

**City Council Workshop & Meeting
Agenda
October 3, 2022
Auburn Hall, Council Chambers**

5:30 P.M. City Council Workshop

- A. Executive session – Legal consultation, pursuant to 1 M.R.S.A. §405(6)(E).
- B. City Council Retreat – Phil Crowell
- C. Pre-Approved Ready to Build Housing RFP – Phil Crowell
- D. Executive session - Economic development, pursuant to 1 M.R.S.A. §405(6)(C). Premature disclosure would prejudice the competitive or bargaining position of the City.
- E. Executive session - Economic development, pursuant to 1 M.R.S.A. §405(6)(C). Premature disclosure would prejudice the competitive or bargaining position of the City.

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

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 135-10032022***
Confirming Chief Moen’s appointments of Trevor Gagnon, Noor Shidad, Christopher Ivers, and Timothy Robinson as Constables with firearm for the Auburn Police Department.
 - II. **Minutes** - September 19, 2022, Regular Council Meeting
 - III. **Communications, Presentations and Recognitions**
 - Communication - Lake Auburn Watershed Protection Commission Resolution
 - T-4.2B Education Presentation Schedule
 - 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

1. Order 125-09062022

Allocating \$1,500,000.00 ARPA (American Rescue Plan Act) funding for home relief.

2. Ordinance 21-09192022

Amending the GA Maximum Appendices. Second reading.

VI. New Business

1. Ordinance 22-10032022

Amending Chapter 14, Sec. 14-49, Exemptions from license requirement or fees. of the City Code. Public hearing and first reading.

2. Ordinance 23-10032022

Adopting the Street Tree Sustainability Ordinance. Public hearing and first reading.

3. Resolve 08-10032022

Requesting increased State involvement for better outcomes for those unhoused.

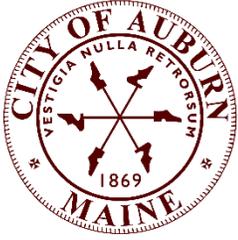
VII. Open Session - *Members of the public are invited to speak to the Council about any issue directly related to City business or any item that does not appear on the agenda*

VIII. Reports (from sub-committees to Council)

- a. Mayor's Report
- b. City Councilors' Reports
- c. City Manager Report

IX. Executive Sessions

X. Adjournment



City of Auburn City Council Information Sheet

Council Workshop or Meeting Date: October 3, 2022

Subject: Executive Session

Information: Legal consultation, pursuant to 1 M.R.S.A. Section 405(6) (E).

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

A. Discussion 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;

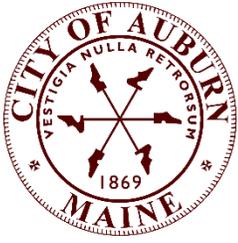
D. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators. The parties must be named before the body or agency may go into executive session. Negotiations between the representatives of a public employer and public employees may be open to the public if both 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: October 3, 2022

Author: Phil Crowell, City Manager

Subject: City Council Retreat

Information: The city council met November 8, 2021, for a retreat to develop the council vision and goals for the 2022 / 2023 term. At the retreat, we also discussed projects and budget goals.

To plan for the upcoming retreat, the council should determine the date, location, and topics for the agenda.

The final vision and goals document is attached as a review. Staff will be prepared to provide council with an update on the goals at the retreat.

City Budgetary Impacts:

N/A

Staff Recommended Action:

Discussion

Previous Meetings and History:

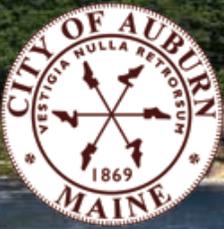
N/A

City Manager Comments:

Phillip Crowell Jr.

I concur with the recommendation. Signature:

Attachments: 2022 – 2023 City Council Vision and Goals



2021-2023 City Council Vision:

Auburn will embrace **possibilities** and create **opportunities**



The City of Auburn & the Auburn City Council are committed to promoting diversity, equity and inclusion. Our municipal government understands that embracing equity is fundamental to Auburn's continued success. Our "equity lens" and core values of **compassion, empathy, collaboration, accountability, diversity, leadership and service** will be applied to all decision-making. This will lead to positive outcomes including: thriving people, a thriving economy and a thriving community.

Council Goals

We will make our vision a reality by...

Planning for a better future

Develop education strategies for all stages of life that are dynamic, innovative, and collaborative to develop a foundation for economic and personal development. Attract quality businesses by creating an environment where business can succeed. Collaborate with existing partners to ensure and foster a sustainable, satisfying lifestyle. Recognize the value of historic, cultural, and artistic assets and activities in enriching lives and promoting community life. Support the development of future opportunities in culture and arts.

Reclaiming our streets

Develop clear identities for Auburn's downtown and industrials park that consider scale, connectivity, use and integrity to maximize their appeal. Invest in and maintain infrastructure necessary to provide a sustainable, safe, and livable environment.

Making housing more attainable

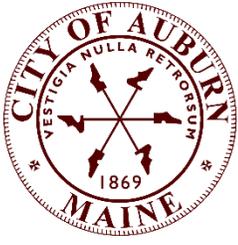
Efficiently utilize current housing stocks and sustainable targeted residential development that supports and attracts growth, residents, and workforce.

Enriching neighborhood identities

Support all residents by fostering a sense of unity while honoring diversity and coordinating community resources and assets to provide "wraparound" support to all residents. Dedicate resources to define our image and identity to build a sense of community.

Enacting resilient solutions

Create, support, and market an accessible, connected, and diverse network of recreation and natural resources that provides both destinations and pathways for residents. Continue to improve access to training programs designed to address workforce gaps. Provide diverse, well-rounded education by partnering with available resources and businesses. Protect funding and support educators, facilities, and accessibility.



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: October 3, 2022

Author: John Blais, Deputy Director of Planning, Permitting and Code

Subject: Directing the City Manager to draft a Request for Proposal procuring the solicitation of engineering and/or architectural services as part of the Accessory Dwelling Unit Initiative proposed by Council.

Information: The Council on September 19, 2022, voted to direct the City Manager to draft a request for proposal (RFP) and budgeting for an architectural firm. This RFP will be drafted and published no later than sixty days from passage of this order. Selected respondent and associated cost will be presented to Council for funding approval. Proposal is tentatively due November 10, 2023. With completed deliverables by February 28, 2023.

City Budgetary Impacts: TBD by competitive RFP.

Staff Recommended Action: Review the written RFP suggest the council assign the Ad-hoc committee.

Previous Meetings and History: September 6 & 19 2022.

City Manager Comments:

Phillip Crowell Jr.

I concur with the recommendation. Signature:

Attachments: Written draft RFP



City of Auburn, Maine

Office of Planning & Permitting

Eric Cousens, Director

www.auburnmaine.gov | 207.333.6601

60 Court Street, Auburn, Maine 04210

September 30, 2022

Dear Bidder,

The City of Auburn is accepting written **Engineering and Architectural (AE) proposals** for the Planning, Permitting and Code Department's **Shovel Ready Housing Plan**. The City reserves the right to accept or reject any or all proposals in whole or in part and to waive any informality the City may determine necessary. The City also reserves to itself the exclusive right to accept any proposal when it is deemed by the City to be in its best interest. The City of Auburn is governed by Title 1 M.R.S.A. § 401-410, otherwise known as the Freedom of Information Act, which considers bid specifications as public documents. In awarding any proposal, the City may consider, but not be limited to, any of the following factors: Bidder qualifications, price, experience, financial standing with the City, warranties, references, bonding, delivery date, and service of Bidder. Vendors/Consultants shall be current on all amounts due to the City of Auburn prior to the City entering into any contract agreement. All proposals must include FOB to Auburn, Maine unless otherwise specified.

Proposals will not receive consideration unless submitted in accordance with the following instructions to bidders.

Please mark sealed envelopes plainly: **Engineering and Architectural (AE) Proposals, Shovel Ready Housing Plans BID #2023-009.**

Questions regarding this Request for Bids should be written and directed to John Blais, Deputy Director of Planning, Permitting and Code, at jblais@auburnmaine.gov.

Please note: To bid, a required pre-submission meeting will be required to attend on Tuesday, October 18, 2022 at 10:00am in the Community Room, 60 Court Street, Auburn, ME.

Please submit your proposal to the City of Auburn by 2:00 p.m. **Thursday, November 10th, 2022.** Proposals will be opened at 2:00 p.m. Proposals must be delivered to **Derek Belanger, Facilities Manager/Purchasing Agent, 60 Court Street, Auburn, Maine 04210** on or before the date and time appointed. No proposals will be accepted after the time and date listed above.

Sincerely,

John Blais
Planning, Permitting and Code

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CONDITIONS AND INSTRUCTIONS TO BIDDERS

1. Bidders shall use the enclosed bid form for quotations. Whenever, in bid forms, an article is defined by using a trade name or catalog number, the term "or approved equal", if not inserted, shall be implied.
2. Submit a separate unit price for each item unless otherwise specified in the bid request. Award will be made on a basis of each item, or as a group, whichever is in the best interest of the City. Prices stated are to be "delivered to destination".
3. Bid proposals must be completed in full, in ink and must be signed by firm official. Bid proposal **must be notarized** prior to bid being sealed and will be disqualified if not notarized. Bids may be withdrawn prior to the time set for the official opening.
4. Bids will be opened publicly. Bidders or representatives may be present at bid opening.
5. Awards will be made to the lowest responsible bidder, considering the quality of the materials, date of delivery, cost which meets specification and is in the best interest to the City of Auburn.
6. All transportation charges, including expense for freight, transfer express, mail, etc. shall be prepaid and be at the expense of the vendor unless otherwise specified in the bid.
7. The terms and cash discounts shall be specified. Time, in connection with discount offered, will be computed from date of delivery at destination after final inspection and acceptance or from date of correct invoice, whichever is later.
8. The City is exempt from payment of Federal Excise Taxes on the articles not for resale, Federal Transportation Tax on all shipments and Maine Sales Tax and Use Taxes. Please quote less these taxes. Upon application, exemption certificate will be furnished with the Purchase Order when required.
9. Time of delivery shall be stated. If time is of the essence, the earliest date may be a factor in the bid award.
10. No contract may be assigned without the written consent of the Finance Director or her designate. The contract shall not be considered valid until a purchase order has been issued to the successful bidder.
11. Please state "**Engineering and Architectural (AE) Proposals, Shovel Ready Housing Plans BID #2023-009.**" on submitted, sealed envelope. Please submit your proposal to the City of Auburn by 2:00 p.m. **Thursday, November 10th, 2022.** Proposals will be opened at 2:00 p.m. Proposals must be delivered to **Derek Belanger, Facilities Manager/Purchasing Agent, 60 Court Street, Auburn, Maine 04210** on or before the date and time appointed. No proposals will be accepted after the time and date listed above
12. The City of Auburn reserves the right to waive any formality and technicality in bids whichever is deemed best for the interest of the City of Auburn.
13. The City of Auburn may reduce the scope pursuant to overall prices.
14. Bidder will clearly outline all options that are included in the bid price.

GENERAL CONDITIONS

1. Equal Employment Opportunity

The City of Auburn is an Equal Opportunity Employer and shall not discriminate against an applicant for employment, and employee or a citizen because of race, color, sex, marital status, physical and/or mental handicap, religion, age, ancestry or natural origin, unless based upon a bona-fide occupation qualification. Vendors and Consultant or their agents doing business with the City shall not violate the above clause or the Civil Rights Acts of 1964. Violations by vendors shall be reviewed on a case-by-case basis and may mean an automatic breach of contract or service to the City of Auburn.

2. Save Harmless

The Bidder agrees to protect and save harmless the owner from all costs, expenses or damages that may arise out of alleged infringement of patents of materials used.

3. Subcontracting

The Bidder shall not subcontract any part of the work or materials or assign any monies due it without first obtaining the written consent of the municipality. Neither party shall assign or transfer its interest in the contract without the written consent of the other party. Unless the subConsultant is identified in the RFP proposal and part of the team.

4. Warranty

The Bidder warrants that all work will be of good quality and free from faults and defects, and in conformance with the specifications. All work not so conforming to these standards may be considered defective. The Bidder agrees to be responsible for the acts and omissions of all of its employees and all subconsultants, their agents and employees, and all other persons performing any of the work under a contract with the Bidder.

5. Safety

The Consultant shall be responsible for initiating, maintaining, and supervising all safety precautions and programs in connection with the work.

The Consultant shall comply with MUTCD standards for work signs and with OSHA for employee highway safety equipment.

The Consultant shall take all reasonable precautions for the safety of, and shall provide all reasonable protection to prevent damage, injury, or loss to:

- All employees and others on or near the work site.
- Materials and equipment, whether in storage on or off the site, under the care, custody or control of the Consultant or any of its subconsultants.

The Consultant shall give all notices and comply with all applicable laws, ordinances, rules, regulations, and lawful orders of any public authority bearing on the safety of persons or property of their protection from damage, injury, or loss.

SCOPE OF WORK

The City of Auburn intends to use contractual services to perform the following Services:

1. 300 SF Tiny House Design
2. 700 SF (Carriage House) One-story Single-Family Design
3. 1,000 SF (14-20' Narrow House) Single Family Design
4. 1,200 SF (Standard House) Single Family Design
5. 1,780 SF Stacked Duplex Design
6. 2, 640 SF Triple Stacked with Finish Attic Design
7. 4, 350 SF Small Apartment Complex 6 Units Design
8. 8,700 SF Medium Apartment Complex 12 Units Design

The 8 building designs will include the following; site plan for the most restrictive zoning to include setbacks, required parking, building elevations with façade options, floorplans, foundation plans and framing details to include cross-section structural roof truss or rafter plans, window opening, minimum BTU requirement, cost estimate and cover sheet that list MUBEC adopted codes and standards.

Deliverable will include

- 2021 International Residential Code (IRC)
- 2021 International Building Code (IBC)
- 2021 International Existing Building Code (IEBC)
- 2015 International Energy Conservation Code (IECC)
- 2015 International Mechanical Code (IMC)
- NFPA & ADA Requirement for buildings over 3 or more units.

The CONSULTANT shall provide all labor, materials, equipment, and the maintenance thereof, fuel and oils, etc. necessary to complete the job in a timely fashion. All costs associated with the performance of the contract shall be the sole responsibility of the CONSULTANT and shall be reflected in a "Lump Sum" (LS) per Design package for a total of 8 packages.

Work to be Performed

The Consultant's Scope of Work for this Project includes the following deliverable elements:

1. Sketch plan phase (25% completion)
2. Preliminary plan phase (75% completion)
3. Final plan phase (100% completion)

All work shall be done at such times as the Consultant and City of Auburn shall deem appropriate. Weekly work schedule will be coordinated by the Planning, Permitting and Code Department. Work shall not begin in any area without specific notification of, and approval by the City.

PROGRAM MANAGEMENT

The Contract shall be managed by the Planning, Permitting and Code Department of the City of Auburn. It is expected that informal weekly progress and facilitation meetings will be held with the Consultant, and that a formal concise written progress report may be required from the Consultant on a no more frequent than bi- weekly basis in a format determined by the Deputy Director, Planning, Permitting and Code or his designee.

Schedule

The City of Auburn intends to have this work performed from December 1, 2022, to February 28, 2023.

PROPOSAL EVALUATION CRITERIA

The City of Auburn will evaluate proposals and select a Consultant based on a combination of the following factors:

- 20% Qualifications and relevant experience of the firm.
- 20% Qualifications and relevant experience of the firm's proposed staff.
- 20% Quality of references from similar work completed recently.
- 20% The extent to which the proposed solution matches the needs of the City of Auburn.
- 20% Cost of associated services requested.

REQUIREMENTS AND FORMAT OF THE PROPOSAL

Consultants responding to this RFP shall submit their proposals, organized and presented as outlined below. Accuracy and completeness are essential. Since the successful proposal will be incorporated into the contract, Consultants are cautioned not to make claims or statements to which they are not prepared to commit to contractually.

The Consultant must provide the following with the proposal:

- Business Name, Contact Information, Owner(s)
- Short History of Business (existing customers, experience, specialties, etc.)
- Proof of Commercial Liability Insurance (listing of City as additional insured will be required)
- List of equipment to be used in performance of specified work

Letter of Transmittal

The Proposal must consist of a letter of transmittal signed by an individual authorized to bind the Consultant contractually. It shall:

- Concisely identify the services offered in the proposal.

- State that the proposal will remain in effect for a period of thirty (30) calendar days after the deadline for submission of proposals.
- Include the name, title, address, telephone number and email address of one or more contact individuals.
- Include the name, title, address, telephone number and email address of one or more individuals who are authorized to sign a contract.

Understanding of the Scope of Work

In this section, Consultant should notify the City of Auburn of any potential difficulties that might arise in implementing the work. The City requires prospective Consultants to **attend a pre-submission meeting will be required to attend on Tuesday, October 18, 2022 at 10:00am in the Community Room, 60 Court Street, Auburn, ME.**

Relevant Experience and Client References

Interested firms should submit one paper copy and one electronic copy of a Letter of Interest with a Statement of Qualifications which includes the firm's response to each of the following criteria.

- qualifications to undertake this project;
- documented experience with budgets, estimating, and project cost control;
- list of projects that demonstrate the firm's capabilities;
- list of recently completed work of similar type and size projects, with client contact information for each project;
- organization of team and profiles of key personnel who would be involved in the project;
- statement of current workload and ability to absorb the project; and
- list of business references other than those listed above, including contact information.

SAMPLE AGREEMENT

THIS AGREEMENT is made this #### day of **Month, Year**, by and between the CITY OF AUBURN, a municipal corporation existing under the laws of the State of Maine and located in the County of Androscoggin, State of Maine (hereinafter "CITY"), **Company Name, Address, EIN**, (hereinafter "CONSULTANT"),

WITNESSETH:

In consideration of the mutual covenants and conditions contained herein, the CITY and the CONSULTANT agree as follows:

SPECIFICATIONS:

1. The CONSULTANT shall furnish all of the material and perform all of the work shown on the drawings and described in the specifications entitled: **Bid # 2023-009 Bid Title** which are attached hereto and made a part hereof, and the CONSULTANT covenants that it shall do everything required by this Agreement, the Special Provisions of the Agreement, the Invitation to Bid and the Specifications in return for payment as provided herein.

COMPLETION DATE:

2. The work to be performed under this Agreement shall be commenced by *Month day, year* and fully completed on or before *Month day, year*.

CONTRACT PRICE:

3. The CITY shall pay the CONSULTANT for the performance of the Agreement, the sum of \$XXX.

PERFORMANCE BOND:

4. If required by the City, the CONSULTANT shall furnish to the CITY at the time of the execution of this Agreement a performance bond and a labor and material payment bond each in the amount of *\$Dollar amount or N/A (whichever applies)* executed by a surety company satisfactory to the CITY, guaranteeing the performance and payment by the CONSULTANT.

Yes, Required (Initials: _____) X No, Waived (Initials JAB)

GUARANTEE:

5. The CONSULTANT shall guarantee his work against any defects in workmanship and materials for a period of one year from the date of the CITY's written acceptance of the project.

PERMITS AND LICENSES:

6. Permits and licenses necessary for the prosecution of the work shall be secured and paid by the CONSULTANT.

CITY'S RIGHT TO TERMINATE CONTRACT:

7. If the CONSULTANT should be adjudged a bankrupt, or if it should make a general assignment for the benefit of creditors, or if a receiver should be appointed on account of its insolvency, or if it should persistently or repeatedly refuse or should fail, except in cases for which extension of time is provided, to supply enough properly skilled workmen or proper materials, or if it should fail to make prompt payment to subconsultants or for material or labor, or persistently disregard laws, and ordinances, or otherwise be guilty of a substantial violation of any provision of the Agreement, then the CITY when sufficient cause exists to justify such action, may, without prejudice to any other right or remedy and after giving the CONSULTANT, and his surety, seven (7) days written notice, terminate the employment of the CONSULTANT and take possession of the premises and of all materials, tools and appliances thereon and finish the work by whatever method it may deem expedient. In such case the CONSULTANT shall not be entitled to receive any further payment until the work is finished. If the unpaid balance of the Agreement price shall exceed the expense of the finishing the work, including compensation for additional architectural, managerial, and administrative services, such excess shall be paid to the CONSULTANT. If such expense shall exceed such unpaid balance, the CONSULTANT shall pay the difference to the CITY.

CONSULTANT'S LIABILITY INSURANCE:

8. The CONSULTANT shall not commence work under this Agreement until he has obtained all insurance required under this paragraph and such insurance has been approved by the CITY, nor shall the CONSULTANT allow any subConsultant to commence work on his subcontract until all similar insurance required of subConsultant has been so obtained and approved. **It is a requirement that the CITY be named as an Additional Insured on the General Liability and Automobile Liability policies.**

(a) **Commercial General Liability** to include products and completed operations, and blanket contractual. The limits of liability shall be as follows:

Bodily Injury and Property Damage	\$1,000,000
Personal Injury and Advertising Injury	\$1,000,000
Per Project Aggregate	\$1,000,000
General Aggregate	\$2,000,000
Products and Completed Operations Aggregate	\$2,000,000
Medical Payments	\$10,000

(b) Business Automobile Liability

The CONSULTANT shall maintain and cause all sub-Consultants and lower tier Consultants to maintain business automobile liability insurance covering all owned, non-owned, leased, rented or hired automobiles (symbol 1). The limits of liability shall be as follows:

Bodily Injury and Property Damage	\$1,000,000
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Automobile physical damage coverage shall be at the option of the CONSULTANT, all sub-Consultants and lower tier Consultants. The CITY shall not be liable for physical loss or damage to any owned, non-owned, leased, rented or hired automobile.

(c) Workers' Compensation Insurance

The CONSULTANT shall maintain and cause all sub-Consultants and lower tier Consultant's to maintain Workers' Compensation and Employers Liability in accordance with the laws and regulations of the State of Maine. The limits of liability provided shall be as follows:

Coverage A: Statutory
Coverage B: \$100,000/\$500,000/\$100,000

(d) Professional Liability

If the CONSULTANT is an Architect, Engineer or Surveyor, they shall maintain a policy of insurance to pay on their behalf whatever amounts that may become legally required to pay on account of an error, omission or negligent act.

Limits of Liability shall be as follows:
\$1,000,000 per occurrence and in the aggregate site specific.

It is a requirement that this policy be maintained for a period of three (3) years following completion of the project.

(e) Certificates of Insurance of the types and in the amounts required shall be delivered to the CITY prior to the commencement of any work by the CONSULTANT, subConsultant or lower tier Consultant or any person or entity working at the direction or under control of the CONSULTANT. The CONSULTANT shall assume the obligation and responsibility to confirm insurance coverage for all sub-Consultants or lower tier Consultants who will participate in the project.

(f) The Certificate of Insurance and the policies of insurance shall include a sixty (60) day notice to the CITY of cancellation, non-renewal or material change in coverage or form.

(g) The CONSULTANT and his surety shall indemnify and save harmless the CITY, his officers and employees from all suits, actions or claims of any character brought because of any injuries or damage received or sustained by any person, persons or property on account of the operations of the said CONSULTANT; or on account of or in consequence of any neglect in safeguarding the work; or through use of unacceptable materials in construction of the work; or because of any act or omission, neglect, or misconduct of said CONSULTANT; or because of any claims or amounts recovered from any infringements or patent trademark, or copyright; or from any claims or amounts arising or recovered under the “Workmen’s Compensation Act” or of any other law, ordinance, order or decree; and so much of the money due to the said CONSULTANT under and by virtue of his/her contract as shall be considered necessary by the CITY for such purpose, may be retained; or in case no money is due, his surety may be held until such suit or suits, action or actions, claim or claims, for injuries or damages as aforesaid shall have been settled and suitable evidence to that effect furnished to the CITY.

(h) Waiver of Subrogation

Payment of any claim or suit including any expenses incurred in connection therewith by the CITY, or any insurance company on behalf of the CITY shall not constitute a waiver of subrogation against the CONSULTANT, sub-Consultants or any lower tier Consultant in the event that such claim or suit was caused by or contributed to as a result of the negligent acts of the CONSULTANT, any sub-Consultants or lower tier Consultants.

(i) Construction Agreement

The CONSULTANT shall and does hereby agree to indemnify, save harmless and defend the CITY from the payment of any sum or sums of money to any person whomsoever on account of claims or suits growing out of injuries to persons, including death, or damages to property, caused by the CONSULTANT, his employees, agents or sub-Consultants or in any way attributable to the performance and execution of the work herein contracted for, including (but without limiting the generality of the foregoing), all claims for service, labor performed, materials furnished, provisions and suppliers, injuries to persons or damage to property, liens, garnishments, attachments, claims, suits, costs, attorney’s fees, costs of investigation and defense. It is the intention of this paragraph to hold the CONSULTANT responsible for the payment of any and all claims, suits, or liens, of any nature character in any way attributable to or asserted against the CITY, or the CITY and the CONSULTANT, which the City may be required to pay. In the event the liability of the CONSULTANT shall arise by reason of the sole negligence of the CITY and/or the sole negligence of the CITY’s agents, servants or employees, then and only then, the CONSULTANT shall not be liable under the provisions of this paragraph.

DAMAGES:

9. The CONSULTANT shall defend, indemnify and save harmless the CITY and all persons acting for or on behalf of it against all claims for injuries (including death), loss or damage, arising out of the performance out this contract.

LIENS:

10. Neither the final payment nor any part of the retained percentage shall become due until the CONSULTANT, if required, shall deliver to the CITY a complete release of all liens arising out of the Agreement, or receipts in full in lieu thereof and, if required in either case, an affidavit that so far as it has

knowledge or information the releases and receipts include all the labor and material for which a lien could be filed; but the CONSULTANT may, if any SUB-CONSULTANT refuses to furnish a release or receipt in full, furnish a bond satisfactory to the CITY to indemnify it against any lien. If any lien remains unsatisfied after all payment are made, the CONSULTANT shall refund to the CITY all moneys that the latter may be compelled to pay in discharging such a lien, including all costs and a reasonable attorney's fee.

ASSIGNMENT:

11. Neither party to the Agreement shall assign the Agreement or sublet it as a whole without the written consent of the other, nor shall the CONSULTANT assign any moneys due or to become due to it hereunder, without the previous written consent of the CITY.

SUBCONTRACTS:

12. The CONSULTANT shall not sublet any part of this Agreement without the written permission of the CITY. The CONSULTANT agrees that it is as fully responsible to the CITY for the acts and omissions of its SUB-CONSULTANTS and of persons either directly or indirectly employed by them, as it is for the acts and omissions of persons directly employed by it.

USE OF PREMISES:

13. The CONSULTANT shall confine its apparatus, the storage of materials and operations of its workers to limits indicated by law, ordinance and permits and shall not otherwise unreasonably encumber the premises with materials. If any part of the project is completed and ready for use, the CITY may, by written and mutual consent, without prejudice to any of its rights or the rights of the CONSULTANT, enter in and make use of such completed parts of the project. Such use or occupancy shall in no case be construed as an acceptance of any work or materials.

CLEANING UP:

14. The CONSULTANT shall at all times keep the premises free from accumulation of waste materials or rubbish caused by its employees or work, and at the completion of the work it shall remove all its rubbish from and about the project, and all its tools, scaffolding and surplus materials and shall leave its work "broom-clean" or its equivalent, unless more exactly specified. In case of dispute, the CITY may remove the rubbish and charge the cost to the CONSULTANT.

PAYMENTS:

15. Unless otherwise agreed to, the CITY shall make payments on account of the Agreement as follows: Within 30 days, as invoices are submitted for work completed to the satisfaction of the CITY.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year first above written.

BY: _____

BY:

Witness

Finance Director

BY: _____

BY: _____

Witness
Consultant

BID PROPOSAL FORM
Due: Thursday, November 10, 2022

To: CITY OF AUBURN, MAINE
Derek Belanger, Facilities Manager/Purchasing Agent
60 Court Street,
Auburn, ME 04210

The undersigned individual/firm/business guarantees this price for Thirty days (30) from the bid due date. The undersigned submits this proposal without collusion with any other person, individual, or firm or agency. The undersigned ensures the authority to act on behalf of the corporation, partnership or individual they represent; and has read and agreed to all of the terms, requests, or conditions written herein by the City of Auburn, Maine. By signing this bid form, the firm listed below hereby affirms that its bid meets the minimum specifications and standards as listed above.

Signature _____ Name (print) _____

Title _____ Company _____

Address _____

Telephone No. _____ Fax No. _____

Email Address: _____

STATE OF MAINE

_____, SS. Date: _____,

Personally appeared _____ and acknowledged the foregoing instrument to be his/her free act and deed in his/her capacity and the free act and deed of said company.

Notary Public

Print Name

Commission Expires _____

Engineering and Architectural (AE) Proposals, Shovel Ready Housing Plans Bid

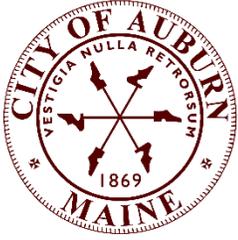
BID SCHEDULE 2022

:

1. 300 SF Tiny House Design Package:	_____
2. 700 SF (Carriage House) One-story Single-Family Design Package:	_____
3. 1,000 SF (14-20' Narrow House) Single Family Design Package:	_____
4. 1,200 SF (Standard House) Single Family Design Package:	_____
5. 1,780 SF Stacked Duplex Design Package:	_____
6. 2, 640 SF Triple Stacked with Finish Attic Design Package:	_____
7. 4, 350 SF Small Apartment Complex 6 Units Design Package:	_____
8. 8,700 SF Medium Apartment Complex 12 Units Design Package:	_____
TOTAL COST:	_____

The (8) building design packages will include the following; (8) site plans for the most restrictive zoning to include setbacks and required parking, (8) building elevations with façade options, (8) floorplans, (8) foundation plans, (8) framing details to include cross-section structural roof truss or rafter plans, (8) window opening plans, (8) minimum BTU requirement, (8) cost estimates, (8) cover sheet that list MUBEC adopted codes and standards.

- 2021 International Residential Code (IRC)
- 2021 International Building Code (IBC)
- 2021 International Existing Building Code (IEBC)
- 2015 International Energy Conservation Code (IECC)
- 2015 International Mechanical Code (IMC)
- NFPA & ADA Requirement for buildings over 3 or more units



City of Auburn City Council Information Sheet

Council Workshop or Meeting Date: October 3, 2022

Subject: Executive Session

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

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

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

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

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

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

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

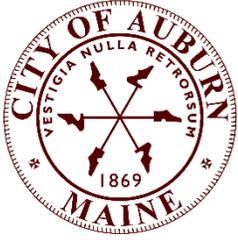
D. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators. The parties must be named before the body or agency may go into executive session. Negotiations between the representatives of a public employer and public employees may be open to the public if both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

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

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

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

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



City of Auburn City Council Information Sheet

Council Workshop or Meeting Date: October 3, 2022

Subject: Executive Session

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

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

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

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- (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;

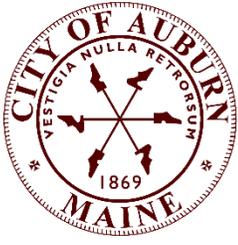
D. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators. The parties must be named before the body or agency may go into executive session. Negotiations between the representatives of a public employer and public employees may be open to the public if both 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: October 3, 2022

Order: 135-10032022

Author: Jason D. Moen, Chief of Police

Subject: Confirm Chief Moen's appointment of Trevor Gagnon, Noor Shidad, Christopher Ivers, and Timothy Robinson as a Constable with firearm for the Auburn Police Department.

Information: Request that the City Council confirm Chief Moen's appointment of Trevor Gagnon, Noor Shidad, Christopher Ivers, and Timothy Robinson as a Constable with firearm for the City of Auburn.

City Budgetary Impacts: N/A

Staff Recommended Action: Motion to confirm Chief Moen's appointment of Trevor Gagnon, Noor Shidad, Christopher Ivers, and Timothy Robinson as a Constable with firearm for the Auburn Police Department.

Previous Meetings and History: None

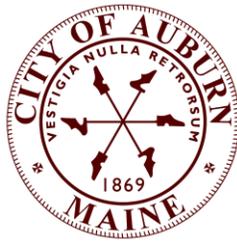
City Manager Comments:



I concur with the recommendation. Signature:

Attachments:

N/A



ORDER 135-10032022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby confirms Chief Moen's appointments of Trevor Gagnon, Noor Shidad, Christopher Ivers, and Timothy Robinson as a Constable with firearm for the Auburn Police Department.

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 7:00 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 127-09192022*

Approving the renewal of the Auto Graveyard/Junkyard permit for Isadore T. Miller Corp. located at 78 & 80 Hotel Road.

2. Order 128-09192022*

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

3. Order 129-09192022*

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

4. Order 130-09192022*

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

5. Order 131-09192022*

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

Motion was made by Councilor Staples and seconded by Councilor Walker for passage of the five consent items.

Passage 7-0.

II. Minutes - September 6, 2022, Regular Council Meeting

Motion was made by Councilor Walker and seconded by Councilor Staples to approve the minutes of the September 6, 2022, Regular Council Meeting.

Passage 7-0.

III. Communications, Presentations and Recognitions

Council Communications (about and to the community)

Mayor Levesque reported that he attended a walk through of the new Edward Little High School adding that it is going to be a great asset to the students and community. He also noted that the Blues and Brews Festival was a huge hit.

Councilor Staples reported that on Thursday, September 29th at 5:30 p.m. the Auburn Public Library will hold it's Annual Meeting. The social hour begins at 5:30 and the business meeting will begin at 6:00 p.m. He also wanted to promote the Auburn City website which has a feature where citizens can subscribe to emails to receive notification on upcoming meetings of the Council and Planning Board and more.

Councilor Whiting reported that the Lake Auburn Watershed Protection Commission is building a Trail on the Tot Lot and on Sunday, the Auburn Nordic Ski Association cleaned up the cuttings of a new trail.

City Manager Crowell reported that the Maine Town and City Clerk's Association presented the City with a plaque for their support of the Association and the City Clerk.

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

V. Unfinished Business

1. Ordinance 20-09062022

Amending the zoning district T-4.2B. Second reading.

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

Public comment –

Ronald Lebel, Coachman Avenue, said that he objects to the rezoning proposal and would suffer particularized injury if it were to be enacted. A letter was provided to the City Clerk.

Scott Berry, Davis Avenue, provided a list of some potential businesses that could fit into the neighborhoods nicely without impacting on the ambiance of the neighborhoods living space.

Elizabeth Dunn, 530 Court Street, stated that it is a shame that we've had to spend our taxpayer dollars for legal counsel to convince the public that their actions are legal. She stated that she would like the City Council to vote this down.

Motion was made by Councilor Morin and seconded by Councilor Staples to postpone this item until November 7th with the intention that Mr. Cousens and the Planning office staff would redemonstrate the presentation of 9/6/22.

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

VI. New Business

1. Public hearing - CDBG/HOME Consolidated Annual Performance Evaluation Report (CAPER) Program Year 2020.

Public hearing – No one from the public spoke.

2. Public hearing - CDBG/HOME Consolidated Annual Performance Evaluation Report (CAPER) Program Year 2021.

Public hearing – No one from the public spoke.

3. Order 132-09192022

Amending the PY21 Action Plan to include the Auburn-Lewiston Consortium HOME-ARP Plan as recommended by the Business & Community Development Office.

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

Public comment – No one from the public spoke.

Passage 7-0.

4. Ordinance 21-09192022

Amending the GA Maximum Appendices. Public hearing and first reading.

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

Public hearing – No one from the public spoke.

Passage 7-0. A roll call vote was taken.

5. Order 133-09192022

Directing the City Manager to draft a Request for Proposal (RFP) procuring the solicitation of engineering and/or architectural services as part of the Accessory Dwelling Unit Initiative proposed by Council.

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

Public comment – Maureen O'Brien, Whitney Street stated that if Councilors want to hear what people think they should answer phone calls.

Passage 7-0.

6. Order 134-09192022

Adopting the Rules & Procedures Governing Open Session and Public Comment.

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

Public comment –

Andy Titus, 24 Rubelite Lane, stated that he likes this but is not a believer of voting on something that is workshopped in the same night. He also thinks we should keep the second open session.

Pam Rousseau, 745 West Auburn Road, also has concerns about eliminating the 2nd open session.

Scott Berry, 179 Davis Avenue, would like to give people 5 minutes to speak instead of 3 minutes.

Motion was made by Councilor Staples and seconded by Councilor Walker to continue to maintain the second open session as we've been doing.

Passage 7-0.

Motion was made by Councilor Gerry and seconded by Councilor Staples to amend to state that when questions are asked, they are given an answer at the next Council meeting if possible.

Motion failed 3-4 (Councilor Whiting, Hawes, Milks, and Walker opposed).

Motion was made by Councilor Staples to amend by striking rule #4. Motion failed for lack of a second.

Passage of Order 134-09192022 as amended, 7-0.

VII. Open Session - Pam Rousseau, 745 West Auburn Road, stated that people do not realize that the Court Street T-4.2B does not just impact Court Street, it impacts the city core.

VIII. Reports (from sub-committees to Council)

Councilor Milks reported that there is a Sewer District meeting tomorrow (Tuesday) at 5:30 p.m. at AVCOG regarding the increase in Sewer rates.

City Manager Crowell reported that the Assistant City Manager, Brian Wood, is attending the ICMA conference in Ohio. The County budget work will begin on September 21st at the County Building, and MMA's Legislative Policy Committee work begins this week.

Jill Eastman, Finance Director – August Finance Report

Motion was made by Councilor Hawes and seconded by Councilor Walker to accept and place on file the August Finance Report.

Passage 7-0.

IX. Executive Sessions – None

X. Adjournment – Motion was made by Councilor Walker and seconded by Councilor Hawes to adjourn. Unanimously approved and the meeting adjourned at 7:57 pm.

A TRUE COPY

ATTEST 

Susan Clements-Dallaire, City Clerk



Lake Auburn Watershed Protection Commission

September 14, 2022

Resolution of the Lake Auburn Watershed Protection Commission Regarding:

City of Auburn Proposed Revisions to the Lake Auburn Watershed Zoning Ordinance

The following resolution was adopted on the 14nd day of September, 2022 by the Commissioners of the Lake Auburn Watershed Protection Commission (the "Commission") by a vote of 5 yes, 2 no, 1 abstention at the Commission's regularly scheduled meeting on September 14, 2022:

WHEREAS, in 1993, the Lake Auburn Watershed Protection Commission ("Commission") was formed with the principal purpose to maintain safe and healthful environmental conditions within the Lake Auburn Watershed, to prevent and control water pollution and to protect and maintain the present quality and volume of potable water supplied from the Lake Auburn Watershed, and

WHEREAS, the Commission has the authority to take legal action to enforce the laws and ordinances relative to the watershed and drinking water pollution, to such extent as is required to protect the watershed or waters of Lake Auburn in order to maintain its purity and the exemption from filtration requirements under the surface water treatment rules adopted under the Safe Drinking Water Act; and

WHEREAS, Lake Auburn is the public drinking water supply for water consumers in the City of Auburn and also (pursuant to Chapter 153 of the Laws of 1899) is the public drinking water supply for the City of Lewiston; and

WHEREAS, the United States Environmental Protection Agency, pursuant to the Safe Drinking Water Act, promulgated rules in June of 1989 calling for the filtration of all surface water supplies that cannot meet stringent criteria with respect to purity; and

WHEREAS, the 2010 City of Auburn Comprehensive Plan; Chapter 1(A), provides Goals, Objectives and Strategies with regard to natural resources, with Goal A.1 expressing the public's desire to: "Maintain the exceptional water quality of Lake Auburn and existing waiver from filtration to avoid the need for costly treatment;" and

WHEREAS, the Auburn Water District has adopted a by-law regarding the land located within the Lake Auburn Watershed Overlay District, which provides that, “These zoning and land use policies, and the enforcement of them, are deemed to provide sufficient protection for the water supply from the adverse effects of human activities in the watershed,” which conclusion is premised on the existing development standards, restrictions, and definitions presently applicable to the underlying zoning districts within the Lake Auburn Watershed Overlay District, which existing standards are a critical component of the Commission’s efforts to protect and preserve the water quality of Lake Auburn; and

WHEREAS, the City of Auburn is currently in the process of considering adopting revisions to the septic Ordinance as currently outlined in the Lake Auburn Watershed Zoning Ordinance that was adopted in July 1974; as a result of recommendations made from *A Regulatory, Environmental, and Economic analysis of Water Supply Protection in Auburn, Maine*, prepared by FB Environmental Associates dated October 2021, and the supplemental *Lake Auburn Model Technical Memorandum* dated August 1, 2022; and

WHEREAS, the Commission has approved a Scope of Services for Comprehensive Environmental Incorporated (CEI) to evaluate the conclusions drawn from FB Environmental Report and Technical Memorandum as they pertain to development and water quality impacts on Lake Auburn; and

WHEREAS, the CEI report will be completed within a month of notice to proceed; and

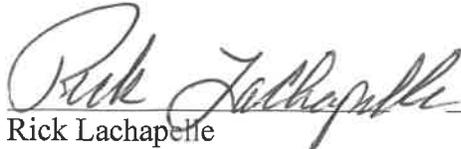
WHEREAS, the evaluation of results of CEI conclusions may have an impact on the recommendations of the Commission to the City of Auburn regarding the City of Auburns decision to approve the revised Septic Ordinance

WHEREAS, the City of Auburn may be planning to approve the revised Septic Ordinance in late September/early October, and

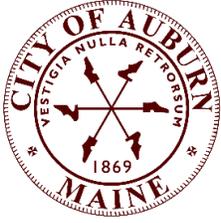
WHEREAS, the CEI evaluation and vetting their conclusions may not be completed by late September/early October, and

NOW THEREFORE, the Lake Auburn Watershed Protection Commission hereby RESOLVES that the City of Auburn’s proposed revisions to the existing Lake Auburn Watershed Zoning Ordinances should not be amended until such time as Comprehensive Environmental Incorporated (CEI) has completed a peer review of *A Regulatory, Environmental, and Economic analysis of Water Supply Protection in Auburn, Maine*, prepared by FB Environmental Associates dated October 2021, and the supplemental *Lake Auburn Model Technical Memorandum* dated August 1, 2022. The Commission also resolves that time be allowed for proper vetting of the

information supplied. The Commission further Resolves that this Resolution shall be forwarded to the Auburn City Council, the Auburn Water District, and the City of Auburn Planning Board.


Rick Lachapelle
LAWPC Commission Vice Chair

9/15/22
Date



**City of Auburn
City Council Information Sheet**

Council Public Hearing or Meeting Date: October 3, 2022

Author: John Blais, Deputy Director of Planning and Permitting

Subject: T-4.2B Education Presentation Schedule

Information: The Education Presentation Schedule will include covering the zoning Text and Map Amendments to Create the Traditional Neighborhood Form Based Code T-4.2B zoning district and to include 1,687.41 acres of property located in the Court Street/City Residential Core area of the City within the new zoning district.

Schedule:

Virtual Education Meeting; October 19, 2022 @ 6:00PM

<https://youtu.be/eCuNKO1hc2U>

In-Person Education Meeting at the tentatively scheduled at City Council Chambers, 60 Court Street and overflow in Community Room. October 25, 2022 @ 6:00PM. Staff is working on potentially different meeting space at the Fairview School. Date and Time: TBD.

Public Notices:

Sun Journal and City Hall on October 5, 2022

Sun Journal on October 12, 2022

PR Outreach Facebook:

Post weekly snippets and reminders of T-4.2B Education Meetings Oct 5, 12, 19 and 25th.

Staff Recommended Action: Hold public education presentations prior to the second council vote on November 7, 2022 regarding T-4.2B Text and Map Amendment.

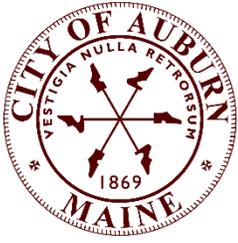
Previous Meetings and History: Recommended by Council, September 19, 2022

City Manager Comments:

Phillip Crowell Jr.

I concur with the recommendation. Signature: _____

Attachments: Proposed Official Zoning Map dated 7/6/2022, proposed text of the new Traditional Neighborhood District Form Based Code T-4.2B zoning district, PB Staff report and Story Map.



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: October 3, 2022

Order: 125-09062022

Author: Kelsey Earle, Deputy Finance Director

Subject: Homeowner Relief Program 2022

Information: The City of Auburn, in response to the market adjustment, is seeking to offset a portion of the increase many residents saw in their 2022-2023 tax bill. The anticipated goal is to provide \$300.00 dollar checks to homeowners 65 and older, who's taxes increased by \$300.00 dollars or more, and currently qualify for the Homestead exemption. There would be an application created by city staff, made available by November, with a deadline to apply of February 1st. This would allow a 3-month window for qualifying homeowners to apply for the funds. The Council will allocate \$700,000.00 from the American Rescue Plan Act (ARPA) funds to cover the cost of this initiative.

City Budgetary Impacts: N/A

Staff Recommended Action: Staff recommends funding program and amending the original Order as follows:

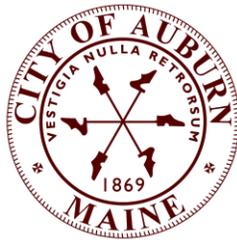
ORDERED, that the City of Auburn City Council provide one time relief funding in the amount of \$300.00 dollars for Auburn homeowners aged 65 and older who's taxes increased by \$300.00 dollars or more and currently qualify for the Homestead exemption, in direct recognition of the market adjustment made in the spring and summer of 2022. The Auburn City Council orders the allocation of \$700,000.00 from the American Rescue Plan Act (ARPA) funds for relief checks and associated implementation costs.

Previous Meetings and History: September 6, 2022, Order 125-09062022 Allocating \$1,500,000.00 ARPA (American Rescue Plan Act) funding for home relief. Vote was postponed. September 19, 2022, Workshop discussion.

City Manager Comments:

I concur with the recommendation. Signature:

Attachments: Order 125-09062022



ORDER 125-09062022

City Council Order

IN CITY COUNCIL

ORDERED, that the City of Auburn City Council provide one time relief funding for Auburn residents in direct recognition of the market adjustment made in the spring and summer of 2022. This stabilization effort has resulted in varying tax increases for the residents of Auburn. The Auburn City Council orders the allocation of \$1,500,000.00 from the American Rescue Plan Act (ARPA) funds for one time relief checks and associated implementation costs.

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: October 3, 2022

Ordinance: 21-09192022

Author: Jeff Tardif, General Assistance Manager-Health & Social Services

Subject: Adoption of Appendices for General Assistance, Effective 10/01/2022 through 9/30/2023

Information: I am seeking approval of the new General Assistance maximums. They Are: Appendix A (The GA overall maximums), Appendix B (the food maximums), Appendix C (Lewiston/Auburn MSA rental maximums), and Recovery Residences.

These maximums are established as a matter of State law based on certain federal and HUD fair market values. These appendices are filed with the Department of Health and Human Services (DHHS) in compliance with title 22 M.R.S.A § 4305(4).

****By adopting the new appendices A-C, the program will be in compliance and receive the 70% reimbursement from the State****

City Budgetary Impacts: The overall maximums (Appendix A) are an average increase of \$21.00 per person/household per month. The food maximums (Appendix B) are an average increase of \$25.00 per individual per month. The housing maximums (Appendix C) are an average increase of \$53.00 per household per month. Electricity (Appendix D) with and without hot water increased \$9.00 per person, per month. *There are no changes in appendices E-H*

Staff Recommended Action: Approval of changes to the General Assistance Appendices A-C, and Recovery Residences as required by State statute and ordinance. First reading: 9/19/2022. Second reading: 10/03/2022.

Previous Meetings and History: This is a yearly approval needed by council when changes are made to the appendices. A public hearing and passage of first reading was on 9/19/2022.

City Manager Comments:

I concur with the recommendation. Signature:

Attachments: Health & Social Services FY 22/23
Appendix A, Overall Maximums
Appendix B, Food Maximums
Appendix C, Housing Maximums
Recovery Residences
Ordinance & Adoption form for 22/23

***Please review the attached appendices A-C and Recovery Residences ***

Budgetary Impacts:

For Appendix A: The overall maximum was increased slightly this year (see chart below). This is the maximum amount that General Assistance can assist for a 30-day period.

Current Overall Maximums:

Lewiston/Auburn MSA	1	2	3	4	5
Auburn, Durham, Greene, Leeds, Lewiston. Lisbon, Livermore, Livermore Falls, Mechanic Falls, Minot, Poland, Sabattus, Turner, Wales	\$754.00	\$811.00	\$1,042.00	\$1,335.00	\$1,652.00

New Overall Maximums:

Lewiston/Auburn MSA	1	2	3	4	5
Auburn, Durham, Greene, Leeds, Lewiston. Lisbon, Livermore, Livermore Falls, Mechanic Falls, Minot, Poland, Sabattus, Turner, Wales	\$795.00	\$859.00	\$1,099.00	\$1,427.00	\$1,728.00

For Appendix B: The overall food maximums have increased (see chart below). These amounts are set by the USDA Thrifty Food Plan and take into effect on October 1st, 2021.

Number in household	Old SNAP amount	New SNAP amount
1	\$250.00	\$281.00
2	\$459.00	\$516.00
3	\$658.00	\$740.00
4	\$835.00	\$939.00
5	\$992.00	\$1,116.00
6	\$1,190.00	\$1,339.00
7	\$1,316.00	\$1,480.00
8	\$1,504.00	\$1,691.00

For Appendix C: The housing maximums had a slight increase this year (see chart below). The Department of Housing and Urban Development (HUD) sets these new guidelines based on the fair market value of property in our area.

Current housing maximums:

Lewiston/Auburn MSA	Unheated		Heated	
	Weekly	Monthly	Weekly	Monthly
Bedroom Size				
0	\$140.00	\$601.00	\$163.00	\$701.00
1	\$143.00	\$616.00	\$174.00	\$749.00
2	\$185.00	\$796.00	\$226.00	\$970.00
3	\$241.00	\$1,038.00	\$291.00	\$1,251.00
4	\$299.00	\$1,285.00	\$360.00	\$1,549.00

New housing maximums:

Lewiston/Auburn MSA	Unheated		Heated	
	Weekly	Monthly	Weekly	Monthly
Bedroom Size				
0	\$153.00	\$660.00	\$181.00	\$780.00
1	\$159.00	\$684.00	\$196.00	\$842.00
2	\$203.00	\$872.00	\$251.00	\$1,078.00
3	\$267.00	\$1,150.00	\$326.00	\$1,403.00
4	\$322.00	\$1,386.00	\$395.00	\$1,699.00

Recovery Residences: (New)

Lewiston/Auburn MSA	Heated	
	Weekly	Monthly
As of 7/1/2022		
	\$131.08	561.75

Lewiston/Auburn MSA	Heated	
	Weekly	Monthly
As of 10/1/2022		
	\$147.35	\$631.50

Prior to July 1st, 2022, Auburn GA was paying \$273.00 a month for recovery residence rent (based on the previous rule).

2022-2023 GA Overall Maximums

Metropolitan Areas

Persons in Household

COUNTY	1	2	3	4	5*
Bangor HMFA: Bangor, Brewer, Eddington, Glenburn, Hampden, Hermon, Holden, Kenduskeag, Milford, Old Town, Orono, Orrington, Penobscot Indian Island Reservation, Veazie	826	955	1,219	1,515	2,071
Cumberland County HMFA: Baldwin, Bridgton, Brunswick, Harpswell, Harrison, Naples, New Gloucester, Pownal, Sebago	1,016	1,075	1,409	1,865	1,991
Lewiston/Auburn MSA: Auburn, Durham, Greene, Leeds, Lewiston, Lisbon, Livermore, Livermore Falls, Mechanic Falls, Minot, Poland, Sabattus, Turner, Wales	795	859	1,099	1,427	1,728
Penobscot County HMFA: Alton, Argyle UT, Bradford, Bradley, Burlington, Carmel, Carroll plantation, Charleston, Chester, Clifton, Corinna, Corinth, Dexter, Dixmont, Drew plantation, East Central Penobscot UT, East Millinocket, Edinburg, Enfield, Etna, Exeter, Garland, Greenbush, Howland, Hudson, Kingman UT, Lagrange, Lakeville, Lee, Levant, Lincoln, Lowell town, Mattawamkeag, Maxfield, Medway, Millinocket, Mount Chase, Newburgh Newport, North Penobscot UT, Passadumkeag, Patten, Plymouth, Prentiss UT, Seboeis plantation, Springfield, Stacyville, Stetson, Twombly UT, Webster plantation, Whitney UT, Winn, Woodville	789	792	1,043	1,302	1,420
Portland HMFA: Cape Elizabeth, Casco, Chebeague Island, Cumberland, Falmouth, Freeport, Frye Island, Gorham, Gray, Long Island, North Yarmouth, Portland, Raymond, Scarborough, South Portland, Standish, Westbrook, Windham, Yarmouth; Buxton, Hollis, Limington, Old Orchard Beach	1,263	1,463	1,893	2,415	2,958
Sagadahoc HMFA: Arrowsic, Bath, Bowdoin, Bowdoinham, Georgetown, Perkins UT, Phippsburg, Richmond, Topsham, West Bath, Woolwich	874	1,031	1,253	1,650	1,880

Appendix A

Effective: 10/01/22-09/30/23

COUNTY	1	2	3	4	5*
York County HMFA: Acton, Alfred, Arundel, Biddeford, Cornish, Dayton, Kennebunk, Kennebunkport, Lebanon, Limerick, Lyman, Newfield, North Berwick, Ogunquit, Parsonsfield, Saco, Sanford, Shapleigh, Waterboro, Wells	1,072	1,082	1,355	1,717	1,984
York/Kittery/S.Berwick HMFA: Berwick, Eliot, Kittery, South Berwick, York	1,237	1,293	1,699	2,194	2,934

*Note: Add \$75 for each additional person.

Non-Metropolitan Areas

Persons in Household

COUNTY	1	2	3	4	5*
Aroostook County	692	754	881	1,185	1,353
Franklin County	728	774	909	1,229	1,566
Hancock County	890	925	1,110	1,397	1,529
Kennebec County	819	835	1,038	1,360	1,451
Knox County	844	848	1,038	1,378	1,471
Lincoln County	925	941	1,178	1,463	1,912
Oxford County	814	815	993	1,400	1,627
Piscataquis County	701	752	926	1,227	1,477
Somerset County	755	790	1,017	1,323	1,416
Waldo County	970	972	1,155	1,441	1,970
Washington County	756	758	982	1,228	1,343

* Please Note: Add \$75 for each additional person.

Appendix B

Effective: 10/01/22 to 09/30/23

2022-2023 Food Maximums

Please Note: The maximum amounts allowed for food are established in accordance with the U.S.D.A. Thrifty Food Plan. As of October 1, 2022, those amounts are:

Number in Household	Weekly Maximum	Monthly Maximum
1	\$ 65.35	\$ 281.00
2	120.00	516.00
3	172.09	740.00
4	218.37	939.00
5	259.53	1,116.00
6	311.40	1,339.00
7	344.19	1,480.00
8	393.26	1,691.00

Note: For each additional person add \$211 per month.

2022-2023 GA Housing Maximums (Heated & Unheated Rents)

NOTE: NOT ALL MUNICIPALITIES SHOULD ADOPT THESE SUGGESTED HOUSING MAXIMUMS! Municipalities should ONLY **consider** adopting the following numbers, if these figures are consistent with local rent values. If not, a market survey should be conducted and the figures should be altered accordingly. The results of any such survey must be presented to DHHS prior to adoption. **Or**, no housing maximums should be adopted and eligibility should be analyzed in terms of the Overall Maximum—Appendix A. *(See Instruction Memo for further guidance.)*

Non-Metropolitan FMR Areas

Aroostook County	Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	123	528	157	676
1	126	541	171	735
2	140	604	200	859
3	197	846	270	1,159
4	218	935	308	1,323
Franklin County	Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	131	564	165	712
1	131	564	176	755
2	147	632	206	887
3	207	890	280	1,203
4	267	1,148	357	1,536
Hancock County	Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	176	755	204	875
1	176	755	211	908
2	205	883	253	1,089
3	260	1,120	319	1,373
4	276	1,187	349	1,500
Kennebec County	Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	159	684	187	804
1	159	684	190	818
2	189	811	237	1,017
3	252	1,083	311	1,336
4	258	1,109	331	1,422

Appendix C

Effective: 10/01/22-09/30/23

Non-Metropolitan FMR Areas

<u>Knox County</u>	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	165	709	193	831
1	157	673	193	831
2	189	811	237	1,017
3	256	1,101	315	1,354
4	263	1,129	335	1,442
Lincoln County				
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	184	790	212	910
1	184	790	215	924
2	221	951	269	1,157
3	276	1,186	335	1,439
4	365	1,570	438	1,883
Oxford County				
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	158	679	186	799
1	158	679	186	799
2	178	766	226	972
3	261	1,123	320	1,376
4	299	1,285	372	1,598
Piscataquis County				
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	125	537	159	685
1	125	539	171	733
2	151	649	210	904
3	206	888	279	1,201
4	246	1,059	336	1,447
Somerset County				
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	144	620	172	740
1	144	620	180	773
2	184	790	232	996
3	243	1,046	302	1,299
4	250	1,074	322	1,387

Non-Metropolitan FMR Areas

<u>Waldo County</u>	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	194	835	222	955
1	194	835	222	955
2	216	928	264	1,134
3	271	1,164	329	1,417
4	379	1,628	451	1,941

<u>Washington County</u>	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	144	621	172	741
1	144	621	172	741
2	176	755	224	961
3	221	951	280	1,204
4	233	1,001	306	1,314

Metropolitan FMR Areas

<u>Bangor HMFA</u>	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	161	691	189	811
1	181	780	218	938
2	231	992	279	1,198
3	288	1,238	347	1,491
4	402	1,729	475	2,042

<u>Cumberland Cty. HMFA</u>	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	205	881	233	1,001
1	209	900	246	1,058
2	275	1,182	323	1,388
3	369	1,588	428	1,841
4	383	1,649	456	1,962

<u>Lewiston/Auburn MSA</u>	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	153	660	181	780
1	159	684	196	842
2	203	872	251	1,078
3	267	1,150	326	1,403
4	322	1,386	395	1,699

Appendix C

Effective: 10/01/22-09/30/23

Metropolitan FMR Areas

<u>Penobscot Cty. HMFA</u>	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	152	654	180	775
1	152	654	180	775
2	190	816	238	1,022
3	238	1,025	297	1,278
4	251	1,078	323	1,391
<u>Portland HMFA</u>	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	262	1,128	290	1,248
1	300	1,288	336	1,446
2	387	1,666	435	1,872
3	497	2,138	556	2,391
4	608	2,616	681	2,929
<u>Sagadahoc Cty. HMFA</u>	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	172	739	200	859
1	199	856	236	1,014
2	239	1,026	287	1,232
3	319	1,373	378	1,626
4	358	1,538	430	1,851
<u>York Cty. HMFA</u>	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	218	937	246	1,057
1	218	937	248	1,065
2	262	1,128	310	1,334
3	335	1,440	394	1,693
4	382	1,642	455	1,955
<u>York/Kittery/S. Berwick HMFA</u>	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	256	1,102	284	1,222
1	260	1,118	297	1,276
2	342	1,472	390	1,678
3	446	1,917	505	2,170
4	603	2,592	676	2,905

APPENDIX D - UTILITIES

ELECTRIC

NOTE: For an electrically heated dwelling also see “Heating Fuel” maximums below. But remember, an applicant is *not automatically* entitled to the “maximums” established—applicants must demonstrate need.

1) **Electricity Maximums for Households Without Electric Hot Water:** The maximum amounts allowed for utilities, for lights, cooking and other electric uses *excluding* electric hot water and heat:

<u>Number in Household</u>	<u>Weekly</u>	<u>Monthly</u>
1	\$19.95	\$ 85.50
2	\$22.52	\$ 96.50
3	\$24.97	\$107.00
4	\$27.53	\$118.00
5	\$29.88	\$128.50
6	\$32.55	\$139.50

NOTE: For each additional person add \$10.50 per month.

2) **Electricity Maximums for Households With Electrically Heated Hot Water:** The maximum amounts allowed for utilities, hot water, for lights, cooking and other electric uses *excluding* heat:

<u>Number in Household</u>	<u>Weekly</u>	<u>Monthly</u>
1	\$29.63	\$127.00
2	\$34.07	\$146.00
3	\$39.67	\$170.00
4	\$46.32	\$198.50
5	\$55.65	\$238.50
6	\$58.68	\$251.50

NOTE: For each additional person add \$14.50 per month.

NOTE: For electrically heated households, the maximum amount allowed for electrical utilities per month shall be the sum of the appropriate maximum amount under this subsection and the appropriate maximum for heating fuel as provided below.

APPENDIX E - HEATING FUEL

<u>Month</u>	<u>Gallons</u>	<u>Month</u>	<u>Gallons</u>
September	50	January	225
October	100	February	225
November	200	March	125
December	200	April	125
		May	50

FOR MUNICIPAL USE ONLY

NOTE: When the dwelling unit is heated electrically, the maximum amount allowed for heating purposes will be calculated by multiplying the number of gallons of fuel allowed for that month by the current price per gallon. When fuels such as wood, coal and/or natural gas are used for heating purposes, they will be budgeted at actual rates, if they are reasonable. No eligible applicant shall be considered to need more than 7 tons of coal per year, 8 cords of wood per year, 126,000 cubic feet of natural gas per year, or 1000 gallons of propane.

APPENDIX F - PERSONAL CARE & HOUSEHOLD SUPPLIES

<u>Number in Household</u>	<u>Weekly Amount</u>	<u>Monthly Amount</u>
1-2	\$10.50	\$45.00
3-4	\$11.60	\$50.00
5-6	\$12.80	\$55.00
7-8	\$14.00	\$60.00

NOTE: For each additional person add \$1.25 per week or \$5.00 per month.

SUPPLEMENT FOR HOUSEHOLDS WITH CHILDREN UNDER 5

When an applicant can verify expenditures for the following items, a special supplement will be budgeted as necessary for households with children under 5 years of age for items such as cloth or disposable diapers, laundry powder, oil, shampoo, and ointment up to the following amounts:

<u>Number of Children</u>	<u>Weekly Amount</u>	<u>Monthly Amount</u>
1	\$12.80	\$55.00
2	\$17.40	\$75.00
3	\$23.30	\$100.00
4	\$27.90	\$120.00

2022-2023 Mileage Rate

This municipality adopts the State of Maine travel expense reimbursement rate as set by the Office of the State Comptroller. The current rate for approved employment and necessary medical travel etc. is 46 cents (46¢) per mile.

Please refer to the Office of the State Controller for changes to this rate at 626-8420 or visit <http://www.state.me.us/osc/>

2022-2023 GA MAXIMUMS SUMMARY SHEET

Note: The overall maximums found in *Appendices A, B, C, D, E, and F* are effective from **October 1, 2022 to September 30, 2023.**

APPENDIX A - OVERALL MAXIMUMS

<u>County</u>	<u>Persons in Household</u>					
	1	2	3	4	5	6
<p>NOTE: For each additional person add \$75 per month.</p> <p>(The applicable figures from Appendix A, <i>once adopted</i>, should be inserted here.)</p>						

APPENDIX B - FOOD MAXIMUMS

<u>Number in Household</u>	<u>Weekly Maximum</u>	<u>Monthly Maximum</u>
1	\$ 65.35	\$ 281.00
2	120.00	516.00
3	172.09	740.00
4	218.37	939.00
5	259.53	1,116.00
6	311.40	1,339.00
7	344.19	1,480.00
8	393.26	1,691.00
<p>NOTE: For each additional person add \$211 per month.</p>		

APPENDIX C - HOUSING MAXIMUMS

<u>Number of Bedrooms</u>	<u>Unheated</u>		<u>Heated</u>	
	Weekly	Monthly	Weekly	Monthly
0				
1				
2				
3				
4				
<p>(The applicable figures from Appendix C, <i>once adopted</i>, should be inserted here.)</p>				

FOR MUNICIPAL USE ONLY

2022-2023 GA Housing Maximums Recovery Residences

The following Recovery Residence maximums are in effect from 10/1/2022- 9/30/2023

Non-Metropolitan FMR Areas

<u>Aroostook County</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	128.63	551.25

<u>Oxford County</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	139.83	599.25

<u>Franklin County</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	132.13	566.25

<u>Piscataquis County</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	128.28	549.75

<u>Hancock County</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	158.90	681.00

<u>Somerset County</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	135.28	579.75

<u>Kennebec County</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	143.15	613.50

<u>Waldo County</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	167.13	716.25

<u>Knox County</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	145.43	623.25

<u>Washington County</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	129.68	555.75

<u>Lincoln County</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	161.70	693.00

Metropolitan FMR Areas

<u>Bangor HMFA</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	164.15	703.50

<u>Portland HMFA</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	253.05	1084.50

<u>Cumberland Cty. HMFA</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	185.15	793.50

<u>Sagadahoc Cty. HMFA</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	177.45	760.50

<u>Lewiston/Aubu rn MSA</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	147.35	631.50

<u>York Cty. HMFA</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	186.38	798.75

<u>Penobscot Cty. HMFA</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	135.63	581.25

<u>York/Kittery/S . Berwick HMFA</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	223.30	957.00

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The Adoption Process

The municipal officers (i.e., selectpersons/council) adopt the local General Assistance Ordinance and yearly Appendices, even in town meeting communities. The law requires that the municipal officers conduct a ***notice and hearing*** prior to the adoption of the Ordinance and/or Appendices. Seven days posted notice is recommended, unless local law (or practice) provides otherwise.

At the hearing, the municipal officers should:

- 1) Allow all interested members of the public an opportunity to comment on the proposed ordinance;
- 2) End public discussion, close the hearing; and
- 3) Move and vote to adopt the ordinance and/or appendices either in its posted form or as amended in light of public discussion.

Municipalities May Establish Their Own Maximums

Municipalities may establish their own maximum levels of assistance provided that the proposed levels of assistance are reasonable and meet adequate standards sufficient to maintain the health and safety of applicants in the municipality. The municipality must submit to the Department documentation to justify these levels of assistance and verify that the figures developed are appropriate to maintain health and decency.

A municipality's maximum assistance level for Food may not be below the Department provided figures which are issued by the USDA and published annually following a study of cost of food for various family sizes. A market basket survey may be used to establish food maximums if the maximums provided by the USDA are insufficient to maintain health in the municipality. (C.M.R. 10-144, Chapter 323, Section V).

Filing of GA Ordinance and/or Appendices

Please remember that General Assistance law requires each municipality to send DHHS a copy of its ordinance once adopted, should that ordinance differ from the MMA Model. Any changes or amendments, such as new Appendices, must also be submitted to DHHS. DHHS will accept the enclosed "adoption sheet" as proof that your Municipal Officers have adopted the current MMA Model GA maximums and/or ordinance.



City of Auburn, Maine

General Assistance Office

Jeff Tardif, Manager

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

207.333.6601 Extension 1411

Pursuant to 22 M.R.S. § 4305(1), the municipal officers of the Municipality of **Auburn**, after notice and hearing, hereby amend the municipal General Assistance Ordinance by repealing and replacing appendices A through H of the existing ordinance with the attached appendices A through H, which shall be in effect from October 1, 2022, through September 30, 2023. This amendment will be filed with the Maine Department of Health & Human Services (DHHS) pursuant to 22 M.R.S. § 4305(4), and a copy of the ordinance and amended appendices shall be available for public inspection at the municipal office along with a copy of the 22 M.R.S. chapter 1161.

Signed this ____ **day of** _____ **2022**, by the municipal officers:

Richard S. Whiting, Ward 1

(Signature)

Ryan A. Hawes, Ward 2

(Signature)

Stephen G. Milks, Ward 3

(Signature)

Joseph R. Morin, Ward 4

(Signature)

Leroy G. Walker, Sr., Ward 5

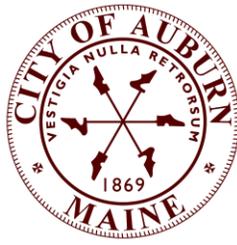
(Signature)

Belinda A. Gerry, At-Large

(Signature)

Dana N. Staples, At-Large

(Signature)



City Council Ordinance

IN CITY COUNCIL

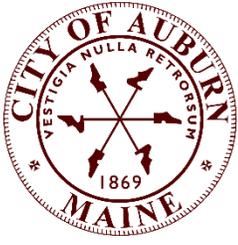
AMENDING CHAPTER 24, ARTICLE II, DIVISION 1, SEC. 24-23 OF THE GENERAL ASSISTANCE ORDINANCE ANNUAL ADJUSTMENT OF MAXIMUM BENEFITS.

Be it Ordained, that the City Council hereby amends Chapter 24, Article II, Division 1, Sec. 24-23 of the General Assistance Ordinance Annual Adjustment of Maximum Benefits to incorporate the following maximum levels of assistance to be effective on and after October 1, 2022 through September 30, 2023, as follows:

Sec. 24-23. - Annual adjustment of maximum benefits.

- (a) Each year the Maine Municipal Association provides the city three appendices providing maximum benefits applicable for the period beginning October 1 and ending September 30 as mandated by state law and based on certain federal values effective on October 1 of each year, as follows:
 - (1) Appendix A, a listing of overall maximum levels of general assistance relating to all Maine municipalities.
 - (2) Appendix B, a listing of maximum levels of assistance for food.
 - (3) Appendix C, a listing of maximum levels for heated and unheated housing.
- (b) The portion of these annual appendices applicable to the city, as adopted each year by the city council, are made a part of this chapter as though fully set forth herein and a copy thereof is available in the Office of the City Clerk.

Editor's note— The appendices referred to in this section are not codified but are available in the office of the city clerk.



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: October 03, 2022

Ordinance: 22-10032022

Author: Sue Clements-Dallaire, City Clerk

Subject: Food Service Establishment – Concession Stands

Information: During the September 6, 2022 Council meeting, Councilor Morin reported that he was contacted by a constituent whose six year old son wanted to run a lemonade stand to try to raise money to purchase a guitar. They came to Auburn Hall to obtain a permit and was told that the permit would be \$200. This was discussed at the September 19, 2022 City Council workshop.

Three options below were presented to the City Council for consideration:

1. Determine on a case by case basis under Sec. 14-31 Fees; Waiver which gives the City Council the option of waiving business licensing fee on a case by case basis and would not require an ordinance change.
2. Delegate the authority to waive the fee for minors operating a temporary lemonade (or concession) stand on private property to the City Clerk. This would be an ordinance change which would require a public hearing and two readings.
3. Add a provision under Sec. 14-49, Exemptions from license requirements or fees, which would exempt minors operating a temporary lemonade (or concession stand) on private property. This would be an ordinance change which would require a public hearing and two readings.

After much discussion, Council seemed to be in favor of option 3.

City Budgetary Impacts: N/A

Staff Recommended Action: Consider passage of the proposed ordinance amendment.

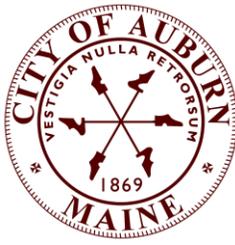
Previous Meetings and History: Councilor Morin discussed bringing this forward during the 9/6/2022 Council meeting. This item was discussed at the September 19, 2022 Council workshop.

City Manager Comments:

Phillip Crowell Jr.

I concur with the recommendation. Signature:

Attachments: Proposed ordinance amendment



City Council Ordinance

IN CITY COUNCIL

Amending the Code of Ordinances, Chapter 14, Sec. 14-49 Exemptions from license requirement or fees.

Be it ordained, that the City Council hereby amends the Code of Ordinances, Chapter 14, Sec. 14-49 to include exemption (h) Minors operating a temporary concession stand on private property.

Sec. 14-49. Exemptions from license requirement or fees.

- (a) Persons acting pursuant to an order or process of a court of competent jurisdiction and persons acting in accordance with their powers and duties as public officers, such as sheriffs and marshals, shall not be required to secure a local license.
- (b) Orphanages and public and private hospitals, as defined in the laws of the State, shall not be required to secure a local business license to operate a children's home or day care facility.
- (c) Persons selling, exclusively, farm, dairy, orchard or fish products of their own production shall not be required to obtain a local license.
- (d) No charge shall be made for the issuance of a solicitor's license, blasting permit or chimney cleaner permit; however, persons traveling by foot, wagon, automotive vehicle or any other type of conveyance, from place to place, from house to house or from street to street selling magazines or other merchandise by sample, list or catalogue for future delivery shall be required to obtain a local itinerant vendor/peddler's license.
- (e) Persons licensed in accordance with state law to maintain an automobile graveyard or junkyard shall not be required to obtain a local license to also operate as a junk collector.
- (f) Persons who use their own homes to provide foster care to children shall not be required to obtain a local license.
- (g) Public or private school cafeterias and nursing homes shall not be required to obtain a local food service establishment license.

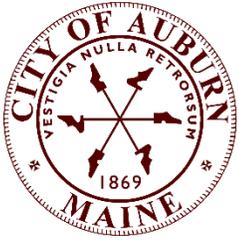
(h) Minors operating a temporary concession stand on private property.

(Ord. No. 38-02072011-05, att. § 24-48, 2-7-2011)

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: October 3, 2022

Ordinance: 23-10032022

Author: Phil Crowell, City Manager

Subject: Forestry Board and Tree Streets

Information: On March 21, 2022, Dave Griswold and Councilor Staples provided an update on the development of a street tree sustainability ordinance in order to provide information, planning and resources necessary to ensure the long-term viability and sustainability of the street tree component of the community forest.

Reasons for this ordinance:

1. The street tree component of the community forest has declined over time due to limited resources applied to maintain it.
 2. Emerald Ash Borer (EAB) is a looming threat that is almost certain to impact Auburn's 430 ash street trees in the next decade.
 3. This proposal is the result of discussions of the Community Forest Subcommittee of the former Conservation Commission, the former Conservation Commission, a City Council Workshop, the Sustainability and Natural Resources Management Board, from September 2021 to present.
 4. This proposed ordinance provides for data collection, planning and budgeting necessary to address a significant sustainability issue.
-

City Budgetary Impacts: \$25,000 was allocated during the FY23 appropriation to implement this ordinance.

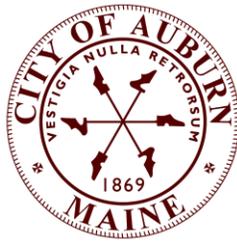
Staff Recommended Action: Consider passage.

Previous Meetings and History: March 21, 2022, and June 27, 2022.

City Manager Comments:

I concur with the recommendation. Signature:

Attachments: Proposed ordinance and the Public Works policies for the implementation of the new ordinance.



City Council Ordinance

IN CITY COUNCIL

Adopting Division 3 - Street Tree Sustainability under Chapter 56 – Vegetation, Article II – Trees and Shrubs in the Auburn Code of Ordinances.

Be it ordained, that the City Council hereby adopts Division 3 – Street Tree Sustainability under Chapter 56 – Vegetation, Article II – Trees and Shrubs 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

Street Tree Sustainability Ordinance

Chapter 56- Vegetation

Article II. -Trees and Shrubs

Division 3. - Street Tree Sustainability

Sec. 56-xx - Purpose.

The city recognizes that trees promote the health, safety, and welfare of the city and its residents by promoting social well-being and a positive public image of the city. In order to sustain the community forest, the city requires data collection, planning and resources to mitigate the potential loss of this valuable public resource. Accordingly, the city adopts this sustainability ordinance to promote the information, planning, and resources necessary to ensure the long-term viability and sustainability of the community forest.

Sec. 56-xx – Authority.

This division is enacted pursuant to the Home Rule Authority granted to the city in accordance with the provisions of 30-A M.R.S.A. § 3001.

Sec. 56-xx – Definitions.

Street Tree. Any tree which is located on land owned by the city and deemed appropriate for inclusion in the Street Tree Inventory by the municipal arborist; or, a public shade tree as defined at 30-A M.R.S.A. § 3281, which is located within or upon the limits of any municipal road, public right of way, or highway, regardless of whether the roadway is classified as a highway under state law.

Street Tree Inventory. A database maintained by the municipal arborist or the public works director or his or her designee, identifying the location of each Street Tree by reference to the city's GIS system and listing its species, diameter, condition, and hazard risk.

Removed Street Tree. A Street Tree which has been cut down or otherwise eliminated due to: insect, disease, or weather-related conditions; the existence of unnecessary risks to life or property as determined by the municipal arborist; the construction or maintenance of public roads and rights of way; the request of the owner of property on which the Street Tree is located; or other accident or casualty event.

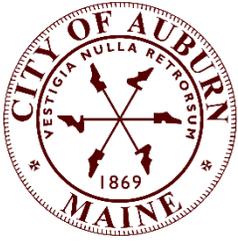
Sec. 56-xx Maintenance of Street Tree Inventory

The municipal arborist shall keep the Street Tree Inventory up to date by:

- (1) keeping annual records concerning the removal, planting and maintenance of Street Trees;
- (2) periodically reviewing the condition and any associated hazard of all Street Trees; and
- (3) updating the Street Tree Inventory as needed to reflect information collected in parts 1 and 2.

Sec. 56- xx Replacement of removed Street Trees

- (1) Each fiscal year, the municipal arborist shall propose to the city manager, a budget sufficient for the city to purchase, plant and maintain the number of trees equal to the number of Removed Street Trees from the previous fiscal year. Replacement trees may be placed at the sites of Removed Street Trees, or at other locations which the municipal arborist deems appropriate in light of the Purpose of this Division stated above, in consultation with the Community Forest Working Group or any successor committee.
- (2) The City Council shall consider replacement of Removed Street Trees as part of the adoption of each year's municipal budget. To the extent the final budget adopted by the city council is insufficient to fund all of the replacement trees requested by the municipal arborist, the number of unfunded replacement trees shall be carried forward and added to the list of trees to be replaced in future years.



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: October 3, 2022

Resolve: 08-10032022

Author: Sue Clements-Dallaire, City Clerk

Subject: A Resolution requesting increased State involvement for better outcomes for those unhoused

Information: With the current statewide housing crisis we would like to request that the Governor of Maine, with support from Legislative Leadership create a formal working group to improve state and local responses for those that are unhoused.

City Budgetary Impacts: N/A

Staff Recommended Action: Consider passage of the Resolve

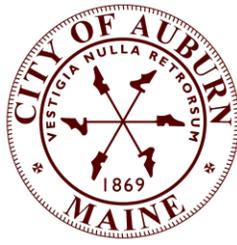
Previous Meetings and History: N/A

City Manager Comments:



I concur with the recommendation. Signature:

Attachments: Resolve 08-10032022



City Council Resolve

IN CITY COUNCIL

WHEREAS, the number of community members who are unhoused is continuing to increase rapidly; and

WHEREAS, the current increase in housing costs, especially rental costs are increasing at rates that are exceeding inflationary rates; and

WHEREAS, the housing costs increases are happening throughout the entire State of Maine; and

WHEREAS, individuals who are without housing are statistically going to be adversely impacted more by other contributing factors than the population as a whole; and

WHEREAS, these known contributing factors include domestic violence, behavioral health, substance abuse, human trafficking and others; and

WHEREAS, the State of Maine, with federal COVID funds during the pandemic, provided temporary relief by utilizing hotels as a short term solution; and

WHEREAS, those hotels are no longer available, leaving those in need without other viable alternatives; and

WHEREAS, municipalities are required by the Maine Law to provide housing assistance through the General Assistance Program; and

WHEREAS, municipalities, including the City of Auburn, do not have the expertise or resources to provide the additional services which would be beneficial to many of the community members who are unhoused; and

WHEREAS, the housing crisis cannot be solved without uniform policies, State coordination, and cooperation between municipalities; and

WHEREAS, finding viable long term solutions for the growing number of folks without housing will require participation and resources from outside of the municipality; and

WHEREAS, the federal government, through various policies, including but not limited to those that impact Asylum Seekers, are contributing to the challenges of serving the needs of the unhoused;

NOW, THEREFORE, BE IT RESOLVED that we, the City Council and Mayor of the City of Auburn, join with other municipal leaders in Maine to request that the Governor of the State of Maine, supported by Legislative Leadership, create a formal Working Group of both elected and professional staff to make improvements to the state and local responses for those who are unhoused.

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

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