



**Joint Workshop
City Council & School Department
and
City Council Meeting
April 24, 2017
Agenda**

5:30 P.M. Joint Workshop

- A. City Manager Budget Presentation – Peter Crichton (30 minutes)
- B. School Budget Presentation – Katy Grondin (30 minutes)
- C. Budget Discussion - (30 minutes)

7:00 P.M. City Council Meeting

Roll call votes will begin with Councilor Young

Pledge of Allegiance

- I. **Consent Items** – All items listed with an asterisk (*) are considered as routine and will be approved in one motion. There will be no separate discussion of these items unless a Councilor or citizen so requests. If requested, the item will be removed from the consent agenda and considered in the order it appears on the agenda.
 - 1. **Order 32-04242017***
Appointing City Manager Peter Crichton as an alternate member of the Maine Municipal Association’s Legislative Policy Committee.
- II. **Minutes**
 - April 3, 2017 Regular Council Meeting
- III. **Communications, Presentations and Recognitions**
 - Central Maine Community College - 2017 USCAA National Champions
- IV. **Open Session – Open Session** - Members of the public are invited to speak to the Council about any issue directly related to City business which is *not on this agenda*.
- V. **Unfinished Business**
 - 1. **Ordinance 05-04032017**
Amending text for the Adaptive Reuse of a Structure of Community Significance in Chapter 60 of the Auburn Zoning Ordinance. Second reading.

VI. New Business

2. Public hearing – Community Development Block Grant (CDBG) Budget.

3. Order 33-04242017

Approving the Special Amusement Permit for MVL, Inc., DBA Tio Juan's Margaritas Mexican Restaurant.

VII. Reports

a. Mayor's Report

b. City Councilors' Reports

c. City Manager Report

d. Finance Director, Jill Eastman – March 2017 Monthly Finance Report

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

IX. Executive Session

- Discussion regarding an Economic Development matter, pursuant to 1 M.R.S.A. §405(6)(C)
- Consultation with legal counsel regarding the Council's rights and obligations with E911, pursuant to 1 M.R.S.A. §405(6)(E)

X. Adjournment

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

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

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

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

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

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

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

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

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

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

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



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: April 24, 2017

Author: Sue Clements-Dallaire, City Clerk

Subject: Presentation of the City Manager Budget FY2018 – Budget documents will be handed out at the meeting.



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: April 24, 2017

Author: Sue Clements-Dallaire, City Clerk

Subject: Presentation of the School Budget FY2018



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: April 24, 2017

Order: 32-04242017

Author: Sue Clements-Dallaire, City Clerk

Subject: Auburn's Alternate Appointment to the Maine Municipal Association Legislative Policy Committee

Information: July 11, 2016, Councilor Robert Stone was appointed to the Maine Municipal Association (MMA) Legislative Policy Committee for a term from July 1, 2016 to June 30, 2018. This order is to appoint City Manager Peter Crichton as an alternate member on that committee.

Advantages: Representation for Auburn

Disadvantages: None

City Budgetary Impacts: None

Staff Recommended Action: Recommend passage.

Previous Meetings and History: N/A

Attachments:

Order

James Pross, Ward One
Robert Stone, Ward Two
Andy Titus, Ward Three
VACANT, Ward Four



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 32-04242017

ORDERED, that the City Council hereby appoints Peter Crichton as alternate member of the Maine Municipal Association's Legislative Policy Committee.

IN COUNCIL REGULAR MEETING APRIL 3, 2017 VOL. 35 PAGE 26

Mayor LaBonté called the meeting to order at 7:14 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

1. Order 29-04032017*

Setting the date for the School Budget Validation Referendum Election for June 13, 2017.

2. Order 30-04032017*

Approving the time to open the polls at 7:00 A.M. for the June 13, 2017 Election.

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

Passage 6-0.

II. Minutes

- March 20, 2017 Regular Council Meeting

Motion was made by Councilor Burns and seconded by Councilor Walker to approve the minutes of the March 20, 2017 Meeting.

Passage 6-0.

III. Communications, Presentations and Recognitions

IV. Open Session

Larry Pelletier, 129 Second Street commented on the CIP (Capital Improvement Program) discussion and including facilities maintenance in the CIP.

Earl Bickford (New Auburn resident), and his daughter Audrey Tripp (40 Merrow Road) spoke. They reported on a recent incident where they received written approval by staff in the Economic and Community Development office that they would be allowed to keep Nigerian Dwarf Goats at their home (single family dwelling with less than one acre of land) and after purchasing them, they were told by the Animal Control Officer that they could not keep the goats due to a local ordinance that is in place and were given seven days to remove the animals. Mr. Bickford requested first, that this order to remove the goats be held until the matter is looked into and the ordinance is reviewed. Second, he asked the City Council to review and consider amending the local animal ordinance (to treat certain animals currently looked at as livestock as pets). Third, if Council decides not to amend the ordinance, accept responsibility and make this right by making an exception and allowing his daughter to keep the goats since it was a mistake of the City when they were given the written approval by staff.

V. Unfinished Business

1. Order 28-03202017

Amending the City of Auburn 2010 Comprehensive Plan Future Land Use Map for the properties located at 121 Hampshire Street (PID # 250-316) and 127 Hampshire Street

IN COUNCIL REGULAR MEETING APRIL 3, 2017 VOL. 35 PAGE 27

(PID # 250-315) from High Density Neighborhood Conservation (HDNC). Public hearing and second reading.

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

Public hearing – Kenneth Estes, abutting neighbor to this property who spoke in opposition.

Passage 5-1 (Councilor Titus opposed).

2. Ordinance 04-03202017

Adopting the proposed future land use and zone map amendments for 121 and 127 Hampshire Street. Public hearing and second reading.

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

Public hearing – no one from the public spoke.

Passage 5-1 (Councilor Titus opposed). A roll call vote was taken.

VI. New Business

3. Ordinance 05-04032017

Amending text for the Adaptive Reuse of a Structure of Community Significance in Chapter 60 of the Auburn Zoning Ordinance. Public hearing and 1st reading.

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

Public hearing – no one from the public spoke.

Passage 5-1 (Councilor Titus opposed). A roll call vote was taken.

4. Order 31-04032017

Directing City staff to consult with the Planning Board and develop recommendations to increase the flexibility of the uses allowed in the Agricultural and Resource Protection District regarding schools and equipment sales associated with and complimentary to a recreational use.

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

Passage 6-0.

VII. Executive Session - None

VIII. Reports

- a. **Mayor's Report** – reported that we hosted the official launch of the 40th year for Safe Voices, LA Arts hosted an event at Rancourt Shoe which he attended, they've started a new series called A Place for Makers, highlighting creative businesses that

manufacture things here in Lewiston and Auburn. He and the Library Board of Directors met with representatives from Edward Little High School, the PAL Center, and the Franklin-Merrill Hill Culinary Programs to talk about opportunities for the vacant café at the Library and possibly turning this into a student run enterprise (similar to the Green Ladle in Lewiston). He met with Dick Trafton (President of the L/A Railroad Board) along with State Representative Golden, to talk about the trail opportunities along the Lewiston-Auburn railroad line and trail rights along the 13 mile line that connects the mill district in Lewiston to Lisbon. This Thursday at Callahan Hall there will be a Community Forum from 10AM-11:30AM. The US Ambassador to Somalia will be here. There will be a City Council workshop held on Monday, April 10th beginning at 5:30 PM to discuss roles, responsibilities and expectations, followed by broad budget goals and objectives. Peter Crichton, the new City Manager will be here.

b. City Councilors' Reports

Councilor Young - ELHS will hold their first home track meet a week from Friday.

Councilor Pross - May 13th there will be a neighborhood cleanup effort for Ward 1 residents in the Lake Auburn area. He also asked if Councilors have any input on forming a committee on examining polling locations to please forward to him any ideas they may have.

Councilor Stone – reported that there was a lot of activity on Park Avenue today with the construction project.

Councilor Titus – reported on the next Sunderland Drive neighborhood meeting to be held tomorrow at Sam's on Court Street, and the Sewer and Water Trustee meetings that were held last week. He said he has been getting a lot of comments, calls and emails regarding the medical marijuana grow facilities and he would like to move forward with looking into licensing these facilities. He also reminded residents that the School Department will be having a public hearing on their budget on Wednesday.

Councilor Walker – asked if something could be put together for the 150th Anniversary of the City which is right around the corner.

Councilor Burns - no report.

- c. City Manager Report**—reported that he has had a busy couple of weeks with several meetings on the budget, sports tourism, Community Little Theatre (regarding the natural gas issue), the Lost Valley Project, as well as a few meetings with the new City Manager, Peter Crichton. He also talked about some of the marijuana issues, both medical and recreational.

IX. **Open Session** – Larry Pelletier, 129 Second Street commented on the public hearing on agenda item number 3 under new business “amending text for the Adaptive Reuse of a structure of Community Significance in Chapter 60 of the Auburn Zoning Ordinance”.

X. **Adjournment**

Motion was made by Councilor Burns and seconded by Councilor Stone to adjourn. All were in favor, adjourned at 8:07 PM.

A True Copy.

ATTEST


Susan Clements-Dallaire, City Clerk



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: April 24, 2017

Subject: Recognition – Central Maine Community College - 2017 USCAA Women's Division II National Champions

Information: Central Maine Community College Women's Basketball Team won the 2016-2017 national championship in the United States Collegiate Athletic Association (USCAA). This is the first national title in Maine women's college basketball history.



**City of Auburn
City Council Information Sheet**

Council Workshop Date: April 24, 2017

Ordinance: 05-04032017

Author: Doug Greene, Urban Development Specialist

Subject: Text Amendment for the Adaptive Reuse of a Structure of Community Significance

Information: Currently, certain buildings of a historic, social or culturally significance are prevented from redevelopment or re-use due to existing zoning restrictions. This text amendment would allow the Planning Board to consider making the Adaptive Reuse of Structures of Community Significance to become a Special Exception and allow qualifying structures to be adapted to be reused in ways that the zoning ordinance does not normally allow. The text amendment also includes a provision to waive the application fees.

Advantages: This text amendment would further the objectives of the Comprehensive Plan, prevent demolition of structures that do not function under current economic or regulatory conditions, protect and preserve our community's cultural and historic character and bring important unused buildings back into productive use.

Disadvantages: A Special Exception must meet 7 criteria in order to be approved by the Planning Board. Any applicant will have to prove that the Adaptive Reuse will not be detrimental to the surrounding area and neighborhood.

City Budgetary Impacts: Waiving application fees for a Special Exception (\$500) is a minor loss of city revenues when compared to increased tax revenues and putting a non-productive property and structure back into use for the community.

Staff Recommended Action: Staff recommends APROVAL.

Previous Meetings and History: The Planning Board worked on the first draft for over a year (2015-2016). The new, second draft was worked on by the Planning Board for 3 meetings in 2016. The Planning Board scheduled a public hearing for Tuesday, March 14, 2017, which was cancelled due to the weather and was held on, Tuesday, March 21, 2017. Public hearing and passage of first reading held on April 3, 2017.

Attachments:

1. Memo and text amendment from Doug Greene, Urban Development Specialist and Michael Malloy, City Attorney (March 21st Planning Board Meeting)
2. Information Sheet
3. Planning Board Report to the City Council, from their March 21, 2017 meeting
4. List of changes to Auburn Zoning Ordinance
5. Ordinance by City Council



City of Auburn, Maine

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

To: Auburn Planning Board

From: Douglas M. Greene, Urban Development Specialist
Michael S. Malloy, Esq., The Malloy Firm

Date: March 14, 2017

RE: Ordinance Revisions: Adaptive Reuse

The Challenge.

As the Planning Board knows, the City's zoning ordinance has, in some instances, frustrated efforts to convert historic structures to new uses. Special buildings that have served important roles in the community are in danger of being demolished because of use restrictions. This can require property owners or prospective property owners to incur expense and uncertainty. To reduce these barriers and to increase the likelihood that Auburn's historic buildings will be preserved and put to productive use, City staff have proposed amending the zoning ordinance to allow for the Planning Board to grant a special exception, allowing qualifying structures to be adapted for new uses that, while not expressly permitted by the permitted uses of their zone, are deemed to be in furtherance of the objectives stated in the City's Comprehensive Plan adopted April 11, 2011 (the "Comp. Plan").

Based on the Planning Board's discussion at their December 13, 2016 and January 10, 2017 meetings regarding Adaptive Reuse, the Staff is submitting this revised text amendment, as well as additional considerations for the Board to discuss.

Justification for Adaptive Reuse Exception: Preserving Auburn's History and Culture.

Preserving Auburn's history and culture has long been a City planning priority, as stated in the Com. Plan's policies designed encouraging the preservation of historically significant properties.

Historic and Archeological Policies:

Goal D.1: Preserve Auburn's history by maintaining and enhancing historic and archeologically significant sites and structures throughout the community.

Comp. Plan at 29.

Objective D.1.1.: Strengthen efforts to identify, protect, and preserve all local, state, and federally significant historic buildings, features, and sites throughout Auburn.

Comp. Plan at 30.

Strategy D.1.1.d: Review and update the historic resource standards in the City zoning ordinance that are used in the review of development applications. The review should include an analysis of the preservation tools available that could help enhance the protection of historic properties throughout Auburn. The City should implement those preservation tools that protect historically significant buildings without placing undue burdens or costs on property owners.

Comp. Plan at 30.

It is therefore appropriate for the Planning Board to consider ways to increase the likelihood that historically significant buildings will be saved from the wrecking ball. The preservation of these buildings can have multiple positive benefits:

- **Environmental:** Preservation is a sustainable action, one that conserves energy. Demolition and new construction requires large amounts of energy but also destroys the past energy investment in the building.
- **Cultural:** By preserving historic or iconic structures, we are able to share and reuse the very spaces and environments in which the generations before us lived. Preservation is the visual and tangible conservation of our cultural identity.
- **Economic:** Preserving older buildings can be a foundation of economic development programs. Special buildings of community significance can help create vibrant, cultural downtowns and neighborhoods that draw tourism, art, festivals, and other activities which in turn draw investment, revenue, and economic growth.

The Saint Louis church is one, but not the only, example of a structure of historic and cultural significance, whose reuse has proved challenging under our existing ordinance. After serving as the Catholic Church in New Auburn for close to 100 years, the Diocese closed the church due to low attendance, and the building was sold to a local group looking to find other productive uses for it. However, the activities currently permitted in the Multi-Family Urban Zone in which the building is located have frustrated the new owner's attempts to find a new use for this property.

The Proposed Solution:

The Planning Department proposes creating a new special exception category that would allow the owner of a qualifying property to petition the Planning Board, through the existing site plan review process, to obtain a special exception to the uses that are customarily permitted in the zoning district where the property is located. This would allow the Planning Board to



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consider each request on a case-by-case basis, and determine whether the structure is of such historical or cultural significance that its permitted uses should be broadened in order to facilitate the building's preservation and reuse. As presented here, a property owner would be required to pay the customary site plan review fees and submit the customary supporting information and documents about the property. *See* Sec. 60-1278 (site plan review is required for all special exception requests). As you know, site plan review can entail submission of a detailed file, including plans and detailed descriptions of the proposed reuse. Sec. 60-1300, Sec. 60-1301. A fee of \$500 is also assessed. Auburn Maine Code of Ordinances, Appendix A.

We suggest adding two definitions in Section 60-2 of the zoning ordinance: (1) a *Structure of Community Significance*, and (2) *Adaptive Reuse*, defined as follows:

Structure of Community Significance means a Building that by virtue of its historic, social, cultural or economic contribution to the community, as determined by the Planning Board, is entitled to a Special Exception allowing its Adaptive Reuse. The Planning Board may consider a Building's age, as well as any evidence of its role in the historic, social cultural, or economic history of the community, in determining whether a Building qualifies for this designation.

Adaptive Reuse means a Special Exception permitting a Structure of Community Significance to be used for one or more purposes, not otherwise permitted in the District in which the Building is located, but which the Planning Board has determined will contribute to the preservation of a Structure of Community Significance, including without limitation, the following uses:

- a) Bed and breakfast homes or inns;
- b) Restaurants, diners or cafes;
- c) Art studios and galleries;
- d) Performing arts centers;
- e) Medical and dental clinics;
- f) Office space;
- g) Municipal and government uses; and
- h) Retail sales as an accessory use.

Once these definitions are added, they could then be incorporated into the list of Special exceptions permitted in any District that you deem appropriate. This can be done in two ways. The first would be to add *Adaptive Reuse of Structure of Community Significance* as a special exception in the Low Density Rural Residential zone. By reference, this would also allow the

special exception to be made in additional zones that incorporate those special exceptions that are permitted in the Low Density Rural Residential zone (which are the Suburban Residence, Urban Residence, Multifamily Suburban, and Multifamily Urban Districts).¹ This approach requires fewer revisions to the ordinance. However, some readers who are less familiar with our ordinance and its cross references, may find it burdensome to trace this exception through its numerous cross-references. Therefore, a second approach, would be to simply add *Adaptive Reuse of a Structure of Community Significance*, to the list of Special Exceptions in each additional District where you wish to make it available.

Finally, we wish to raise two aspects of the Site Plan process that may be seen as hindrances to redevelopment of historic structures. While the Planning Board may already waive the file submission requirement (Sec. 60-1302), it does not have the discretion to waive the filing fee (cite). In light of these expenses, which developers of historic properties may not feel go far enough in encouraging reuse of historic properties whose upkeep and repair may already be quite expensive, the Board may wish to consider a reduced Site Plan Review fee as part of this process, or proposing a section that would expressly allow the Planning Board to waive the site plan review fee for adaptive reuse applications on a case by case basis, just as the Board may waive the requirement to submit a detailed site plan review file. This could be done by revising the fee schedule in Appendix A to the City's ordinances, to insert a reduced or modified fee for Adaptive Reuse applications.

Attached for your review are the following:

Exhibit A: The existing definitions section of our zoning ordinance, illustrating the two proposed additions in redline.

Exhibit B: The existing Low Density Rural Residence District section, contained in Article IV, Section 4, of the ordinance. The proposed addition is in redline.

Exhibit C: Proposed revision to Section 60-1302, to authorize the Planning Board to waive site plan review fees for Adaptive Reuse applications

¹ We assume that the existing permitted uses in the other zones would either be flexible enough to accommodate the reuse of culturally significant structures, or that there are insufficient structures for this to be a concern. We recommend that the Board explore this issue during its deliberations and public comment sessions, to see whether this is the case.



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Exhibit A: Definitions Section, as Proposed.

Sec. 60-2. - Definitions.

For the purposes of this chapter, the following words and terms as used herein shall have the meanings or limitations of meaning hereby defined, explained or assigned:

Accessory structure or building means an uninhabited building, at least five feet in distance from the principal building, used for a purpose which is customarily subordinate and incidental to that of the principal building or to the principal use of the land and which is located on the same lot as the principal building use. The term "accessory buildings," in residential districts, includes tool sheds, wood sheds, detached garages and swimming pools. No accessory building shall house a home occupation or professional office or be used as a sales outlet in a residential district.

Accessory use means a subordinate use of land or building which is customarily incidental and subordinate to the principal building or to the principal use of the land and which is located on the same lot with the principal building or use.

Adaptive Reuse means a Special Exception permitting a Structure of Community Significance to be used for one or more purposes, not otherwise permitted in the District in which the Building is located, but which the Planning Board has determined will contribute to the preservation of a Structure of Community Significance, including without limitation, the following uses:

- a) Bed and breakfast homes or inns;
- b) Restaurants, diners or cafes;
- c) Art studios and galleries;
- d) Performing arts centers;
- e) Medical and dental clinics;
- f) Office space;
- g) Municipal and government uses; and
- h) Retail sales as an accessory use.

Adult day center means a supervised facility providing a program of education, crafts or recreation for adults over the age of 55 years.

Animal unit means one living animal of any species.

Antique shop means a building, or portion of building, where artifacts from generally recognized previous eras are sold or traded as the primary commercial activity.

Apartment. See the term *Dwelling unit*.

Architectural features means exterior building elements intended to provide ornamentation to the building massing, including but not limited to, eaves, cornices, bay windows, window and door surrounds, light fixtures, canopies, and balconies.

Art galleries means a building or place where works of art or other objects of value are kept, displayed, produced and offered for sale to the general public.

Artist studio, residential means a dwelling where up to 50 percent of the total floor space can be used for the production of art and/or craft products. The term "residential artist studio" shall not include

galleries or studios open to the public for display or sales. All artist studios shall be designed to meet all residential safety and occupancy requirements and shall be considered to be accessory to the residential use.

Automobile means a passenger vehicle propelled by a self-contained motor. The term "automobile" also includes motorcycles, all-terrain vehicles, trucks and recreation vehicles (RVs).

Automobile and marine paint and body shops means a building in which the business of automobile and marine paint and bodywork is conducted. Such use may also include as an accessory use a facility for the orderly display and sale of vehicles which have undergone substantial body repair on the premises. No such facility shall display, outdoors or indoors, or offer for sale more than ten vehicles at any one time.

Automobile and marine repair and service station means a building, lot or both in or upon which the business of general motor repair and vehicle service is conducted, but excluding junk and/or wrecking businesses.

Automobile, commercial, means a vehicle the primary use of which is commercial in character.

Automobile filling station means a building or lot having pumps and storage tanks at which fuel, oil or accessories for the use of motor vehicles are dispensed, sold or offered for sale at retail, where repair service is incidental and no vehicle storage or parking space is offered for rent.

Automobile garage, private, means an accessory building or portion of a main building designed, arranged or used for housing of private motor vehicles, only one of which may be a commercial vehicle. Not more than 50 percent of the space in such a garage shall be used for housing vehicles other than those owned by occupants of the premises.

Automobile parking lot, private, means a parcel of land, lot or portion thereof required, in accordance with these regulations, for off-street automobile parking.

Automobile repair and service station means a building, lot or both in or upon which the business of general motor vehicle repair and service is conducted, but excluding junk and/or wrecking business.

Automobile sales lot means a lot arranged, designed or used for the storage and display of motor vehicles or any unoccupied trailer for sale.

Automobile scrap yard means any land or building used for the dismantling, storage and salvaging for reuse of automobiles or other vehicles not in running condition.

Automotive towing and storage means a business engaged in/or offering the services of a towtruck or towing service whereby motor vehicles are towed or otherwise removed from one place to another by the use of a motor vehicle specifically designed for that purpose. Storage of towed vehicles is considered to be the keeping of vehicles in a secured yard for not more than 120 days until claimed or disposed of in accordance with the laws of the state.

Basement means that portion of a building below the first floor joists having at least one-half of its clear ceiling height above the main level of the adjacent ground.

Bed and breakfast home means an accessory use to a single-family dwelling involving the renting of four or fewer guestrooms to transient guests who are staying for a limited duration (seven consecutive days and/or 60 accumulated days in a calendar year) and the serving of breakfast only to house guests. Such establishment shall be owned and operated by the resident of the dwelling. The term "bed and breakfast home" also includes a tourist home.

Bed and breakfast inn means a dwelling involving the renting of more than four but fewer than ten guestrooms to transient guests who are staying for a limited duration (seven consecutive days and/or 60 accumulated days in a calendar year) and the serving of breakfast to house guests only. Such use may provide a restaurant, function rooms and places of public assembly.



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Boardinghouse or lodginghouse means a dwelling which, for compensation, lodging, or lodging and meals are provided to more than four persons and where a proprietor or owner resides in the building. No provisions for cooking in individual rooms other than a main kitchen is allowed.

Building means a structure having one or more stories and a roof, designed primarily for the shelter, support or enclosure of persons, animals or property of any kind. (See the term *Structure*.)

Building envelope means the ground area on a lot and the space above it on which a building may be constructed.

Building form means the overall shape and dimensions of a building.

Building height means the vertical distance from the grade of the top of the highest roof beams of a flat roof, or to the mean level of the highest gable or slope of a hip roof. When a building faces on more than one street, the height shall be measured from the averages of the grades at the center of each street front.

Building inspector means the building inspector of the City of Auburn, Maine, or their duly authorized agent.

Building line means a line beyond which the foundation wall and/or any enclosed porch, vestibule of other enclosed portion of a building shall not project.

Building, principal, means a building in which is conducted the principal use of the lot on which it is situated.

Care home means a rest, nursing, or convalescent home established to render domiciliary nursing care and board for chronically ill or convalescent patients, or persons who are infirm because of mental or physical conditions, but excluding a child care home or one for the care of mentally retarded patients, alcoholics, psychotics or drug addicts.

Cellar means that portion of a building below the first floor joists having at least one-half of its clear ceiling height below the mean level of the adjacent ground. A cellar shall not be used for habitation.

Cemetery means a place used for the permanent interment of dead bodies or cremated remains thereof. A cemetery may be a burial park of earth interments, a mausoleum for vault or crypt interments, a columbarium for cinerary interments, or a combination of one or more thereof.

Child care home means a child boarding home, summer camp, foster family home or other place providing domiciliary arrangements for compensation, of three or more children, unrelated to the operator by blood, marriage or adoption, under 18 years of age. A facility providing child day care less than 24 hours per day, per child, to more than five children shall not be considered a child care home. The term "child care home" includes any family-type facility which provides child care to children placed by order of any court of competent jurisdiction, or by any public welfare department, or other governmental agency having responsibility for placing children for care, or placed by child-placing agency licensed under state law.

Child day care center means a facility conducted or maintained by anyone who provides, for consideration, care and protection for more than 12 children under 16 years of age, unrelated to the day care center operator, who are unattended by parents or guardians, for any part of the day. Any facility, the chief purpose of which is to provide education, shall not be considered to be a day care center, but is classified as a nursery school.

Child day care home means an accessory use of a residence by a person residing on a premises to provide on a regular basis, and for consideration, care and protection for up to 12 children under 16 years of age, unrelated to the day care home operator, who are unattended by parents or guardians, for any

part of the day. Any facility, the chief purpose of which is to provide education, shall not be considered to be a day care home, but is classified as a nursery school. A child day care home shall not be located closer to another child day care home than 500 feet measured along the street frontage. Child day care homes shall be reviewed under the city's home occupation regulations (article IX of this chapter) and shall meet the following:

- (1) All outdoor play areas, used in conjunction with the day care operation, shall be fully enclosed by a fence, a minimum of four feet in height.
- (2) If the property utilizes a private sewerage disposal/septic system a written verification from a site evaluator, stating that the current system can handle the change of use to include the children in the proposed day care, shall be submitted.

Church means a building, together with its accessory buildings and uses, where persons regularly assemble for religious worship, and which buildings, accessory buildings and uses are maintained and controlled by a religious body organized to sustain public worship.

Clinic means an establishment where patients are accepted for treatment by a group of physicians practicing medicine together, but shall not offer domiciliary arrangements; medical and dental.

Club, private, means any building or rooms, which serve as a meeting place for an incorporated or unincorporated association for civic, social, cultural, religious, literary, political, recreational or like activities, operated for the benefit of its members and not open to the general public.

Community based residential facilities (CRF) means dwelling units providing communal domiciliary arrangements for a group of unrelated persons under supervision of the state government human service agencies, for the transition of formerly institutionalized persons back into the mainstream community living and participation, a halfway house, or a group home.

Comprehensive plan means the master development plan of the City of Auburn, Maine, any amendments or additions thereto, part or portion thereof adopted by the city council upon recommendations of the planning board of Auburn, Maine, pursuant to 30-A M.R.S.A. § 4323.

Convenience store means a business establishment having an interior selling space of less than 3,000 square feet where general food supplies for the table, other articles of household use and gasoline pump service is offered for sale. Such a use may include the sale of food vended in disposable containers for consumption on or off the premises.

Court means an open, unoccupied space, other than a yard, on the same lot with a building or group of buildings which is bounded on two or more sides by such building or buildings and every part of which is clear and unobstructed from its lowest point to the sky.

Dental clinic means an establishment where patients are accepted for treatment by a group of dentists practicing dentistry together.

Development standard(s) means building standards that establish basic parameters governing building form, including the envelope for building placement in three dimensions and certain permitted and required building elements such as storefronts, balconies, street walls, etc. The development standards establish both boundaries within which development may take place and what requirements apply.

Director means the director of planning and any successor or other official designated from time to time by the city council to enforce the provisions of this chapter.

District or zone means an area within which certain uses of land and buildings are permitted or denied pursuant to municipal review, and certain others are prohibited.

District, overlay, means a special district or zone which addresses special land use circumstances and environmental safeguards and is superimposed over the underlying existing zoning districts. Permitted uses in the underlying zoning district shall continue subject to compliance with the regulations of the overlay zone or district.



City of Auburn, Maine

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

Dormitory means a building or portion thereof used for sleeping purposes in connection with a school, college or other educational institution.

Driveway means private ways intended for internal vehicular circulation on a lot or within an automobile parking lot.

Dump means any premises used primarily for disposal by abandonment, discarding, dumping, reduction, burial, incineration or any other means and for whatever purpose of garbage, trash, refuse, dead animals, waste materials of any kind, junk; but not untreated sewage, animal waste, discarded machinery, or vehicles or parts thereof. The establishment of any dump shall be approved by the city council of the City of Auburn.

Dwelling or *dwelling unit* means a building or portion thereof arranged or designed to provide living facilities for one or more families.

Dwelling, multifamily, means a residence designed for or occupied by three or more families with separate housekeeping and cooking facilities for each.

Dwelling, one-family detached, means a dwelling unit singly and apart from any other building and intended and designed to be occupied and used exclusively for residential purposes by one family only, excluding those forms of temporary housing permitted by section 60-666. Each one-family detached dwelling shall contain not less than 700 square feet of net floor area of habitable space.

Dwelling, seasonal, means a dwelling occupied for not more than six months of any year.

Dwelling, two-family, means a freestanding building intended and designed to be occupied and used exclusively for residential purposes by two families only, with separate housekeeping and cooking facilities for each.

Dwelling unit means a room or group of rooms located within a building and forming a single habitable unit, physically separated from any other rooms or dwelling units which may be in the same structure, with facilities which are used for or intended to be used for independent living, sleeping, cooking and eating purposes. Dwelling units available for rental or occupancy for periods of less than one week shall be considered boarding/lodging units.

Eave means the edge of a roof which projects beyond the exterior wall.

Encroachment means any architectural feature, structure or structural element, such as a gallery, fence, garden wall, porch, stoop, balcony, bay window, terrace, or deck that breaks the plane of a vertical or horizontal regulatory limit exceeding into a setback, the public frontage, or above a height limit.

Erected includes the terms "built," "constructed," "reconstructed," "enlarged" and/or "retained on."

Facade means the vertical surface of a building.

Family means one or more persons occupying a single housekeeping unit and using common cooking facilities, provided that unless all members are related by blood or marriage, no such family shall contain over four persons.

Farm means any parcel of land containing more than ten acres which is used in the raising of agricultural products, livestock or poultry, or for dairying. The term "farm," under the Agricultural and Resource Protection District, shall be further defined as meeting the following criteria:

- (1) At least 50 percent of the total annual income of the farm occupant and his spouse living in the farm residence will be derived from such uses; and
- (2) At least ten acres of the farm will be devoted to the production by the occupant of field crops or to the grazing of the occupant's livestock. For purposes of this definition, the term "poultry"

means no fewer than 100 fowl and the term "livestock" means no fewer than 20 cattle or other animals being raised for commercial purposes.

Farm, animal, means any parcel of land that contains at least the following land area used for the keeping of horses, mules, cows, goats, sheep, hogs and similar sized animals for the domestic use of the residents of the lot, provided that adequate land area is provided for each animal unit, excluding water bodies of one-quarter acre surface area or larger:

- (1) Cattle: One bovine animal unit per acre of cleared hay-pasture land.
- (2) Horse: 1.5 animal units per acre of cleared hay/pasture land.
- (3) Sheep: Three animal units per acre of cleared hay/pasture land.
- (4) Swine: Two animal units per acre of cleared land.
- (5) Other animal farms: The required lot size shall be determined by municipal officer charged with enforcement and shall conform to the lot size for similar sized animals.

Floodplain overlay means those areas of the city which are directly affected by flooding as shown on the flood insurance rate maps (FIRM) as established by the Federal Emergency Management Agency and that shall comply with the pertinent regulations found in division 2 of article XII of this chapter pertaining to the Floodplain Overlay District.

Floor area of building means the total number of square feet of floor area of all stories in a building, excluding cellars, uncovered steps and uncovered porches. All horizontal measurements shall be made between exterior faces of walls.

Form based code means a land development regulation that fosters predictable built results and a high-quality public realm by using physical form (rather than separation of uses) as the organizing principle for the code.

Form based code zoning district means one of the five areas on the regulating plan, including Transect 4.1 (T-4.1), Transect 4.2 (T-4.2), Transect 5.1 (T-5.1), Transect 5.2 (T-5.2), and Transect 6 (T-6).

Frontage means the length of a lot extending between the side lot lines of a lot which borders an accepted portion of a street. Maine Turnpike frontage does not apply to this definition.

Frontage line means the lot line(s) of a lot fronting a street or other public way.

Greenhouse means an enclosed structure where trees, shrubs, vines and plants are propagated, grown or maintained. Activities associated with a greenhouse include:

- (1) The sale of greenhouse products and related supplies; and
- (2) The storage of material used in the maintenance of plants and growing items sold.

Grocery store means a small retail establishment having an interior selling space of less than 3,000 square feet where general food supplies for the table and other articles of household use are offered for sale. Such a use may include the sale of food vended in disposable containers for consumption on or off the premises; a corner market, a mom and pop store.

Ground area of building means the total number of square feet of horizontal surface covered by a building, including covered porches and accessory buildings. All measurements shall be made between exterior faces of walls, foundation, piers or other means of support.

Group home. See the term *Community based residential facilities*.

Guesthouse means a detached dwelling that is intended, arranged or designed for occupancy by transient, nonpaying visitors.

Habitable space means that area within a dwelling which has headroom of not less than seven feet when measured vertically upward from the finished floor, provided that any such area next below the roof



City of Auburn, Maine

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

of a dwelling shall be counted only if it is connected with the story next below by a permanent inside stairway. The floor area of any porch, cellar room, garage or shed attached to such dwelling shall not be counted in any measure of habitable space.

Half-story means a story directly under a sloping roof in which the points of intersection of the bottom of the rafters with the interior faces of the walls are less than three feet above the floor level.

Historic site means a parcel of land, a particular building, or a group of buildings that have played a significant role in the history of the community, and identified as such by the state historic preservation committee.

Historic or archaeological resources means areas identified by a governmental agency such as the state historic preservation commission as having significant value as historic or archaeological resources and any areas identified in the municipality's comprehensive plan.

Hog farm means any land or building used for the purpose of keeping, feeding or raising 20 or more swine per piggery. Establishment of this use requires approval from the city health department.

Home occupation means the accessory use of a dwelling unit for a business or commercial venture engaged in, by the person residing in the dwelling unit, and which allows up to one person who does not reside on the premises to be employed by that home occupation.

Hospital means any institution receiving inpatients and rendering medical, surgical and/or obstetrical care. The term "hospital" includes general hospitals and institutions in which service is limited to special fields such as cardiac, eye, nose and throat, pediatric, orthopedic, skin, cancer, mental health, tuberculosis, chronic disease and obstetrics. The term "hospital" also includes sanitariums, including those wherein mentally retarded and mental patients, epileptics, alcoholics, senile psychotics or drug addicts are cared for or treated.

Hotel means a building in which the primary use is transient lodging accommodations offered to the public on a daily rate of compensation and where ingress and egress to the sleeping rooms is primarily through an inside lobby or office, supervised by a person in charge at all hours. Such facilities may include accessory uses such as restaurants, bars, nightclubs, function rooms, places of public assembly and/or recreational facilities.

Household pet means any animal kept as a pet and normally housed at night within the owner's dwelling or an accessory building on the same lot, including laying hens, but not including any animal normally raised as livestock or poultry or any animal raised for commercial gain. No household pet shall be kept that creates a public nuisance by reason of:

- (1) Objectionable effects perceptible outside the owner's property, such as excessive or untimely noise or offensive odors; or
- (2) Being a hazard to the health, safety and welfare of neighbors, invited guests or public servants visiting the property in the pursuit of their normal duties.

Illustrative plan means a plan or map that depicts (i.e. illustrates but does not regulate) the streets, lots, buildings and general landscaping of the proposed Downtown Auburn/New Auburn Form-Based Code District.

Industrial use, heavy, means the use of real estate, building or structure, or any portion thereof, for assembling, fabricating, manufacturing, packaging or processing operations.

Industrial use, light, means the use of real estate, building or structure, or any portion thereof, the main processes of which involve the assembly of prefabricated parts and which will not create a nuisance by noise, smoke, vibration, odor or appearance.

Institution means any building or open area used only by an educational, religious, medical, charitable, philanthropic, or nonprofit organization, either public or private.

Institution, philanthropic, means a private, nonprofit organization that is not organized or operated for the purpose of carrying on a trade or business, no part of the net earnings of which inures to the benefit of any member of said organization and which either:

- (1) Provides volunteer aid to the sick and wounded of the armed forces in time of war and relief services to victims of natural or manmade calamities; or
- (2) Provides all or any of the following: religious, social, physical, recreational and benevolent service.

Institution, private educational, means any private school or educational institution, however designated, which offers an academic curriculum of college, professional, preparatory, high school, middle school, elementary, kindergarten or nursery school instruction, or any combination thereof; but not a training program of trade, craft, technical or artistic instruction operated by a governmental entity. No private educational institution shall be deemed a home occupation. (See the terms *Training school* and *School*.)

Institution, research, means an agency for scientific research of technical development including offices, libraries, laboratories, testing facilities and equipment incidental to such research and development.

Junkyard or automobile graveyard means any land or building used for the abandonment, storage, keeping, collecting or bailing of paper, rags, scrap metal, other scrap or discarded material, or for the abandonment, demolition, dismantling, storage or salvaging of automobiles or other vehicles not in running condition, machinery or parts thereof. Establishment and operation of this use requires annual approval from the City Council of Auburn, Maine.

Kennel means any building and/or land used, designed or arranged for the boarding, breeding or care of dogs, cats, pets, fowl or domestic animals, kept for purposes of show, hunting or as pets, except horses.

Land use permit means a permit required for the use of property that is legally permitted under the provisions of this chapter.

Landscape services means the actual planting, bed preparation, installation of landscape materials and maintenance of the landscape, planting and materials. Activities associated with landscaping include: the storage of materials and equipment related to the performance of landscaping, the temporary storage of trees, shrubs and plants pending installation in an existing landscape plan and the application and storage of pesticides and fertilizers by a licensed person.

Lawn maintenance service means the care and upkeep of the landscape after its installation and consists of such activities as mowing of the lawn, pruning of trees and shrubs, application by hand of fertilizer and weed control, insect and disease control, planting and care of flower beds, replacement of dead plants, incidental repairing of walls and paved surfaces, cleaning of fountains and pool basins, irrigation of lawns, cultivation of soil around trees and shrubs, rolling and reseeding of lawns, raking of leaves, winterization of trees and shrubs and snow removal.

Library means a place containing books and other material for reading, study or reference, provided that no such material is offered for sale.

Livestock means domestic animals kept, used or raised on a farm for the production of income.

Lodge, private. See the term *Club, private*.

Lot means for zoning purposes, as covered by this chapter, a lot is a parcel of land under one ownership or joint ownership of at least sufficient size to meet minimum zoning requirements for use, coverage and area, and to provide such yards and other open spaces as are herein required. Such lot shall have frontage on an accepted public street and may consist of:



City of Auburn, Maine

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

- (1) A single lot of record;
- (2) A portion of a lot of record;
- (3) A combination of complete lots of record;
- (4) A parcel of land described by metes and bounds; provided that in no case of division or combination shall any residential lot or parcel be created which does not meet the requirements of this chapter;
- (5) Lots shown on a plan approved by the planning board of the City of Auburn.

Lot frontage/width means the front of a lot shall be construed to be the portion nearest the street. For the purpose of determining yard requirements or corner lots and through lots, all sides of a lot adjacent to streets shall be considered frontage, and yards shall be provided as indicated under the definition of yards in this section.

Lot line, rear, means the lot line generally opposite or parallel to the front lot line, except in a through lot. If the rear lot line is less than ten feet long or the lot comes to a point at the rear, said rear lot line is assumed to be a line not less than 20 feet long, lying wholly within the lot, parallel to the front lot line, or in the case of a curved front lot line, parallel to the chord of the arc of said front lot line.

Lot measurements means the following measurements:

- (1) The depth of a lot shall be considered to be the uninterrupted distance between the midpoints of lot frontage and the midpoint of the rear lot line unless the lot meets the exception provided for by section 60-39.
- (2) The width of a lot shall be considered to be the distance between straight lines connecting front and rear lot lines at each side of the lot, measured across the rear of the required front yard, provided, however, that the width between the side lot lines at their foremost points (where they intersect the street line) shall not be less than 80 percent of the required lot width except in the case of a lot on the turning circle of a cul-de-sac, where the 80 percent requirement shall not apply.

Lot of record means a lawfully laid out lot which is part of a subdivision recorded in the proper office of the registry of deeds, or a lawfully laid out lot or parcel described by metes and bounds, the description of which has been so recorded.

Lot types means the diagram which follows illustrates terminology used in this chapter with reference to corner lots, interior lots, reversed frontage lots and through lots. In the diagram above, the lots designated by letters are defined as follows:

- (1) Corner lot, defined as a lot located at the intersection of two or more streets. A lot abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost points of the side lot lines to the foremost point of the lot meet at an interior angle of less than 135 degrees. (See lots marked A(1) in diagram)
- (2) Interior lot, defined as a lot other than a corner lot with only one frontage on a street other than an alley.
- (3) Through lot, defined as a lot other than a corner lot with frontage on more than one street other than an alley. Through lots with frontage on two streets may be referred to as double frontage lots.

- (4) Reversed frontage lot, defined as a lot in which the frontage is at right angles or approximately right angles to the general pattern in the area involved. A reversed frontage lot may also be a corner lot or an interior lot. (See A-D and B-D in diagram.)

Lot, undersized, means for zoning purposes, as covered by this chapter, an undersized lot is a parcel of land of insufficient size to meet minimum zoning requirements for area or width or depth.

Major or principal arterial highway means the highway that:

- (1) Serves the major traffic movements within urbanized areas such as between central business districts and outlying residential areas, between major intercity communities, or between major suburban centers;
- (2) Serves a major portion of the trips entering and leaving the urban area, as well as the majority of the through traffic desiring to bypass the central city;
- (3) Provides continuity for all rural arterials which intercept the urban area. The term "major or principal arterial highways" includes Washington Street (State Routes 4 and 100, U.S. 202), Minot Avenue (State Routes 11 and 121), Union Street/Center Street/Turner Road (State Route 4), Veterans Memorial Bridge and approaches (State Routes 11 and 100, U.S. Route 202), North Bridge/Court Street to in town Minot Avenue Intersection (Turner Street), Court to Center Street (State Route 4).

Major retail development means a single building in excess of 100,000 square feet of new ground floor retail space.

Manufactured housing means a structural unit designed for occupancy, and constructed in a manufacturing facility and then transported by the use of its own chassis, or placed on an independent chassis, to a building site. The term "manufactured housing" includes any type of building which is constructed at a manufacturing facility and then transported to a building site where it is utilized for housing and may be purchased or sold by a dealer in the interim. The term "manufactured housing" includes newer mobile homes and modular homes.

Mining, quarrying, or earth removing means the excavation of any earth materials.

Minor arterial highway means the highway that:

- (1) Serves trips of moderate length at a somewhat lower level of travel mobility than principal arterials;
- (2) Provides access to geographic areas smaller than those served by the major arterial highway system; and
- (3) Provides intra-community continuity but does not penetrate identifiable neighborhoods. Examples are Riverside Drive, Mill Street, South Bridge (Broad Street to Mill Street), Main Street, Mechanics Row, High Street (Minot Avenue to Academy Street), Academy Street (High Street to Main Street), Elm Street, Spring Street (Minot Avenue to Court Street), Turner Street (Union Street to Turner Road), Mount Auburn Avenue (Center Street to Turner Street), Lake Street, Court Street (Union Street to in town Minot Avenue Intersection), Hotel Road (Manley Road to Poland Spring Road).

Mobile home development, intended to be generic, includes mobile home parks, mobile home subdivisions, and mobile home condominiums.

Mobile home park means a parcel of land under single ownership in rural residence and suburban residence districts which has been planned and improved for the placement of not less than three mobile homes for nontransient use.

Mobile homes, newer, means those units constructed after June 15, 1976, commonly called "newer mobile homes," which the manufacture certifies are constructed in compliance with the United States Department of Housing and Urban Development standards, meaning structures, transportable in one or



City of Auburn, Maine

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

more sections, which, in the traveling mode, are 14 body feet or more in width and are 700 or more square feet, and which are built on a permanent chassis and designed to be used as dwellings on foundations when connected to the required utilities, including the plumbing, heating, air conditioning and electrical system contained therein; except that the term "newer mobile homes" includes any structure which meets all the requirements of this definition, except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the Secretary of the United States Department of Housing and Urban development and complies with the standard established under the National Manufactured Housing Construction and Safety Standards Act of 1974, United States Code, 42 USC 5401 et seq.

Mobile homes, older, means any factory-built home which fails to meet the definition of manufactured housing and more specifically, the term "older mobile homes" means any mobile home constructed prior to June 15, 1976. These units shall be restricted to approved mobile home parks.

Modular homes means those units which the manufacturer certifies are constructed in compliance with the state's Manufactured Housing Act and regulations, meaning structures, transportable in one or more sections, which are not constructed on a permanent chassis and are designed to be used as dwellings on foundations when connected to required utilities, including the plumbing, heating, air conditioning or electrical systems contained therein.

Motel means a building or group of detached buildings intended primarily to provide sleeping accommodations to the public on a daily rate of compensation and having a parking space generally located adjacent to a sleeping room. Such facilities may include a main kitchen or snack bar for the use of motel guests only.

Municipal sanitary landfill means a disposal site for household, commercial and industrial wastes, sludge or incinerator ash operated or controlled for operation by the city in a controlled manner involving the covering of deposited wastes with layers of earth so as to reduce health hazards and public nuisances from vermin, insects, odors and wind-borne debris. The location and design of sanitary landfills also require precautions against ground and surface water contamination through clay lining, water impoundment, aquifer avoidance and similar techniques.

Municipal uses means any lawful use of a building or of land carried on by the city sanitary landfill shall not be deemed a municipal use.

Museum means a building or place where works of art or other objects of permanent value are kept and displayed, provided such objects are not offered for sale.

Nonconforming building means a building lawfully existing at the time this or any previous zoning ordinance became effective and which does not conform to the dimensional regulations of the district in which it is located.

Nonconforming lot means a lot lawfully existing at the time this or any previous zoning ordinance became effective and which does not conform to the dimensional regulations of the district in which it is located.

Nonconforming use means a use of a building or of land lawfully existing at the time this or any previous zoning ordinance became effective and which does not conform with the use regulations of the district in which it is located.

Nursery means an outdoor place where live trees, shrubs, vines and plants are propagated, grown or maintained before permanent planting. Activities associated with nursery a business include: the sale of nursery products and related gardening supplies, the storage of material used in the maintenance of plants and growing items sold and the use of power-motorized equipment required by the nursery.

Nursery, child, means a facility providing a program less than 24 hours per day per child for the care of infants up to the age of 2½ years.

Nursery, wholesale, means a nursery where plants, trees, shrubs and vines are propagated and/or grown and sold only at wholesale to industry related buyers such as retail nurseries, greenhouses and landscape contractors. A wholesale nursery may also provide landscape services accessory to the nursery use provided.

- (1) At least one-half of the area of the lot (up to a maximum of three acres) is in active nursery production in a husband type manner; and
- (2) The plants and trees propagated, grown and nurtured in the nursery are used as the primary products by the owner/operator of the landscape service.

Office means a building, or portion of a building wherein services are preformed involving predominantly administrative, professional or clerical operations.

Office trailer means a movable vehicle or structure designed for yearround or temporary occupancy for purposed of supervising construction; for business actually engaged in the business of selling manufactured housing, mobile homes and trailers; and as temporary office space for a business during the period in which permanent office space is being constructed.

Outpatient addiction treatment clinic means a program or facility operated for the purpose of and specializing in the care, treatment and/or rehabilitation of persons suffering with addictions, including but not limited to gambling addition, alcohol or controlled substance addictions. The term "outpatient addiction treatment clinic" includes, but is not limited to, substance abuse treatment programs licensed by the State of Maine Department of Behavioral and Developmental Services Office of Substance Abuse. An outpatient addiction treatment clinic shall not be located within 2,000 feet of any property that is occupied by a church, school, family day care home, small day care facility, day care center, or public park or playground on the date of application for a license for such a facility. The term "outpatient addiction treatment clinic" does not include an inpatient or residential addiction treatment program, or a program consisting solely of support group activities without treatment by licensed health practitioners, such as Alcoholics Anonymous, Narcotics Anonymous, and similar programs.

Parapet means a low wall along the edge of a roof or the other portion of a wall that extends above the roof line.

Parking space, off-street, means a rectangular area, not less than nine feet by 18 feet, forming a parking stall within or without a structure, not located in any public right-of-way.

Performing arts center means a public or private space used to create and present various performing and visual arts. For the purposes of this definition, the term "performing arts center" also includes educational and training uses associated with the various performing and visual arts.

Personal services means the furnishing of labor, time and effort by a person as an independent contractor not involving the delivery of a specific end product.

Place of worship see definition of church.

Planning board means the planning board of the City of Auburn, Maine.

Primary entrance means a section of building elevation which contains the street level principal entrance of the business, including the businesses on upper floors or in a basement.

Principal use means the principal use for which a lot or main building thereon is designed, arranged or intended and for which it is or may be used, occupied or maintained.

Professional office means rooms and/or buildings used for office purposes as the principal use by members of any recognized profession, including doctors, dentists, lawyers, accountants, engineers, architects, veterinarians, etc.



City of Auburn, Maine

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

Realm, private means the physical and social domain that is considered private by their physical location and visual association being away from public view. This is considered areas behind the front building facade along with side and rear yard areas.

Realm, public means the physical and social domain of the public that is held in common either by their physical presence or visual association. This includes but is not limited to sidewalks, plazas, squares, parks, streets, front yards, civic buildings and civic spaces.

Recreational uses of land means permanent uses of outdoor space which are intended or designed for public use and include but are not limited to ski areas, golf courses (both public and private), driving ranges, horse boarding and riding facilities, miniature golf, paintball, horse and dog racing, snowmobile races and facilities for mass gatherings when used for two or more events during a calendar year.

Regulating plan means the adopted map that shows the Form Based Code zoning districts, which correspond to the special requirements of the form based code.

Restaurant means an eating place in which food is prepared and vended for immediate consumption on the premises without further preparation by the customer. The takeout of food on an infrequent basis is not prohibited.

Restaurant, carry-out, means an eating place in which all food is vended in disposable containers for consumption on or off premises at the customer's choice; a fast-food restaurant.

Restaurant, drive-in, means an eating place in which the business transacted is conducted by a customer from within his automobile or in which consumption of goods sold normally takes place within the customer's automobile on the establishment's premises.

Retail means a principal use encompassing the sale of commodities or goods in small quantities directly to the consumer. The term "retail" sales does not include sales of professional, financial and governmental services and personal services, including but not limited to a hotel and its accessory uses (restaurants, salons, gift shops, recreational facilities, convention space, etc.).

Retail space means the areas of a building, within a climate controlled environment, devoted to the display of commodities or goods for sale directly to the consumer and including customer sales transaction areas and areas associated with customer access.

Rifle, pistol, skeet or trap shooting range means a rifle, pistol, skeet or trap shooting range operated by an individual or club. Such a range may be opened to the general public or developed for the exclusive use of the individual, or club and invited guests.

Road means any public or private traveled way or any portion thereof.

Roof means the covering for a building which is an integral part of the structure for the purpose primarily of protecting the interior of the building or covering a porch or other similar permanent portion thereof, excluding awnings, stoop coverings, or similar additions which are removable without substantially impairing the original structure.

Sawmill means a unit designed to saw logs into lumber, firewood or other processed wood products.

School means an educational institution offering an academic curriculum; not the teaching of the crafts or a training school offering a program of trade, technical instruction or physical education. (See the term *Training school*.)

Shared housing means housing consisting of two or more families occupying a single dwelling and using common cooking facilities. Shared housing shall permit the same number of families at the same density as allowed in the zoning district where the property is located subject to all applicable codes relating to building, housing, life safety, health and zoning as would be applied to independent living units

located in the same structure. Approval for shared housing shall be secured from the department of community development and planning subject to the codes and ordinances indicated in this definition, prior to establishing a shared housing arrangement in any building.

Shelter for abused persons means dwelling facilities complying with the laws administered by the state government human services agencies, providing temporary domiciliary arrangements for children and adults unable to protect their own interest and welfare because of critical family circumstances.

Shopping center or office mall means a planned integrated complex of three or more retail stores and/or offices sharing a common structure and developed according to a unified plan. Such uses may include a common pedestrian circulation system and off-street automobile parking facilities.

Sign means any device, display surface, structure or object in public intended for visual communications.

Sign, mobile mounted, means a temporary sign which is mounted or for mounting on wheels or a mobile platform or which is portable.

Sign, official business directional, means any off-premise sign permitted to be erected pursuant to article II of chapter 42.

Sign, on-premises, means any sign that advertises, calls attention to, or indicates the person occupying the premises on which the sign is erected or maintained or the business transacted thereon, or advertises the property itself or any part thereof as for sale or rent, and which contains no other matter.

Sign, standing, means any sign that is not attached to a building.

Sign, temporary, means any movable sign, including its supporting structure, intended to be maintained for not more than 90 days in any calendar year.

Site-built home means a building constructed on-site which is designed to be used as a dwelling on foundations, when connected to the required utilities.

Slaughterhouse (abattoir, dressing plant) means any building, place or establishment in which is conducted the slaughtering of livestock and/or poultry for commercial purposes.

Special exception means a use that would not be appropriate generally or without restriction throughout the district, but which, if controlled as to number, area, location or relation to the neighborhood, would promote the public health, safety, welfare, order, comfort, convenience, appearance, prosperity, or general welfare. Such a use may be permitted in such district as a special exception, if specific provision for such special exception is made in this zoning chapter and reasonable restrictions imposed by the planning board are complied with.

Specialty shop means a retail business offering products of a similar kind and nature designed for a particular use, purpose or occasion and distinguished from a store offering the same type of product together with other products of a non-homogeneous quality.

Stable, riding, means any building or structure used or designed for boarding, breeding or care of horses, other than horses used for farming or agricultural purposes.

Standing means a person who holds title, right or interest in a property which may include a written option, contract to purchase the property or a leasehold interest or may be a person who can show how his actual use or enjoyment of property will be adversely affected by the proposed decision as an abutter as defined in section 60-1473.

Story means that portion of a building between the surface of any floor and the surface of the other floor or roof next above it, but not including the lowest portion so contained if more than one-half of such portion vertically is below the mean finished grade of the ground adjoining such building unless such space is used for business or as habitable space, in which case it shall count as a story.

Story, half, means a story under the gable, hip or gambrel roof, the plates of which on at least two opposite exterior walls are more than two feet above the floor of such story.



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Street means the following:

- (1) A public way laid out and established by the state, county commissioners of the County of Androscoggin;
- (2) A way accepted by the municipal officers of the city;
- (3) A way as to which a petition for improvements has been allowed under the provisions of this chapter for which the cost of the improvements has been provided for by the developer in either a cash amount or as provided for in this chapter; or
- (4) A way on a plan of a subdivision duly approved by the planning board.

Street frontage. See the term *Frontage*.

Street line means a line defining the edge of a street right-of-way separating the street from abutting property or lots.

Street, primary means the street that is considered to be more intensely used than the other on a corner or double sided lot.

Street, secondary means the street that is considered to be less intense to the other on a corner or double sided lot.

Structure or *building* means a combination of materials to form a construction that is safe and stable including, among other things: stadia, reviewing stands, platforms, automobile parking garages, stagings, windmills, observation towers, trestles, sheds, coal bins, shelters and display signs, but not fences of any kind.

Structure of Community Significance means a Building that by virtue of its historic, social, cultural or economic contribution to the community, as determined by the Planning Board, is entitled to a Special Exception allowing its Adaptive Reuse. The Planning Board may consider a Building's age, as well as any evidence of its role in the historic, social cultural, or economic history of the community, in determining whether a Building qualifies for this designation.

Subdivision means a division of land as defined in 30-A M.R.S.A. § 4401.

Summer camps means seasonal dwelling units intended for and actually used for single-family dwellings only during the months of May, June, July, August, September and October or weekends or other periods of vacations not exceeding 30 days.

Supermarket means a retail establishment having an interior selling space of 3,000 square feet or more where general food supplies for the table and other articles of household use are offered for sale.

Swimming pool means any manmade receptacle or excavation housing a surface area of 250 square feet, or more, designed to hold water to a depth of at least 24 inches, primarily for swimming or bathing whether in the ground or above the ground.

Theater, indoor, means a building designed and/or used primarily for the commercial exhibition of motion pictures or plays to the general public.

Theater, outdoor, includes only those areas, buildings or structures designed and used for the commercial outdoor exhibition of motion pictures to passengers in parked motor vehicles.

Tourist home. See the term *Bed and breakfast home*.

Townhouse means a single-family dwelling unit that is one of two or more residential buildings having a common or party wall separating the units.

Trailer or RV means any vehicle or structure, except a device exclusively used upon stationary rails or tracks, mounted on wheels for use on highways and streets; propelled or drawn by its own or other motor power; and designed and constructed to provide living and/or sleeping quarters for one or more persons or for the conduct of a business, profession, trade or occupation for use as a selling or advertising device. If the wheels of a trailer are removed, except for repairs, it is deemed a building subject to all the regulations thereof. A trailer shall not be considered an accessory building.

Trailer home means a travel trailer, camping trailer or other similar vehicle capable of being hauled by a passenger automobile or light truck and designed primarily for temporary occupancy for recreational purposes or other seasonal use. A trailer home shall not be considered an accessory building.

Training school means a public or private school or training institution which offers a training program of trade, technical instruction, or physical education. A training school shall not be deemed a home occupation.

Transect (rural-to-urban) means a cross-section of the environment showing a range of different building development zones. The rural-to-urban transect of the human environment is divided into multiple transect zones that describe the physical form and character of a place according to the intensity of its land use and building development pattern.

Transmission towers means a structure that has the sole purpose of transmitting radio, television, cellular telephone or telephone waves from one location to another.

Useable open space means open or green space that is accessible for the use and enjoyment of residents, shall not be steep sloped (over ten percent slope), shall not include wetlands, parking or required buffer areas, and may include any required yard area or open areas for play.

Variance means a relaxation of the terms of the zoning ordinance where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of the ordinance would result in unnecessary and undue hardship. The term "variance" is authorized for only dimensional and supplemental regulations. Establishment of a use otherwise prohibited shall not be allowed by variance, nor shall a variance be granted because of the presence of nonconformities in the district or adjoining districts.

Wayside stand means a structure designed, arranged or used for the display and sale of agricultural products primarily grown or produced on the premises upon which such stand is located. A wayside stand may be located on premises that the products are not grown upon provided such premises is owned by the grower.

Wholesale means sales chiefly to retailers, other merchants, industrial and/or commercial users mainly for resale or business use.

Yard means a required open space on a lot unoccupied and unobstructed by any principal structure or portion of a principal structure.

Yard, front, means the open space extending across the full width of lot between the front lot line and nearest line of the principal building or any enclosed portion thereof. The depth of such yard shall be the shortest horizontal distance between the front lot line and the nearest point of the building or any enclosed portion thereof.

Yard, rear, means the open space extending across the full width of lot between the rear line of the lot and the nearest line of the building or any enclosed portion thereof. The depth of such yard is the shortest horizontal distance between the rear lot line and the nearest point of the building. When the rear lot line is less than ten feet long or if the lot comes to a point at the rear, the depth of the rear yard is measured to an assumed rear lot line as follows, the lot line generally opposite or parallel to the front lot line, except in a through lot. If the rear lot line is less than ten feet long or the lot comes to a point at the rear, said rear lot line is assumed to be a line not less than 20 feet long, lying wholly within the lot, parallel to the front lot line, or in the case of a curved front lot line, parallel to the chord of the arc of said lot line.



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Yard, side , means the open space between the side lot line, the side street line, or the proposed side street line and the principal buildings, or any portion thereof, extending from the front yard to the rear yard, or, in the absence of either of such yards, to the front lot line and/or rear lot line. The width of a side yard shall be the shortest distance between the side lot line and the nearest point of the principal building or any portion thereof.

Zone. See the term *District*.

(Ord. of 9-21-2009, § 2.2; Ord. No. 13-09062011-05, 9-6-2011; Ord. No. 12-09062011-04, 9-19-2011; Ord. No. 04-03072016, 5-16-2016)

Exhibit B: Low Density Rural Residence District, as Proposed

DIVISION 4. - LOW DENSITY RURAL RESIDENCE DISTRICT

Sec. 60-228. - Purpose.

This district is intended to provide for low density rural residential areas while protecting adjacent agriculture and resource protection districts, allowing a degree of residential development compatible with maintenance of environmental quality and preservation of the open character of the area.

(Ord. of 9-21-2009, § 3.41A)

Sec. 60-229. - Use regulations.

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

- (1) All uses permitted in the Agriculture and Resource Protection District pursuant to (section 60-172(A)).
- (2) One-family detached dwellings.
- (3) Two-family dwellings.
- (4) Attached single-family dwellings, provided that they are approved by the planning board as part of a planned residential unit development and subdivision, under the provisions of division 10 of article IV and division 4 of article XVII of this chapter.
- (5) Mobile home parks, subject to the requirements and conditions of section 60-669, mobile home park standards.
- (6) Licensed veterinarians provided that the lot is of at least three acres.
- (7) Wayside stands.
- (8) Accessory uses, buildings or structures.
- (9) Lawn maintenance services.
- (10) Municipal uses and buildings.

(b) *Special exception uses*. The following uses are permitted by special exception after approval by the planning board in accordance with the provisions of division 3 of article XVI of this chapter:

- (1) Radio, radar, television and radio-telephone transmitting or broadcasting towers, but not studios or offices for such transmitting or broadcasting, provided that:
 - a. Every such tower shall be installed in a location and manner that ensures its safe operation and the safety of the surrounding residents, buildings occupants, land uses and properties.
 - b. In no case shall such tower be located less than 1½ times its height from the nearest property line.
- (2) Care homes, lodginghouses and boardinghouses.
- (3) Recreational uses of land intended or designed for public use, subject to the following conditions:
 - a. No such recreational use shall be expanded or extended so as to occupy additional land area greater than 20 percent of the original area or one acre, whichever is less; or by the construction of a structure or an addition to an existing structure by more than 900 square feet of additional floor space unless the owner or occupant first obtains approval of the planning board.
 - b. Any proposed new or expanded recreational use shall be completed on or before the estimated completion date except that the planning board may grant reasonable extension of time where good cause for the failure to complete is shown.
- (4) Child day care centers, provided that:
 - a. They are located on arterial and collector streets as defined in the Auburn Tomorrow Comprehensive Plan.
 - b. They shall not be located closer than 1,000 feet from other established day care centers.
 - c. These standards shall not apply to section 60-52.
- (5) Cemeteries, provided that:
 - a. At least 20 acres in area.
 - b. Not located in any environmental overlay district or over any known aquifer.
- (6) Community-based residential facilities, provided that:
 - a. The minimum distance between any two such facilities shall be 1,500 feet.
 - b. Any such facility shall house no more than eight persons.
- (7) Licensed kennels provided that there shall be available land area of at least three acres.
- (8) Training schools.
- (9) Handling, storage and sale of agricultural services, equipment, and supplies accessory to the farming use.
- (10) Adult day centers.
- (11) Landscape services.
- (12) Wholesale nurseries, subject to the following conditions:
 - a. At least one-half of the area of the lot (up to a maximum of three acres) is in active nursery production in a husband type manner.
 - b. The plants and trees propagated, grown and nurtured in the nursery are used as the primary products by the owner/operator of the landscape service.
- (13) Schools.
- (14) Churches or temples.



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(15) Libraries.

(16) Museums.

(17) Adaptive Reuse of a Structure of Community Significance.

(Ord. of 9-21-2009, § 3.41B)

Sec. 60-230. - Dimensional regulations.

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

- (1) *Minimum lot area, width and depth.* No lot shall be created and/or no building shall be erected on a lot containing less than 43,560 square feet and measuring less than 250 feet in width. No lot shall be less than 150 feet in depth. The keeping of horses, mules, cows, goats, sheep, hogs, and similar sized animals for domestic use of the residents of the lot is permitted, provided that the land area required per animal unit conforms to the definition of animal farm contained in section 60-2.
- (2) *Density.* The density of dwelling units shall not exceed an average of one dwelling per acre.
- (3) *Yard requirements.*
 - a. *Rear.* There shall be behind every building a rear yard having a minimum depth of 25 feet or 25 percent of the average depth of lot, whichever is less.
 - b. *Side.* There shall be a minimum distance of five feet between any building and the side property line plus the side yard setback shall be increased one foot for every five feet or part thereof increase in street frontage over 50 feet to a maximum of 15 feet for side yard setback.
 - c. *Front.* There shall be in front of every building a front yard having a minimum depth of 25 feet or 25 percent of the average depth of the lot whichever is less.
- (4) *Height.* The height of all dwelling structures shall be limited to two and one-half stories or 35 feet in height. A public building, church or temple, and accessory buildings and structures may have a maximum height of 65 feet from grade, provided that the front yard, rear yard, and each of the side yards shall be increased by one foot for each foot in height in excess of 35 feet.
- (5) *Off-street parking.* Off-street parking spaces shall be provided in accordance with the requirements of specific uses as set forth in articles V through XI of this chapter.

(Ord. of 9-21-2009, § 3.41C)

Secs. 60-231—60-253. - Reserved.

Exhibit C: Proposed Fee Waiver for Site Plan Review

Sec. 60-1302. - Exemption for information; Fee waiver.

Upon request, the planning board, or the planning director, acting for the board, may waive the necessity of providing any of the foregoing planning information which is not relevant to the proposed development. The planning board or the planning director, acting for the board, may waive the site plan review fee if the purpose of the site plan review is to determine the Adaptive Reuse of a Structure of Community Significance.

(Ord. of 9-21-2009, § 7.1D(3))



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PLANNING BOARD REPORT to the CITY COUNCIL

To: Mayor LaBonte and Members of the Auburn City Council

From: Douglas M. Greene, AICP, RLA
Urban Development Specialist

Re: Text Amendment for Adaptive Reuse of a Structure of Community Significance

Date: April 3, 2017

SUMMARY - On March 21, 2017, the Auburn Planning Board held a public hearing and made a recommendation on a Zoning Ordinance Text Amendment for the Adaptive Reuse of Structures of Community Significance. The meeting consisted of a staff presentation, discussion by the Planning Board, public comment from 1 person during the public hearing, and then discussion.

PROPOSAL - Currently, certain buildings of a historic, social or cultural significance are prevented from redevelopment or re-use due to existing zoning restrictions. This text amendment would allow the Planning Board to consider making the Adaptive Reuse of Structures of Community Significance a Special Exception, which would allow qualifying structures to be adapted and reused in ways that the zoning ordinance does not normally allow, provided specific criteria are met. The text amendment also includes a provision to waive the development review application fees.

PLANNING BOARD MEETING - The Staff presented a report at the Planning Board's March 21st meeting that included how the proposed text amendment complies with the Comprehensive Plan, the proposed changes to the Zoning Ordinance that included adding 2 new definitions (*Adaptive Reuse* and *Structures of Community Significance*) and the addition of *Adaptive Reuse of Structures of Community Significance* to Special Exceptions in the Rural Residential District. The Planning Board discussed a recommendation from the City Council to include the Adaptive Reuse of Structures of Community Significance as a Special Exception to every zoning district, to which the Planning Board agreed and included in its motion. The final part of the text amendment would give the Planning Board the ability to waive the development/site plan review fee of \$500 to Adaptive Reuse applicants.

PUBLIC HEARING – Pastor Clint Robinson, of Auburn Baptist Church, located at 227 Poland Road spoke in favor of the text amendment and said it would be a “win win” situation for the city and churches like Auburn Baptist Church.

PLANNING BOARD DELIBERATION AND RECOMMENDATION - The Planning Board strongly supported the text amendment and discussed whether to place the Special Exception for the Adaptive Reuse in the Low Density Rural Residential District and all other residential districts or to simply include it in every zoning district. After some discussion, the Board agreed it would be helpful to include all the zoning districts so not to exclude any potential candidate for an Adaptive Reuse.

The Planning Board voted 5-0 (Cyr, Poliquin-Pross absent) to forward a recommendation of **Approval** to the City Council to amend the Auburn Zoning Ordinance, Section 60-2 Definitions by adding Structures of Community Significance and Adaptive Reuse, adding Adaptive Reuse of Structures of Community Significance as a Special Exception to every zoning district in the Auburn Zoning Ordinance, and amending Section 1302, Exemption for information, Fee Waiver.

A handwritten signature in dark ink, reading "Douglas M. Greene". The signature is fluid and cursive, with the first name "Douglas" being more prominent than the last name "Greene".

Douglas M. Greene, AICP, RLA
Urban Development Specialist

Cc: Dan Philbrick, Chair Auburn Planning Board
File



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Proposed Changes to Chapter 60, Zoning, Auburn Code of Ordinances for Adaptive Reuse of Structures of Community Significance

1. Definitions:

Sec. 60-2. - Definitions.

Adaptive Reuse means a Special Exception permitting a Structure of Community Significance to be used for one or more purposes, not otherwise permitted in the District in which the Building is located, but which the Planning Board has determined will contribute to the preservation of a Structure of Community Significance, including without limitation, the following uses:

- a) Bed and breakfast homes or inns;
- b) Restaurants, diners or cafes;
- c) Art studios and galleries;
- d) Performing arts centers;
- e) Medical and dental clinics;
- f) Office space;
- g) Municipal and government uses; and
- a)h)Retail sales as an accessory use.

Structure of Community Significance means a Building that by virtue of its historic, social, cultural or economic contribution to the community, as determined by the Planning Board, is entitled to a Special Exception allowing its Adaptive Reuse. The Planning Board may consider a Building's age, as well as any evidence of its role in the historic, social cultural, or economic history of the community, in determining whether a Building qualifies for this designation.

2. Addition of Adaptive Reuse of Structures of Community Significance as a Special Exception to the following Districts:

DIVISION 2. - AGRICULTURE AND RESOURCE PROTECTION DISTRICT

- (b) Special exception uses. The following uses are permitted by special exception after approval by the planning board in accordance with the provisions of division 3 of article XVII of this chapter:

(16) Adaptive Reuse of Structures of Community Significance

DIVISION 3. - LOW DENSITY COUNTRY RESIDENTIAL DISTRICT

- (b) Special exception uses. The following uses are permitted by special exception after approval by the planning board in accordance with the provisions of division 3 of article XVI of this chapter:

(3) Adaptive Reuse of Structures of Community Significance

DIVISION 4. - LOW DENSITY RURAL RESIDENCE DISTRICT

- (b) Special exception uses. The following uses are permitted by special exception after approval by the planning board in accordance with the provisions of division 3 of article XVI of this chapter:

(17) Adaptive Reuse of Structures of Community Significance

DIVISION 5. - SUBURBAN RESIDENCE DISTRICT

- (b) Special exception uses. The following uses are permitted by special exception after approval by the planning board in accordance with division 3 of article XVI of this chapter:

(3) Adaptive Reuse of Structures of Community Significance

DIVISION 6 - URBAN RESIDENCE DISTRICT

- b) Special exception uses. All uses permitted by special exception in the Suburban Residence (SR) District (division 6 of article IV of this chapter), except radio, radar, television and radio-telephone transmitting towers are permitted in the Urban Residence (UR) District.

(1) Adaptive Reuse of Structures of Community Significance

DIVISION 7 - MULTIFAMILY SUBURBAN DISTRICT

- (b) Special exception uses. The following uses are permitted as special exceptions after approval by the planning board in accordance with division 3 of article XVI of this chapter:

- (1) All uses are permitted by special exception in the Urban Residence (UR) District (division 7 of article IV of this chapter).

(4) Adaptive Reuse of Structures of Community Significance

DIVISION 8 - MULTIFAMILY URBAN DISTRICT

- (b) Special exception uses. The following uses are permitted special exceptions after approval by the planning board in accordance with division 3 of article XVI of this chapter:

- (1) All uses permitted by special exception in the Multifamily Suburban (MFS) District (division 8 of article IV of this chapter).

(3) Adaptive Reuse of Structures of Community Significance

DIVISION 9 - PLANNED UNIT DEVELOPMENT-

The underlying zoning will be used for an application for the Adaptive Reuse of Structures of Community Significance.

DIVISION 10. - DOWNTOWN ENTERPRISE ZONE

- (b) Special exception uses. The following uses are permitted as special exceptions after approval by the planning board in accordance with division 3 of article XVI of this chapter:

(8) Adaptive Reuse of Structures of Community Significance

DIVISION 11. - NEIGHBORHOOD BUSINESS DISTRICT

- (b) Special exception uses. The following uses are permitted as special exceptions after approval by the planning board in accordance with division 3 of article XVI of this chapter.

(7) Adaptive Reuse of Structures of Community Significance



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DIVISION 12. - GENERAL BUSINESS DISTRICT

- (b) Special exception uses. The following uses are permitted as special exceptions after approval by the planning board in accordance with division 3 of article XVI of this chapter:

(21) Adaptive Reuse of Structures of Community Significance

DIVISION 13. - MINOT AVENUE (GBII)

- (b) Special exception uses. The following uses are permitted as special exceptions after approval by the planning board in accordance with division 3 of article XVI of this chapter:

(15) Adaptive Reuse of Structures of Community Significance

DIVISION 14. – FORM BASED CODE

See revised Form Based Code Use and Parking Matrix on page 4

DIVISION 15. - INDUSTRIAL DISTRICT

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

(36) Adaptive Reuse of Structures of Community Significance

3. Allow Planning Board to waive Development Review Fee

Sec. 60-1302. - Exemption for information; Fee waiver.

Upon request, the planning board, or the planning director, acting for the board, may waive the necessity of providing any of the foregoing planning information which is not relevant to the proposed development. The planning board or the planning director, acting for the board, may waive the site plan review fee if the purpose of the site plan review is to determine the Adaptive Reuse of a Structure of Community Significance.

Sec. 60-554 FORM BASED CODE USE and PARKING MATRIX

USE (1)	T-4.1	T-4.2	T 5.1	T-5.2	T-6	PARKING REQUIREMENTS (2)
Residential Type Use						
Single Family	P	P	P			1 sp/DU
Duplex	P	P	P	P	P	1 sp/DU
Townhouse	P	P	P	P	P	1 sp/DU
Multi-Family	P	P	P	P	P	1 sp/DU plus 1 guest space/4 DU
Bed & Breakfast < 4 Rooms	S	P	P	P	P	1 sp/employee plus 1 sp/guest
Bed & Breakfast > 4 Rooms	S	S	P	P	P	1 sp/employee plus 1 sp/guest
Hotel	X	X	S	S	P	1/2 sp /employee plus 1 sp /room
Elderly/Child Care Facility	S	S	S	S	P	1 sp / 2 employees + 1 sp / 8 users
Home Occupation	P	P	P	P	P	Based on Use Type (Sec. 60-673-10)
Community Based Residential Facilities	P	P	P	P	P	1 sp/employee plus 1 sp/client
Boarding House/Lodginghouse	P	P	P	S	X	1 sp/guestroom plus 1 sp/employee
Office/Service Type Use						
Professional Offices	S	S	P	P	P	1 sp/400 sf
Medical and Dental Clinics	S	S	P	P	P	1 sp./400 sf
Personal Services	S		P	P	P	1 sp./400 sf
Retail Type Use						
General Retail	S	S	P	P	P	1 sp/400 sf
Age Restricted Retail (3)	S	S	S	S	S	1 sp/400 sf
Specialty Shops	S	P	P	P	P	1 sp/400 sf
Restaurant to 30 seats w/16 outdoor	X	S	P	P	P	1 sp/4 seats
Restaurant over 30 seats w/16 outdoor		S	S	P	P	1 sp/4 seats
Halls, Private Clubs, Indoor Amusement	S	S	S	P	P	1 sp/400 sf
Artist Studios, Performing Art Center	S	S	P	P	P	1 sp/400 sf
Civic						
Church or Places of Worship	S	S	P	P	P	1 sp/5 seats
Government Offices	X	X	P	P	P	1 sp/400 sf
Art Galleries	S	P	P	P	P	1 sp/400 sf
Transportation Facilities	X	X	S	S	S	1 sp/400 sf
<u>Adaptive Reuse of Structures of Community Significance</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>To be determined by the Planning Board depending on use(s)</u>

Notes:

- Uses not listed are considered prohibited unless deemed similar by the Director of Planning or by the Planning Board through a special exception approval.
- * Parking requirements in T-5.1, T- 5.2 and T-6 may be provided by the municipality or private parking resources within 1,000 feet of the principal building, subject to Planning Board approval.
- Where more than 50% of floor space is devoted to Age Restricted Goods

S = Special Exception
sp = parking space

P = Permitted
sf = square foot of gross floor space

X-Prohibited
DU = Dwelling Unit

James Pross, Ward One
Robert Stone, Ward Two
Andy Titus, Ward Three
Vacant, Ward Four



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDINANCE 05-04032017

BE IT ORDAINED, that the City Council hereby amends Chapter 60 of the Auburn Zoning Ordinance, adding "Adaptive Reuse" and "Structure of Community Significance" to Section 60-2, Definitions; amends all Zoning Districts in Article IV, District Regulations to include "Adaptive Reuse of a Structure of Community Significance" as a Special Exception and amending Section 60-1302, Exemption for Information, adding "Fee Waiver" to allow the Planning Board or Planning Director to waive the Site Plan Review Fee for Special Exception applications for Adaptive Reuse of Structures of Community Significance.

**Passage of first reading on 4/3/2017
5-1 (Councilor Titus opposed).**



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: April 24, 2017

Author: Yvette Bouttenot, Community Development Manager

Subject: Public Hearing - 2017 Annual Action Plan of the Community Development Block Grant Program and HOME Investment Partnerships Program

Information: The budget discussions occurred at the City Council workshop of March 20, 2017
Draft Budget (see attached sheets)
Community Development Block Grant \$760,918
HOME Investment Partnerships Program/Auburn grant \$684,190
HOME Investment Partnerships Program/Lewiston grant \$ 641,493

Advantages:

Disadvantages:

City Budgetary Impacts: Budget supports portions of Code Enforcement, Economic Development Director and Deputy Director salaries formerly covered by the general fund

Staff Recommended Action: Public Hearing

Previous Meetings and History: March 20, 2017 City Council Workshop

Attachments: Budget Sheets and 2017 Draft Action Plan

DRAFT
PROPOSED 2017 ACTION PLAN
March 24, 2017
Updated April 3, 2017

The City of Auburn is preparing to submit its 2017 Action Plan with request of funding to the U. S. Department of Housing and Urban Development (HUD). The Action Plan describes the third year budget and proposed activities for the Community Development Block Grant and HOME Investment Partnerships Programs to carry out the goals and objectives of the Consolidated Plan.

This Draft 2017 Action Plan process provides for a 30-day comment period. All comments received by the public will be included in the package that is submitted to the City Council. Oral or written comments may be submitted to Yvette Bouttenot, Community Development, 60 Court Street, Auburn, ME 04210, tel. 333-6601 ext. 1336, e-mail ybouttenot@auburnmaine.gov. Comments may also be made during the public hearing to be held on April 24 during the City Council meeting. The meeting will be at 7 pm at Auburn Hall.

SCHEDULE FOR ADOPTION 2017 ACTION PLAN/BUDGET

30-day Comment Period	March 24 through April 24
Public Hearing	April 24
Adoption by City Council	May 1
Submission of 2017 Action Plan to HUD	May 15 or within 60 days after allocations are announced

2015-2019 CONSOLIDATED PLAN

In 2015 the City of Auburn adopted the 2015-19 Consolidated Plan. The Consolidated Plan identifies many of the community's issues, establishes priorities, and describes how Community Development resources will address these needs. This Consolidated Plan sets forth goals, objectives, and performance benchmarks for measuring progress, and establishes a framework for assessing the programs and projects Auburn will make available for revitalization.

GOALS OF THE 2015 TO 2019 CONSOLIDATED PLAN

These are what the Auburn Community Development program intends to work towards and the measurable outcomes that will be accomplished in this five year period:

- Goal 1: Promote Jobs and Development
 - Assist 20 businesses
- Goal 2: Prevent Deterioration of Housing Stock
 - 90 home owner units rehabilitated
 - 100 owner and rental housing made lead safe
 - 40 rental units rehabilitated with exterior improvements
 - 500 target area buildings inspected with 170 units improved
- Goal 3: Improve Parks and Establish Community Gardens
 - 1 park upgraded and 1 newly constructed
 - 3 community gardens
- Goal 4: Make Neighborhood Streets Safer and More Walkable

- 3,000 linear feet of repaved sidewalks
- Goal 5: Support People in their Efforts to Transition out of Poverty
 - 1,000 persons assisted
- Goal 6: Prevent Homelessness
 - 200 homeless persons assisted with case management
 - 125 at-risk persons assisted with security deposits
- Goal 7: Increase Owner Occupancy
 - 25 renters assisted to purchase a home
- Goal 8: Support Housing Construction of Affordable Units
 - 60 new affordable rental units
- Goal 9: Support Fair Housing and Increase Housing Choice
 - 4 landlord and tenant fairs
 - 4 Fair Housing poster contests

2017 FUNDING

This plan is built on a budget based on previous year funding levels until allocations are announced by HUD. A contingent budget based on a 10% decrease is also proposed. Funding for the Community Development Program is primarily from two sources, Community Development Block Grant and HOME Investment Partnerships Program funds. These are entitlement grants which means the City will receive these each year.

The following is a summary of anticipated resources for the period July 1, 2017 to June 30, 2018.

*Congress has not completed the appropriations process for HUD's FFY2017 appropriation and HUD cannot predict when the FFY2017 bill will be enacted and when the Grantee allocations will be announced. Huda los advises grantees not to submit the Annual Action Plan until after FFY2017 allocations are announced. An affected grantee may delay submission of its action plan to HUD by up to 60 days after the date allocations are announced. In order not to delay the beginning of its 2017-2018 program year any more than necessary the City of Auburn is following this plan:

- Adhere to normal schedule through May 15, 2017;
- Build the plan on flat funding from previous year allocation with a 10% reduction option. If cuts exceed a 10% reduction budgets will be proportionally increased or decreased to match actual allocation amounts.

Community Development Block Grant Funds: The proposed budget for 2017 is \$760,918 from the following sources of Community Development funds. A 10% reduction in funding levels would mean an allocation of \$460,620:

Anticipated Community Development Grant	\$511,800 *
Anticipated Program Income	238,000
Carry Over Funds	11,118

HOME Funds: The proposed budget for 2016 is \$684,190 from the following sources of HOME funds, A 10% reduction of funds would mean an allocation of \$151,495:

Anticipated HOME Grant	\$168,328*
Anticipated Program Income	124,000
Carry Over Funds	391,862

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

Source of Funds: U. S. Department of Housing and Urban Development

Program Objective: Development of Viable Urban Communities

- Provide decent housing
- Suitable living environment
- Expand economic opportunities

2017 BUDGET

ACTIVITY	PROPOSED AMOUNT	10% REDUCTION of FUNDS
Support Fair Housing and Increase Housing Choice	\$2,000	\$2,000
Small Business/Commercial Loan Program	150,000	150,000
Housing Rehabilitation	139,950	138,770
Lead Testing	5,000	5,000
Community Concepts/Weatherization	20,750	20,750
Code Enforcement	50,000	35,000
Community Garden	33,118	28,118
Neighborhood Challenge Grant	25,000	0
Androscoggin Head Start	9,000	9,000
Auburn Recreation Department Scholarships	15,000	15,000
Literacy Volunteers	8,635	8,635
Auburn Police Department/Work with ME	48,365	48,365
Tedford Housing	7,000	7,000
Safe Voices	12,000	12,000
Program Administration	142,100	137,100
Housing Administration	<u>93,000</u>	<u>93,000</u>
Total	\$760,918	\$709,738

2017 COMMUNITY DEVELOPMENT BUDGET DESCRIPTIONS

STRATEGY: SUPPORT FAIR HOUSING AND INCREASE HOUSING CHOICE

Conduct workshops for both landlords and tenants about the rights and responsibilities of each party and the avenues for redress in the event of a problem.

- 1. Fair Housing**
Proposed Budget: \$2,000

Description: Implementation of the Fair Housing strategies identified in the Analysis of Impediments to Fair Housing Choice report.

The Cities of Auburn and Lewiston will be undertaking fair housing activities to raise awareness of Fair Housing Laws. Based on the Analysis of Impediments to Fair Housing Choice Report completed in 2013 the Cities have identified the following activities to be undertaken on an annual basis: 1) a series of landlord and tenant workshops; 2) school outreach - poster contest for middle school with winners being selected for a fair housing calendar; 3) distribution of basic information on tenant housing rights; 4) identify obstacles to Sharia lending and inform New Mainers of housing opportunities. All activities will be done in collaboration with the Cities of Auburn and Lewiston's Community Development Departments and the Auburn and Lewiston Housing Authorities.

Anticipated Outputs: 1 tenant training
1 landlord training
Update Fair Housing Page on City Website

STRATEGY: PROMOTE JOBS AND DEVELOPMENT

Assist small businesses to start up, succeed and grow through

- *Loans to support job creation for low-income people in target areas.*

2. Economic Development Programs **Proposed Budget: \$150,000**

Storefront Traffic Accelerates Revitalization (STAR) Business Loan Program

Description: Funds will be used to provide low-interest loans to small businesses, business start-ups and commercial property owners. Funds can be used for working capital, equipment or inventory purchase, or building improvements. The program will help to create jobs in the community, primarily benefiting low- and moderate-income persons.

Anticipated Outputs: 3 Small Business loans

STRATEGY: PREVENT DETERIORATION OF HOUSING STOCK

- *Provide grants, deferred loans, and low-interest loans for the rehabilitation of owner and rental housing that is occupied by low and moderate income households;*
- *Provide matching funds to implement the 3-year federal grant to reduce childhood lead poisoning;*
- *Provide Community Development staff support to the Lewiston-Auburn Lead Subcommittee to assist with implementation of the 5-Year Strategic Action Plan for the Reduction of Childhood Lead Poisoning in the Cities of Auburn and Lewiston.*
- *Financially support code enforcement activities that result in improvements to the housing stock*
- *Provide financial assistance to encourage exterior as well as health and safety improvements*

- *Provide assistance for weatherization of single family homes occupied by low income households*

3. Rehabilitation Loan Program

Proposed Budget: \$139,950

Proposed Budget based on 10% Allocation Reduction : \$138,770

Description: Funds will be used to provide loans under the Rehabilitation Loan Program to upgrade residential buildings, increase curb appeal, address code violations, weatherize homes, and to provide a loan match to the Lead Hazard Reduction Grant. The Rehabilitation Program helps to maintain and upgrade the quality of housing, particularly in targeted areas and assists low-income property owners and investors to address housing problems. The program also helps to increase or stabilize the tax base, provides an economic stimulus for contractors and suppliers, eliminates lead hazards, and prevents properties from becoming blighting influences in the more densely populated neighborhoods.

Anticipated Outputs: 5 units with health and safety repairs
 5 units with whole house/curb appeal improvements
 5 units with lead paint problems eliminated
 5 units repaired of code enforcement

4. Lead Testing and Clearance

Proposed Budget: \$5,000

Description: Funds will be used to cover the cost of performing lead clearances in buildings that have been rehabilitated with federal funds. These funds will be used only for projects where there are no Lead Grant funds involved. All rehabilitation projects must now comply with strict lead requirements to reduce the hazards caused by lead-based paint. One of the requirements imposed by Title X is that a property that is rehabilitated with federal funds must be lead safe that is documented through a clearance test. These funds pay for the contractor to take samples and have the sample analyzed by a certified lab.

Anticipated Outputs: 20 lead tests

5. Community Concepts, Inc. Weatherization

Proposed Budget: \$20,750

Description: Funds will be used to weatherize homes and pay for a portion of the program salary expense. This weatherization program includes wall, ceiling and basement insulation, caulking windows and doors, etc. An assessment is done to determine payback and only improvements which have a reasonable payback are undertaken. This program leverages an amount that is greater than our CDBG investment through a Department of Energy grant. These funds would not come to our community without the CDBG match.

Anticipated Outputs: 5 units weatherized

6. Code Enforcement

Proposed Budget: \$50,000

Proposed Budget based on 10% Allocation Reduction : \$35,000

Description: Funds will be used to cover salary costs for a Code Enforcement officer of the City of Auburn. Code enforcement efforts will be directed in three target areas, Downtown, New Auburn and Union Street. The focus of the code enforcement effort is to control vacant and dangerous buildings, nuisance complaints, and to expand code enforcement efforts to improve the overall condition of the housing stock. This will include coordinating building improvements, some of which will come through the City's Rehabilitation Program.

Anticipated Outputs: 100 buildings inspected

25 buildings with health/safety violations repaired/private funds

9 buildings with health and safety violations repaired/public funds

STRATEGY: IMPROVE PARKS AND ESTABLISH COMMUNITY GARDENS

- *Enhance physical infrastructure of key in-town parks;*
- *Improve walkways to and from parks;*
- *Provide opportunities for growing fresh healthy foods by establishing community gardens in the Downtown, Union Street and New Auburn target areas.*

7. Community Gardens

Proposed Budget: \$33,118

Proposed Budget based on 10% Allocation Reduction : \$28,118

Description: Funds will be used to support the vegetable garden on Webster Street for the 2017 garden season. This garden season begins in April of next year. Community gardens encourage people to improve their health, stretch their food dollars, learn about growing vegetables, and provide a place where neighbors can meet to engage in a positive way. The budget will be used for replacing compost, purchasing seeds and seedlings, and salary for the garden coordinator. The garden coordinator will be supervised by St. Mary's Nutrition Center at their cost. During the coming year, there will be planning for a second garden in the New Auburn area, the construction of which will be included in the FFY2017 CDBG budget.

Anticipated Output: support one community garden

STRATEGY: MAKE NEIGHBORHOOD STREETS SAFER AND MORE WALKABLE

Provide infrastructure funds on a 50% match of City Capital improvement funds for lighting, sidewalks, landscaping improvements in target areas.

8. Neighborhood Challenge Grant

Proposed Budget: \$25,000

Proposed Budget based on 10% Allocation Reduction : \$0

Description: This activity allows for Neighborhood Groups to apply for grant funds to enhance their neighborhoods through safety or beautification efforts.

Anticipated Output: 4 grants

STRATEGY: SUPPORT PEOPLE IN THEIR EFFORTS TO TRANSITION OUT OF POVERTY

Focus on helping young people growing up in poverty to get the personal and educational skills needed to live a healthy and productive adult life.

- *Expand programming for at-risk teenagers that helps them learn work skills, graduate from high school*
- *Create youth apprenticeship opportunities with local businesses*

Support low-income adults to successfully provide for themselves and their families through education and development of employment skills including mentoring, work readiness, and job training.

9. Androscoggin Head Start and Child Care Life & Job Skills at Extended Care Program Proposed Budget: \$9,000

Project Description: Funds would provide social services for families enrolled in head start at Webster School. Services are available to economically disadvantaged children whose parents are working or in job training. These services assist families in meeting their basic needs, provide parent training, provide information and referrals, develop a strategy to maintain or attain economic independence, and provide crisis intervention. These services facilitate families' efforts to maintain or obtain financial independence from assistance and help children achieve school readiness.

Anticipated Output: 20 Auburn families

10. Literacy Volunteers of America/Androscoggin Literacy Services for Adults & Families Proposed Budget: \$8,635

Project Description: Funds will be used to help recruit, train and support volunteers to provide tutoring to illiterate adults and families. The Adult Literacy Program provides one-on-one tutoring for reading, writing, and basic math for adults and families in Androscoggin County who are at the lowest two literacy levels. They also offer one-on-one tutoring for English speakers of other languages. The focus is to help adults with low literacy skills and immigrants gain critical reading, writing, and math skills that will help with employability. 90% of their students' primary goal is to obtain a job, pass a job-related test, or participate in career training.

Anticipated Output: 90 Auburn residents

**11. Auburn Police Department
Work with Me
Proposed Budget: \$48,365**

Description: Auburn Police Department will work with Auburn School Department, the Career Center, and local business owners/tradesmen to provide soft skills and job specific skills to 50 at-risk and homeless youth between the ages 15-19. Students will be assisted to find internships. Funds will be used to cover the program coordinator's salary, cab fares, student/mentor stipends, and purchase students work clothes.

Anticipated Output: 50 Auburn youth

**12. Auburn Recreation Department
Recreation Scholarships
Proposed Budget: \$15,000**

Description: Support families who are involved in education or working by providing summer day care for their children. Families will be required to enroll in an education or training program for their children in order to qualify. Funds will pay for grants to 30 children. Funds will pay for scholarships, approximately \$430 per child.

Anticipated Output: 30 children

PREVENT HOMELESSNESS

- *Support homeless people first with housing, then with services to help them provide for themselves and their families through work readiness training and job skill development.*
- *Provide staff support to Lewiston-Auburn Alliance for Services to the Homeless (LAASH) to improve access to services and housing for persons who are homeless or at risk.*
- *As a first step towards helping the homeless or at-risk households re-integrate into the community provide a City-sponsored Security Deposit Program as well as other "housing first" approaches.*

**14. Safe Voices
Proposed Budget: \$12,000**

Project Description: Funds will be used to pay the shelter worker salaries to provide services to families experiencing domestic violence and homelessness to develop skills for self-sufficiency. The shelter serves women and children who are victims of domestic violence. The 17-bed shelter is open 24 hours, 365 days each year with day and evening staff. Their clients are usually forced to leave behind most of their possessions and many lose their jobs when they come to the shelter. The ongoing case management services and connections to community resources helps them to increase their income and non-cash benefits for overall housing stability which helps to prevent the reoccurrence of homelessness. The shelter advocate will assist the family by developing self-sufficiency skills, connect them with resources such as work ready training and job skills.

Anticipated Output: 68 Auburn residents

15. Tedford Housing
Proposed Budget: \$7,000

Description: Funds will be used to pay for case management services for a supportive housing project in Auburn. Tedford Housing operates a permanent supportive housing for formerly homeless single adults. Services will help these individuals to improve quality of life and remain living independently. Without these services, many formerly homeless families fail to maintain housing. Tenants tend to have been homeless two or more times for an extended period of time. They typically have a disability and have frequent physical health challenges. Each person will be evaluated and have a plan of care. Additionally, the plan will identify opportunities to move towards a volunteering activity, academic courses or training.

Anticipated Output: 7 formerly chronically homeless persons

END OF COMMUNITY DEVELOPMENT BUDGET

HOME INVESTMENT PARTNERSHIPS PROGRAM

Source of Funds: U. S. Department of Housing and Urban Development

Objective: Housing

- Expand supply of decent, safe, sanitary and affordable housing
- Strengthen public-private partnerships
- Development of rental housing

2017 BUDGET

ACTIVITY	PROPOSED AMOUNT	10% REDUCTION of FUNDS
Homebuyer Assistance	\$45,000	\$40,000
Special Homebuyer Project – Co-Op Housing	111,828	111,828
Homeowner Rehab	125,862	109,029
Security Deposits	20,000	20,000
Staying Home Rental Assistance	75,000	75,000
Rental Development/62Spring Street	250,000	250,000
Program Administration	24,000	20,500
Housing Projects Administration	30,000	30,000
Goods and Services	<u>2,500</u>	<u>2,500</u>
Total	\$684,190	\$658,857

2017 BUDGET DESCRIPTIONS

STRATEGY: INCREASE OWNER OCCUPANCY

- *Make it easier for renters to become homeowners;*
- *Financial help for down payments and financial counseling for low-moderate income renter households seeking to purchase a first home in Auburn;*
- *Find alternative mortgage financing for New Americans and other residents to be able to move up to homeownership, and work with Auburn Housing Authority to identify potential owners.*

1. Homebuyer Assistance

Proposed Budget: \$45,000

Proposed Budget based on 10% Allocation Reduction : \$40,000

Project Description: Funds will be used to provide a \$5,000 grant for down payment assistance and an interest-free amortized loan to make home purchase affordable for income eligible applicants. Homebuyer must provide \$1,000.

Anticipated Output: 3 households assisted to purchase a home

2. Co-Op Housing/Homebuyer
Proposed Budget: \$111,828

PROJECT DESCRIPTION: Funds will be used for the development of a Co-Op Housing Project. The funding may be in the form of a low interest or forgivable loan. The City will seek a developer to purchase and rehab a multi-unit building and convert the property for owner occupancy using the housing co-operative model where residents will build equity for themselves and the community.

Anticipated Output: 2 households assisted to purchase a home

STRATEGY: PREVENT DETERIORATION OF HOUSING STOCK

- *Provide grants, deferred loans, and low-interest loans for the rehabilitation of owner and rental housing that is occupied by low and moderate income households;*
- *Provide matching funds to implement the 3-year federal grant to reduce childhood lead poisoning;*
- *Provide Community Development staff support to the Lewiston-Auburn Lead Subcommittee to assist with implementation of the 5-Year Strategic Action Plan for the Reduction of Childhood Lead Poisoning in the Cities of Auburn and Lewiston.*
- *Financially support code enforcement activities that result in improvements to the housing stock*
- *Provide financial assistance to encourage exterior as well as health and safety improvements.*

3. Homeowner Rehabilitation
PROPOSED BUDGET: \$125,862
Proposed Budget based on 10% Allocation Reduction : \$109,029

PROJECT DESCRIPTION: Funds will be used to provide interest-free amortized loans for housing improvements of owner-occupied income-eligible households.

Anticipated outcome: 4 households assisted with whole house/curb appeal improvements

STRATEGY: PREVENT HOMELESSNESS

- *Support homeless people first with housing, then with services to help them provide for themselves and their families through work readiness training and job skill development.*
- *Provide staff support to Lewiston-Auburn Alliance for Services to the Homeless (LAASH) to improve access to services and housing for persons who are homeless or at risk.*
- *As a first step towards helping the homeless or at-risk households re-integrate into the community provide a City-sponsored Security Deposit Program as well as other “housing first” approaches.*

4. Tenant Based Rental Assistance/Security Deposit Program
Proposed Budget: \$20,000

Project Description: Funds will be used to provide interest-free loans to pay the security deposit for income eligible households who are homeless or at risk of homeless and will receive a housing voucher from Auburn Housing Authority.

Anticipated Outcome: 33 households

5. Tenant Based Rental Assistance/Staying Home Rental Assistance Program

Proposed Budget: \$75,000

Project Description: Funds will be used to provide rental subsidies to income qualified renters who have been identified by the Auburn School Department at risk of homelessness due to housing affordability issues. Tenants will contribute a fixed percent of their income towards the rent. The subsidy payment will not exceed 12 months. Participants will be encouraged to apply for the Section 8 Voucher Program and participate in the Bridges Out of Poverty Program.

Anticipated Outcome: 16 households

STRATEGY: SUPPORT NEW HOUSING CONSTRUCTION

Provide financial assistance to developers of high-quality affordable mixed income housing in the target areas of Auburn.

6. Development of Rental Housing

Proposed Budget: \$250,000

Project Description: Funds are committed to the development of the 62 Spring Street project, site of the former Dillingham Funeral Home. Funds will be used to pay for the construction of 2 units which will remain subject to HOME restrictions for 30 years. The \$8.6 million project will produce a total of 31 low income housing units, 8 market rate units, and 2,388 sq. ft. of commercial space.

Anticipated Outcome: 2 HOME units



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: April 24, 2017

Order: 33-04242017

Author: Kelsey Earle, License Specialist

Subject: Special Amusement Permit request for MVL, Inc., DBA Tio Juan's Margaritas Mexican Restaurant

Information: MVL, Inc., DBA Tio Juan's Margaritas Mexican Restaurant, an existing business, located at 180 Center Street, applied for a Special Amusement Permit. Police, Fire, and Code have completed the necessary inspections and have granted approval. They have held a Special Amusement Permit in the past but chose not to renew until now.

Advantages: May attract additional patrons; both local and out of town, and helps to promote Auburn as a business friendly community and nice place to visit.

Disadvantages: The potential for disorderly conduct.

City Budgetary Impacts: None

Staff Recommended Action: Public hearing and recommend passage.

Previous Meetings and History: N/A

Attachments:

- Application
- Background check
- Public Notice
- Order

APR 10 2017



☒ NEW
☐ RENEW

**CITY OF AUBURN
SPECIAL AMUSEMENT PERMIT APPLICATION**

LICENSE / APPLICATION FEE: \$125.00

BUSINESS NAME: Tio Juan's Margaritas Mexican Restaurant
PHYSICAL ADDRESS: 180 Center Street, Auburn, ME 04210-5205
MAILING ADDRESS: 200 Griffin Road, Suite 1, Portsmouth NH 03801
BUSINESS TELEPHONE NUMBER(S): (207) 782-6036

NATURE OF BUSINESS:

- ☒ RESTAURANT WITH ENTERTAINMENT, WITHOUT DANCING.
☐ LOUNGE/BAR WITH ENTERTAINMENT, WITHOUT DANCING.
☐ RESTAURANT/LOUNGE/BAR WITH ENTERTAINMENT, INCLUDING DANCING.
☐ FUNCTION HALL WITH ENTERTAINMENT, INCLUDING DANCING.

EXACT ENTERTAINMENT TO BE PROVIDED AT ESTABLISHMENT: Live band / Disc Jockey provided
plus food and alcoholic beverages to be served during Cinco de Mayo and National Tequila Day celebrations.

DAYS AND HOURS OF ENTERTAINMENT:

<input checked="" type="checkbox"/> SUNDAY	HOURS: 11:30 am - 10:00 pm
<input checked="" type="checkbox"/> MONDAY	HOURS: 4:00 pm - 10:00 pm
<input checked="" type="checkbox"/> TUESDAY	HOURS: 4:00 pm - 10:00 pm
<input checked="" type="checkbox"/> WEDNESDAY	HOURS: 4:00 pm - 10:00 pm
<input checked="" type="checkbox"/> THURSDAY	HOURS: 11:30 am - 10:00 pm
<input checked="" type="checkbox"/> FRIDAY	HOURS: 11:30 am - 10:00 pm
<input checked="" type="checkbox"/> SATURDAY	HOURS: 11:30 am - 10:00 pm

DESCRIBE IN DETAIL THE ROOM(S) TO BE USED UNDER THE PERMIT:

A closed tent that is 60 feet by 40 feet, will be erected adjacent to our restaurant. Chairs and tables will be provided for our guests. An area will be set up under the tent for a band / disc jockey. We will have signs posted at the edge of the tent that say "No Alcohol Beyond This Point". The sound system speakers will face our restaurant (towards Center Street) to reduce noise. Security will also be posted at the entrance to the tent to ensure that nobody under 21 years of age enters the tent.

ATTACH A DIAGRAM OR FLOOR PLAN OF YOUR BUSINESS. ON THE DIAGRAM PLEASE LIST THE FOLLOWING:

1. MAIN ENTRANCE
2. SECONDARY ENTRANCES
3. FIRE ESCAPES
4. FIRE EXTINGUISHERS
5. LOCATION OF STATIONARY SECURITY PERSONNEL
6. FOOD SERVING OR PREPARATION AREAS
7. THE DIRECTION OF ANY SPEAKERS
8. THE DANCING AREA
9. LOCATIONS WHERE ALCOHOL WILL BE SOLD

RENEWAL APPLICANTS: HAS ANY OR ALL OWNERSHIP CHANGED SINCE YOUR LAST APPLICATION? ☐ YES ☒ NO

OWNER(S): MUST LIST EVERY PERSON OR CORPORATION OFFICERS WHO HAS A FINANCIAL INTEREST IN THE BUSINESS. ATTACH SEPERATELY IF NECESSARY.

1. NAME: John Pelletier
DATE OF BIRTH: 07/07/1959
ADDRESS: 200 Griffin Road, Suite 1, Portsmouth NH 03801
PRIMARY TELEPHONE NUMBER: 603-430-8905
SECONDARY TELEPHONE NUMBER: 603-430-8927
2. NAME: David Pélletier
DATE OF BIRTH: 07/05/1966
ADDRESS: 151 Fern Ave., Rye NH 03870
PRIMARY TELEPHONE NUMBER: 603-430-8905
SECONDARY TELEPHONE: 603-430-8927
3. NAME: E. Stanton Bagley
DATE OF BIRTH: 04/25/1946
ADDRESS: 8745 49th Terrace East, Braden, FL 34211
PRIMARY TELEPHONE NUMBER: 603-430-8905
SECONDARY TELEPHONE NUMBER: 603-430-8927

LESSOR OF REAL PROPERTY UPON WHICH THE BUSINESS IS TO BE CONDUCTED:

NAME (FULL): _____

STREET ADDRESS: _____ CITY/STATE: _____ ZIP: _____

HAVE ANY OF THE APPLICANTS, INCLUDING THE CORPORATION IF APPLICABLE, EVER HAD A SPECIAL AMUSEMENT LICENSE DENIED OR REVOKED?

☐ YES ☒ NO IF YES, PLEASE EXPLAIN, (INCLUDE LOCATION AND TIMEFRAME):

HAVE ANY OF THE APPLICANTS, INCLUDING THE CORPORATION IF APPLICABLE, EVER HELD A BUSINESS LICENSE WITH THE CITY OF AUBURN?

☒ YES ☐ NO IF YES, PLEASE LIST THE BUSINESS NAME(S) AND LOCATION(S):

MVL, Inc. - 180 Center Street, Auburn, ME 04210

HAVE OWNER(S), PARTNERS, AND/OR CORPORATION OFFICERS EVER BEEN ARRESTED, INDICTED, CHARGED WITH OR CONVICTED OF A CRIMINAL OR DISORDERLY OFFENSE IN THIS STATE OR ANY OTHER JURISDICTION?

☐ YES ☒ NO IF YES, ANSWER THE FOLLOWING:

JURISDICTION: _____

CHARGE: _____ STATUE# _____

DATE OF CHARGE: _____

DISPOSITION: _____

JURISDICTION: _____

CHARGE: _____ STATUE# _____

DATE OF CHARGE: _____

DISPOSITION: _____

JURISDICTION: _____

CHARGE: _____ STATUE# _____

DATE OF CHARGE: _____

DISPOSITION: _____

PLEASE PROVIDE THE FOLLOWING, IF APPLICABLE:

☒ CURRENT LIQUOR LICENSE #9165 EXPIRATION DATE: 11/04/2017
☐ CURRENT DANCE LICENSE #N/A EXPIRATION DATE: N/A

PLEASE BE ADVISED THAT THE APPLICANT MAY BE REQUIRED TO COMPLY WITH THE FOLLOWING CONDITIONS:

1. APPLICANT AGREES TO HAVE TWO COUNTERS OR CLICKERS AT EACH ENTRANCE. ONE WILL BE USED TO DOCUMENT THE PATRONS THAT HAVE ENTERED THE ESTABLISHMENT. THE SECOND WILL BE USED TO DOCUMENT THE PATRONS THAT HAVE EXITED THE ESTABLISHMENT. THIS WILL GIVE THE STAFF AND PUBLIC SAFETY PERSONNEL AN ACCURATE COUNT OF PATRONS IN THE ESTABLISHMENT.
2. APPLICANT AGREES TO HAVE THE MAXIMUM SEATING AND OR OCCUPANCY CAPACITY CLEARLY LISTED IN EACH ROOM THAT IS OPEN TO THE PUBLIC.
3. APPLICANT AGREES TO HAVE SECURITY AND OR STAFF STATIONED AT ALL TIMES AT ALL ENTRANCES AND EXITS USED BY THE PUBLIC.
4. APPLICANT AGREES TO, IF SO ORDERED BY THE CHIEF OF POLICE, TO HIRE SWORN MEMBERS OF THE AUBURN POLICE DEPARTMENT FOR SECURITY. THE RATE WILL BE AT THE CURRENT CITY OF AUBURN DETAIL RATE. THESE OFFICERS WILL SUPPLEMENT THE EXISTING STAFF OR SECURITY. **THE BELOW CHART WILL BE USED AS A GUIDE IN DETERMINING THE NUMBER OF OFFICERS REQUIRED.**

Number of Attendees	Number of Police
1 - 200	2
201 - 400	4
401 - 600	6
601+	One supervisor and one additional officer for each 200 attendees or portion thereof in excess of 601

ALL REQUESTS FOR MODIFICATION(S) OF THE APPROVED SPECIAL AMUSEMENT PERMIT MUST BE SUBMITTED IN WRITING TO THE CITY OF AUBURN. ANY CHANGES MADE WITHOUT APPROVAL FROM THE CITY OF AUBURN MAY RESULT IN AN IMMEDIATE SUSPENSION OF THE SPECIAL AMUSEMENT PERMIT.

SIGNATURE BELOW RELEASES THE AUBURN POLICE DEPARTMENT, ITS AGENTS AND REPRESENTATIVES FROM ANY AND ALL LIABILITY OF EVERY NATURE AND KIND ARISING OUT OF THE FURNISHING, INSPECTION OR COLLECTION OF SUCH DOCUMENTS, RECORDS, AND OTHER INFORMATION OR THE INVESTIGATION MADE BY THE AUBURN POLICE DEPARTMENT.

I DO HEREBY AUTHORIZE AUBURN POLICE DEPARTMENT AND ITS AGENTS TO RECEIVE COPIES OF RECORDS AND/OR ANY INFORMATION CONCERNING MY BACKGROUND, CHARACTER, BANK ACCOUNTS, BUSINESSES, PLACES OF EMPLOYMENT, SCHOOLS AND ANY OTHER SOURCE NECESSARY FOR THE PURPOSE OF OBTAINING A SPECIAL AMUSMENT LICENSE.

I HAVE READ AND UNDERSTAND SECTION 14-600 TO 14-609, SPECIAL AMUSEMENT PERMITS, OF THE CITY OF AUBURN'S BUSINESS LICENSE ORDINANCE.

SIGNATURE OF APPLICANT: Mario Mancini

PRINT NAME AND TITLE: Mario Mancini - CFO

WITNESS: Allen Hill

DATE: March 31st, 2017

FOR INTERNAL USE ONLY

DATE RECEIVED:

PUBLIC HEARING DATE:

APPROVALS:



POLICE



FIRE



CODE

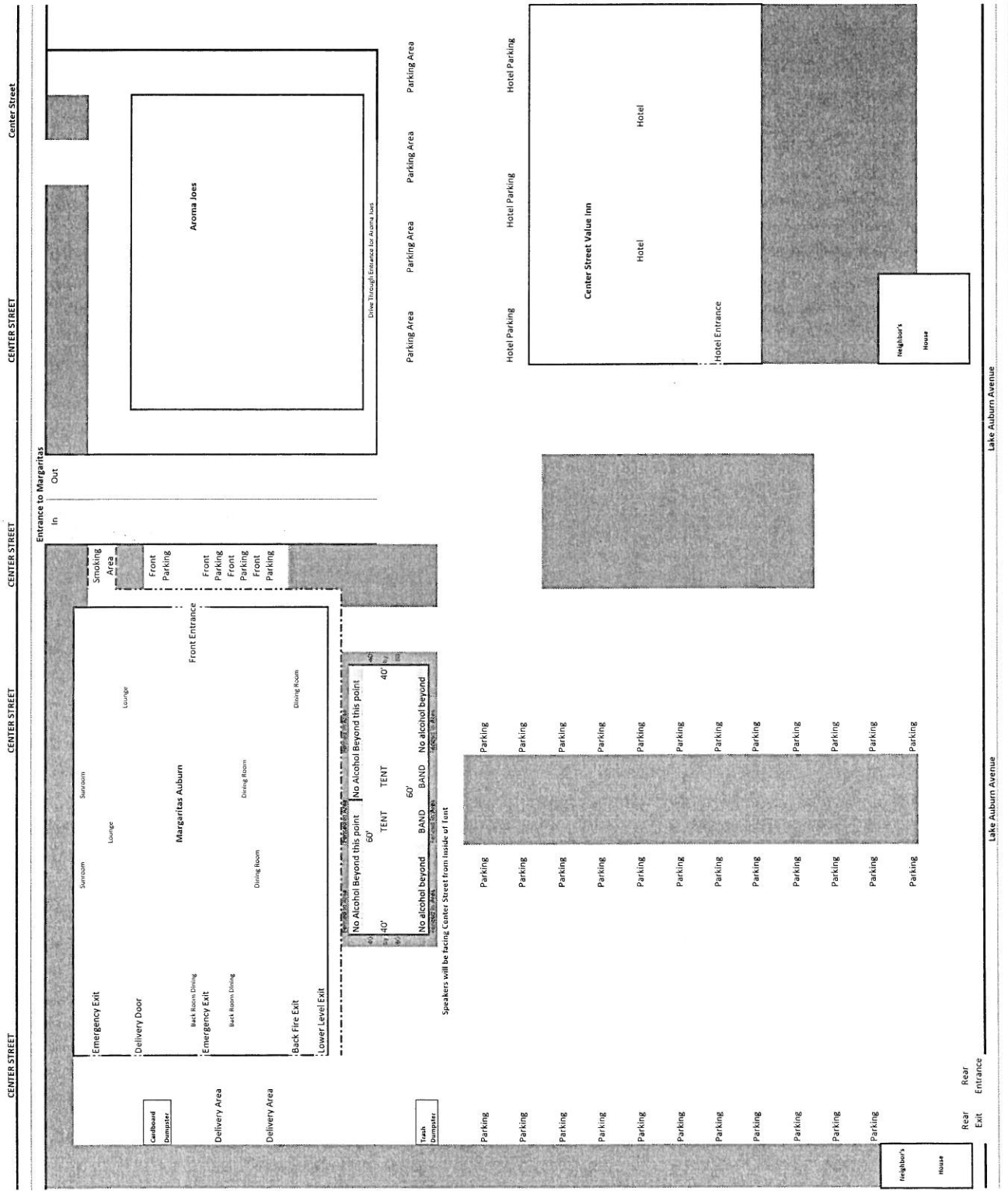


FINANCE



CITY COUNCIL

FOR INTERNAL USE ONLY





MAINE STATE BUREAU OF IDENTIFICATION
45 Commerce Drive, Suite 1 / STATE HOUSE STATION # 42
AUGUSTA, ME 04333
(207) 624-7240 (VOICE)

BRIAN BUNNELL
1 BUCKLEY STREET APT # 5
LEWISTON, ME 04240

Transaction Response #: MIQ99D196567

Criminal History Record

Introduction

**This criminal history record was produced in response to the following request
(Produced on 2017-04-07) :**

Inquiries Name(s) BRIAN S BUNNELL (1977-08-18)

The information in this criminal history record is provided subject to the following caveats:

This record, effective September 1, 2000, contains information relating to persons arrested as fugitives from justice, 15 M.R.S section 201.4 or arrested or charged with Maine crimes. It does not include former crimes no longer classified as criminal, or Class D and E crimes in Title 12 or Title 29-A, former Title 29, unless the crime is alcohol-related or drug-related 25 M.R.S. section 1541.4-A.A. For information regarding excluded Marine Resources crimes in Title 12, contact the Department of Marine Resources. For information regarding excluded Inland Fisheries and Wildlife crimes in Title 12, contact the Department of Inland Fisheries and Wildlife. For information relating to excluded crimes in Title 29-A former Title 29, contact the Secretary of State, Motor Vehicle Division. A list of former crimes is available from this Bureau.

THE FOLLOWING ATN(S) ARE UNSUPPORTED BY FINGERPRINTS IN STATE BUREAU OF IDENTIFICATION FILES: (917361A, 903622A).

Important! When a criminal history record and juvenile crime information record check is processed by the State Bureau of Identification using personal identifiers such as name and date of birth, it is possible that the record supplied belongs to another person with the same or essentially similar name and date of birth. Confirmation that convictions relate to person whose record has been requested requires fingerprint comparison. If the information

contained in this response will be used to disqualify an applicant for employment, housing, credit, or other benefits or programs, the person making the eligibility determination using this record should provide the applicant with an opportunity to complete or contest the accuracy of the criminal history information in the response. An individual may request amendment or correction of criminal history record information by a criminal justice agency pursuant to 16 M.R.S. section 709.

****THIS RESPONSE IS BEING PRODUCED FOR YOUR REQUEST SENT: 2017-04-07**

Identification

Subject Name/or potential Alias Name(s)

BUNNELL, BRIAN STEVEN
BUNNELL, BRIAN (AKA)

Subject Description (date information provided listed in parentheses)

State ID Number ME0177807	DOC Number Unknown/NA	
Sex Male	Race White	Skin Tone Unknown/NA
Height 511	Weight 190	Date of Birth 1977-08-18
Hair Color Brown	Eye Color Blue	
Scars, Marks, and Tattoos Unknown/NA		
Place of Birth Unknown/NA	Citizenship Unknown/NA	
Residence Residence as of Address	2012-07-04 116 THIRD ST 2 AUBURN, ME 04210	
Residence Residence as of Address	2012-03-14 116 THIRD ST 2 AUBURN, ME 04210	

Caution Information

Firearms Disqualified

X - Unknown

Criminal History**Cycle 001****ATN/Tracking Number**

903622A

Earliest Event Date

2011-08-21

Arrest

No data supplied

Prosecutor Disposition

(Cycle 001)

Prosecutor Agency

DISTRICT ATTORNEYS OFFICE AUBURN; ME001013A

Charge 1

Charge Number 903622A 001

Charge Tracking Number 903622A

Charge Description OPERATING UNDER THE INFLUENCE-NO TEST, 1 PRIOR
(Charge Class D)

Statute 29-A MRSA SUBSECTION 2411(1-A)(C)(2)

State Sequence Code 11522

Severity Misdemeanor

Prosecutor Record ADDED

Modified/Updated

Court Disposition

(Cycle 001)

Court Case Number

AUBSCCR201101144

Court Agency

SUPERIOR COURT AUBURN; ME001015J

Charge 1

Charge Number 903622A 001

Charge Tracking Number 903622A

Agency SUPERIOR COURT AUBURN; ME001015J

Charge Description OPERATING UNDER THE INFLUENCE-NO TEST, 1 PRIOR
(Charge Class D)

Statute 29-A MRSA SUBSECTION 2411(1-A)(C)(2)

State Sequence Code 11522

Severity Misdemeanor

Disposition 2011-11-03; TRANSFER FOR JURY TRIAL

2012-03-13; DISMISSED BY DA/AG - PLED OTHER
CHARGE

Court Disposition	(Cycle 001)
Court Case Number	LEWDCCR201102409
Court Agency	8TH DISTRICT COURT LEWISTON; ME001025J
Charge 1	
	Charge Number 903622A 001
	Charge Tracking Number 903622A
	Agency 8TH DISTRICT COURT LEWISTON; ME001025J
	Charge Description OPERATING UNDER THE INFLUENCE-NO TEST, 1 PRIOR (Charge Class D)
	Statute 29-A MRSA SUBSECTION 2411(1-A)(C)(2)
	State Sequence Code 11522
	Severity Misdemeanor
	Disposition 2011-11-03; TRANSFER FOR JURY TRIAL

Sentencing	No data supplied
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Corrections	No data supplied
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Cycle 002

ATN/Tracking Number	917361A
Earliest Event Date	2011-10-27

Arrest	No data supplied
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Prosecutor Disposition	(Cycle 002)
Prosecutor Agency	DISTRICT ATTORNEYS OFFICE AUBURN; ME001013A
Charge 2	

	Charge Number 917361A 002
	Charge Tracking Number 917361A
	Charge Description VIOLATING CONDITION OF RELEASE (Charge Class E)
	Statute 15 MRSA SUBSECTION 1092(1)(A)
	State Sequence Code 9632
	Severity Misdemeanor
	Prosecutor Record ADDED
	Modified/Updated

Court Disposition	(Cycle 002)
Court Case Number	AUBSCCR201101237
Court Agency	SUPERIOR COURT AUBURN; ME001015J

Charge 2

Charge Number 917361A 002
 Charge Tracking Number 917361A
 Agency SUPERIOR COURT AUBURN; ME001015J
 Charge Description VIOLATING CONDITION OF RELEASE (Charge Class E)
 Statute 15 MRSA SUBSECTION 1092(1)(A)
 State Sequence Code 9632
 Severity Misdemeanor
 Disposition 2011-12-01; TRANSFER FOR JURY TRIAL
 2012-03-13; GUILTY

Court Disposition (Cycle 002)
Court Case Number LEWDCCR201103116
Court Agency 8TH DISTRICT COURT LEWISTON; ME001025J
Charge 2

Charge Number 917361A 002
 Charge Tracking Number 917361A
 Agency 8TH DISTRICT COURT LEWISTON; ME001025J
 Charge Description VIOLATING CONDITION OF RELEASE (Charge Class E)
 Statute 15 MRSA SUBSECTION 1092(1)(A)
 State Sequence Code 9632
 Severity Misdemeanor
 Disposition 2011-12-01; TRANSFER FOR JURY TRIAL

Sentencing (Cycle 002)
Sentencing Agency SUPERIOR COURT AUBURN; ME001015J
 Court Case Number AUBSCCR201101237
 Charge Number 917361A 002
 Charge Sequence Number 2
 Charge Tracking Number 917361A
 Sentence 2012-03-13: FINED \$250.00

Corrections No data supplied

Index of Agencies

Agency SUPERIOR COURT AUBURN; ME001015J
 Agency Telephone 207-784-5450
 Address PO BOX 3660
 AUBURN, ME 04210

Agency	8TH DISTRICT COURT LEWISTON; ME001025J
Agency Telephone	207-795-4800
Address	PO BOX 1345 LEWISTON, ME 04240

Agency	AUBURN PD; ME0010100
Agency Telephone	207-333-6650
Address	60 COURT ST AUBURN, ME 04210

Agency	DISTRICT ATTORNEYS OFFICE AUBURN; ME001013A
Agency Telephone	207-784-1397
Address	55 LISBON STREET LEWISTON, ME 04240

**CITY OF AUBURN
PUBLIC NOTICE**

A public hearing will be held by the Auburn City Council on Tuesday, April 24, 2017 at 7:00 p.m. or as soon as possible thereafter, in the Council Chambers of Auburn Hall, 60 Court Street, to consider the Special Amusement Permit Application for:

**MVL, Inc., DBA Tio Juan's Margaritas Mexican Restaurant
180 Center Street, Auburn, Maine**

All interested persons may appear and will be given the opportunity to be heard before final action is taken.

James Pross, Ward One
Robert Stone, Ward Two
Andy Titus, Ward Three
Vacant, Ward Four



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 33-04242017

ORDERED, that the City Council hereby approves the Special Amusement Permit for MVL, Inc., DBA, Tio Juan's Margaritas Mexican Restaurant located at 180 Center Street, Auburn, Maine.



City of Auburn City Council Information Sheet

Council Workshop or Meeting Date: April 24, 2017

Subject: Executive Session

Information: Discussion regarding an economic development matter, 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: April 24, 2017

Subject: Executive Session

Information: Discussion regarding contemplated litigation, 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, Maine

"Maine's City of Opportunity"

Financial Services



TO: Peter Crichton, City Manager
FROM: Jill Eastman, Finance Director
REF: March 2017 Financial Report
DATE: April 11, 2017

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

The City has completed its ninth month of the current fiscal year. As a guideline for tracking purposes, revenues and expenditures should amount to approximately 75.0% of the annual budget. However, not all costs and revenues are distributed evenly throughout the year; individual line items can vary based upon cyclical activity.

Revenues

Revenues collected through March 31st, including the school department were \$64,326,578, or 79.88%, of the budget. The municipal revenues including property taxes were \$49,086,522, or 85.46% of the budget which is more than the same period last year by \$1,540,911. The accounts listed below are noteworthy.

- A. March 15th the second installment for real estate taxes were due. The City collected \$13,977,384 in the month of March.
- B. Excise tax for the month of March is at 84.85%. This is a \$117,029 increase from FY 16. Our excise revenues for FY17 are 9.85% above projections as of March 31, 2017.
- C. State Revenue Sharing for the month of March is 71.81% or \$1,054,377. This is a 3.37% decrease from last March to this March.

Expenditures

City expenditures through March 2017 are \$28,060,266 or 70.53%, of the budget. Noteworthy variances are:

- A. Transfer to TIF: Last fiscal year the transfer from the General Fund to the TIF Funds was done in March, this transfer will be made in April.
- B. The Health and Social Services budget is currently at 94.22% of the total budget.

Investments

This section contains an investment schedule as of March 31st. Currently the City's funds are earning an average interest rate of .68%.

Respectfully submitted,

A handwritten signature in black ink, reading "Jill M Eastman". The signature is written in a cursive, flowing style.

Jill M. Eastman
Finance Director

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

	UNAUDITED March 31 2017	UNAUDITED February 28 2017	Increase (Decrease)	AUDITED JUNE 30 2016
ASSETS				
CASH	\$ 24,353,894	\$ 12,314,991	\$ 12,038,903	\$ 10,809,594
RECEIVABLES			-	
ACCOUNTS RECEIVABLES	2,127,761	2,157,283	(29,523)	2,561,677
TAXES RECEIVABLE-CURRENT	3,205,660	17,183,043	(13,977,384)	1,015,068
DELINQUENT TAXES	627,929	633,336	(5,407)	613,248
TAX LIENS	694,850	734,950	(40,100)	473,362
NET DUE TO/FROM OTHER FUNDS	3,222,420	2,411,320	811,100	2,298,596
TOTAL ASSETS	\$ 34,232,512	\$ 35,434,924	\$ (1,202,412)	\$ 17,771,545
LIABILITIES & FUND BALANCES				
ACCOUNTS PAYABLE	\$ (34,537)	\$ (16,865)	\$ (17,671)	\$ (643,393)
PAYROLL LIABILITIES	(1,346,666)	(722,018)	(624,649)	-
ACCRUED PAYROLL	529,353	529,353	-	(3,934,340)
STATE FEES PAYABLE	(80,601)	(58,660)	(21,941)	-
ESCROWED AMOUNTS	(6,692)	(5,470)	(1,222)	(12,981)
DEFERRED REVENUE	(4,382,034)	(18,404,925)	14,022,892	(1,970,197)
TOTAL LIABILITIES	\$ (5,321,177)	\$ (18,678,586)	\$ 13,357,409	\$ (6,560,911)
FUND BALANCE - Unassigned	\$ (27,044,365)	\$ (14,889,368)	\$ (12,154,997)	\$ (6,158,083)
FUND BALANCE - Assigned	\$ (783,311)	\$ (783,311)	\$ 0	\$ (2,084,993)
FUND BALANCE - Nonspendable-long term receivables				\$ (1,341,590)
FUND BALANCE - Restricted	(1,083,659)	(1,083,659)	-	(1,625,968)
TOTAL FUND BALANCE	\$ (28,911,335)	\$ (16,756,338)	\$ (12,154,997)	\$ (11,210,634)
TOTAL LIABILITIES AND FUND BALANCE	\$ (34,232,512)	\$ (35,434,925)	\$ 1,202,412	\$ (17,771,545)

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

REVENUE SOURCE	FY 2017 BUDGET	ACTUAL REVENUES THRU MAR 2017	% OF BUDGET	FY 2016 BUDGET	ACTUAL REVENUES THRU MAR 2016	% OF BUDGET	VARIANCE
TAXES							
PROPERTY TAX REVENUE-	\$ 46,032,435	\$ 41,420,641	89.98%	\$ 44,021,283	\$ 39,195,799	89.04%	\$ 2,224,842
PRIOR YEAR TAX REVENUE	\$ -	\$ 741,375		\$ -	\$ 909,304		\$ (167,929)
HOMESTEAD EXEMPTION REIMBURSEMENT	\$ 750,000	\$ 569,088	75.88%	\$ 505,000	\$ 258,527	51.19%	\$ 310,561
ALLOWANCE FOR ABATEMENT	\$ -	\$ -		\$ -	\$ -		\$ -
ALLOWANCE FOR UNCOLLECTIBLE TAXES	\$ -	\$ -		\$ -	\$ -		\$ -
EXCISE	\$ 3,365,000	\$ 2,855,131	84.85%	\$ 3,350,000	\$ 2,738,102	81.73%	\$ 117,029
PENALTIES & INTEREST	\$ 150,000	\$ 104,662	69.77%	\$ 150,000	\$ 89,707	59.80%	\$ 14,955
TOTAL TAXES	\$ 50,297,435	\$ 45,690,897	90.84%	\$ 48,026,283	\$ 43,191,439	89.93%	\$ 2,499,458
LICENSES AND PERMITS							
BUSINESS	\$ 48,000	\$ 43,229	90.06%	\$ 48,300	\$ 49,636	102.77%	\$ (6,407)
NON-BUSINESS	\$ 427,384	\$ 374,049	87.52%	\$ 356,800	\$ 261,494	73.29%	\$ 112,555
TOTAL LICENSES	\$ 475,384	\$ 417,278	87.78%	\$ 405,100	\$ 311,130	76.80%	\$ 106,148
INTERGOVERNMENTAL ASSISTANCE							
STATE-LOCAL ROAD ASSISTANCE	\$ 400,000	\$ 399,292	99.82%	\$ 440,000	\$ 401,596	91.27%	\$ (2,304)
STATE REVENUE SHARING	\$ 1,468,313	\$ 1,054,377	71.81%	\$ 1,477,641	\$ 1,110,930	75.18%	\$ (56,553)
WELFARE REIMBURSEMENT	\$ 59,000	\$ 36,663	62.14%	\$ 70,000	\$ 41,638	59.48%	\$ (4,975)
OTHER STATE AID	\$ 22,000	\$ 2,681	12.19%	\$ 22,000	\$ 3,555	16.16%	\$ (874)
CITY OF LEWISTON	\$ 160,000	\$ -	0.00%	\$ 155,000	\$ 5,040	3.25%	\$ (5,040)
TOTAL INTERGOVERNMENTAL ASSISTANCE	\$ 2,109,313	\$ 1,493,013	70.78%	\$ 2,164,641	\$ 1,562,759	72.19%	\$ (69,746)
CHARGE FOR SERVICES							
GENERAL GOVERNMENT	\$ 132,640	\$ 73,034	55.06%	\$ 133,040	\$ 98,326	73.91%	\$ (25,292)
PUBLIC SAFETY	\$ 139,077	\$ 87,496	62.91%	\$ 239,138	\$ 69,636	29.12%	\$ 17,860
EMS TRANSPORT	\$ 1,250,000	\$ 769,985	61.60%	\$ 1,250,000	\$ 750,216	60.02%	\$ 19,769
TOTAL CHARGE FOR SERVICES	\$ 1,521,717	\$ 930,516	61.15%	\$ 1,622,178	\$ 918,178	56.60%	\$ 12,338
FINES							
PARKING TICKETS & MISC FINES	\$ 65,000	\$ 44,871	69.03%	\$ 60,000	\$ 49,060	81.77%	\$ (4,189)
MISCELLANEOUS							
INVESTMENT INCOME	\$ 10,000	\$ 45,880	458.80%	\$ 5,000	\$ 39,878	797.56%	\$ 6,002
INTEREST-BOND PROCEEDS	\$ -	\$ -		\$ 2,000	\$ -	0.00%	\$ -
RENTS	\$ 18,000	\$ 21,040	116.89%	\$ 18,000	\$ 158,245	879.14%	\$ (137,205)
UNCLASSIFIED	\$ 10,000	\$ 3,135	31.35%	\$ 20,000	\$ 30,288	151.44%	\$ (27,153)
COMMERCIAL SOLID WASTE FEES	\$ -	\$ 33,845		\$ -	\$ 45,075		\$ (11,230)
SALE OF PROPERTY	\$ 20,000	\$ 11,344	56.72%	\$ 20,000	\$ 501,519	2507.60%	\$ (490,175)
RECREATION PROGRAMS/ARENA	\$ -	\$ -		\$ -	\$ -		\$ -
MMWAC HOST FEES	\$ 210,000	\$ 266,650	126.98%	\$ 210,000	\$ 157,991	75.23%	\$ 108,659
TRANSFER IN: TIF	\$ 1,537,818	\$ -	0.00%	\$ 545,000	\$ 545,000	100.00%	\$ (545,000)
TRANSFER IN: POLICE	\$ -	\$ -		\$ 45,000	\$ -	0.00%	\$ -
TRANSFER IN: REC SPEC REVENUE	\$ 54,718	\$ -	0.00%	\$ 42,718	\$ -	0.00%	\$ -
TRANSFER IN: SPECIAL REVENUE	\$ -	\$ -		\$ -	\$ -		\$ -
ENERGY EFFICIENCY	\$ -	\$ 1,625		\$ -	\$ 3,600		\$ (1,975)
CDBG	\$ 254,127	\$ 120,592	47.45%	\$ 58,000	\$ 18,524	31.94%	\$ 102,068
UTILITY REIMBURSEMENT	\$ 27,500	\$ 5,838	21.23%	\$ 37,500	\$ 12,925	34.47%	\$ (7,087)
CITY FUND BALANCE CONTRIBUTION	\$ 825,000	\$ -	0.00%	\$ 1,650,000	\$ -	0.00%	\$ -
TOTAL MISCELLANEOUS	\$ 2,967,163	\$ 509,948	17.19%	\$ 2,653,218	\$ 1,513,045	57.03%	\$ (1,003,097)
TOTAL GENERAL FUND REVENUES	\$ 57,436,012	\$ 49,086,522	85.46%	\$ 54,931,420	\$ 47,545,611	86.55%	\$ 1,540,911
SCHOOL REVENUES							
EDUCATION SUBSIDY	\$ 21,373,337	\$ 14,715,798	68.85%	\$ 20,854,672	\$ 14,701,854	70.50%	\$ 13,944
EDUCATION	\$ 814,540	\$ 524,258	64.36%	\$ 856,607	\$ 523,572	61.12%	\$ 686
SCHOOL FUND BALANCE CONTRIBUTION	\$ 906,882	\$ -	0.00%	\$ 906,882	\$ -	0.00%	\$ -
TOTAL SCHOOL	\$ 23,094,759	\$ 15,240,056	65.99%	\$ 22,618,161	\$ 15,225,426	67.32%	\$ 14,630
GRAND TOTAL REVENUES	\$ 80,530,771	\$ 64,326,578	79.88%	\$ 77,549,581	\$ 62,771,037	80.94%	\$ 1,555,541

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

DEPARTMENT	FY 2017 BUDGET	Unaudited EXP THRU MAR 2017	% OF BUDGET	FY 2016 BUDGET	Unaudited EXP THRU MAR 2016	% OF BUDGET	VARIANCE
ADMINISTRATION							
MAYOR AND COUNCIL	\$ 78,464	\$ 67,047	85.45%	\$ 77,366	\$ 71,555	92.49%	\$ (4,508)
CITY MANAGER	\$ 378,880	\$ 181,481	47.90%	\$ 269,340	\$ 209,613	77.82%	\$ (28,132)
CITY CLERK	\$ 177,906	\$ 127,374	71.60%	\$ 165,053	\$ 127,104	77.01%	\$ 270
FINANCIAL SERVICES	\$ 637,754	\$ 471,083	73.87%	\$ 619,855	\$ 473,148	76.33%	\$ (2,065)
HUMAN RESOURCES	\$ 150,435	\$ 60,358	40.12%	\$ 143,526	\$ 109,567	76.34%	\$ (49,209)
INFORMATION TECHNOLOGY	\$ 479,324	\$ 389,919	81.35%	\$ 390,190	\$ 296,187	75.91%	\$ 93,732
LEGAL SERVICES	\$ 45,650	\$ 87,253	191.13%	\$ 65,000	\$ 76,009	116.94%	\$ 11,244
TOTAL ADMINISTRATION	\$ 1,948,413	\$ 1,384,515	71.06%	\$ 1,730,330	\$ 1,363,183	78.78%	\$ 21,332
COMMUNITY SERVICES							
ECONOMIC & COMMUNITY DEVELOPMENT	\$ 1,938,437	\$ 962,991	49.68%	\$ 1,267,711	\$ 1,001,584	79.01%	\$ (38,593)
HEALTH & SOCIAL SERVICES	\$ 171,474	\$ 161,556	94.22%	\$ 184,711	\$ 109,640	59.36%	\$ 51,916
RECREATION & SPECIAL EVENTS*	\$ 341,772	\$ 207,449	60.70%	\$ 338,871	\$ 220,482	65.06%	\$ (13,033)
PUBLIC LIBRARY	\$ 979,516	\$ 726,837	74.20%	\$ 979,516	\$ 640,010	65.34%	\$ 86,827
TOTAL COMMUNITY SERVICES	\$ 3,431,199	\$ 2,058,833	60.00%	\$ 2,770,809	\$ 1,971,716	71.16%	\$ 87,117
FISCAL SERVICES							
DEBT SERVICE	\$ 6,406,845	\$ 6,260,543	97.72%	\$ 6,324,864	\$ 6,157,053	97.35%	\$ 103,490
FACILITIES	\$ 645,756	\$ 393,244	60.90%	\$ 653,080	\$ 497,593	76.19%	\$ (104,349)
WORKERS COMPENSATION	\$ 522,088	\$ -	0.00%	\$ 496,536	\$ 496,536	100.00%	\$ (496,536)
WAGES & BENEFITS	\$ 5,274,528	\$ 3,875,714	73.48%	\$ 5,171,309	\$ 3,639,705	70.38%	\$ 236,009
EMERGENCY RESERVE (10108062-670000)	\$ 375,289	\$ -	0.00%	\$ 375,289	\$ -	0.00%	\$ -
TOTAL FISCAL SERVICES	\$ 13,224,506	\$ 10,529,501	79.62%	\$ 13,021,078	\$ 10,790,887	82.87%	\$ (261,386)
PUBLIC SAFETY							
FIRE DEPARTMENT	\$ 4,049,396	\$ 3,203,234	79.10%	\$ 4,099,634	\$ 3,297,742	80.44%	\$ (94,508)
FIRE EMS	\$ 590,997	\$ 327,888	55.48%	\$ 549,801	\$ 288,947	52.55%	\$ 38,941
POLICE DEPARTMENT	\$ 3,875,113	\$ 2,833,232	73.11%	\$ 3,870,995	\$ 2,839,066	73.34%	\$ (5,834)
TOTAL PUBLIC SAFETY	\$ 8,515,506	\$ 6,364,354	74.74%	\$ 8,520,430	\$ 6,425,755	75.42%	\$ (61,401)
PUBLIC WORKS							
PUBLIC SERVICES DEPARTMENT	\$ 4,496,349	\$ 3,371,385	74.98%	\$ 4,525,898	\$ 3,239,144	71.57%	\$ 132,241
SOLID WASTE DISPOSAL	\$ 932,689	\$ 589,197	63.17%	\$ 927,278	\$ 590,199	63.65%	\$ (1,002)
WATER AND SEWER	\$ 599,013	\$ 452,380	75.52%	\$ 599,013	\$ 452,385	75.52%	\$ (5)
TOTAL PUBLIC WORKS	\$ 6,028,051	\$ 4,412,962	73.21%	\$ 6,052,189	\$ 4,281,728	70.75%	\$ 131,234
INTERGOVERNMENTAL PROGRAMS							
AUBURN-LEWISTON AIRPORT	\$ 106,000	\$ 79,730	75.22%	\$ 105,000	\$ 105,000	100.00%	\$ (25,270)
E911 COMMUNICATION CENTER	\$ 1,088,857	\$ 805,310	73.96%	\$ 1,069,122	\$ 805,241	75.32%	\$ 69
LATC-PUBLIC TRANSIT	\$ 182,244	\$ 182,244	100.00%	\$ 209,244	\$ 233,349	111.52%	\$ (51,105)
LA ARTS	\$ -	\$ -		\$ -	\$ -		\$ -
TAX SHARING	\$ 270,000	\$ 18,015	6.67%	\$ 270,000	\$ 21,066	7.80%	\$ (3,051)
TOTAL INTERGOVERNMENTAL	\$ 1,647,101	\$ 1,085,299	65.89%	\$ 1,653,366	\$ 1,164,656	70.44%	\$ (79,357)
COUNTY TAX	\$ 2,167,824	\$ 2,167,824	100.00%	\$ 2,142,268	\$ 2,142,268	100.00%	\$ 25,556
TIF (10108058-580000)	\$ 2,824,803		0.00%	\$ 2,599,914	\$ 2,824,802	108.65%	\$ (2,824,802)
OVERLAY	\$ -	\$ 56,978		\$ -	\$ -	0.00%	\$ 56,978
TOTAL CITY DEPARTMENTS	\$ 39,787,403	\$ 28,060,266	70.53%	\$ 38,490,384	\$ 30,964,995	80.45%	\$ (2,904,729)
EDUCATION DEPARTMENT	\$ 40,743,368	\$ 22,960,435	56.35%	\$ 39,062,197	\$ 21,803,817	55.82%	\$ 1,156,618
TOTAL GENERAL FUND EXPENDITURES	\$ 80,530,771	\$ 51,020,701	63.36%	\$ 77,552,581	\$ 52,768,812	68.04%	\$ (1,748,111)

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

INVESTMENT		FUND	BALANCE March 31, 2017	BALANCE February 28, 2017	INTEREST RATE
ANDROSCOGGIN BANK	449	CAPITAL PROJECTS	\$ 4,179,766.10	\$ 4,177,991.61	0.45%
ANDROSCOGGIN BANK	502	SR-TIF	\$ 1,007,182.07	\$ 1,006,754.51	0.45%
ANDROSCOGGIN BANK	836	GENERAL FUND	\$ 4,074,614.93	\$ 4,072,886.28	0.45%
ANDROSCOGGIN BANK	801	WORKERS COMP	\$ 50,315.42	\$ 50,294.07	0.45%
ANDROSCOGGIN BANK	748	UNEMPLOYMENT	\$ 50,315.39	\$ 50,294.04	0.45%
ANDROSCOGGIN BANK	684	EMS CAPITAL RESERVE	\$ 231,074.72	\$ 230,976.63	0.45%
NORTHERN CAPITAL	02155	CAPITAL PROJECTS	\$ 750,000.00	\$ 750,000.00	0.70%
NORTHERN CAPITAL	02155	GENERAL FUND	\$ 500,000.00	\$ 500,000.00	0.70%
NORTHERN CAPITAL	02155	GENERAL FUND	\$ 500,000.00	\$ 500,000.00	1.00%
NORTHERN CAPITAL	02155	GENERAL FUND	\$ 500,000.00		1.15%
NORTHERN CAPITAL	02155	GENERAL FUND	\$ 250,000.00		1.25%
GRAND TOTAL			\$ 12,093,268.63	\$ 11,339,197.14	0.68%

EMS BILLING
SUMMARY OF ACTIVITY
July 1, 2016 - June 30, 2017
Report as of March 31, 2017

	Beginning Balance 03/01/17	March 2017				Ending Balance 3/31/2017
		New Charges	Payments	Refunds	Adjustments	
Bluecross	\$ 45,686.03	\$ 12,507.20	\$ (7,912.34)	\$ -	\$ (7,274.08)	\$ 43,006.81
Intercept	\$ 534.80	\$ 500.00	\$ (1,000.00)			\$ 34.80
Medicare	\$ 114,563.48	\$ 79,304.60	\$ (30,744.46)		\$ (44,739.12)	\$ 118,384.50
Medicaid	\$ (27,889.46)	\$ 28,541.20	\$ (15,435.16)		\$ (20,688.77)	\$ (35,472.19)
Other/Commercial	\$ 145,203.81	\$ 48,240.00	\$ (25,932.68)	\$ -	\$ (12,088.36)	\$ 155,422.77
Patient	\$ 528,296.81	\$ 14,046.40	\$ (6,012.63)	\$ -	\$ (867.57)	\$ 535,463.01
Worker's Comp	\$ (685.00)	\$ -	\$ -			\$ (685.00)
TOTAL	\$ 805,710.47	\$ 183,139.40	\$ (87,037.27)	\$ -	\$ (85,657.90)	\$ 816,154.70

EMS BILLING
BREAKDOWN -TOTAL CHARGES
July 1, 2016 - June 30, 2017
Report as of March 31, 2017

	July 2016	August 2016	Sept 2016	Oct 2016	Nov 2016	Dec 2016	Jan 2017	Feb 2017	Mar 2017	Adjustment	Totals	% of Total
No Insurance Information		\$ 4,649.80								\$ (4,649.80)	\$ -	0.00%
Bluecross	\$ 10,000.40	\$ 13,101.80	\$ 7,886.80	\$ 10,183.80	\$ 7,624.60	\$ 6,585.00	\$ 9,587.80	\$ 11,865.60	\$ 12,507.20	\$ 3,985.60	\$ 93,328.60	5.69%
Intercept	\$ 200.00	\$ 800.00	\$ 200.00	\$ 400.00	\$ 434.80	\$ 300.00	\$ 600.00	\$ 800.00	\$ 500.00	\$ 1,025.00	\$ 5,259.80	0.32%
Medicare	\$ 65,787.40	\$ 79,078.20	\$ 87,750.40	\$ 101,560.20	\$ 70,601.00	\$ 53,336.40	\$ 111,207.20	\$ 86,026.00	\$ 79,304.60	\$ 17,015.60	\$ 751,667.00	45.86%
Medicaid	\$ 34,317.20	\$ 36,679.60	\$ 25,523.80	\$ 34,320.80	\$ 35,292.20	\$ 24,267.60	\$ 29,678.80	\$ 24,905.20	\$ 28,541.20	\$ 4,225.60	\$ 277,752.00	16.95%
Other/Commercial	\$ 54,548.80	\$ 49,906.40	\$ 44,401.40	\$ 39,102.00	\$ 34,393.20	\$ 34,834.60	\$ 49,913.80	\$ 40,053.60	\$ 48,240.00	\$ (1,311.40)	\$ 394,082.40	24.05%
Patient	\$ 16,125.40	\$ 20,867.80	\$ 12,572.60	\$ 13,732.00	\$ 20,298.20	\$ 6,623.80	\$ 15,335.40	\$ 16,101.40	\$ 14,046.40	\$ (20,995.20)	\$ 114,707.80	7.00%
Worker's Comp	\$ 651.40				\$ 728.40					\$ 704.60	\$ 2,084.40	0.13%
TOTAL	\$ 181,630.60	\$ 205,083.60	\$ 178,335.00	\$ 199,298.80	\$ 169,372.40	\$ 125,947.40	\$ 216,323.00	\$ 179,751.80	\$ 183,139.40	\$ (0.00)	\$ 1,638,882.00	100.00%

EMS BILLING
BREAKDOWN -TOTAL COUNT
July 1, 2016 - June 30, 2017
Report as of March 31, 2017

	July 2016	August 2016	Sept 2016	Oct 2016	Nov 2016	Dec 2016	Jan 2017	Feb 2017	Mar 2017	Totals	% of Total
No Insurance Information		6								6	0.28%
Bluecross	12	15	9	12	10	8	12	14	15	107	5.03%
Intercept	2	10	2	4	8	3	6	8	5	48	2.26%
Medicare	80	99	105	126	87	69	138	111	98	913	42.94%
Medicaid	45	50	33	44	45	35	38	31	35	356	16.75%
Other/Commercial	69	65	56	54	44	49	68	52	63	520	24.46%
Patient	20	25	16	17	25	15	19	20	17	174	8.18%
Worker's Comp	1				1					2	0.09%
TOTAL	229	270	221	257	220	179	281	236	233	2126	100.00%

TOTAL REVENUE COLLECTED AS OF 3/31/17 \$ 769,985.

TOTAL EXPENDITURES AS OF 3/31/17 \$ 327,888.

**EMS BILLING
AGING REPORT
July 1, 2016 to June 30, 2017
Report as of March 31, 2017**

	Current		31-60		61-90		91-120		121+ days		Totals	
Bluecross	\$ 7,032.92	99%	\$ -	0%	\$ -	0%	\$ -	0%	\$ 69.69	1%	\$ 7,102.61	0.87%
Intercept	\$ 200.00	575%	\$ -	0%	\$ -		\$ -		\$ (165.20)	-475%	\$ 34.80	0.00%
Medicare	\$ 53,189.91	100%	\$ 890.60	2%	\$ (79.80)	0%	\$ -	0%	\$ (779.39)	-1%	\$ 53,221.32	6.52%
Medicaid	\$ 22,699.70	69%	\$ 10,111.95	31%		0%	\$ 71.96	0%	\$ 193.98	1%	\$ 33,077.59	4.05%
Other/Commercial	\$ 37,381.26	62%	\$ 5,490.65	9%	\$ 3,206.58	5%	\$ 1,526.60	3%	\$ 12,256.36	20%	\$ 59,861.45	7.33%
Patient	\$ 32,557.26	5%	\$ 37,453.55	6%	\$ 21,628.08	3%	\$ 18,818.82	3%	\$ 552,399.22	83%	\$ 662,856.93	81.22%
Worker's Comp	\$ -		\$ -		\$ -		\$ -		\$ -		\$ -	0.00%
TOTAL	\$ 153,061.05		\$ 53,946.75		\$ 24,754.86		\$ 20,417.38		\$ 563,974.66		\$ 816,154.70	
	19%		7%		3%		3%		69%		100%	100.00%

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

	1902	1905	1909	1910	1913	1914	1915	1917	1922	1926	1927	1928	1929	1930			
	Riverwatch	Winter Festival	Kittyhawk Park	Community Service	Police Fitness Equipment	Oak Hill Cemeteries	Fire Training Building	Wellness Grant	Walmart Risk/Homeless	Healthy Androscoggin	Insurance Reimbursement	Vending	Fire Prevention	211 Fairview			
Fund Balance 7/1/16	\$ 998,289.00	\$ 3,504.80	\$ 44,875.00	\$ 3,822.59	\$ 5,932.53	\$ 27,084.76	\$ 3,511.16	\$ 4,657.35	\$ 7,158.93	\$ (169.41)	\$ (42,276.05)	\$ 97.26	\$ 4,094.47	\$ (566,303.71)			
Revenues FY17	\$ 46,239.95	\$ 9,300.00		\$ 526.70				\$ 3,839.00	\$ 2,302.94	\$ 8,164.96	\$ 33,406.92	\$ 823.00					
Expenditures FY17	\$ 117,434.25	\$ 13,566.07		\$ 47.95			\$ 5,000.00	\$ 2,652.69	\$ 2,393.69	\$ 3,360.00	\$ 17,143.70	\$ 1,146.63					
Fund Balance 3/31/17	\$ 927,094.70	\$ (761.27)	\$ 44,875.00	\$ 4,301.34	\$ 5,932.53	\$ 27,084.76	\$ (1,488.84)	\$ 5,843.66	\$ 7,068.18	\$ 4,635.55	\$ (26,012.83)	\$ (226.37)	\$ 4,094.47	\$ (566,303.71)			
	1931	2003	2005	2006	2007	2008	2010	2013	2014	2019	2020	2025	2030	2032			
	Donations	Byrne JAG	MDOT	PEACE	Seatbelt Grant	Homeland Security	State Drug Money	OUI Grant	Speed Grant	Law Enforcement Training	CDBG	Community Cords	Parking	HEAPP			
Fund Balance 7/1/16	\$ 4,030.22	\$ 5,601.31	\$ (300,767.41)	\$ 5,113.91	\$ 3,838.00	\$ (79,902.47)	\$ 32,161.49	\$ 20,076.97	\$ 9,286.00	\$ (2,764.26)	\$ 4,390,795.83	\$ 29,363.56	\$ 7,326.18	\$ (4,994.50)			
Revenues FY17	\$ -	\$ 2,120.64	\$ -	\$ 4,130.91		\$ 102,245.77	\$ 5,138.50	\$ 15,650.00	\$ 8,205.00	\$ 4,436.00	\$ 505,993.36	\$ 3,021.12	\$ 130,348.16				
Expenditures FY17	\$ 66.40	\$ 1,427.74		\$ 3,321.21		\$ 95,977.05	\$ 14,255.27	\$ 18,404.60	\$ 6,996.00	\$ 850.00	\$ 412,590.95	\$ 3,123.15	\$ 153,207.37				
Fund Balance 3/31/17	\$ 3,963.82	\$ 6,294.21	\$ (300,767.41)	\$ 5,923.61	\$ 3,838.00	\$ (73,633.75)	\$ 23,044.72	\$ 17,322.37	\$ 10,495.00	\$ 821.74	\$ 4,484,198.24	\$ 29,261.53	\$ (15,533.03)	\$ (4,994.50)			
	2033	2038	2037	2038	2040	2041	2042	2044	2045	2046	2048	2050	2051	2052			
	Safe School/Health (COPS)	COPSAP Grant	Bulletproof Vests	Community Action Team	Great Falls TV	Blanche Stevens	High Visibility	Federal Drug Money	Forest Management	Joint Land Use Study	TD Tree Days Grant	Project Lifesaver	Project Canopy	Nature Conservancy			
Fund Balance 7/1/16	\$ (11,598.45)	\$ -	\$ 11,591.10	\$ 7,206.21	\$ 49,695.26	\$ 51,105.26	\$ 3,528.71	\$ 28,246.58	\$ 4,661.52	\$ 0.57	\$ -	\$ 100.00	\$ -	\$ 975.05			
Revenues FY17	\$ 6,893.21	\$ 11,349.00	\$ 5,323.50					\$ 6,842.92			\$ 12,500.00	\$ 50.00	\$ 12,970.00				
Expenditures FY17	\$ 75,600.73	\$ 11,349.00	\$ 4,926.39		\$ 4,375.38	\$ 1,877.37		\$ 20,068.39			\$ 12,500.00						
Fund Balance 3/31/17	\$ (80,305.97)	\$ -	\$ 11,988.21	\$ 7,206.21	\$ 45,319.88	\$ 49,227.89	\$ 3,528.71	\$ 15,021.11	\$ 4,661.52	\$ 0.57	\$ -	\$ 150.00	\$ 12,970.00	\$ 975.05			
	2053	2054	2055	2056	2057	2058	2059	2201	2500	2501							
	St Louis Bells	EMS Transport Capital Reserve	Work4ME-PAL	Lake Auburn Neighborhood	ASPCA Grant	Barker Mills Greenway	Distracted Driving	EDI Grant	Parks & Recreation	Recreation Donation							
Fund Balance 7/1/16	\$ 2,357.75	\$ 230,363.06	\$ (10,824.92)	\$ 125.00	\$ 800.00	\$ (36,787.03)	\$ (720.00)	\$ (1,336,528.99)	\$ 285,658.91	\$ 1,757.00							
Revenues FY17						\$ 34,189.60	\$ 17,231.00		\$ 132,226.56								
Expenditures FY17			\$ 11,915.96				\$ 15,234.00	\$ 875.00	\$ 263,971.32								
Fund Balance 3/31/17	\$ 2,357.75	\$ 230,363.06	\$ (22,740.88)	\$ 125.00	\$ 800.00	\$ (2,597.43)	\$ 1,277.00	\$ (1,337,403.99)	\$ 153,914.15	\$ 1,757.00							
	2600	2600	2600	2600	2600	2600	2600	2600	2600	2600	2600	2600	2600	2600	2600	2600	Total
	Tambrands TIF 4	J Enterprises TIF 5	Tambrands II TIF 6	J & A Properties TIF 7	Formed Fiber TIF 8	Mall TIF 9	Downtown TIF 10	Safe Handling TIF 11	Auburn Industrial TIF 12	Auburn Plaza TIF 13	Auburn Plaza II TIF 14	Webster School TIF 16	Bedard Pharm TIF 17	Slapshot LLC TIF 18	Hartt Transport TIF 19	Special Revenues	
Fund Balance 7/1/16	\$ (127,347.23)	\$ 14,500.44	\$ (471,229.88)	\$ 2,558.27	\$ 134,174.73	\$ 538,642.58	\$ 700,419.73	\$ 50,183.21	\$ (373,286.94)	\$ 112,923.51	\$ (90,278.95)	\$ 360.91	\$ 388.80	\$ (111,372.97)	\$ (5.40)	\$ 4,275,786.91	
Revenues FY17							\$ 46,880.91									\$ 1,172,349.63	
Expenditures FY17	\$ 342,483.50		\$ 70,639.41				\$ 847,820.53		\$ 165,536.34	\$ 79,912.46	\$ 562,103.17	\$ 29,290.12		\$ 169,135.86	\$ 14,972.71	\$ 3,577,552.36	
Fund Balance 3/31/17	\$ (469,830.73)	\$ 14,500.44	\$ (541,869.29)	\$ 2,558.27	\$ 134,174.73	\$ 538,642.58	\$ (100,519.89)	\$ 50,183.21	\$ (538,823.28)	\$ 33,011.05	\$ (652,382.12)	\$ (28,929.21)	\$ 388.80	\$ (280,508.83)	\$ (14,978.11)	\$ 1,870,584.18	

City of Auburn, Maine

"Maine's City of Opportunity"

Financial Services

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



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

NORWAY SAVINGS BANK ARENA

Statement of Net Assets:

The Statement of Net Assets lists current assets, noncurrent assets, liabilities and net assets and shows a comparison to the previous month, in this case, February 28, 2017.

Current Assets:

As of the end of March 2017 the total current assets of Norway Savings Bank Arena were (\$492,321). These consisted of cash and cash equivalents of \$91,201, accounts receivable of \$120,013, and an interfund payable of \$703,535.

Noncurrent Assets:

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

Liabilities:

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

Statement of Activities:

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

The operating revenues for Norway Arena through March 2017 are \$918,398. This revenue comes from the concessions, sign advertisements, pro shop lease, youth programming, shinny hockey, public skating and ice rentals.

The operating expenses for Norway Arena through March 2017 were \$954,375. These expenses include personnel costs, supplies, utilities, repairs, rent, capital purchases and maintenance.

As of March 2017 Norway Arena has an operating loss of \$35,977 compared to the February 2017 operating loss of \$13,745 a increase in the operating loss for the fiscal year of \$22,232.

As of March 31, 2017 Norway Arena has a decrease in net assets of \$35,977.

The budget to actual reports for revenue and expenditures, with comparison to the same period last year show that revenue for FY17 is \$73,927 more than in FY16 and expenditures in FY17 are \$11,375 more than last year in March .

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

	March 31, 2017	February 28, 2017	Increase/ (Decrease)
ASSETS			
Current assets:			
Cash and cash equivalents	\$ 91,201	\$ 91,209	\$ (8)
Interfund receivables	\$ (703,535)	\$ (693,298)	\$ (10,237)
Prepaid Rent	\$ -	\$ -	\$ -
Accounts receivable	120,013	132,000	(11,987)
Total current assets	(492,321)	(470,089)	(22,232)
Noncurrent assets:			
Capital assets:			
Buildings	35,905	35,905	-
Equipment	417,455	417,455	-
Land improvements	-	-	-
Less accumulated depreciation	(135,157)	(135,157)	-
Total noncurrent assets	318,203	318,203	-
Total assets	(174,118)	(151,886)	(22,232)
LIABILITIES			
Accounts payable	\$ -	\$ -	\$ -
Net pension liability	77,298	77,298	-
Total liabilities	77,298	77,298	-
NET ASSETS			
Invested in capital assets	\$ 318,203	\$ 318,203	\$ -
Unrestricted	\$ (569,619)	\$ (547,387)	\$ (22,232)
Total net assets	\$ (251,416)	\$ (229,184)	\$ (22,232)

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

	Norway Savings Arena
Operating revenues:	
Charges for services	\$ 918,398
Operating expenses:	
Personnel	268,748
Supplies	63,896
Utilities	188,681
Repairs and maintenance	9,041
Rent	379,863
Depreciation	-
Capital expenses	20,368
Other expenses	23,778
Total operating expenses	954,375
Operating gain (loss)	(35,977)
Nonoperating revenue (expense):	
Interest income	-
Interest expense (debt service)	-
Total nonoperating expense	-
Gain (Loss) before transfer	(35,977)
Transfers out	-
Change in net assets	(35,977)
Total net assets, July 1	(215,439)
Total net assets, March 31, 2017	\$ (251,416)

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

REVENUE SOURCE	FY 2017 BUDGET	ACTUAL REVENUES THRU MAR 2017	% OF BUDGET	FY 2016 BUDGET	ACTUAL REVENUES THRU MAR 2016	% OF BUDGET	VARIANCE
CHARGE FOR SERVICES							
Concussions	\$ 18,000	\$ 4,870	27.06%	\$ 30,000	\$ 7,925	26.42%	\$ (3,055)
Sponsorships	\$ 230,000	\$ 211,299	91.87%	\$ 230,000	\$ 140,548	61.11%	\$ 70,751
Pro Shop	\$ 8,500	\$ 5,429	63.87%	\$ 8,500	\$ 5,753	67.68%	\$ (324)
Programs	\$ 31,000		0.00%	\$ 280,000	\$ 268,540	95.91%	\$ (268,540)
Rental Income	\$ 672,250	\$ 618,038	91.94%	\$ 398,500	\$ 348,739	87.51%	\$ 269,299
Camps/Clinics	\$ 50,000	\$ 42,185	84.37%		\$ 41,610		\$ 575
Tournaments	\$ 50,000	\$ 36,577	73.15%	\$ 50,000	\$ 31,356	62.71%	\$ 5,221
TOTAL CHARGE FOR SERVICES	\$ 1,059,750	\$ 918,398	86.66%	\$ 997,000	\$ 844,471	84.70%	\$ 73,927
INTEREST ON INVESTMENTS	\$ -			\$ -			
GRAND TOTAL REVENUES	\$ 1,059,750	\$ 918,398	86.66%	\$ 997,000	\$ 844,471	84.70%	\$ 73,927

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

DESCRIPTION	ACTUAL				ACTUAL			
	FY 2016 BUDGET	EXPENDITURES THRU MAR 2017	% OF BUDGET	FY 2015 BUDGET	EXPENDITURES THRU MAR 2016	% OF BUDGET	VARIANCE	
Salaries & Benefits	\$ 311,000	\$ 268,748	86.41%	\$ 311,000	\$ 268,119	86.21%	\$	629
Purchased Services	\$ 87,306	\$ 32,819	37.59%	\$ 96,150	\$ 46,052	47.90%	\$	(13,233)
Supplies	\$ 37,150	\$ 63,896	171.99%	\$ 17,500	\$ 39,418	225.25%	\$	24,478
Utilities	\$ 199,800	\$ 188,681	94.43%	\$ 200,200	\$ 165,741	82.79%	\$	22,940
Capital Outlay	\$ 57,000	\$ 20,368	35.73%	\$ 57,000	\$ 1,600	2.81%	\$	18,768
Rent	\$ 507,000	\$ 379,863	74.92%	\$ 507,000	\$ 422,070	83.25%	\$	(42,207)
	\$ 1,199,256	\$ 954,375	79.58%	\$ 1,188,850	\$ 943,000	79.32%	\$	11,375
GRAND TOTAL EXPENDITURES	\$ 1,199,256	\$ 954,375	79.58%	\$ 1,188,850	\$ 943,000	79.32%	\$	11,375

City of Auburn, Maine

"Maine's City of Opportunity"

Financial Services

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

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

INGERSOLL TURF FACILITY

Statement of Net Assets:

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

Current Assets:

As of the end of March 2017 the total current assets of Ingersoll Turf Facility were 41,892. This consisted of an interfund receivable of \$41,892 an increase from February of \$15,239.

Noncurrent Assets:

Ingersoll's noncurrent assets are the building and equipment that was purchased, less depreciation. The total value of the noncurrent assets as of March 31, 2017 was \$195,659.

Liabilities:

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

Statement of Activities:

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

The operating revenues for Ingersoll Turf Facility through March 2017 are \$137,532. This revenue comes from the sponsorships, programs, rental income and batting cages.

The operating expenses for Ingersoll Turf Facility through March 2017 were \$95,200. These expenses include personnel costs, supplies, utilities, repairs, capital purchases and maintenance.

As of March 2017 Ingersoll has an operating gain of \$42,332 compared to February's of \$27,093.

As of March 31, 2017 Ingersoll has an increase in net assets of \$42,332.

The budget to actual reports for revenue and expenditures, show that the revenue for FY17 compared to FY 16.

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

	March 31 2017	February 28 2017	Increase/ (Decrease)
ASSETS			
Current assets:			
Cash and cash equivalents		\$ -	\$ -
Interfund receivables/payables	\$ 41,892	\$ 26,653	15,239
Accounts receivable	-	-	-
Total current assets	41,892	26,653	15,239
Noncurrent assets:			
Capital assets:			
Buildings	672,279	672,279	-
Equipment	86,625	86,625	-
Land improvements	18,584	18,584	-
Less accumulated depreciation	(581,829)	(581,829)	-
Total noncurrent assets	195,659	195,659	-
Total assets	237,551	222,312	15,239
LIABILITIES			
Accounts payable	\$ -	\$ -	\$ -
Total liabilities	-	-	-
NET ASSETS			
Invested in capital assets	\$ 195,659	\$ 195,659	\$ -
Unrestricted	\$ 41,892	\$ 26,653	\$ 15,239
Total net assets	\$ 237,551	\$ 222,312	\$ 15,239

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

	Ingersoll Turf Facility
Operating revenues:	
Charges for services	\$ 137,532
Operating expenses:	
Personnel	69,789
Supplies	6,606
Utilities	13,368
Repairs and maintenance	3,315
Rent	-
Depreciation	-
Capital expenses	-
Other expenses	2,122
Total operating expenses	95,200
Operating gain (loss)	42,332
Nonoperating revenue (expense):	
Interest income	-
Interest expense (debt service)	-
Total nonoperating expense	-
Gain (Loss) before transfer	42,332
Transfers out	-
Change in net assets	42,332
Total net assets, July 1	195,219
Total net assets, March 31, 2017	\$ 237,551

CITY OF AUBURN, MAINE
REVENUES - INGERSOLL TURF FACILITY
Through March 31, 2017

REVENUE SOURCE	FY 2017 BUDGET	ACTUAL REVENUES THRU MAR 2017	% OF BUDGET	FY 2016 BUDGET	ACTUAL REVENUES THRU MAR 2016	% OF BUDGET
CHARGE FOR SERVICES						
Sponsorship	\$ 15,000	\$ 11,600	77.33%	\$ 15,000	\$ 7,135	47.57%
Batting Cages	\$ 9,940	\$ 9,625	96.83%	\$ -		
Programs	\$ 90,000	\$ 42,602	47.34%	\$ 8,640	\$ 41,504	480.37%
Rental Income	\$ 100,000	\$ 73,705	73.71%	\$ 191,300	\$ 69,148	36.15%
TOTAL CHARGE FOR SERVICES	\$ 214,940	\$ 137,532	63.99%	\$ 214,940	\$ 117,787	54.80%
INTEREST ON INVESTMENTS	\$ -			\$ -		
GRAND TOTAL REVENUES	\$ 214,940	\$ 137,532	63.99%	\$ 214,940	\$ 117,787	54.80%

CITY OF AUBURN, MAINE
EXPENDITURES - INGERSOLL TURF FACILITY
Through March 31, 2017

DESCRIPTION	ACTUAL			ACTUAL		
	FY 2017 BUDGET	EXPENDITURES THRU MAR 2017	% OF BUDGET	FY 2016 BUDGET	EXPENDITURES THRU MAR 2016	% OF BUDGET
Salaries & Benefits	\$ 101,899	\$ 69,789	68.49%	\$ 102,719	\$ 36,531	35.56%
Purchased Services	\$ 20,750	\$ 5,437	26.20%	\$ 20,250	\$ 1,923	9.50%
Programs	\$ 5,000	\$ 5,968	119.36%	\$ -		
Supplies	\$ 6,750	\$ 638	9.45%	\$ 6,750	\$ 5,910	87.56%
Utilities	\$ 41,320	\$ 13,368	32.35%	\$ 44,320	\$ 10,552	23.81%
Insurance Premiums	\$ 2,383	\$ -	0.00%	\$ 4,600	\$ -	0.00%
Capital Outlay	\$ -	\$ -		\$ -		
	\$ 178,102	\$ 95,200	53.45%	\$ 178,639	\$ 54,916	30.74%
GRAND TOTAL EXPENDITURES	\$ 178,102	\$ 95,200	53.45%	\$ 178,639	\$ 54,916	30.74%