(C) – no longer needed.

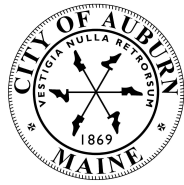
Labor negotiations, pursuant to 1 MRSA Sec. 405(6)(D) – taken up during the Council workshop.

X. Adjournment – Motion was made by Councilor Milks and seconded by Councilor Walker to adjourn. Unanimously approved, the meeting adjourned at 8:39 pm.

A TRUE COPY

ATTEST 

Susan Clements-Dallaire, City Clerk



Auburn, Maine

Conservation Commission

60 Court Street | Auburn, Maine 04210

www.auburnmaine.gov | 207.333.6601

ANNUAL REPORT 2021

The Auburn Conservation Commission enjoyed a productive year in 2021, as we worked to protect and improve our natural resources and raise public awareness of environmental issues. In accordance with our ordinance, the Annual Report below outlines key accomplishments from 2021 and ongoing initiatives for 2022.

Members:

Commissioners: Sam Boss, Chair; Amy Dieterich, Vice-Chair; Jane Costlow, Secretary; Rhyanna Larose; Dave Griswold; and Adam Platz.

The Commission extends its deep gratitude to outgoing Commissioners Jordan Tate, Tizz Crowley, and Michelle Melaragno for the time, energy, and dedication they invested in supporting conservation efforts in Auburn.

Key accomplishments

Events & Activities

- *Winter Tree & Bird ID Walk.* The Conservation Commission/Community Forest subcommittee hosted a Winter Tree & Bird Identification Walk in Pettengill Park for Auburn Winter Fest, to help residents gain appreciation for Pettengill trails and the different habitats and species found in the City forests.
- *Earth Day Neighborhood Clean-Up.* This event promoted pride in our neighborhoods and natural spaces, and awareness of litter and proper waste disposal. 40 volunteers helped remove approximately 100 contractor bags of waste from parks, waterways, and neighborhoods around the city.
- *Walk in the Park Day.* In collaboration with the United New Auburn Association, the Conservation Commission's Parks and Cemeteries Subcommittee organized and led walks at major parks around the city in order to build community and promote appreciation of Auburn's natural spaces.
- *Arbor Day Activities.* The Auburn Forest Subcommittee/LACFB organized a series of Arbor Day activities, which included planting seedlings in the City nursery from the Maine Forest Service and a Storywalk that offered information on invasive species. These activities helped Auburn retain its Tree City USA status.
- *Agriculture and Forestry Storywalk.* In collaboration with the Auburn Agriculture Committee, the Conservation Commission contributed content on invasive plants and insects for the October Storywalk on local agriculture and forestry.

Ongoing Initiatives

- **Support City staff and public engagement on FERC Relicensing of Lewiston Falls Dam**
The Conservation Commission worked to support Eric Cousens through the FERC relicensing of the Lewiston Falls Dam by participating in and organizing stakeholders meetings, and identifying contacts to support requests for studies. The FERC dam relicensing process is ongoing, and we look forward to supporting public engagement as that work continues.
- **Promote awareness and effective management of Browntail Moth and other invasive species**
The Commission worked with the Maine State Forest Service to identify resources on Browntail moth management to share with Liz Allen and the City Manager's office in order to promote public awareness and effective management. We will be hosting Alison Kanoti, the State Entomologist from the Maine Forest Service, for an information session about nest removal and other management strategies on February 17 at 7 pm. We will also hold a workshop with City Arborist Noel Skelton.
- **Research ecological and recreational improvements to the Little Androscoggin**
A working group of the Commission has focused on identifying ways for the City of Auburn to improve access to the Little Androscoggin River and improve the health of its ecosystems by improving fish passage; this would align with stated goals from the Comprehensive and Strategic plans to promote water access/health and recreation. We organized an assessment by federal fisheries biologist Chris Reidy of the Littlefield Dam, which he deemed to present a significant barrier to fish passage on the River. His full analysis is included with this report. We are exploring opportunities for funding the removal of the dam, possible boat launch or portage locations, and trail extensions.
- **Host speakers and consider support of legislation relevant to Auburn conservation**
The Commission hosted Peter Rubins from Grow L-A to speak about reclassification of the Androscoggin River. Chair Sam Boss provided testimony in support of LD 676, which would reclassify the Androscoggin River from a class C to Class B River. The Commission also hosted Ed Friedman from the Friends of Merrymeeting Bay to discuss LD 883, an Act to Protect Endangered Species, which would declare the Atlantic Salmon an endangered species in Maine.
- **Maintain healthy street trees in Auburn and promote sustainable forestry practices**
Through the Auburn Forest Subcommittee/LACFB, the Conservation Commission successfully supported an application for the Project Canopy Grant, which funded the planting of Gingko trees on Washington Street at the gateway to Auburn. Commissioner Dave Griswold, a career forester, regularly attends workshops with the State Forest Service and the Sustainable Forestry Initiative and is leading research into policies that will increase the number of street trees in Auburn. Dave monitored two Emerald Ash Borer traps this year, and found no sign they have spread in Auburn.
- **Create StoryMaps Featuring Auburn Trails, Forests, and Parks.** In collaboration with students at Bates College, the Conservation Commission worked with Sabrina Best and Rosemary Mosher, and the Friends of Mt. Apatite on efforts to create StoryMaps to promote Auburn's trail systems, including [Pettengill Park](#) and Mt. Apatite. We aim to finalize these and other projects this year.

Conclusion

The events, activities, and initiatives outlined above reflect our commitment to building collaborations with other City groups and local organizations in Auburn. They also reflect the dedication and expertise of our members and the community members who have been involved in local conservation efforts. We are eager to continue our work with staff and deepen engagement with the Council in the upcoming year, and invite you to consult with our group on matters relating to conservation and sustainability.

Respectfully submitted,
Sam Boss, Chair



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: 2/7/2022

Resolve: 01-02072022

Author: Sid Hazelton, P.E. Auburn Water District Superintendent

Subject: Request for Authorization of Bond Approval

Information: At the monthly Auburn Water District Trustee meeting on January 19, 2022, the Trustees voted to authorize pursuit of a \$2 million-dollar general resolution bond through the Maine Municipal Bond Bank for the purpose of replacing water mains. This request was prompted in an effort to take advantage of the current climate of relatively low interest rates for bonds. The current rate for a 10-year general resolution bond is close to 1%.

The District is budgeted to replace 2 miles of pipe/year. At an assumed replacement price of \$130 per/foot, this bond will fund approximately 1.5 years of pipe replacement.

In accordance with the Auburn Water District Charter, Auburn City Council approval is required for the issuance of bonds.

City Budgetary Impacts: None

Staff Recommended Action: Recommend passage

Previous Meetings and History: N/A

City Manager Comments:

I concur with the recommendation. Signature:

Attachments:



City Council Resolve

IN CITY COUNCIL

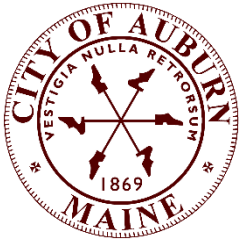
RESOLVED, that the Auburn City Council, in accordance with section 13 of the Auburn Water District Charter, hereby grants permission to the Auburn Water (the “Water District”) District to issue its bonds and notes in anticipation thereof, referred to herein as the “Water District Bonds” in the aggregate principal amount not to exceed \$2,000,000 to finance upgrades to the Water District’s water distribution system, including water main replacement, with other improvements ancillary and related thereto.

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

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: February 7, 2022

Order: 20-02072022

Author: Dan Goyette

Subject: Mt. Auburn Avenue Reconstruction Property Purchase

Information: The City is in the design stage for the reconstruction of Mt. Auburn Avenue. The design team has identified that the purchase of the property located at 424 Mt. Auburn Avenue would be extremely beneficial to the safety of the completed roadway.

City Budgetary Impacts: The City has approved \$900,000 in matching funds to the Maine DOT's \$625,000 for the construction of the project in the 2022 CIP. No additional funds are needed at this time.

Staff Recommended Action: Approve the Order authorizing the City Manager to negotiate for the purchase of the property.

Previous Meetings and History: N/A

City Manager Comments:

I concur with the recommendation. Signature:

Attachments:



ORDER 20-02072022

City Council Order

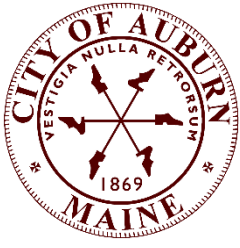
IN CITY COUNCIL

ORDERED, that the City Council hereby grants the City Manager or his designee the authority to negotiate and execute a purchase and sale agreement for the property located at 424 Mt. Auburn Avenue.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: February 7, 2022

Order: 21-02072022

Author: Brian Wood, Assistant City Manager

Subject: Auburn Police Retention Pilot Program

Information: The City of Auburn seeks to have and maintain a robust, well trained and responsive police department. In an effort to ensure the city remains competitive in attract the best and brightest officers that are new to the field, the city is piloting a program that will increase starting pay for entry level officers all the way through officers entering their 4th year.

It is anticipated that this initiative in conjunction with the Auburn's robust benefits package and training opportunities will attract and retain new officers in the field of law enforcement.

This project aligns with the American Rescue Plan Act (ARPA) initiative : Revenue Replacement 6.1 Provision of Government Services

City Budgetary Impacts: Utilize \$65,000. In ARPA funds.

Staff Recommended Action: Staff recommends the allocation of funds to ensure the stability of the Auburn Police Department.

Previous Meetings and History: N/A

City Manager Comments:

I concur with the recommendation. Signature:

Attachments:



ORDER 21-02072022

City Council Order

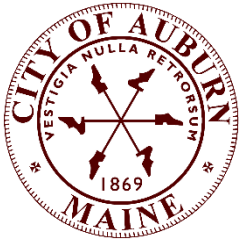
IN CITY COUNCIL

ORDERED, that the City of Auburn City Council hereby approves the allocation of \$65,000.00 from the American Rescue Plan Act (ARPA) funding to support the retention of Auburn Police Officers.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: February 7, 2022

Order: 22-02072022

Author: Jill Cunningham, IT Department, Database Manager

Subject: Permitting Software, Assessing Software and record digitalization

Information: The City of Auburn is looking to replace the current Permitting/ Licensing software and upgrade to a software that has more customizable functionality for staff and accessibility to the public. Our current platform has provided daily systematic challenges that are compounded with our limited ability to rectify the issues. Customers have been unable to access our services and have been required to come to Auburn Hall to obtain permits and meet with our staff. The new software will allow staff to create online applications where our customers can access our services remotely and reduce the need to execute transactions in person.

The City of Auburn is looking to replace the current assessing records management system, which is housed on premise, with a cloud based solution that will allow for greater integration for residents and employees. Additionally, built in redundancy and portal access will allow residents to have online access to assessing information without coming to city hall. This new system will integrate with current cloud based systems, resulting in greater access to multiple strands of information for residents and staff.

The City of Auburn is responsible for thousands of records that are required by law or for historic preservation to be maintained. Ensuring these records are available to the public 24 hours a day and eliminating the need for residents to make an appointment to come in person is a safety and service need.

This project aligns with the American Rescue Plan Act (ARPA) initiative 2 Negative Economic Impacts -2.9 Small Business Economic Assistance (General)

City Budgetary Impacts: Utilize \$350,000. In ARPA funds.

Staff Recommended Action: Staff recommends the procurement of a new Permitting software and implementation of this project.

Previous Meetings and History: N/A

City Manager Comments:



I concur with the recommendation. Signature:

Attachments:



ORDER 22-02072022

City Council Order

IN CITY COUNCIL

ORDERED, that the City of Auburn City Council hereby approves the allocation of \$350,000.00 from the American Rescue Plan Act (ARPA) funding to support the replacement and upgrade of software's/ platforms including Energov, Patriot and record digitizing.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: February 7, 2022

Order: 23-02072022

Author: Brian Wood, Assistant City Manager

Subject: Water and Sewer Infrastructure Study

Information: The City of Auburn seeks to have the most up to date assessments in order to make equitably and economically advantageous decisions on replacing, expanding and upgrading access to clean and safe drinking water for Auburn residents. There are several projects that have been identified as potential opportunities to meet these stated goals. Detailed studies followed by implementation will be needed in order for the city in partnership with the Water District to make sound and educated decisions about project prioritization.

This project aligns with the American Rescue Plan Act (ARPA) initiative: Infrastructure 5.11 Drinking water: Transmission & distribution.

City Budgetary Impacts: Utilize \$150,000. In ARPA funds.

Staff Recommended Action: Staff recommends the allocation of funds to ensure these projects are viable and able to move forward.

Previous Meetings and History: N/A

City Manager Comments:

I concur with the recommendation. Signature:

Attachments:



ORDER 23-02072022

City Council Order

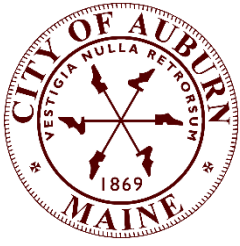
IN CITY COUNCIL

ORDERED, that the City of Auburn City Council hereby approves the allocation of \$150,000.00 from the American Rescue Plan Act (ARPA) funding to support water and sewer studies and implementation stemming from studies.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: February 7, 2022

Ordinances: 03-02072022 and 04-02072022

Author: Phil Crowell, City Manager

Subject: Ordinance change for Taxicab Licensing

Information: The Auburn Charter sec. 2.8 states “the city council shall provide for the review of the city’s charter and ordinances in their entirety at least once every 15 years”. Council recently completed the review of the City Charter and the City Ordinances. Last year, information was shared regarding the economic impact our ordinance has on taxi businesses and the council was advised that language changes would be submitted for consideration. With Lyft and Uber being more prevalent in the community, added regulations on a taxi business does not allow them to be marketable.

Staff is recommending the city council adopt the city ordinance changes regulating taxicab businesses to be more in alignment with the requirements required of Transportation Network Companies like an Uber or Lyft. These changes were discussed with the one licensed cab company in Auburn and the owner is very appreciative of this consideration.

City Budgetary Impacts: Less than \$200.00 in revenue

Staff Recommended Action: Review and recommend changes to the edits

Previous Meetings and History: Charter and Ordinance review discussions in 2020 and 2021. Presented and discussed at the 1/18/2022 Council workshop.

City Manager Comments:

I concur with the recommendation. Signature:

Attachments: Article XIV Taxicabs, Appendix A



ORDINANCE 03-02072022

City Council Ordinance

IN CITY COUNCIL

AMENDING THE AUBURN CODE OF ORDINANCES, CHAPTER 14, ARTICLE XIV, TAXI CABS.

Be it ordained, that the Auburn City Council hereby amends the Auburn Code of Ordinances, Chapter 14, Article XIV, Taxi Cabs, Sections - 14-453, 14-455, 14-475, 14-476, 14-502, 14-503, 14-508 as attached:

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

ARTICLE XIV. TAXICABS

DIVISION 1. GENERALLY

Secs. 14-430—14-450. Reserved.

DIVISION 2. BUSINESS LICENSES

Sec. 14-451. Required; application.

- (a) *License required:* No person shall operate a taxicab business without first obtaining a license to do so. Any person desiring to operate a taxicab business in the city shall first submit a written application therefore to the city clerk or designee which shall comply with the requirements of this section.
- (b) *Signature:* Every application shall be signed and verified by each of the principal officers of the applicant if the applicant is a corporation, and in all other cases, by all persons having actual ownership interests in the applicant. If the applicant is a corporation, the application shall state the name and address and the date and place of birth of each of the principal officers of the applicant and of every person having management authority in the business of the applicant. In all other cases, the application shall state the name and address and the date and place of birth of every person having an actual ownership interest or having management authority in the business of the applicant.
- (c) *Insurance:* The application shall be accompanied by a certificate of liability insurance, providing for minimum coverage of \$50,000.00 property damage, \$100,000.00 bodily injury per person, and \$300,000.00 per accident.
- (d) *Criminal conviction statement:* The application shall include a record of disqualifying criminal conviction of any principal officer of a corporation or owner of the business or of any person having management authority in the business, or a statement that no such convictions exist.
- (e) *Vehicle information:* The application shall include the make, model, year, serial number, and license plate number of each vehicle for which a taxicab business license is sought and the address of the garage or other terminal at which the vehicle will be stationed when not in service. The licensee must also provide a copy of the valid state of Maine registration for each vehicle to be licensed.
- (f) *Vehicle description:* The application shall include a detailed description of the graphic design, insignia, wording, and coloring which will appear on the vehicle, if licensed.

(Ord. No. 38-02072011-05, att. § 24-427, 2-7-2011)

Sec. 14-452. Denial of taxicab business licenses.

- (a) The city clerk or designee may deny an application for a taxicab business license for any of the following reasons:
 - (1) A corporate applicant is not licensed to do business in this state.

-
- (2) A principal officer or other person having actual ownership interest in a corporate applicant or managing authority in the business has a disqualifying criminal conviction.
 - (3) Any person having an actual ownership interest or management authority in a non-corporate applicant has a disqualifying criminal conviction.
 - (4) An applicant or any of the principal owners having a controlling interest held a taxicab business license in the city which was revoked within the three years preceding the filing of the application.
 - (5) The application contains a material and knowingly false statement of fact.
- (b) The city clerk or designee shall promptly give written notice to the applicant of the reasons for denial and shall keep a copy on file.

(Ord. No. 38-02072011-05, att. § 24-428, 2-7-2011)

~~Sec. 14-453. Inspections.~~

~~Before a taxicab business license may be issued, all taxicabs to be covered by the license shall be thoroughly inspected by the police chief or designee at the applicant's expense and certified to be in safe condition. The applicant shall make its taxicabs available for such additional inspections at its expense as the police chief may reasonably require and shall not operate any taxicab not certified to be in safe condition until the unsafe condition is corrected.~~

~~(Ord. No. 38-02072011-05, att. § 24-429, 2-7-2011)~~

Sec. 14-454. Cancellation of insurance policy.

Should an insurance policy of any licensed taxi business in the city be canceled before its expiration date, the issuing company shall mail a 30-day written notice to the city. This notice should be sent to ~~the police chief and~~ the city clerk.

(Ord. No. 38-02072011-05, att. § 24-420, 2-7-2011)

Sec. 14-455. Suspension of taxicab business licenses.

- (a) The city clerk or designee shall suspend any taxicab business license for up to five days when satisfied that the licensee has:
- (1) Failed to notify the clerk of any material change of fact set forth in the license application~~;~~
 - (2) Failed to exercise proper control over its taxicab drivers as evidenced by the existence of three or more driver suspensions during the period of 12 months~~;~~
 - (3) Determination that a taxicab driver was operating a cab with any disqualifying criminal conviction.
 - (4) Determination that a driver was operating a cab with a record of convictions for reckless driving, driving to endanger, operating under the influence, or attempting to operate under the influence currently or during the year preceding the application.
 - (5) Determination that a taxicab driver was operating a cab with a driver's license that is presently revoked or has been revoked during the last three years preceding the application.
 - (6) A driver knowingly took a longer route to his destination than was necessary unless so requested by the passenger; knowingly conveyed any passenger to a place other than that which the passenger

specified; transported any person other than the passenger first engaging the taxicab without the express consent of such passenger; harassed, threatened, or assaulted a passenger; charged more than the set fare.

~~(3) Permitted a taxicab to be operated when it has been determined to be in unsafe condition;~~

~~(4) Refused to comply with the provisions of this article regarding the maintenance and inspections of its taxicabs.~~

- (b) In the event of a second or subsequent violation of the terms of these ordinances within the period of twelve months, the city clerk or designee shall suspend the licensee's taxicab business license for up to ten days. The length of the period of suspension shall vary in each case subject to the stated maximums depending on the gravity of the offense.

(Ord. No. 38-02072011-05, att. § 24-431, 2-7-2011)

Secs. 14-456—14-474. Reserved.

~~*DIVISION 3. TAXICAB DRIVER'S LICENSES*~~

~~**Sec. 14-475. Application for taxicab driver's licenses.**~~

~~(a) Any person who wishes to secure a taxicab driver's license shall submit a written application to the city clerk or designee which shall contain the following:~~

~~(1) The age of the applicant.~~

~~(2) A complete statement of the applicant's health and physical condition.~~

~~(3) A complete record of the applicant with respect to any disqualifying criminal conviction or a statement that no such conviction exists.~~

~~(4) A record of convictions for reckless driving, driving to endanger, operating under the influence, or attempting to operate under the influence during the year preceding the application.~~

~~(5) A statement as to whether any driver's license held by the applicant is presently revoked or has been revoked during the last three years preceding the application and the reasons for such revocation or revocations.~~

~~(6) An appropriate form or statement over the signature of the applicant giving all persons and governmental agencies having information relevant to the above items permission to release the same to the clerk.~~

~~(b) The application for a license under this article shall be accompanied by a photograph, in duplicate, of the applicant, which meets specifications for a passport photograph and is current within 30 days annually.~~

~~(Ord. No. 38-02072011-05, att. § 24-432, 2-7-2011)~~

~~**Sec. 14-476. Denial of taxicab driver's licenses.**~~

~~(a) The city clerk or designee shall deny an application for a taxicab driver's license if:~~

~~(1) The applicant is under 18 years of age.~~

-
- (2) ~~The applicant does not have a valid motor vehicle operator's license.~~
 - (3) ~~The applicant is unable to operate a taxicab safely by reason of physical incapacity.~~
 - (4) ~~The applicant received a disqualifying criminal conviction at any time during the previous five years, provided that the conviction was for an offense that is reasonably related to the operator's fitness to operate a taxicab.~~
 - (5) ~~The applicant has been convicted during the preceding three years of reckless driving, driving to endanger, operating under the influence or attempting to operate under the influence, or an equivalent offense in another state.~~
 - (6) ~~His driver's license has been revoked during the preceding three years for any reason reasonably related to his ability to safely operate a taxicab.~~

(b) ~~The city clerk or designee shall keep a written record of every decision to deny a taxicab driver's license.~~
(Ord. No. 38-02072011-05, att. § 24-433, 2-7-2011)

~~Sec. 14-477. Suspension of taxicab driver's licenses.~~

- (a) ~~The city clerk or designee shall suspend any taxicab driver's license when satisfied that the licensee:~~
 - (1) ~~Knowingly took a longer route to his destination than was necessary unless so requested by the passenger.~~
 - (2) ~~Knowingly conveyed any passenger to a place other than that which the passenger specified.~~
 - (3) ~~Transported any person other than the passenger first engaging the taxicab without the express consent of such passenger.~~
 - (4) ~~Harassed, threatened, or assaulted a passenger.~~
 - (5) ~~Charged more than the maximum fare specified in this article.~~
 - (6) ~~Failed to notify the clerk of any change of material fact set forth in the application for such license.~~
 - (7) ~~Removed from the taxicab or obscured the notice required by this article.~~
- (b) ~~The suspension shall be for up to five days. In the event of a second or subsequent violation of these ordinances within a twelve-month period, the city clerk or designee shall suspend the license of the taxicab driver for up to ten days. The length of the period of suspension shall vary in each case subject to the stated maximums depending on the gravity of the offense.~~

(Ord. No. 38-02072011-05, att. § 24-434, 2-7-2011)

~~Secs. 14-478—14-499. Reserved.~~

DIVISION 4. OPERATION AND EQUIPMENT REQUIREMENTS

Sec. 14-500. List of taxicabs in active use.

Every taxicab business shall maintain an up-to-date list on file with the city clerk or designee containing its current business address and the make, model, serial number, and license plate number of each taxicab being operated by it and the garage or other terminal at which the vehicle will be located when not in service together

with such additional information regarding the operating condition of each taxicab as the police chief may reasonable require.

(Ord. No. 38-02072011-05, att. § 24-430, 2-7-2011)

Sec. 14-501. Equipment condition and maintenance.

Every taxicab operated on the streets of the city shall be maintained in clean and serviceable condition and adequate repair. Each taxicab shall have two doors affording direct entrance and exit to and from the passenger compartment. Clean and adequate repair shall mean, without limitation, the following:

- (1) No visible tears in carpeting;
- (2) No dents larger than six inches in diameter;
- (3) No tears in seat upholstery;
- (4) No loose trash or large amounts of dirt or sand in the interior passenger area, whether or not the area is currently occupied by a passenger;
- (5) No missing trim or body work;
- (6) No cracks in windshield or windows;
- (7) Seat belts for all passenger seats visible and in working order;
- (8) No missing hubcaps;
- (9) No visible primer paint; and
- (10) No rust greater than one inch in diameter.

(Ord. No. 38-02072011-05, att. § 24-420, 2-7-2011)

Sec. 14-502. Vehicle lettering design.

The name of the owner of the taxicab shall appear on the exterior of the taxicab in letters not less than two inches in height. In additions, the business telephone number of the taxicab owner may be included together with an identifying design. ~~Any such design must first be approved by the police chief as not being confusing to customers or unnecessarily distracting to other motorists.~~

(Ord. No. 38-02072011-05, att. § 24-420, 2-7-2011)

~~Sec. 14-503. Display of cards.~~

~~All licensed taxicabs shall have three cards of a size and form to be established by the police chief. These cards shall be placed or secured in a frame so that they may not be easily tampered with or destroyed. Each card shall show the license number assigned to the vehicle by the city clerk or designee and a statement that any customer complaint shall be directed to the police chief and shall include the license number of the taxicab, the schedule of the established rates of fares and zones, and the driver's identification card and number.~~

~~(Ord. No. 38-02072011-05, att. § 24-421, 2-7-2011)~~

Sec. 14-504. Number of passengers.

No driver shall permit more persons to be carried in the taxicab than the seating capacity of the cab.
(Ord. No. 38-02072011-05, att. § 24-422, 2-7-2011)

Sec. 14-505. Record of daily trips.

The owner of each licensed taxicab shall maintain daily records of trips made by the vehicle. These records shall be kept in a form and manner approved by the police chief and shall be open to inspection by any police officer delegated by the police chief.
(Ord. No. 38-02072011-05, att. § 24-423, 2-7-2011)

Sec. 14-506. Receipts for fares.

Every taxicab driver, when requested by a passenger, shall furnish a signed receipt showing the owner's name together with the date and amount of the fare charged.
(Ord. No. 38-02072011-05, att. § 24-424, 2-7-2011)

Sec. 14-507. Consent of passenger to additional fares.

No taxicab driver shall carry any person other than his initial passenger without first obtaining the first passenger's consent.
(Ord. No. 38-02072011-05, att. § 24-425, 2-7-2011)

Sec. 14-508. Rates and zones.

- ~~(a) — The city council, on its own initiative, or on petitions of ten or more residents of the city, or two or more persons regularly operating taxicab businesses in the city, may revise the schedule of fares and definitions of the zones for such fares. The schedule of fares shall be established and the zones defined so as to protect the public interest while at the same time providing taxicab owners with a reasonable return on their investment.~~
- ~~(b) — At least seven days before any action is taken by the city council to alter existing fares or change the description of zones, notice shall be given by publication in a daily newspaper having a general circulation in the city of the time and place of the meeting at which such action is proposed to be taken and of the fact that the city council will be considering a proposal to alter existing taxicab fares or zones. When the request for a change in rates or zone descriptions is initiated by one or more taxicab businesses, the applicants shall assume the expense of publishing the notice of the hearing.~~
- ~~(c) — At the hearing, the city council shall consider any relevant evidence that is offered to show whether or not fares or zone descriptions should be altered.~~
- ~~(d) — A schedule of the rates and zones currently in effect shall be kept on file in the office of the city clerk.~~
- (Ord. No. 38-02072011-05, att. § 24-426, 2-7-2011)

A schedule of the rates and zones determined by the taxicab business must be submitted to the city clerk upon approval of a new license, the scheduled fee will be considered when approving the license. Established taxicab businesses must submit any revisions to the rates and zones 30 days before the revision goes into effect. The city council, on its own initiative, or on petitions of ten or more residents of the city may conduct a hearing regarding the schedule of fares and definitions of the zones for such fares. The city council has the authority, after a hearing, to determine if the revision is relevant and should be adjusted.

Secs. 14-509—14-529. Reserved.



City Council Ordinance

IN CITY COUNCIL

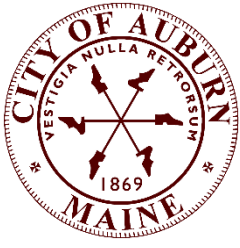
AMENDING THE AUBURN CODE OF ORDINANCES, APPENDIX A, FEES AND CHARGES.

Be it ordained, that the Auburn City Council hereby amends the Auburn Code of Ordinances, Appendix A, Fees and Charges as follows:

Taxicabs:

Taxicab business license (~~police department inspection required~~)—annually ~~per cab~~
.....55100.00

~~Taxicab driver's license (Lewiston permit required)—annually25.00~~



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: February 7, 2022

Ordinance: 05-02072022

Author: Phil Crowell, City Manager

Subject: Disorderly Housing

Information: It is the responsibility of the city to protect the health, safety, and welfare of the residents of the Auburn by eliminating the proliferation of properties with occupants who disturb the peace and tranquility of their neighborhoods. Often, these incidents are occurring in housing units or rentals which are unoccupied by the owners. Inquiries have been done with other municipalities to determine how enforcement is being handled.

Many communities over the past few years have adopted a Disorderly Housing Ordinance. Communities have found that chronic unlawful or nuisance activity of various kinds on and near disorderly houses adversely affects the health, safety and welfare of citizens and diminishes the quality of life in neighborhoods where this chronic activity occurs. Chronic unlawful or nuisance activity constitutes a public nuisance and should be subject to abatement.

Most ordinances define a “disorderly house” as any building which the Police Department has visited a minimum number of times in any thirty (30) day period response to situations that are created by the owner, tenants, cohobitees, residents, guests or invitees and that would have a tendency to unreasonably disturb the community, the neighborhood or an ordinary individual in the vicinity of said building. This ordinance would not have an impact for someone calling for service as it relates to protection like a domestic assault, sexual assault, or protection from abuse orders.

City Budgetary Impacts: N/A

Staff Recommended Action: Consider adopting the proposed ordinance.

Previous Meetings and History: Presented and discussed at the 1/18/2022 Council Workshop.

City Manager Comments:

I concur with the recommendation. Signature:

Attachments: Portland Disorderly Housing Ordinance and Gorham Disorderly Housing Ordinance.



City Council Ordinance

IN CITY COUNCIL

ADOPTING A DISORDERLY HOUSING ORDINANCE

Be it ordained, that the City Council hereby adopt the Disorderly Housing Ordinance (attached).

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

**CITY OF AUBURN
DISORDERLY HOUSE ORDINANCE**

SECTION 1. TITLE.

This Ordinance shall be known as the "City of Auburn Disorderly House Ordinance."

SECTION 2. PURPOSE.

The purpose of this Ordinance is to protect the health, safety, and welfare of the residents of the City of Auburn by eliminating the proliferation of properties with occupants who disturb the peace and tranquility of their neighborhoods. Nothing contained in this Ordinance is intended to dissuade, discourage or prohibit any person whose safety is in jeopardy, or who is a victim of domestic violence, from contacting the appropriate authorities, including, but not limited to, the Auburn Police Department.

SECTION 3. LEGISLATIVE FINDINGS.

The City Council hereby finds that:

(a) The City has a substantial and compelling interest in protecting the health, safety, property, and welfare of its citizens and the neighborhoods affected by chronic unlawful or nuisance activity as well as in not dissuading, discouraging or prohibiting any person whose safety is in jeopardy, or who is a victim of domestic violence, from contacting the appropriate authorities.

(b) Chronic unlawful or nuisance activity of various kinds on and near disorderly houses adversely affects the health, safety and welfare of citizens and diminishes the quality of life in neighborhoods where this chronic activity occurs. Chronic unlawful or nuisance activity constitutes a public nuisance and should be subject to abatement.

(c) The existing ordinances and enforcement processes of the City do not adequately control chronic unlawful or nuisance activity or its detrimental effects on citizens and neighborhoods where such chronic activity occurs.

(d) Establishing the regulatory framework contained herein will alleviate the problems created by chronic unlawful or nuisance activity through early intervention by the Police Department.

SECTION 4. DISORDERLY HOUSES PROHIBITED.

(a) No person shall occupy as owner-occupant or shall allow another to occupy any dwelling, dwelling unit, or rooming house (hereinafter jointly and severally "building") which is a disorderly house as defined herein.

(b) A "disorderly house" is any building which:

(1) The Police Department has visited a minimum number of times in any thirty (30) day period response to situations that are created by the owner, tenants, or owner's or tenants' cohabitants, guests or invitees and that would have a tendency to unreasonably

disturb the community, the neighborhood or an ordinary individual in the vicinity of said building, including, but not limited to: loud music; boisterous parties; sounds emanating from within the structure which are audible outside the building; loud noise or fights within the building or in its vicinity involving tenants of the building or their invitees (excluding any request for police protection or any police intervention in the face of a threat or a perceived threat to person or property, or any request for the assistance of the police to enforce a court order, including, but not limited to, circumstances in which the request for assistance or other police intervention arises from an incident relating to domestic violence, dating violence, sexual assault or stalking against any person at or near the building); owners, tenants, or invitees of owners or tenants being intoxicated on public ways in the vicinity of the building; other similar activities in the building or outside the building itself; or

- (2) The police have visited three (3) or more times in any thirty (30) day period in response to situations which are created by the owner, tenants, or owner's or tenants' cohabitantes, guests or invitees and involve the arrest or summons of owners or tenants or their invitees for activities which constitute either a crime or civil infraction under either state or local law (excluding arrests or summonses arising from an incident relating to domestic violence, dating violence, sexual assault or stalking against any person at or near the building), or create a reasonable suspicion that illegal drug use or sales under 17-A M.R.S.A. Chapter 45 or prostitution or public indecency under 17-A M.R.S.A. Chapter 35 has occurred at the property.

Unit per Building	Number of Visits by Police in any 30-day Period
5 or less	3 Visits
6 - 10	4 Visits
11 or more	5 Visits

(c) The situation to which the visit pertains shall be documented by the Police Department. Such documentation may include sworn affidavits by named citizens that may be sufficient to create a reasonable suspicion said illegal activity has occurred.

SECTION 5. NOTICE OF DISORDERLY HOUSE.

(a) Whenever the Police Department has identified a building as a disorderly house, it shall cause written notification of the events that form the basis for that designation to be given to the owner. The notice shall require the owner to meet with representatives of the City (including the Police Department) within five (5) business days from the date of the written notification, or such other time as is agreed upon by the Police Chief or his/her designee, to identify ways in which the problems that have been identified will be eliminated.

(b) At the time of said meeting, the owner shall be obligated to provide to the City the following documentation:

- (1) A list of the names of all tenants or other persons authorized to reside or presently residing in the building and the units they occupy;

- (2) Copies of all leases or occupancy agreement(s) with tenants or other persons residing in the building (confidential personal or financial information may be omitted);
- (3) Contracts with any property manager or other person responsible for the orderly operation of the building; and
- (4) Proof of building ownership.

In addition, the owner shall agree to take effective measures to address the disorderly house, which measures shall be memorialized in a written agreement at the conclusion of the meeting with the City and shall be implemented within one (1) week of said meeting unless another date is agreed upon by the Police Department. The Police Chief or his or her designee has authority to execute such agreements on behalf of the City. Failure to enter into such an agreement at the conclusion of the meeting will be deemed a violation of this Ordinance, and the City may file a complaint in court seeking all remedies permitted by law as set forth in Section 7 of this Ordinance.

(c) If the same building should be classified as a disorderly house by the Police Department on a subsequent occasion within three (3) years, then the City is under no obligation to meet with the owner but may, after notice and hearing before the City Council, condemn and post the building or any units therein against occupancy as set forth in Section 7(a), and/or proceed directly with a complaint in court seeking all remedies permitted by law as set forth in Section 7(a).

(d) The notices provided for in this section may be given to any person, including any legal entity having the right of legal title or the beneficial interest in the disorderly house or any portion thereof, as that interest is recorded in the assessing records of the City or the Registry of Deeds of Androscoggin County, which shall be sufficient for all legal purposes. Notice shall be provided to the owner and any non-owner occupants of the building (if known).

SECTION 6. ENFORCEMENT.

(a) It shall be the duty of the Police Department to administer and enforce the provisions of this Ordinance. If the owner (a) refuses to meet with representatives of the City as set forth in Section 5 above, (b) refuses to agree to take effective measures to address the disorderly house, (c) takes ineffective measures to address the disorderly house as determined by the City, (d) fails to implement the agreement reached with the City to address the disorderly house, or (e) if, in the discretion of the City, the disorderly house requires immediate posting in order to protect the public health, safety or welfare, the City may condemn and post the building or any units therein against occupancy, and/or may file a legal action against the owner and/or violator seeking any and all remedies to which it is entitled pursuant to State and local laws, including, without limitation, declaratory and injunctive relief.

(b) In the event that condemnation and posting the building or any units therein against occupancy is necessary to address the disorderly house, the City shall provide all non-owner occupants of the building with written notice of said condemnation at least thirty (30) days in advance of the act of condemnation or the posting against occupancy, if the list of tenants is known to the City.

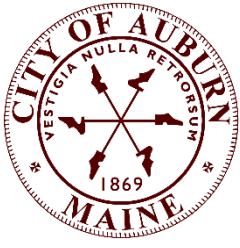
(c) In the event of legal action against an owner and/or violator for a disorderly house violation, the City shall name the non-owner occupants of the building (if known) as parties-in-interest to said legal action.

SECTION 7. VIOLATIONS.

Any person violating any of the provisions of this Ordinance or failing or neglecting or refusing to obey any order or notice of the Police Department issued hereunder shall be subject to a penalty as provided herein.

SECTION 8. CIVIL PENALTIES.

Any person who is found to be in violation of any provision of this Ordinance shall be subject to a civil penalty of not less than one thousand dollars (\$1,000.00) and not more than two thousand dollars (\$2,000.00), or as otherwise provided by 30-A M.R.S.A. § 4452, as may be amended from time to time. Each violation of a separate provision of this Ordinance, and each day of violation, shall constitute separate offenses. In addition, if the City is the prevailing party in an enforcement action, said person shall also be liable for all reasonable expenses incurred by the City in the enforcement of this Ordinance, including, but not limited to, staff time, attorney's fees, and costs. All civil penalties shall inure to the benefit of the City of Auburn.



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: February 7, 2022

Ordinance: 06-02072022

Author: Jason Levesque, Mayor

Subject: Alignment of board and commission scope and responsibility

Information: As a follow-up to the December 18th meeting announcement of my intent to complete the work of modernization of our committees and boards that we started last year, I reconvened the committee for one meeting on January 10th to specifically redesign the ad hoc committee on sustainability, conservation and its sub committees, and agriculture.

After input from the ad-hoc committee and Conservation Commission, Agriculture Board, and Forestry Board the proposed ordinance is being submitted for council adoption.

City Budgetary Impacts: NA

Staff Recommended Action: Consider the proposed ordinance amendment.

Previous Meetings and History: See above under information

City Manager Comments:

I concur with the recommendation. Signature:



Attachments: Proposed Ordinance Language

DIVISION 5. ~~CONSERVATION COMMISSION~~

Sec. 2-477. Commission established.

~~A conservation commission is hereby established pursuant to 30-A M.R.S.A. §§ 3261—3263 to consist of seven members appointed by the city council, all of whom shall be residents of the city. The terms of office shall be three years except that initial appointments after the date of adoption of the ordinance from which this division derives shall be such that the terms of no more than three members shall expire in any single year. For that purpose, the city council shall initially appoint three members for terms of one year, two members for terms of two years, and two members for terms of three years, such that the terms of approximately one-third of the members shall expire each year. There shall be one ex-officio member of the board consisting of the city manager or his/her designee.~~

~~(Ord. No. 07-02022015, § 1, 2-17-2015)~~

Sec. 2-478. Purpose.

~~The purpose of the conservation commission shall be to serve as a research, advisory and advocacy group on environmental and conservation issues relating to the city.~~

~~(Ord. No. 07-02022015, § 2, 2-17-2015)~~

Sec. 2-479. Qualifications.

~~All members of the commission shall be selected upon the basis of their knowledge of or interest in conservation, environmental science or related fields.~~

~~(Ord. No. 07-02022015, § 3, 2-17-2015)~~

Sec. 2-480. Powers and duties.

~~The commission:~~

- ~~(1) Shall keep records of its meetings and activities and make an annual report to the city council;~~
- ~~(2) Shall conduct research, in conjunction with the planning board, into local land areas, which shall be initiated by majority votes of both the commission and the planning board;~~
- ~~(3) Shall seek to coordinate the activities of conservation bodies organized for similar purposes;~~
- ~~(4) Shall keep an index of all open areas within the city, whether publicly or privately owned, including open marshlands, swamps and other wetlands, for the purpose of obtaining information relating to the proper protection, development or use of those open areas. The commission may recommend to the city council or to any board of the city or to any body politic or public agency of the state a program for the better protection, development or use of such open areas, which may include the acquisition of conservation easements;~~

-
- ~~(5) May advertise, prepare, print and distribute books, maps, charts, plans and pamphlets which it considers necessary, if municipal appropriations provide financial resources to do so;~~
 - ~~(6) Shall assist staff in the preparation of park and trail plans, the identification of new sites to be added to the park system, recommendations on designation of open space areas, and grant assistance;~~
 - ~~(7) Shall coordinate applications for grants from the federal or state governments, or private sources, to improve conservation assets for the city including parks, trail and the community forest.~~
 - ~~(8) Shall undertake any other conservation or environmental activity referred to it by the city council.~~
 - ~~(9) May recommend to the city council the acceptance of gifts in the municipality's name for any of the commission's purposes.~~
 - ~~(10) Shall develop a plan for and provide advice to city staff and agencies regarding the management of the community forest including the anticipated impact of proposed development;~~
 - ~~(11) Shall raise community awareness regarding the importance of the community forest;~~
 - ~~(12) May raise funds to establish a community forest trust fund;~~
 - ~~(13) Shall adopt by laws to govern the internal affairs of the commission; and~~
 - ~~(14) May perform such other functions as are permitted by this Code.~~

~~(Ord. No. 07-02022015, § 4, 2-17-2015)~~

Sec. 2-481. Officers, meetings and records.

- ~~(a) The members shall elect from their membership a chairperson, treasurer, a vice-chairperson and a secretary. Officers shall serve two-year terms.~~
- ~~(b) All meetings of the commission shall be open to the public, and notice, if required by law, should be provided to the public about such meetings.~~
- ~~(c) Minutes shall be kept of all meetings.~~

~~(Ord. No. 07-02022015, § 5, 2-17-2015)~~

Sec. 2-482. Committees.

- ~~(a) *Establishment:* The chairperson may appoint special committees for purposes and terms approved by the conservation commission.~~
- ~~(b) *Lewiston Auburn Community Forest Board:* The Lewiston Auburn Community Forest Board will be a standing subcommittee of the Auburn Conservation Commission. The purpose of the community forest board is to plan for and provide advice to city staff and the conservation commission regarding the management of the community forest. The conservation commission shall designate two members to serve on the Lewiston-Auburn Community Forest Board. The Lewiston-Auburn Community Forest Board shall develop and implement a community forest program that enhances, preserves, protects, and maintains the community forest. Primary activities are to:
 - ~~(1) Advocate for the community forest;~~
 - ~~(2) Develop a plan for and provide advice on the management of the public sector portion of the community forest;~~
 - ~~(3) Educate the communities about the community forest and how to care for it;~~~~

-
- ~~(4) Raise funds, including grants, and establish a community forest trust;~~
 - ~~(5) Develop and advise on policy changes for approval by the city councils;~~
 - ~~(6) Advise and consult on community forest issues and projects;~~
 - ~~(7) Communicate and coordinate with city staff, planning boards, and other community programs to avoid duplications of efforts and to combine resources to meet goals.~~

~~(Ord. No. 07-02022015, § 6, 2-17-2015)~~

Sec. 2-482.1. Limits of authority.

~~Nothing contained within this section shall supersede the provisions of the Charter or contrary provisions of the Code. No powers and duties which may be exercised by conservation commissions under state statute which are not explicitly provided in this article may be exercised by the commission created herein.~~

~~(Ord. No. 07-02022015, § 7, 2-17-2015)~~

DIVISION 8. AGRICULTURE COMMITTEE¹

Sec. 2-482.11. Purpose.

~~The purpose of the agriculture committee shall be to proactively build a stronger food, agricultural, and resource economy in the city and to address the ongoing needs of protecting and promoting farms, farmland, forestry businesses, woodlots, local agriculture economy and local forestry economy.~~

~~(Ord. No. 14-12022019, 12-9-2019; Ord. No. 20-12022019, 12-9-2019)~~

Sec. 2-482.12. Established.

~~An agriculture committee is hereby established to consist of nine members, of whom seven members shall be appointed by the city council and shall be residents of the city with highest priority given to selecting members who are actively engaged in agriculture or forestry. At least one member shall have professional experience in an area directly related to forestry and at least one shall have direct professional experience in an area related to agriculture. The other nonvoting members shall be residents or landowners. The seven regular members appointed by the city council shall appoint up to two nonvoting members.~~

~~The terms of office shall be three years except that initial appointments after the date of adoption of the ordinance from which this division derives shall be such that the terms of no more than three members shall expire in any single year. For that purpose, the city council shall initially appoint one members for terms of one year, three members for terms of two years, and three members for terms of three years, such that the terms of approximately one third of the members shall expire each year. Subsequent appointments shall be for a term of three years.~~

~~(Ord. No. 14-12022019, 12-9-2019; Ord. No. 20-12022019, 12-9-2019)~~

¹Editor's note(s)—Ord. No. 14-12022019, adopted December 9, 2019, set out provisions intended for use as Div. 8, §§ 2-485.1—2-485.7. To preserve the style of this Code, and at the editor's discretion, these provisions have been included here as Div. 8, §§ 2-482.11—2-482.17.

Sec. 2-482.13. Qualifications.

All members of the committee shall be selected upon the basis of their active involvement, interests, skill or expertise in agriculture, forestry, food system economics, public policy or related fields. All voting members shall be residents of the city.

(Ord. No. 14-12022019, 12-9-2019; Ord. No. 20-12022019, 12-9-2019)

Sec. 2-482.14. Powers and duties.

The committee shall:

- (1) Make recommendations to the planning board and city council and consult with the conservation commission regarding the ongoing needs of protecting and promoting farms, forestry businesses, farmland, woodlots and building a stronger food, agricultural and resource economy in the city.
- (2) Promote opportunities for farm financing and farm, forestry or natural resource business development proposals, conservation and preservation of agricultural lands and encourage the marketing of the city's agricultural and forestry products;
- (3) Seek to coordinate the activities of local, state and regional organizations of similar purposes and collaborate to assist with education of the community regarding food systems, agriculture and forestry;
- (4) Research methods, best practices and successful policies that other communities are using to strengthen and support agriculture and forestry and share information and ideas with community leaders.
- (5) Periodically review the city comprehensive plan, ordinances and land use trends that relate to agriculture and forestry in order to identify potential barriers and opportunities to modify the city's policies and ordinances to better support agriculture and forestry.
- (6) Support broad public participation in changes to municipal policies and ordinances that affect agriculture and forestry and provide opportunities for public input as changes are proposed.
- (7) Review applications for a voluntary municipal farm support program and perform related duties as requested by the city council.
- (8) Keep records of its meetings and activities and make an annual report to the city council;
- (9) Undertake any other agricultural or forestry related activity referred to it by the city council;
- (10) Adopt by-laws to govern the internal affairs of the committee including meeting frequency;
- (11) May perform such other functions as are permitted by this Code.
- (12) Should any project in the city require the submission of a farm plan, the committee shall review the farm plan and provide a recommendation to the planning board within 60 days.

(Ord. No. 14-12022019, 12-9-2019; Ord. No. 20-12022019, 12-9-2019)

Sec. 2-482.15. Officers, meetings and records.

- (a) The members shall elect from their membership a chairperson, a vice chairperson and a secretary. Officers shall serve two-year terms.

~~(b) All meetings of the committee shall be open to the public, and notice, shall be provided to the public about such meetings.~~

~~(c) The committee may request that testimony provided during public hearings in front of the committee be provided under oath.~~

~~(d) Minutes shall be kept of all meetings.~~

~~(Ord. No. 14-12022019, 12-9-2019; Ord. No. 20-12022019, 12-9-2019)~~

~~Sec. 2-482.16. Committees.~~

~~The committee may vote to create subcommittees and appoint members of such subcommittees to work on specific projects.~~

~~(Ord. No. 14-12022019, 12-9-2019; Ord. No. 20-12022019, 12-9-2019)~~

~~Sec. 2-482.17. Quorum and necessary vote.~~

~~As to any matter requiring a public hearing, no business shall be transacted by the committee without a quorum, consisting of at least half of the voting members of the committee. If less than a quorum is present, the hearing shall be rescheduled, and the members and other interested parties shall be notified of the rescheduling.~~

~~(Ord. No. 14-12022019, 12-9-2019; Ord. No. 20-12022019, 12-9-2019)~~



City Council Ordinance

IN CITY COUNCIL

Be it ordained, that the City Council hereby amends the Auburn Code of Ordinances, Chapter 2 – Administration, Article V. Boards, Commissions and Committees by striking Division 5, Conservation Commission and Division 8, Agriculture Committee and replacing Division 5 with Sustainability and Natural Resource Management Board as attached.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

PART II - CODE OF ORDINANCES
 Chapter 2 - ADMINISTRATION
 ARTICLE V. - BOARDS, COMMISSIONS AND COMMITTEES
 DIVISION 5. Sustainability and Natural Resource Management Board

***DIVISION 5. SUSTAINABILITY AND NATURAL RESOURCE MANAGEMENT BOARD
 (SNRB)***

Sec. 2-477. Board established.

A Board is hereby established pursuant to 30-A M.R.S.A. §§ 3261—3263 to consist of six members, including representatives of the city council, planning board, and four standing working groups on agriculture, conservation, the community forest, and sustainability. The planning board chair and the mayor may either serve on this board or appoint a representative to serve as members of the SNRB for a term of two years. The standing working groups on agriculture, conservation, the community forest, and sustainability shall nominate one representative each for approval by the Council; these members shall serve staggered three-year terms. There shall be one ex officio member of the board, consisting of the city manager or his/her designee.

Sec. 2-478. Purpose.

The purpose of the SNRB shall be to advance Auburn’s commitment to sustainability by serving as a research, advisory and advocacy group on environmental issues and natural resource management within the City. The SNRB is created with the purpose of improving the relationship and communication between the City Council, existing committees, and staff with the aim of creating more effective organization of city sustainability efforts.

Sec. 2-479. Qualifications.

All members of the SNRB shall be selected on the basis of their knowledge of or interest in conservation, environmental science, agriculture, forestry, energy or related fields.

Sec. 2-480. Powers and duties.

- (1) SNRB will provide an interface between City leadership (City Council/ Mayor/City Manager), and four standing working groups (Conservation, Community Forest, Agriculture, Sustainability). SNRB will assure communication and coordination among the standing working groups, Council, and city staff.
- (2) SNRB will meet quarterly or as needed to set priorities for the standing working groups, review working group accomplishments, coordinate efforts, provide operating funds approved by the City Council for working group events, publications, etc. and develop brief quarterly updates for the Council. SNRB shall maintain a working relationship with the Planning Board.
- (3) The City shall identify staff to be resources for SNRB . It is not expected that staff attend all meetings, but rather attend or provide advice as needed.
- (4) SNRB may, upon approval by the City Manager or City Council advertise, and in coordination with the working groups, prepare, print and distribute books, maps, charts, plans and pamphlets which it considers necessary, if municipal appropriations provide financial resources to do so;
- (5) SNRB shall coordinate with City Manager any applications for grants from the federal or state governments, or private sources, to carry out the City's commitments to sustainability and responsible natural resource management;

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Chapter 2 - ADMINISTRATION
ARTICLE V. - BOARDS, COMMISSIONS AND COMMITTEES
DIVISION 8. AGRICULTURE COMMITTEE

- (6) SNRB may recommend to the city council the acceptance of gifts in the municipality's name for any of the commission's purposes;
- (7) SNRB may perform such other functions as are permitted by this Code.

Sec. 2-481. Officers, meetings and records.

- (1) SNRB shall appoint a chair and secretary.
- (2) SNRB shall appoint members of the 4 standing working groups. Working group membership will be between 5 and 11 depending on need and volunteer interest.
- (3) Standing working groups shall provide a quarterly report to the SNRB.
- (4) All meetings of the SNRB and standing working groups shall be open to the public, and notice, if required by law, should be provided to the public about such meetings.
- (5) Minutes shall be kept of all meetings. Minutes and agendas will be made public through the City's website.

Sec. 2-482. Standing Working Groups

Establishment: The SNRB will oversee four standing working groups, each of which will have a distinct focus on agriculture, conservation, the community forest, or sustainability. Goals of the working groups are outlined below.

Conservation Working Group

The Conservation Working Group will be a standing working group of the Auburn Sustainability and Natural Resource Management Commission. The purpose of the Conservation Working Group shall be to promote responsible stewardship of the natural environment in Auburn through research, advocacy, and education.

The Conservation Working Group:

- a) Shall seek to coordinate the activities of conservation and recreation bodies organized for similar purposes;
- b) In coordination with the City GIS staff shall keep an index of all open areas within the city, whether publicly or privately owned, including open marshlands, swamps and other wetlands, for the purpose of obtaining information relating to the proper protection, development or use of those open areas. The working group may recommend to the city council or to any Board of the city a program for the better protection, development or use of such open areas, which may include the acquisition of conservation easements.
- c) Shall promote public awareness and appreciation for Auburn's natural environment through a broad education program. This may include organizing events, distributing educational materials, and coordinating with local conservation organizations, both private and public.
- d) Shall support and advise City staff on the sustainable management of Auburn's natural resources, and promote cooperation and information-sharing with regional, state, and federal agencies.
- e) Shall provide advisory opinions and recommendations to the City Council, Planning Board, and other municipal elected or appointed officials on matters pertaining to natural resource management in Auburn.

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Chapter 2 - ADMINISTRATION
ARTICLE V. - BOARDS, COMMISSIONS AND COMMITTEES
DIVISION 8. AGRICULTURE COMMITTEE

- f) Shall assist with and coordinate applications for grants from the Federal or State governments, or private sources, to improve conservation assets for the city including parks, trails, and the community forest.
- g) Shall undertake any other conservation or environmental activity referred to it by the city council.

Community Forest Working Group

The Lewiston-Auburn Community Forest Board will be a standing working group of the Auburn Sustainability and Natural Resource Management Commission. The Community Forest Working Group shall develop and implement a program that promotes the socio-economic, environmental, and esthetic values of the Community Forest.

The Community Forest Working Group:

- a) Shall advocate for Auburn's Community Forest, defined as the sum of street trees, trees associated with public facilities including parks and schools, and public woodlots under the jurisdiction of the City or the School Department.
- b) Shall maintain Auburn's Tree City USA certification which includes Maine Arbor Week Activities.
- c) Shall raise funds and develop grant applications to support the Community Forest.
- d) Shall collaborate and coordinate with public and private organizations including the working groups of the Sustainability & Natural Resources Board, Planning Board and City Council to provide advice, information and policy recommendations.
- e) Shall advise staff concerning the Street Tree Inventory and Public Woodlots Forest Management Plan.
- f) Shall meet jointly with representatives from Lewiston to maintain the Lewiston-Auburn Community Forest Board (LACFB) established and continually operating since 2001. LACFB jointly established and manages the tree nursery on North Auburn Road under an easement for the benefit of both cities.
- g) Shall provide education opportunities to the public to enhance understanding and appreciation of issues related to the Community Forest, including tree planting, tree care, invasive plant and insect issues, and the socio-economic benefits of the Community Forest.

Natural Products Working Group

The Natural Products Working Group will be a standing working group of the Sustainability and Natural Resource Management Board. The purpose of Auburn's Natural Products Working Group shall be to proactively build a stronger natural resource economy in Auburn and to address the ongoing needs of protecting and promoting farms, farmland, woodlots, and natural resources based industries.

The Natural Products Working Group shall:

- a) Work to protect soils of statewide importance
- b) Promote local resource based economies

PART II - CODE OF ORDINANCES
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ARTICLE V. - BOARDS, COMMISSIONS AND COMMITTEES
DIVISION 8. AGRICULTURE COMMITTEE

- c) Undertake education and community outreach to promote local commodities
- d) Provide assistance and contacts for local agricultural and resource based commercial initiatives at the state and federal levels
- e) Raise funds and develop grant applications to support the goals of promoting natural products in Auburn.
- f) Review and provide recommendations concerning solar installations in AGRP zoned areas

Sustainability Working Group

The Sustainability Working Group will be a standing working group of the Auburn Sustainability and Natural Resource Management Commission. The mission of the Sustainability Working Group is to assist citizens of Auburn in making Auburn a Sustainable Community in the domains of environment, government operations, and culture.

The Sustainability Working Group:

- a) Through application of existing research and data acquired at the local level shall assist the city in developing policies and actions in sustainability that are aligned with the state's climate focus areas: modernization of buildings, transportation, emission reductions, environmental protection, healthy and resilient communities, investment in climate-ready infrastructure, and engagement of our citizens
- b) Shall assist City staff in identifying and securing grant funding to supplement city budget outlays for sustainability work.
- c) Shall work with the city staff and community partners to develop outcome metrics to measure the effectiveness of sustainability policies and actions. For example: do participation rates for curbside recycling or food composting increase with new recycling/compost bins and a targeted community education program?
- d) Shall collaborate with other community groups, the city and quasi-governmental groups to share resources and avoid duplication of efforts in pursuit of shared sustainability goals.
- e) Shall assist the city in budget planning to fund a Sustainability Manager position overseeing development of an Auburn Climate Action Plan, as well as current/future sustainability initiatives. Assist the city and the Sustainability Manager with the development of the Auburn Climate Action Plan.

Sec. 2-482.1. Limits of authority.

Nothing contained within this section shall supersede the provisions of the Charter or contrary provisions of the Code. No powers and duties which may be exercised by commissions under state statute which are not explicitly provided in this article may be exercised by the Board created herein.



City of Auburn, Maine

Finance Department

www.auburnmaine.gov | 60 Court Street
Auburn, Maine 04210
207.333.6601

TO: Phillip Crowell, City Manager
FROM: Jill Eastman, Finance Director
REF: December 2021 Financial Report
DATE: January 12, 2022

The following is a discussion regarding the significant variances found in the City's December 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 sixth month of the current fiscal year. As a guideline for tracking purposes, revenues and expenditures should amount to approximately 50.0% of the annual budget. However, not all costs and revenues are distributed evenly throughout the year; individual line items can vary based upon cyclical activity.

Revenues

Revenues collected through December 31st, including the school department were \$53,273,862, or 55.82%, of the budget. The municipal revenues including property taxes were \$37,251,301, or 57.18% of the budget which is 0.20% higher than last year during the same period. The accounts listed below are noteworthy.

The current year tax revenue is at 57.08% as compared to 57.18% last year. This is an increase over last year of \$167,100.

Excise tax for the month of December is at 51.68%. This is a decrease from FY 20, but we are still over projected revenue for FY 22 by 1.68%.

State Revenue Sharing at the end of December is 84.74% or \$2,669,295 which is \$891,799 more than last year in December.

Expenditures

City expenditures through December 2021 were \$28,611,933 or 60.74% of the budget. This is 0.26% more than the same period last year. Noteworthy variances are:



City of Auburn, Maine

Finance Department

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- A. The main variances are Debt Service is \$96,424 more than FY20, Facilities due to payment of Property and Casualty Insurance Premium earlier than in FY 20, Public Safety Departments are higher than last year by \$257,859 and Public Works is higher than FY 20 by \$110,158.

Investments

This section contains an investment schedule as of December 31st. Currently the City's funds are earning an average interest rate of .24%.

Respectfully submitted,

A handwritten signature in black ink that reads "Jill M. Eastman".

Jill M. Eastman
Finance Director

CITY OF AUBURN, MAINE
BALANCE SHEET - CITY GENERAL FUND AND WORKERS COMP FUND
AS of December 2021, November 2021, and June 2021

	December 31 2021	November 30 2021	Increase (Decrease)	UNAUDITED JUNE 30 2021
ASSETS				
CASH	\$ 23,678,638	\$ 22,235,704	\$ 1,442,934	\$ 23,686,573
RECEIVABLES			-	
ACCOUNTS RECEIVABLES	1,207,628	1,196,474	11,154	1,895,710
TAXES RECEIVABLE-CURRENT	21,468,552	21,795,718	(327,166)	55,238
DELINQUENT TAXES	405,331	401,870	3,461	809,349
TAX LIENS	622,401	747,604	(125,203)	1,091,138
NET DUE TO/FROM OTHER FUNDS	4,365,615	927,093	3,438,522	-
	TOTAL ASSETS \$ 51,748,165	\$ 47,304,463	\$ 4,443,702	\$ 27,538,008
LIABILITIES & FUND BALANCES				
ACCOUNTS PAYABLE	\$ (278,363)	\$ (1,897)	\$ (276,466)	\$ (985,754)
PAYROLL LIABILITIES	(1,343,596)	1,933,735	(3,277,331)	(858,084)
ACCRUED PAYROLL	(91)	(91)	(0)	(3,963,795)
STATE FEES PAYABLE	(31,844)	(34,982)	3,138	-
ESCROWED AMOUNTS	(29,188)	(29,183)	(5)	(27,653)
DEFERRED REVENUE	(22,321,551)	(22,770,564)	449,013	(1,916,073)
DUE TO OTHER FUNDS	-	-	-	(3,460,216)
	TOTAL LIABILITIES \$ (24,004,633)	\$ (20,902,982)	\$ (3,101,651)	\$ (11,211,574)
FUND BALANCE - UNASSIGNED/ASSIGNED	\$ (24,945,896)	\$ (23,603,845)	\$ (1,342,051)	\$ (13,291,007)
FUND BALANCE - RESTRICTED	(1,364,114)	(1,364,114)		(2,273,457)
FUND BALANCE - NON SPENDABLE	(1,433,522)	(1,433,522)	-	(761,970)
	TOTAL FUND BALANCE \$ (27,743,532)	\$ (26,401,481)	\$ (1,342,051)	\$ (16,326,434)
TOTAL LIABILITIES AND FUND BALANCE	\$ (51,748,165)	\$ (47,304,463)	\$ (4,443,702)	\$ (27,538,008)

CITY OF AUBURN, MAINE
REVENUES - GENERAL FUND COMPARATIVE
THROUGH December 31, 2021 VS December 31, 2020

REVENUE SOURCE	FY 2022 BUDGET	ACTUAL REVENUES THRU DEC 2021	% OF BUDGET	FY 2021 BUDGET	ACTUAL REVENUES THRU DEC 2020	% OF BUDGET	VARIANCE
TAXES							
PROPERTY TAX REVENUE-	\$ 50,042,450	\$ 28,561,756	57.08%	\$ 49,655,498	\$ 28,394,656	57.18%	\$ 167,100
PRIOR YEAR TAX REVENUE	\$ -	\$ 463,274		\$ -	\$ 403,930		\$ 59,344
HOMESTEAD EXEMPTION REIMBURSEMENT	\$ 1,650,000	\$ 1,290,048	78.18%	\$ 1,420,000	\$ 1,405,540	98.98%	\$ (115,492)
EXCISE	\$ 4,425,000	\$ 2,287,012	51.68%	\$ 4,112,861	\$ 2,532,007	61.56%	\$ (244,995)
PENALTIES & INTEREST	\$ 120,000	\$ 59,213	49.34%	\$ 150,000	\$ 55,798	37.20%	\$ 3,415
TOTAL TAXES	\$ 56,237,450	\$ 32,661,304	58.08%	\$ 55,338,359	\$ 32,791,931	59.26%	\$ (130,627)
LICENSES AND PERMITS							
BUSINESS	\$ 166,000	\$ 146,146	88.04%	\$ 166,000	\$ 116,746	70.33%	\$ 29,400
NON-BUSINESS	\$ 300,200	\$ 198,549	66.14%	\$ 392,400	\$ 181,245	46.19%	\$ 17,304
TOTAL LICENSES	\$ 466,200	\$ 344,695	73.94%	\$ 558,400	\$ 297,991	53.37%	\$ 46,704
INTERGOVERNMENTAL ASSISTANCE							
STATE-LOCAL ROAD ASSISTANCE	\$ 390,000	\$ 421,592	108.10%	\$ 400,000	\$ 390,976	97.74%	\$ 30,616
STATE REVENUE SHARING	\$ 3,150,000	\$ 2,669,295	84.74%	\$ 2,708,312	\$ 1,777,496	65.63%	\$ 891,799
WELFARE REIMBURSEMENT	\$ 90,656	\$ 25,852	28.52%	\$ 90,656	\$ 11,362	12.53%	\$ 14,490
OTHER STATE AID	\$ 32,000	\$ 12,579	39.31%	\$ 32,000	\$ 10,269	32.09%	\$ 2,310
CITY OF LEWISTON	\$ 228,384	\$ -	0.00%	\$ 228,384	\$ 29,877	13.08%	\$ (29,877)
TOTAL INTERGOVERNMENTAL ASSISTANCE	\$ 3,891,040	\$ 3,129,318	80.42%	\$ 3,459,352	\$ 2,219,980	64.17%	\$ 909,338
CHARGE FOR SERVICES							
GENERAL GOVERNMENT	\$ 184,400	\$ 93,966	50.96%	\$ 198,440	\$ 79,352	39.99%	\$ 14,614
PUBLIC SAFETY	\$ 176,600	\$ 62,288	35.27%	\$ 181,600	\$ 71,799	39.54%	\$ (9,511)
EMS TRANSPORT	\$ 1,250,000	\$ 747,858	59.83%	\$ 1,200,000	\$ 594,473	49.54%	\$ 153,385
TOTAL CHARGE FOR SERVICES	\$ 1,611,000	\$ 904,112	56.12%	\$ 1,580,040	\$ 745,624	47.19%	\$ 158,488
FINES							
PARKING TICKETS & MISC FINES	\$ 41,500	\$ 22,384	53.94%	\$ 55,000	\$ 12,003	21.82%	\$ 10,381
MISCELLANEOUS							
INVESTMENT INCOME	\$ 40,000	\$ 10,313	25.78%	\$ 80,000	\$ 29,143	36.43%	\$ (18,830)
RENTS	\$ 125,000	\$ 7,189	5.75%	\$ 35,000	\$ 27,125	77.50%	\$ (19,936)
UNCLASSIFIED	\$ 20,000	\$ 22,205	111.03%	\$ 10,000	\$ 52,713	527.13%	\$ (30,508)
COMMERCIAL SOLID WASTE FEES	\$ -	\$ 24,966		\$ -	\$ 25,122		\$ (156)
SALE OF PROPERTY	\$ 120,000	\$ 2,936	2.45%	\$ 25,000	\$ 67,651	270.60%	\$ (64,715)
RECREATION PROGRAMS/ARENA							\$ -
MMWAC HOST FEES	\$ 234,000	\$ 116,055	49.60%	\$ 230,000	\$ 96,408	41.92%	\$ 19,647
TRANSFER IN: TIF	\$ 1,140,000	\$ -	0.00%	\$ 1,117,818	\$ -	0.00%	\$ -
TRANSFER IN: Other Funds	\$ 473,925	\$ -	0.00%	\$ 578,925	\$ -	0.00%	\$ -
ENERGY EFFICIENCY							\$ -
CDBG	\$ 252,799	\$ -	0.00%	\$ 214,430	\$ -	0.00%	\$ -
UTILITY REIMBURSEMENT	\$ 20,000	\$ 5,824	29.12%	\$ 20,000	\$ 5,554	27.77%	\$ 270
CITY FUND BALANCE CONTRIBUTION	\$ 475,000	\$ -	0.00%	\$ 527,500	\$ -	0.00%	\$ -
TOTAL MISCELLANEOUS	\$ 2,900,724	\$ 189,488	6.53%	\$ 2,838,673	\$ 303,716	10.70%	\$ (114,228)
TOTAL GENERAL FUND REVENUES	\$ 65,147,914	\$ 37,251,301	57.18%	\$ 63,829,824	\$ 36,371,245	56.98%	\$ 880,056
SCHOOL REVENUES							
EDUCATION SUBSIDY	\$ 28,900,061	\$ 15,640,250	54.12%	\$ 26,217,074	\$ 13,545,807	51.67%	\$ 2,094,443
EDUCATION	\$ 518,821	\$ 382,312	73.69%	\$ 717,415	\$ 232,079	32.35%	\$ 150,233
SCHOOL FUND BALANCE CONTRIBUTION	\$ 879,404	\$ -	0.00%	\$ 970,862	\$ -	0.00%	\$ -
TOTAL SCHOOL	\$ 30,298,286	\$ 16,022,562	52.88%	\$ 27,905,351	\$ 13,777,886	49.37%	\$ 2,244,676
GRAND TOTAL REVENUES	\$ 95,446,200	\$ 53,273,862	55.82%	\$ 91,735,175	\$ 50,149,131	54.67%	\$ 3,124,731

CITY OF AUBURN, MAINE
EXPENDITURES - GENERAL FUND COMPARATIVE
THROUGH December 31, 2021 VS December 31, 2020

DEPARTMENT	FY 2022 BUDGET	EXP THRU DEC 2021	% OF BUDGET	FY 2021 BUDGET	EXP THRU DEC 2020	% OF BUDGET	VARIANCE
ADMINISTRATION							
MAYOR AND COUNCIL	\$ 104,850	\$ 74,125	70.70%	\$ 99,000	\$ 34,012	34.36%	\$ 40,113
CITY MANAGER	\$ 447,401	\$ 275,892	61.67%	\$ 776,095	\$ 331,859	42.76%	\$ (55,967)
COMMUNICATIONS & TECHNOLOGY	\$ 911,637	\$ 530,465	58.19%	\$ 609,260	\$ 422,073	69.28%	\$ 108,392
CITY CLERK	\$ 237,474	\$ 118,581	49.93%	\$ 216,946	\$ 117,784	54.29%	\$ 797
FINANCIAL SERVICES	\$ 810,303	\$ 380,665	46.98%	\$ 751,849	\$ 374,259	49.78%	\$ 6,406
HUMAN RESOURCES	\$ 220,250	\$ 101,835	46.24%	\$ 157,057	\$ 75,352	47.98%	\$ 26,483
TOTAL ADMINISTRATION	\$ 2,731,915	\$ 1,481,563	54.23%	\$ 2,610,207	\$ 1,355,339	51.92%	\$ 126,224
COMMUNITY SERVICES							
PLANNING & PERMITTING	\$ 900,583	\$ 390,474	43.36%	\$ 1,339,047	\$ 477,699	35.67%	\$ (87,225)
ECONOMIC DEVELOPMENT	\$ 108,469	\$ 48,104	44.35%				\$ 48,104
BUSINESS & COMMUNITY DEVELOPMENT	\$ 512,260	\$ 138,256	26.99%				\$ 138,256
HEALTH & SOCIAL SERVICES	\$ 119,875	\$ 41,775	34.85%	\$ 199,282	\$ 60,569	30.39%	\$ (18,794)
RECREATION & SPORTS TOURISM	\$ 584,056	\$ 284,976	48.79%	\$ 520,474	\$ 322,157	61.90%	\$ (37,181)
PUBLIC LIBRARY	\$ 1,052,163	\$ 526,082	50.00%	\$ 1,031,533	\$ 515,766	50.00%	\$ 10,316
TOTAL COMMUNITY SERVICES	\$ 3,277,406	\$ 1,429,667	43.62%	\$ 3,090,336	\$ 1,376,191	44.53%	\$ 53,476
FISCAL SERVICES							
DEBT SERVICE	\$ 7,734,169	\$ 6,955,516	89.93%	\$ 7,577,735	\$ 6,859,092	90.52%	\$ 96,424
FACILITIES	\$ 677,872	\$ 435,450	64.24%	\$ 667,494	\$ 273,623	40.99%	\$ 161,827
WORKERS COMPENSATION	\$ 642,400	\$ 642,400	100.00%	\$ 641,910	\$ 641,910	100.00%	\$ 490
WAGES & BENEFITS	\$ 7,334,932	\$ 3,258,388	44.42%	\$ 6,840,635	\$ 3,238,598	47.34%	\$ 19,790
EMERGENCY RESERVE (10108062-670000)	\$ 461,230	\$ -	0.00%	\$ 461,230	\$ (2,500)	-0.54%	\$ 2,500
TOTAL FISCAL SERVICES	\$ 16,850,603	\$ 11,291,754	67.01%	\$ 16,189,004	\$ 11,010,723	68.01%	\$ 281,031
PUBLIC SAFETY							
FIRE & EMS DEPARTMENT	\$ 5,446,588	\$ 2,891,401	53.09%	\$ 5,302,131	\$ 2,678,779	50.52%	\$ 212,622
POLICE DEPARTMENT	\$ 4,343,924	\$ 2,193,440	50.49%	\$ 4,332,339	\$ 2,148,203	49.59%	\$ 45,237
TOTAL PUBLIC SAFETY	\$ 9,790,512	\$ 5,084,841	51.94%	\$ 9,634,470	\$ 4,826,982	50.10%	\$ 257,859
PUBLIC WORKS							
PUBLIC WORKS DEPARTMENT	\$ 5,077,370	\$ 2,273,209	44.77%	\$ 4,979,329	\$ 2,163,051	43.44%	\$ 110,158
SOLID WASTE DISPOSAL*	\$ 1,089,950	\$ 414,997	38.07%	\$ 1,051,318	\$ 437,334	41.60%	\$ (22,337)
WATER AND SEWER	\$ 792,716	\$ 390,602	49.27%	\$ 792,716	\$ 390,602	49.27%	\$ -
TOTAL PUBLIC WORKS	\$ 6,960,036	\$ 3,078,808	44.24%	\$ 6,823,363	\$ 2,990,987	43.83%	\$ 87,821
INTERGOVERNMENTAL PROGRAMS							
AUBURN-LEWISTON AIRPORT	\$ 177,000	\$ 176,115	99.50%	\$ 170,000	\$ 167,110	98.30%	\$ 9,005
E911 COMMUNICATION CENTER	\$ 1,161,479	\$ 580,740	50.00%	\$ 1,134,304	\$ 567,341	50.02%	\$ 13,399
LATC-PUBLIC TRANSIT	\$ 225,000	\$ -	0.00%	\$ 331,138	\$ -	0.00%	\$ -
ARTS & CULTURE AUBURN	\$ 10,000	\$ 10,000		\$ 10,000	\$ 10,000		\$ -
TAX SHARING	\$ 260,000	\$ -	0.00%	\$ 260,000	\$ -	0.00%	\$ -
TOTAL INTERGOVERNMENTAL	\$ 1,833,479	\$ 766,855	41.83%	\$ 1,905,442	\$ 744,451	39.07%	\$ 22,404
COUNTY TAX							
TIF (10108058-580000)	\$ 2,611,080	\$ 2,611,080	100.00%	\$ 2,629,938	\$ 2,629,938	100.00%	\$ (18,858)
OVERLAY	\$ 3,049,803	\$ 2,867,365	94.02%	\$ 3,049,803	\$ 2,845,623	93.31%	\$ 21,742
	\$ -	\$ -		\$ -	\$ -		\$ -
TOTAL CITY DEPARTMENTS	\$ 47,104,834	\$ 28,611,933	60.74%	\$ 45,932,563	\$ 27,780,234	60.48%	\$ 831,699
EDUCATION DEPARTMENT							
	\$ 48,341,366	\$ 15,394,746	31.85%	\$ 45,802,612	\$ 17,686,312	38.61%	\$ (2,291,566)
TOTAL GENERAL FUND EXPENDITURES	\$ 95,446,200	\$ 44,006,679	46.11%	\$ 91,735,175	\$ 45,466,546	49.56%	\$ (1,459,867)

**CITY OF AUBURN, MAINE
INVESTMENT SCHEDULE
AS OF December 31, 2021**

INVESTMENT		FUND	BALANCE December 31, 2021	BALANCE November 30, 2021	INTEREST RATE
ANDROSCOGGIN BANK	449	CAPITAL PROJECTS	\$ 6,346,170.25	\$ 6,344,838.15	0.25%
ANDROSCOGGIN BANK	502	SR-TIF	\$ 1,051,308.09	\$ 1,051,084.98	0.25%
ANDROSCOGGIN BANK	836	GENERAL FUND	\$ 14,049,006.38	\$ 9,487,185.88	0.25%
ANDROSCOGGIN BANK	801	WORKERS COMP	\$ 52,519.47	\$ 52,508.32	0.25%
ANDROSCOGGIN BANK	684	EMS CAPITAL RESERVE	\$ 339,572.94	\$ 339,500.87	0.25%
ANDROSCOGGIN BANK	414	INGERSOLL TURF FACILITY	\$ 226,734.96	\$ 226,686.84	0.25%
ANDROSCOGGIN BANK	127	ARPA GRANT FUNDS	\$ 6,001,939.47	\$ -	0.25%
ANDROSCOGGIN BANK	0888	ELHS FUNDRAISING	\$ 62,638.43	\$ 62,625.14	0.25%
ANDROSCOGGIN BANK		ELHS CONSTRUCTION	\$ 142,388.24	\$ 142,357.48	0.25%
ANDROSCOGGIN BANK	0627	ST LOUIS BELLS FUNDRAISING	\$ 15,367.12	\$ 15,363.86	0.25%
NOMURA		ELHS Bond Proceeds	\$ 43,745,020.00	\$ 48,303,196.00	0.15%
GRAND TOTAL			\$ 72,032,665.35	\$ 66,025,347.52	0.24%

EMS BILLING
SUMMARY OF ACTIVITY
July 1, 2021 - June 30, 2022
Report as of December 31, 2021

	Beginning	December 2021					Ending
	Balance 12/1/2021	New Charges	Payments	Refunds	Adjustments	Write-Offs	Balance 12/31/2021
Bluecross	\$ 16,259.58	\$ 13,425.20	\$ (4,900.84)		\$ (4,973.00)		\$ 19,810.94
Intercept	\$ 200.00	\$ 100.00	\$ (200.00)				\$ 100.00
Medicare	\$ 169,340.31	\$ 152,210.38	\$ (61,307.27)		\$ (112,976.09)		\$ 147,267.33
Medicaid	\$ 51,198.17	\$ 44,175.40	\$ (25,811.42)		\$ (9,932.62)		\$ 59,629.53
Other/Commercial	\$ 138,569.06	\$ 33,461.40	\$ (22,785.22)		\$ (21,706.17)	\$ (21,186.31)	\$ 106,352.76
Patient	\$ 155,449.38	\$ 8,974.40	\$ (12,714.51)	\$ 50.00	\$ 3,432.51	\$ (20,000.00)	\$ 135,191.78
Worker's Comp	\$ -						\$ -
TOTAL	\$ 531,016.50	\$ 252,346.78	\$ (127,719.26)	\$ 50.00	\$ (146,155.37)	\$ (41,186.31)	\$ 468,352.34

EMS BILLING
BREAKDOWN -TOTAL CHARGES
July 1, 2021 - June 30, 2022
Report as of December 31, 2021

	July 2021	August 2021	Sept 2021	Oct 2021	Nov 2021	Dec 2021	Totals	% of Total
Bluecross	\$ 6,623.27	\$ 9,833.80	\$ 13,473.60	\$ 5,116.80	\$ 12,429.20	\$ 13,425.20	\$ 60,901.87	3.33%
Intercept			\$ 400.00	\$ 400.00	\$ 100.00	\$ 100.00	\$ 1,000.00	0.05%
Medicare	\$ 194,354.65	\$ 158,483.00	\$ 204,199.40	\$ 161,026.60	\$ 208,080.60	\$ 152,210.38	\$ 1,078,354.63	58.89%
Medicaid	\$ 68,121.50	\$ 50,785.00	\$ 90,618.80	\$ 59,852.00	\$ 67,343.00	\$ 44,175.40	\$ 380,895.70	20.80%
Other/Commercial	\$ 25,704.69	\$ 27,604.40	\$ 44,861.20	\$ 40,310.40	\$ 47,752.60	\$ 33,461.40	\$ 219,694.69	12.00%
Patient	\$ 20,928.65	\$ 18,060.40	\$ 11,284.20	\$ 12,239.40	\$ 14,619.20	\$ 8,974.40	\$ 86,106.25	4.70%
Worker's Comp	\$ 915.20		\$ 2,475.00	\$ 908.00			\$ 4,298.20	0.23%
TOTAL	\$ 316,647.96	\$ 264,766.60	\$ 367,312.20	\$ 279,853.20	\$ 350,324.60	\$ 252,346.78	\$ 1,831,251.34	100.00%

EMS BILLING
BREAKDOWN -TOTAL COUNT
July 1, 2021 - June 30, 2022
Report as of December 31, 2021

	July 2021	August 2021	Sept 2021	Oct 2021	Nov 2021	Dec 2021	Totals	% of Total
Bluecross	10	10	13	5	12	13	63	3.01%
Intercept	0		4	4	1	1	10	0.48%
Medicare	244	172	227	174	226	186	1229	58.75%
Medicaid	82	54	100	64	80	48	428	20.46%
Other/Commercial	34	32	48	44	51	35	244	11.66%
Patient	45	19	12	13	15	10	114	5.45%
Worker's Comp	1	0	2	1	0	0	4	0.19%
TOTAL	416	287	406	305	385	293	2092	100.00%

**EMS BILLING
AGING REPORT
July 1, 2021 to June 30, 2022
Report as of December 31, 2021**

	Current		31-60		61-90		91-120		121+ days		Totals	
Bluecross	\$ 9,789.79	49%	\$ 1,019.80	5%	\$ 3,653.80	18%		0%	\$ 5,347.55	27%	\$ 19,810.94	4.23%
Intercept	\$ -		\$ 100.00								\$ 100.00	0.02%
Medicare	\$ 86,707.16	59%	\$ 20,447.20	14%	\$ 12,510.20	8%	\$ 9,069.80	6%	\$ 18,532.97	13%	\$ 147,267.33	31.44%
Medicaid	\$ 47,926.97	80%	\$ 5,902.98	10%	\$ 3,990.96	7%	\$ 224.48	0%	\$ 1,584.14	3%	\$ 59,629.53	12.73%
Other/Commercial	\$ 36,219.62	34%	\$ 29,979.73	28%	\$ 5,434.80	5%	\$ 7,292.80	7%	\$ 27,425.81	26%	\$ 106,352.76	22.71%
Patient	\$ 38,112.33	28%	\$ 24,530.66	18%	\$ 40,879.57	30%	\$ 17,133.60	13%	\$ 14,535.62		\$ 135,191.78	28.87%
Worker's Comp	\$ -										\$ -	0.00%
TOTAL	\$ 218,755.87		\$ 81,980.37		\$ 66,469.33		\$ 33,720.68		\$ 67,426.09		\$ 468,352.34	
	47%		18%		14%		7%		14%		100%	100.00%

CITY OF AUBURN
SPECIAL REVENUE FUNDS REVENUE AND EXPENDITURES
As of December 31, 2021

	1902 Riverwatch	1910 Community Service	1914 Oak Hill Cemeteries	1915 Fire Training Building	1917 Wellness Grant	1928 Vending	1929 Fire Prevention	1930 211 Fairview	1931 Donations	2003 Byrne JAG	2005 MDOT	2008 Homeland Security	2010 State Drug Money	2011 PD Capital Reserve	2013 OUI Grant	2014 Speed Grant
Fund Balance 7/1/21	\$ 599,205.19	\$ 6,536.96	\$ 34,366.35	\$ 1,221.68	\$ 5,131.38	\$ -	\$ 4,796.03	\$ (566,303.71)	\$ 293.40	\$ 2,808.57	\$ 131,750.21	\$ (112,745.48)	\$ 6,975.14	\$ 12,596.25	\$ 4,318.98	\$ 2,820.93
Revenues FY22	\$ 44,908.78	\$ 232.00	\$ 471.19		\$ 1,942.39	\$ 245.00					\$ 157,242.00	\$ 109,031.40	\$ 587.26	\$ 10,177.50	\$ 2,416.38	\$ 6,828.83
Expenditures FY22	\$ 143,018.00	\$ 39.98			\$ 1,789.74	\$ 676.42				\$ 15,676.00	\$ 261,721.14	\$ 101,234.49	\$ 2,222.70	\$ -	\$ 2,379.07	\$ 9,695.78
Fund Balance 12/31/2021	\$ 501,095.97	\$ 6,728.98	\$ 34,837.54	\$ 1,221.68	\$ 5,284.03	\$ (431.42)	\$ 4,796.03	\$ (566,303.71)	\$ 293.40	\$ (12,867.43)	\$ 27,271.07	\$ (104,948.57)	\$ 5,339.70	\$ 22,773.75	\$ 4,356.29	\$ (46.02)

	2016 Pedestrian Safety Grant	2019 Law Enforcement Training	2020 CDBG	2025 Community Cords	2030 Parking	2034 EDUL Underage Drink	2037 Bulletproof Vests	2040 Great Falls TV	2041 Blanche Stevens	2043 DOJ Covid 19 Preventative	2044 Federal Drug Money	2047 American Firefighter Grant	2050 Project Lifesaver	2051 Project Canopy	2053 St Louis Bells	2054 EMS Transport Capital Reserve
Fund Balance 7/1/21	\$ -	\$ (8,505.29)	\$ 1,702,961.69	\$ 30,570.32	\$ 12,839.34	\$ (40.00)	\$ 2,729.15	\$ 20,536.23	\$ 26,247.04	\$ -	\$ 93,024.44	\$ -	\$ 189.35	\$ (9,522.60)	\$ 28,489.54	\$ 225,094.82
Revenues FY22	\$ -	\$ 300.00	\$ 245,818.82	\$ 1,103.93	\$ 34,777.00		\$ 8,358.37			\$ -	\$ 8,254.01			\$ 8,000.00	\$ 20.64	\$ 181,706.71
Expenditures FY22	\$ 1,110.84		\$ 384,044.68		\$ 37,136.61	\$ (2,600.00)	\$ 1,689.97		\$ 1,899.20	\$ 800.00	\$ 2,280.00	\$ 780.00			\$ 4,000.00	\$ 237,246.04
Fund Balance 12/31/2021	\$ (1,110.84)	\$ (8,205.29)	\$ 1,564,735.83	\$ 31,674.25	\$ 10,479.73	\$ 2,560.00	\$ 9,397.55	\$ 20,536.23	\$ 24,347.84	\$ (800.00)	\$ 98,998.45	\$ (780.00)	\$ 189.35	\$ (1,522.60)	\$ 24,510.18	\$ 169,555.49

	2055 Work4ME- PAL	2059 Distracted Driving	2064 MDOT Sopers Mill Culvert	2065 State Bi- Centennial Parade	2067 Hometown Heros Banners	2068 Northern Borders Grant	2070 Leadercast	2077 CTCI Grant	2080 Futsal Court Project	2201 EDI Grant	2300 ARPA Grant	2400 NRPA Youth Mentoring	2500 Parks & Recreation
Fund Balance 7/1/21	\$ 6,215.80	\$ -	\$ -	\$ (1,610.17)	\$ 209.00	\$ 201,371.71	\$ (3,500.00)	\$ 36,555.99	\$ (11,526.70)	\$ (1,484,407.18)	\$ 6,772,899.50	\$ -	\$ 252,323.69
Revenues FY22								\$ (3,111.14)	\$ 47,000.00		\$ 920.34		\$ 168,119.06
Expenditures FY22	\$ 1,304.77	\$ 1,432.88	\$ -	\$ (1,610.17)		\$ 23,325.00		\$ 17,055.95	\$ 21,646.39		\$ 242,912.17	\$ 1,710.00	\$ 303,786.91
Fund Balance 12/31/2021	\$ 4,911.03	\$ (1,432.88)	\$ -	\$ -	\$ 209.00	\$ 178,046.71	\$ (3,500.00)	\$ 16,388.90	\$ 13,826.91	\$ (1,484,407.18)	\$ 6,530,907.67	\$ (1,710.00)	\$ 116,655.84

	2600 Tambrands II TIF 6	2600 Mall TIF 9	2600 Downtown TIF 10	2600 Auburn Industrial TIF 12	2600 Auburn Plaza TIF 13	2600 Auburn Plaza II TIF 14	2600 Webster School TIF 16	2600 Hartt Transport TIF 19	2600 62 Spring St TIF 20	2600 Minot Ave TIF 21	2600 48 Hampshire St TIF 22	2600 Auburn Memory Care Facility TIF 23	2600 Millbran TIF 24	2600 Futurguard TIF 25	Total Special Revenues
Fund Balance 7/1/21	\$ (41,023.43)	\$ 348,613.20	\$ (269,889.73)	\$ (454,099.79)	\$ 281,097.17	\$ (752,490.87)	\$ (0.02)	\$ (2,663.69)	\$ 1,120.90	\$ 24,998.06	\$ 41,968.63	\$ 97,738.81	\$ 11,128.45	\$ (83,459.35)	\$ 7,229,955.89
Revenues FY22	\$ 199,956.89	\$ 457,660.81	\$ 853,881.02	\$ 164,715.30	\$ 329,051.86	\$ 443,099.40	\$ 30,524.85	\$ 32,643.98	\$ 59,152.21	\$ 50,486.49	\$ 84,184.64	\$ 118,621.92	\$ 36,906.23	\$ 6,479.04	\$ 3,902,715.11
Expenditures FY22			\$ 312,250.49	\$ 217,459.00	\$ 77,327.19	\$ 510,286.89	\$ 15,262.43		\$ 42,197.72		\$ 21,046.16	\$ 141,180.08	\$ 25,046.84	\$ 23,393.75	\$ 3,203,855.11
Fund Balance 12/31/2021	\$ 158,933.46	\$ 806,274.01	\$ 271,740.80	\$ (506,843.49)	\$ 532,821.84	\$ (819,678.36)	\$ 15,262.40	\$ 29,980.29	\$ 18,075.39	\$ 75,484.55	\$ 105,107.11	\$ 75,180.65	\$ 22,987.84	\$ (100,374.06)	\$ 7,928,815.89



City of Auburn, Maine

Finance Department

www.auburnmaine.gov | 60 Court Street
Auburn, Maine 04210
207.333.6601

To: Phillip Crowell, City Manager
From: Jill Eastman, Finance Director
Re: Financial Reports for December 2021

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 December 31, 2021.

INGERSOLL TURF FACILITY

Statement of Net Assets:

The Statement of Net Assets lists current assets, noncurrent assets, liabilities and net assets as of December 31, 2021.

Current Assets:

As of the end of December 2021 the total current assets of Ingersoll Turf Facility were \$226,687. This consisted cash and cash equivalents of \$226,687.

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 December 31, 2021 were \$89,514.

Liabilities:

Ingersoll had accounts payable of \$1,740 as of December 31, 2021.

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 December 2021 were \$80,790. This revenue comes from the sponsorships, programs, rental income and batting cages.

The operating expenses for Ingersoll Turf Facility through December 2021 were \$67,922. These expenses include personnel costs, supplies, utilities, repairs, capital purchases and maintenance.

As of December 2021, Ingersoll has an operating gain of \$12,868 compared to a net loss in November of \$4,281.

As of December 31, 2021, Ingersoll has a increase in net assets of \$12,868.

The budget to actual reports for revenue and expenditures, show that the revenue for FY22 compared to FY 21.

Statement of Net Assets
Ingersoll Turf Facility
December 31, 2021
Business-type Activities - Enterprise Fund

	December 31, 2021	November 30, 2021	Increase/ (Decrease)
ASSETS			
Current assets:			
Cash and cash equivalents	\$ 226,687	\$ 226,640	\$ 47
Interfund receivables/payables		\$ -	-
Accounts receivable	-	-	-
Total current assets	226,687	226,640	47
Noncurrent assets:			
Capital assets:			
Buildings	672,279	672,279	-
Equipment	119,673	119,673	-
Land improvements	18,584	18,584	-
Less accumulated depreciation	(721,022)	(721,022)	-
Total noncurrent assets	89,514	89,514	-
Total assets	316,201	316,154	47
LIABILITIES			
Accounts payable	\$ 1,740	\$ -	1,740
Interfund payable	\$ 34,755	\$ 53,597	(18,842)
Total liabilities	36,495	53,597	(17,102)
NET ASSETS			
Invested in capital assets	\$ 89,514	\$ 89,514	\$ -
Unrestricted	\$ 190,192	\$ 173,043	\$ 17,149
Total net assets	\$ 279,706	\$ 262,557	\$ 17,149

CITY OF AUBURN, MAINE
Statement of Revenues, Expenses and Changes in Net Assets
Ingersoll Turf Facility
Business-type Activities - Enterprise Funds
Statement of Activities
December 31, 2021

	Ingersoll Turf Facility
Operating revenues:	
Charges for services	\$ 80,790
Operating expenses:	
Personnel	52,682
Supplies	5,243
Utilities	5,045
Repairs and maintenance	1,952
Rent	-
Depreciation	-
Capital expenses	3,000
Other expenses	-
Total operating expenses	67,922
Operating gain (loss)	12,868
Nonoperating revenue (expense):	
Interest income	-
Interest expense (debt service)	-
Total nonoperating expense	-
Gain (Loss) before transfer	12,868
Transfers out	-
Change in net assets	12,868
Total net assets, July 1	266,838
Total net assets, December 31, 2021	\$ 279,706

CITY OF AUBURN, MAINE
REVENUES - INGERSOLL TURF FACILITY
Through December 31, 2021 compared to December 31, 2020

REVENUE SOURCE	FY 2022 BUDGET	ACTUAL REVENUES THRU DEC 2021	% OF BUDGET	FY 2021 BUDGET	ACTUAL REVENUES THRU DEC 2020	% OF BUDGET
CHARGE FOR SERVICES						
Sponsorship	\$ 25,000	\$ 5,275	21.10%	\$ 25,000	\$ 6,800	27.20%
Batting Cages	\$ 16,000	\$ 7,870	49.19%	\$ 13,000	\$ 4,330	33.31%
Programs	\$ 94,000	\$ 23,775	25.29%	\$ 90,000	\$ 1,187	1.32%
Rental Income	\$ 138,000	\$ 43,566	31.57%	\$ 102,000	\$ 27,985	27.44%
TOTAL CHARGE FOR SERVICES	\$ 273,000	\$ 80,486	29.48%	\$ 230,000	\$ 40,302	17.52%
INTEREST ON INVESTMENTS	\$ -	\$ 304		\$ -	\$ 785	
GRAND TOTAL REVENUES	\$ 273,000	\$ 80,790	29.59%	\$ 230,000	\$ 41,087	17.86%

CITY OF AUBURN, MAINE
EXPENDITURES - INGERSOLL TURF FACILITY
Through December 31, 2021 compared to December 31, 2020

DESCRIPTION	ACTUAL			ACTUAL			Difference
	FY 2022 BUDGET	EXPENDITURES THRU DEC 2021	% OF BUDGET	FY 2021 BUDGET	EXPENDITURES THRU DEC 2020	% OF BUDGET	
Salaries & Benefits	\$ 133,041	\$ 52,682	39.60%	\$ 187,546	\$ 65,311	34.82%	\$ (12,629)
Purchased Services	\$ 15,750	\$ 1,952	12.39%	\$ 14,450	\$ 2,177	15.07%	\$ (225)
Programs	\$ 16,300	\$ -	0.00%	\$ 18,500	\$ -	0.00%	\$ -
Supplies	\$ 2,500	\$ 5,243	209.72%	\$ 4,000	\$ 209	5.23%	\$ 5,034
Utilities	\$ 24,150	\$ 5,045	20.89%	\$ 25,650	\$ 6,375	24.85%	\$ (1,330)
Insurance Premiums	\$ -	\$ -		\$ -	\$ -		
Capital Outlay	\$ -	\$ 3,000		\$ -	\$ -		\$ 3,000
	\$ 191,741	\$ 67,922	35.42%	\$ 250,146	\$ 74,072	29.61%	\$ (6,150)
GRAND TOTAL EXPENDITURES	\$ 191,741	\$ 67,922	35.42%	\$ 250,146	\$ 74,072	29.61%	\$ (6,150)



City of Auburn, Maine

Finance Department

www.auburnmaine.gov | 60 Court Street
Auburn, Maine 04210
207.333.6601

To: Phillip Crowell, City Manager
From: Jill Eastman, Finance Director
Re: NSB Arena Financial Reports for December 31, 2021

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 December 31, 2021.

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, November 30, 2021.

Current Assets:

As of the end of December 2021 the total current assets of Norway Savings Bank Arena were (\$1,384,675). These consisted of cash and cash equivalents of \$265,152, accounts receivable of \$12,068, and an interfund payable of \$1,661,895.

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 December 31, 2021 was \$195,258.

Liabilities:

Norway Arena had accounts payable of \$1,710 as of December 31, 2021.

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 December 2021 are \$341,047. 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 December 2021 were \$296,325. These expenses include personnel costs, supplies, utilities, repairs, rent, capital purchases and maintenance.

As of December 2021, Norway Arena has an operating gain of \$44,722 compared to the November 2021 operating loss of \$107,174 an increase in the operating gain for the fiscal year of \$62,402.

As of December 31, 2021, Norway Arena has an increase in net assets of \$44,722.

The budget to actual reports for revenue and expenditures, with comparison to the same period last year show that revenue for FY22 is \$6,079 more than in FY21 and expenditures in FY22 are \$76,735 less than last year in December.

CITY OF AUBURN, MAINE
Statement of Net Assets
Norway Savings Bank Arena
December 31, 2021
Business-type Activities - Enterprise Fund

	December 31, 2021	November 30, 2021	Increase/ (Decrease)
ASSETS			
Current assets:			
Cash and cash equivalents	\$ 265,152	\$ 265,348	\$ (196)
Interfund receivables	\$ (1,661,895)	\$ (1,705,196)	\$ 43,301
Prepaid Rent			\$ -
Accounts receivable	12,068	115,915	\$ (103,847)
Total current assets	(1,384,675)	(1,323,933)	(60,742)
Noncurrent assets:			
Capital assets:			
Buildings	58,223	58,223	-
Equipment	514,999	514,999	-
Land improvements	-	-	-
Less accumulated depreciation	(377,964)	(377,964)	-
Total noncurrent assets	195,258	195,258	-
Total assets	(1,189,417)	(1,128,675)	(60,742)
LIABILITIES			
Accounts payable	\$ 1,710	\$ -	\$ 1,710
Net OPEB liability	\$ 43,811	\$ 43,811	\$ -
Net pension liability	42,634	42,634	-
Total liabilities	88,155	86,445	1,710
NET ASSETS			
Invested in capital assets	\$ 195,258	\$ 195,258	\$ -
Unrestricted	\$ (1,472,830)	\$ (1,410,378)	\$ (62,452)
Total net assets	\$ (1,277,572)	\$ (1,215,120)	\$ (62,452)

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
December 31, 2021

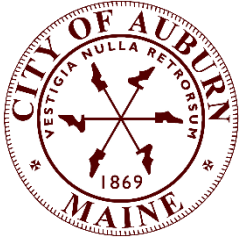
	Norway Savings Arena
Operating revenues:	
Charges for services	\$ 341,047
Operating expenses:	
Personnel	104,595
Supplies	37,598
Utilities	108,932
Repairs and maintenance	14,260
Insurance Premium	30,940
Depreciation	
Capital expenses	
Other expenses	
Total operating expenses	296,325
Operating gain (loss)	44,722
Nonoperating revenue (expense):	
Interest income	-
Interest expense (debt service)	-
Total nonoperating expense	-
Gain (Loss) before transfer	44,722
Transfers out	-
Change in net assets	44,722
Total net assets, July 1	(1,322,294)
Total net assets, December 31, 2021	\$ (1,277,572)

CITY OF AUBURN, MAINE
REVENUES - NORWAY SAVINGS BANK ARENA
Through December 31, 2021 compared to December 31, 2020

REVENUE SOURCE	FY 2022 BUDGET	ACTUAL REVENUES THRU DEC 2021	% OF BUDGET	FY 2021 BUDGET	ACTUAL REVENUES THRU DEC 2020	% OF BUDGET	VARIANCE
CHARGE FOR SERVICES							
Concussions	\$ 16,500	\$ 9,000	54.55%	\$ 16,500		0.00%	\$ 9,000
Skate Rentals	\$ 6,000	\$ 425	7.08%	\$ 7,500		0.00%	\$ 425
Pepsi Vending Machines	\$ 2,000	\$ 494	24.70%	\$ 3,000		0.00%	\$ 494
Games Vending Machines	\$ 3,000	\$ 739	24.63%	\$ 3,000		0.00%	\$ 739
Vending Food	\$ 2,000	\$ 66	3.30%	\$ 3,000	\$ 5	0.17%	\$ 61
Sponsorships	\$ 185,000	\$ 81,034	43.80%	\$ 230,000	\$ 89,950	39.11%	\$ (8,916)
Pro Shop	\$ 7,000	\$ 2,754	39.34%	\$ 7,000	\$ 4,503	64.33%	\$ (1,749)
Programs	\$ 20,000		0.00%	\$ 20,000	\$ -	0.00%	\$ -
Rental Income	\$ 683,500	\$ 221,675	32.43%	\$ 727,850	\$ 226,550	31.13%	\$ (4,875)
Camps/Clinics	\$ 50,000	\$ 24,860	49.72%	\$ 50,000	\$ 13,960	27.92%	\$ 10,900
Tournaments	\$ 50,000		0.00%	\$ 55,000		0.00%	\$ -
TOTAL CHARGE FOR SERVICES	\$ 1,025,000	\$ 341,047	33.27%	\$ 1,122,850	\$ 334,968	29.83%	\$ 6,079

CITY OF AUBURN, MAINE
EXPENDITURES - NORWAY SAVINGS BANK ARENA
Through December 31, 2021 compared to December 31, 2020

DESCRIPTION	ACTUAL			ACTUAL			VARIANCE
	FY 2022 BUDGET	EXPENDITURES THRU DEC 2021	% OF BUDGET	FY 2021 BUDGET	EXPENDITURES THRU DEC 2020	% OF BUDGET	
Salaries & Benefits	\$ 339,437	\$ 104,595	30.81%	\$ 328,913	\$ 142,781	43.41%	\$ (38,186)
Purchased Services	\$ 123,928	\$ 45,200	36.47%	\$ 120,000	\$ 71,578	59.65%	\$ (26,378)
Supplies	\$ 79,000	\$ 37,598	47.59%	\$ 83,000	\$ 41,689	50.23%	\$ (4,091)
Utilities	\$ 250,350	\$ 108,932	43.51%	\$ 244,650	\$ 117,012	47.83%	\$ (8,080)
Capital Outlay	\$ 42,500	\$ -	0.00%	\$ 50,000	\$ -	0.00%	\$ -
Rent	\$ -	\$ -		\$ -	\$ -		\$ -
	\$ 835,215	\$ 296,325	35.48%	\$ 826,563	\$ 373,060	45.13%	\$ (76,735)
GRAND TOTAL EXPENDITURES	\$ 835,215	\$ 296,325	35.48%	\$ 826,563	\$ 373,060	45.13%	\$ (76,735)



City of Auburn City Council Information Sheet

Council Workshop or Meeting Date: February 7, 2022

Subject: Executive Session

Information: Economic development, pursuant to 1 M.R.S.A. Section 405(6) (C)) with possible action to follow under New Business during the meeting.

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.