



**City Council Workshop & Meeting
December 19, 2016
Agenda**

5:30 P.M. Workshop

- A. Landfill Solar Array Project – Derek Boulanger (45 minutes)
- B. City Owned Property – Jill Eastman and Eric Cousens (45 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.
- II. **Minutes**
 - December 5, 2016 Regular Council Meeting
- III. **Communications, Presentations and Recognitions**
 - Welcome to State Senator Eric Brakey and State Representatives Bruce Bickford, Bettyann Sheats, and Gina Melaragno
- IV. **Open Session** – Members of the public are invited to speak to the Council about any issue directly related to City business which is *not on this agenda*.
- V. **Unfinished Business**
 - 1. **Ordinance 09-10172016**
Amending the zoning map in the area of 1863 Pownal Road. First reading.
- VI. **New Business**
 - 2. **Order 93-12192016**
Approving the Liquor License and Special Amusement Permit for Lava/House of Bacon located at 34 Court Street.

VII. Executive Session

- Discussion regarding a personnel matter (City Manager search) with possible action to follow, pursuant to 1 M.R.S.A. §405(6)(A).
- Discussion regarding a real estate matter, pursuant to 1 M.R.S.A. §405(6)(C).

VIII. Reports

- a. Mayor's Report**
- b. City Councilors' Reports**
- c. City Manager Report**
- d. Finance Director, Jill Eastman – November 2016 Monthly Finance Report**

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

X. Adjournment

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

- A. Discussion of personnel issues
- B. Discussion or consideration by a school board of suspension or expulsion
- C. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosure of the information would prejudice the competitive or bargaining position of the body or agency
- D. Labor contracts
- E. Contemplated litigation
- F. Discussion 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. Consultation between municipal officers and a code enforcement officer representing the municipality pursuant to Title 30-A, section 4452, subsection 1, paragraph in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: 12/19/2016

Order:

Author: Derek Boulanger, Facilities Manager/Purchasing Agent

Subject: Landfill Solar Array

Information: City Staff has been working with Revision Energy to explore the possibility of installing a solar array at one of the City's closed landfills with the goal of stabilizing or reducing future annual electricity costs. The two potential sites include the ash land fill located on Old Hotel Road and the land fill located on Gracelawn Road. Staff has also had preliminary discussions with the Maine Department of Environmental Protection and they are supportive of both locations as potential sites with preference to the ash landfill.

Advantages: Reduce the City's total electricity cost, through power provided by a clean renewable resource resulting in reduced carbon emissions.

Disadvantages:

City Budgetary Impacts: No upfront costs if funded through a Power Purchase Agreement

Staff Recommended Action: Create an RFP and solicit proposals for the design and construction of a solar array at the ash landfill.

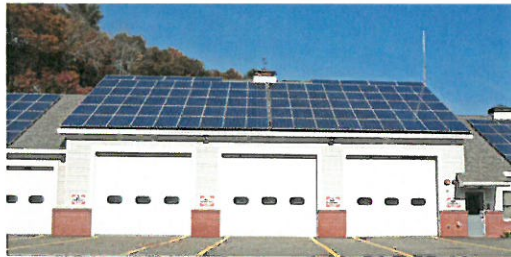
Previous Meetings and History:

Attachments:

- Revision Investments, solar information brochure
- Solar Power Purchase Agreement Structure
- Solar Power Purchase Agreement Term Sheet for the City of Auburn
- Case Study: City of Belfast's Landfill



Making Solar Power Affordable for
Government, Schools and Nonprofits



a division of



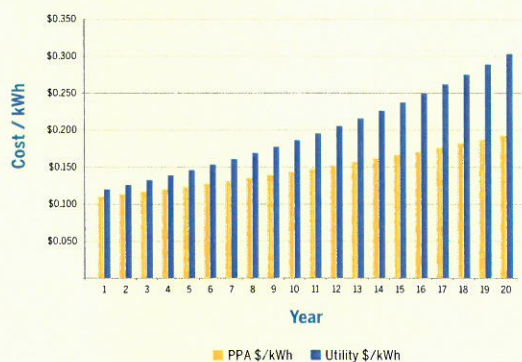
Solar panels generate electricity for more than four decades, without fuel input, from one single investment. But for many nonprofit organizations, schools, and government entities, the difficulty is paying for it. With tight and shrinking budgets the norm, how do you fund a solar installation?

A Solar Power Purchase Agreement (PPA) with ReVision Investments is the solution. In a Solar PPA, private investors fund the installation of an advanced solar-electric system at your facility, and sell you the clean, renewable energy according to a stable price schedule without price spikes and uncertainty that is so familiar in the fossil fuel-based, utility power market. The investors receive a return on their capital while your organization goes green without any upfront costs. Your organization achieves its sustainability goals without burdening your operating and capital budgets, and the world benefits from a reduction in carbon emissions from fossil fuels.

BENEFITS OF SOLAR ELECTRIC POWER

- 100% clean energy / zero emissions
- totally renewable / limitless energy source
- high reliability, low maintenance
- costs unaffected by supply and demand, or geopolitics
- reduces America's dependence on imported fuel

PV SOLAR IS PROVEN SOLUTION



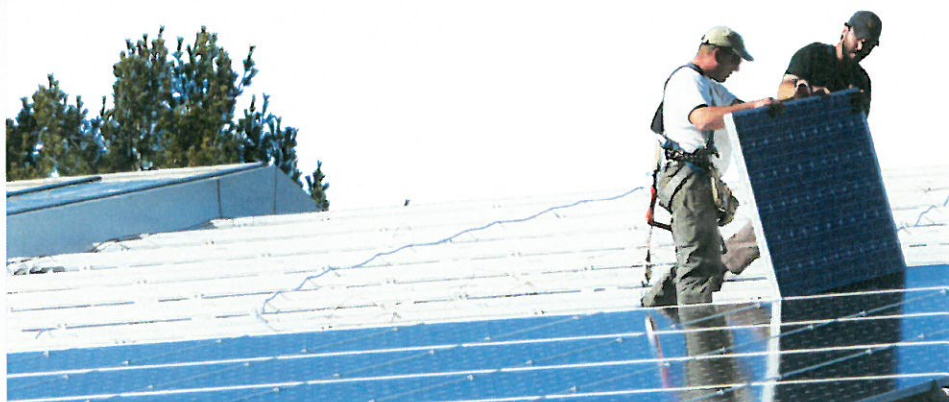
BENEFITS TO THE HOST ORGANIZATION

- go green with no initial investment
- limit exposure to electricity price instability
- limit risk with low maintenance and insurance costs
- visibly demonstrate environmental commitment

Making Solar Affordable

ReVision Investments specializes in forming partnerships with investors and/or philanthropists on the one hand, and public sector or nonprofit organizations on the other, to finance and build solar projects at a fraction of the usual cost. A ReVision PPA is a unique win-win-win solution for the investors, the organization, and the environment. It's a mission-driven rather than profit-driven instrument, meeting all parties' requirements while deploying clean, durable, affordable renewable energy right where it is needed most, on those institutions with the greatest commitment to the long-term sustainability of our region and our planet. But how does it work?

Individuals and companies are eligible to receive federal tax credits for investments in renewable energy installations,* yet surprisingly, local governments and nonprofits are ineligible for these same incentives. So ReVision bridges the gap with a Solar Power Purchase Agreement. Under a Solar PPA, the host organization leases roof or ground space to an investor who finances, builds, owns and operates the solar system for at least six years, and monetizes the tax benefits. Electricity from the solar array is sold to the host at stable, predictable prices. After the tax incentives have been fully realized, the host has the option to either purchase the system or continue to buy clean solar power.



Investors as Partners

ReVision Investments recognizes that New England is a very special place to all of us. So we've chosen to partner with investor groups who share our vision of a sustainable New England. These investors have committed capital to work in our region, at a rate of return below what can often be had in other states, so that our schools, municipalities, and institutions can acquire solar power affordably. ReVision Investments brings capital that boosts the local economy and sustains the local culture that is so important to all of us in New England.

ReVision Investments: Making Solar Happen

ReVision Investments makes solar energy projects feasible to schools, universities, churches, charitable nonprofits, municipalities and other governmental and tax-exempt entities through our partnerships with green-minded investors, foundations, philanthropists, and community members. As a division of ReVision Energy, we promote the construction of new solar electricity projects by identifying ideal installation locations, creating rigorous financial analyses, and building and maintaining clean energy systems that significantly reduce fossil fuel costs and CO₂ emissions.

With more than 4,500 projects completed, ReVision Energy is the largest and most experienced solar integrator in northern New England. ReVision pioneered the full-service mechanical contracting approach to solar electric and solar hot water system integration in Maine and New Hampshire. We then invested our own capital to develop the ReVision PPA in support of our home towns, schools and community non-profits. Our depth of experience—as an installer, developer and system owner—guarantees every client a reliable, performance-optimized solar energy system that will last for decades in the region's challenging climate.



OUR INVESTORS ACHIEVE

- substantial tax credit for their investment
- accelerated depreciation for tax purposes
- income generation / return on investment
- low risk
- a legacy of environmental stewardship and support for the sustainable institution



REVISION'S SOLAR PPA FEATURES

- site assessment
- system design and engineering
- project modeling and lifetime cost savings report
- project development and financing
- certified installation by our local professionals
- ongoing system monitoring and maintenance
- all permits and certifications
- property and liability insurance coverage
- Renewable Energy Certificates (RECs)



* Eligibility: Individual and closely held C-Corp investors must comply with the IRS's "Passive Activity Limitations."
(See Instructions for Form 8810, and IRS Publication 925.)



Professional design, installation and service of solar energy systems

ReVision's Solar PPA Structure

How a PPA Works

- The City of Auburn licenses land to a third-party Investor
- Investor finances, builds, owns, and operates the solar project on behalf of the City
- The City buys solar electricity from the Investor at a competitive rate for 6 to 30 years
- Standard PPA term can range from 20 to 30 years
- City has option to purchase the system after 6 years at significant discount to upfront cost
- Investor recoups investment through federal tax incentives (30% federal tax credit and accelerated depreciation), Renewable Energy Credit (REC) sales, and energy payments

Solar Energy Endowment - One Financing Option for Projects Roughly 500 kW and Larger

- Project is financed through a combination of the mission-driven tax equity investor (TEI) and long-term, low-interest debt
- ReVision Energy
 - Lean, transparent development and construction costing
 - Performs development, engineering, procurement, and construction
 - Financial modeling, O&M services, and REC management
- City of Auburn
 - Provides the ground space
 - Holds Net Metering Agreement with Utility
 - Buys the solar electricity
 - Option to assume the remaining debt after 6 years, and from then on, energy savings cover debt payments

Summary of General Financing Structure

- City purchases solar electricity for years 1 through 6 at a pre-agreed upon rate that is competitive with the City's current utility rate
- City has the option to take ownership of the system through an outright purchase, or by assuming the low-interest debt, at which point energy savings cover debt payments
- It is ReVision's goal to design a solar PPA that keeps the City revenue-neutral while it is paying for solar electricity and for the entire debt term
- Solar energy systems have a 40 year commercial lifespan, so as soon as the debt is paid off, the array delivers decades of extensive savings on the City's energy bills



91 West Main Street
Liberty, ME 04949

(207) 589-4171

142 Presumpscot Street
Portland, ME 04103

(207) 221-6342

14 Dixon Ave
Concord, NH 03301

(603) 415-0151

7 Commercial Drive
Brentwood, NH 03833

(603) 679-1777



Professional design, installation and service of solar energy systems

Solar PPA Term Sheet for the City of Auburn

Project Description

- System Size: 964.8 kW
- Annual Generation: 1,222,870 kWh
- Total Municipal Load Offset: 29%
- Estimated Annual Energy Savings: \$100,00 - \$110,000
- Annual Carbon Offset: 1,138,492 lbs.

Power Purchase Agreement (PPA)

- Project Financed by Third Party Investor
- No upfront cost to the City of Auburn
- City purchases electricity generated by solar project for 6 to 20 years, at rates competitive with current utility prices
- City has option to purchase the system after 6 years at significant discount to upfront cost



Preliminary 964.8 kW solar layout for the City's Ash Landfill

City of Auburn System Site Options

- Ash Landfill
- Gracelawn Road Landfill
- Parks Garage (55 kW rooftop project)

ReVision's PPA Project Experience

- 15 Municipal PPA projects
- More than 25 PPA projects in Maine, including
 - City of Belfast (Landfill)
 - Saint Dominic Academy
 - Town of Scarborough
 - City of South Portland
 - Town of Wells
 - Town of Bar Harbor



Maine's first landfill solar energy system, installed for the City of Belfast

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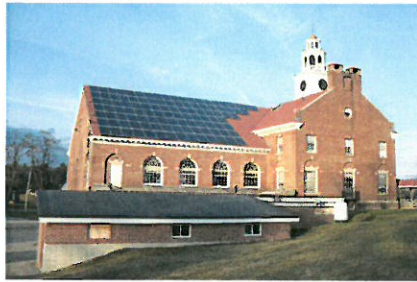
A Few of the Many ReVision Solar PPA Successes



The City of South Portland, Maine, partnered with ReVision Investments to install a 21.2 kW solar project on the main office of its Department of Planning & Development. Financing the project with a Solar PPA, the city installed the system at no upfront cost and will save about 10% annually on the department's electricity costs for the first six years. Following that, the city may purchase the system at a significant discount, resulting in even greater cost savings. The project will produce over 25,000 kWh of electricity annually and will reduce South Portland's operating expenses by more than \$90,000 over the system's lifetime.

"South Portland is definitely going to save money. There has been a very favorable community response as a result of the solar project. I think it demonstrates that the city is working hard to be environmentally conscious as well as fiscally responsible."

Charles Haeuser, Director of Planning & Development, South Portland



Good Will-Hinckley is a unique residential charter school in central Maine that prepares high school students for careers in farming, forestry, sustainability, alternative energy and related fields. ReVision Investments partnered with Good Will-Hinckley in 2011 to install a 28.20 kW solar array on the roof of the school's century-old Prescott Hall as a first step in a campus-wide initiative to rebuild the school and reduce its energy costs and carbon footprint. The school incurred no capital costs for the system, which will produce over 37,000 kWh of electricity annually. After six years, Good Will-Hinckley will have the option to purchase the solar array at a fraction of its original price, significantly reducing its electric bill.

"Every cent that we save on this electric bill will go to scholarships for kids who need help. That's the biggest win for us."

Glenn Cummings, President, Good Will-Hinckley School



Colby-Sawyer College, near New Hampshire's scenic Lake Sunapee, has a long-standing policy to eliminate greenhouse gas emissions and integrate sustainability into its curriculum and overall educational experience. In 2012, ReVision Investments partnered with Colby-Sawyer College to install a total of 127 kW of solar panels on four campus buildings. The project will produce over 152,000 kWh of electricity annually and save the college over \$500,000 over the system's lifetime.

"We had had conversations with a number of different companies about solar PPA projects before ReVision, but because they were all looking for a significant return on their investment, the project was out of our reach. ReVision's PPA offer allowed us to have solar panels installed on campus and save money from day one. After six years we will have the opportunity to purchase the solar panels at an incredible discount."

Jen White, Sustainability Coordinator, Colby-Sawyer College

IF YOU WANT TO...

- ... find out if a Solar PPA can help your organization save on energy costs and reduce its carbon footprint,
- ... learn more about investing in a Solar PPA,
- ... investigate the advantages of charitable donations through a Solar PPA,

THEN PLEASE CONTACT

ReVision Investments
Maine-New Hampshire
Massachusetts-Vermont
207-518-8219

solarppas@ReVisionInvestments.com



www.ReVisionenergy.com



ReVision
Energy

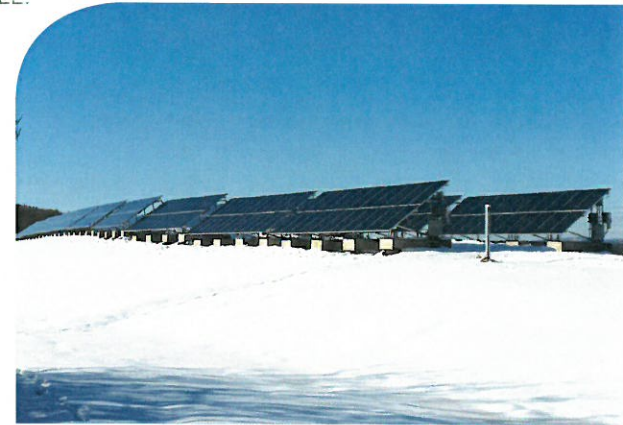
CASE STUDY: CITY OF BELFAST'S LANDFILL - Belfast, Maine

IN 2015, THE CITY OF BELFAST INSTALLED 396 SOLAR MODULES ON THEIR CLOSED MUNICIPAL LANDFILL.

The solar panels will produce roughly 150,000 kilowatt hours of clean, renewable energy each year for the next 30 to 40 years, or enough to power 25 average Maine homes. The array will offset roughly 20% of the City's annual electrical use, and keep more than 68 tons of carbon dioxide air pollution out of the air each year.

Electricity generated at the site is sent onto the grid, where the utility counts each kilowatt hour. These kilowatt hour credits are then allocated to other meters owned by the City, allowing the sun that shines on a formerly underutilized piece of land to provide energy for City buildings unable to utilize solar energy directly.

The array, located on top of a landfill closed in 1997, is the first such installation in Maine, and is a result of collaboration between the City of Belfast, the Maine Department of Environmental Protection, and ReVision Energy. Many communities possess landfills or other areas unsuitable for other types of development, and the chance to put them to use producing clean, renewable electricity represents a significant step toward the new energy economy. The project was financed under a power purchase agreement, whereby a private party purchases, installs, and maintains the solar array, selling the electricity generated at competitive rates to the City. After 6 years, they will have the option to buy the solar system at a fraction of its original cost. A purchase would generate the highest possible savings for the City over the solar array's 40-year commercial life, and will allow them to lock in energy prices for the next four decades at an average rate that is below today's market price.



PROJECT TYPE	Municipal
SYSTEM SIZE	120.78 kW
SYSTEM OUTPUT	150,000 kW hours/year
CO ₂ REDUCTION	137,000 lbs/year

PORTLAND, ME
207.221.6342

LIBERTY, ME
207.589.4171

EXETER, NH
603.679.1777

CONCORD, NH
603.415.0151

CONTACT US FOR A FREE SOLAR CONSULTATION
revisionenergy.com



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: December 19, 2016

Author: Jill Eastman, Finance Director

Subject: City Owned Property

Information: Attached is a list of City Owned Property, a list of unused City Property, Tax Acquired Property Policy and a Sale of Property addendum to the City's Purchasing and Procurement Policy for your review.

Advantages:

Disadvantages:

City Budgetary Impacts:

Staff Recommended Action: No action at this time.

Previous Meetings and History: Meeting with the Finance and Administration Committee.

Attachments:

Complete list of City owned property
List of unused City owned property
Tax acquired property policy
Sale of property addendum to the City's purchasing and procurement policy

ALL CITY OWNED PROPERTY

Prepared 12/13/16

Map/Lot	Owner	Address	Land Use Codes		Acreage	Land Value	Yard Items	Bldg Value	Total Value	Use
230-163	AUBURN CITY OF	277 MAIN ST	62	DE	6.57	305,700	0	1,500,300	1,806,000	Great Falls School
239-010	AUBURN CITY OF / C/O SCHOOL DEPT	161 PARK AV	62	GB8	11.72	83,600	104,800	6,064,000	6,252,400	Park Ave School
241-021	AUBURN CITY OF	112 MAIN ST	56	CB	1.28	677,500	31,400	3,600	712,500	Festival Plaza
241-031	AUBURN CITY OF	60 COURT ST	61	CB	1.46	753,700	0	11,247,400	12,001,100	City Bldg
156-005-00:	AUBURN CITY OF / LEWISTON CITY OF	WEST HARDCRABBLE RD	58	AG	0.19	200	0	0	200	Vacant land
247-053	AUBURN CITY OF / LEWISTON CITY OF	YANKEE WY	58	MISC	0.01	400	0	0	400	Vacant land
249-157-00:	AUBURN CITY OF / C/O WATERS CHERRI M	LINDEN ST	58	MISC	0.25	3,400	0	0	3,400	Vacant land
241-009-00:	AUBURN CITY OF	GREAT FALLS PLZ	56	CB	0.20	145,000	0	0	145,000	Great Falls Plaza
241-025	AUBURN CITY OF	131 MAIN ST	60	CB	0.74	443,000	48,400	0	491,400	Parking Lot
345-020	AUBURN CITY OF	OAK HILL RD	58	MISC	0.06	2,200	0	0	2,200	Vacant land
191-057	AUBURN CITY OF	73 PAUL ST	01	R2	0.23	31,200	0	0	31,200	CDBG Vacant land
389-049	AUBURN CITY OF	95 JOHNSON RD	66	MISU	0.25	100	0	0	100	Cemetery
247-052	AUBURN CITY OF / LEWISTON CITY OF	YANKEE WY	58	MISC	0.11	3,300	0	0	3,300	Vacant land
221-100	AUBURN CITY OF	6 SECOND ST	72	GB7	0.30	120,600	0	0	120,600	Vacant land
156-048	AUBURN CITY OF / LEWISTON CITY OF	LEWISTON JUNCTION RD	71	GB8	0.82	44,600	0	0	44,600	Vacant land
201-093	AUBURN CITY OF	10 LUCILLE ST	51	R2	0.23	31,200	0	0	31,200	CDBG Vacant land
221-064	AUBURN CITY OF	88 NEWBURY ST	01	R3	0.75	26,700	0	0	26,700	Vacant land
131-002	AUBURN CITY OF / LEWISTON CITY OF	KITTYHAWK AV	71	I1	4.97	266,800	0	0	266,800	Vacant land
131-007	AUBURN CITY OF / LEWISTON CITY OF	FLIGHT LINE DR	71	I1	9.74	401,000	0	0	401,000	Vacant land
107-020	AUBURN CITY OF / LEWISTON CITY OF	2977 HOTEL RD	45	I1	5.00	267,600	1,800	0	269,400	Vacant land
168-002	AUBURN CITY OF / LEWISTON CITY OF	HOTEL RD	71	I1	10.93	434,400	0	0	434,400	Vacant land
250-383	AUBURN CITY OF	18 WESTERN PROM	58	R3	0.12	19,400	0	0	19,400	vacant land
250-311	AUBURN CITY OF	143 HAMPSHIRE ST	51	R3	0.47	26,300	0	0	26,300	vacant land
290-010-00:	AUBURN CITY OF	985 TURNER ST	72	GB1	8.53	1,091,600	299,200	0	1,390,800	Arena parking lot
240-280	AUBURN CITY OF	SOUTH ST	58	MISC	0.34	3,400	0	0	3,400	vacant land
156-005	AUBURN CITY OF / LEWISTON CITY OF	WEST HARDCRABBLE RD	58	AG	0.15	100	0	0	100	vacant land
413-001	AUBURN CITY OF	269 SKILLINGS CORNER RD	66	MISU	6.90	2,100	0	0	2,100	Cemetery
106-007	AUBURN CITY OF / LEWISTON CITY OF	270 FOSTER RD	71	I3	73.09	301,200	0	0	301,200	vacant land
168-013	AUBURN CITY OF / LEWISTON CITY OF	85 LEWISTON JUNCTION RD	71	I1	1.57	168,500	0	0	168,500	vacant land
119-002	AUBURN CITY OF / LEWISTON CITY OF	KITTYHAWK AV	61	I1	23.20	693,100	0	0	693,100	vacant land
231-004	AUBURN CITY OF	261 MAIN ST	01	DE	0.22	55,000	5,100	0	60,100	Parking lot
250-177	AUBURN CITY OF	325 TURNER ST	51	R3	0.11	17,800	0	0	17,800	vacant land
250-331	AUBURN CITY OF	61 WEBSTER ST	51	R3	0.09	14,600	0	0	14,600	vacant land
142-001	AUBURN CITY OF / LEWISTON CITY OF	47 KITTYHAWK AV	71	I1	3.10	213,500	0	0	213,500	vacant land
156-028	AUBURN CITY OF	HOTEL RD	58	MISU	0.11	100	0	0	100	vacant land
130-002	AUBURN CITY OF / LEWISTON CITY OF	KITTYHAWK AV	71	I1	2.44	194,500	0	0	194,500	vacant land
221-071	AUBURN CITY OF	364 MAIN ST	51	R3	0.09	14,600	0	0	14,600	CDBG Vacant land
143-013	AUBURN CITY OF / LEWISTON CITY OF	OMNI CIR	58	MISC	0.50	3,600	0	0	3,600	vacant land
132-007	AUBURN CITY OF / LEWISTON CITY OF	2662 HOTEL RD	72	GB8	0.71	44,300	0	0	44,300	vacant land
156-022	AUBURN CITY OF / LEWISTON CITY OF	HOTEL RD	58	MISC	0.11	3,300	0	0	3,300	vacant land
155-004	AUBURN CITY OF / LEWISTON CITY OF	LEWISTON JUNCTION RD	71	I1	11.24	443,100	0	0	443,100	vacant land
241-018-00:	AUBURN CITY OF	MAIN ST	58	MISC	0.02	700	0	0	700	Walkway next to Gritty's
221-109	AUBURN CITY OF	9 BROAD ST	54	GB7	0.71	123,200	0	0	123,200	Vacant/abuts river
387-055	AUBURN CITY OF	SKILLINGS CORNER RD	58	MISC	0.14	3,300	0	0	3,300	vacant land
367-029	AUBURN CITY OF	2865 TURNER RD	66	MISU	0.57	200	0	0	200	Cemetery
221-048	AUBURN CITY OF	351 MAIN ST	51	R3	0.15	24,300	0	0	24,300	Vacant/abuts river

ALL CITY OWNED PROPERTY

Prepared 12/13/16

183-029	AUBURN CITY OF	VICKERY RD	52	R2	3.01	40,900	0	0	40,900 vacant land
230-132	AUBURN CITY OF	15 ACADEMY ST	60	DE	1.11	146,400	0	0	146,400 Parking lot
387-021	AUBURN CITY OF	HOLBROOK RD	58	AG	0.31	200	0	0	200 vacant land
143-007	AUBURN CITY OF / LEWISTON CITY OF	80 AIRPORT DR	61	I1	345.24	1,022,400	3,163,100	1,053,400	5,238,900 Airport
156-015	AUBURN CITY OF	75 CONSTELLATION DR	01	R2	23.96	93,900	4,100	268,000	366,000 Airport
221-103	AUBURN CITY OF	14 SECOND ST	03	GB8	0.14	28,400	0	128,700	157,100 vacant land
221-182	AUBURN CITY OF	43 SECOND ST	61	GB7	0.21	120,100	0	804,800	924,900 New Auburn Comm Center
229-003	AUBURN CITY OF	38 FALCON DR	62	GB8	26.27	111,000	67,000	6,974,100	7,152,100 School
239-114	AUBURN CITY OF	80 LAKE ST	62	GB8	1.88	51,200	26,500	417,400	495,100 School
240-199	AUBURN CITY OF	49 SPRING ST	61	CB	1.19	639,200	41,900	5,015,100	5,696,200 Library
240-233	AUBURN CITY OF	23 HIGH ST	62	DE	0.61	104,300	0	603,400	707,700 School
240-322	AUBURN CITY OF	77 HARRIS ST	62	GB8	56.23	167,200	217,200	9,378,200	9,762,600 School
250-095	AUBURN CITY OF	48 PETTENGILL PARK RD	61	GB8	45.29	146,700	27,100	1,436,500	1,610,300 Rec Dept
250-334	AUBURN CITY OF	24 CHESTNUT ST	61	GB8	7.05	74,600	2,300	128,000	204,900 Auburn Pal
260-197	AUBURN CITY OF	35 LAKE AUBURN AV	62	GB8	4.89	69,900	0	2,185,700	2,255,600 School
289-004	AUBURN CITY OF	296 GRACELAWN RD	61	GB1	18.12	2,645,400	9,200	2,117,300	4,771,900 Public Works
291-016	AUBURN CITY OF	651 CENTER ST	61	GB2	0.82	326,500	3,600	574,800	904,900 Fire Station
337-023	AUBURN CITY OF	15 ANDREW DR	62	R3	24.78	108,200	90,200	982,300	1,180,700 School
367-010	AUBURN CITY OF	114 FISH HATCHERY RD	56	GB8	10.33	77,500	6,000	154,100	237,600 Parkland
200-028-00:	AUBURN CITY OF	SHERWOOD DR	61	MISC	0.38	3,500	0	0	3,500 School
200-028-00:	AUBURN CITY OF	SHERWOOD DR	61	MISU	0.01	100	0	0	100 School
216-062	AUBURN CITY OF	GARFIELD RD	51	R2	0.52	31,700	0	0	31,700 Vacant land
237-090	AUBURN CITY OF	HOTEL RD	58	MISC	2.76	6,600	0	0	6,600 Vacant land
260-198	AUBURN CITY OF	115 WHITNEY ST	02	R3	0.11	17,800	0	0	17,800 School
250-349	AUBURN CITY OF	31 CHESTNUT ST	56	GB8	2.83	57,300	71,300	0	128,600 Parkland
211-069	AUBURN CITY OF	95 EIGHTH ST	51	R2	0.56	31,800	0	0	31,800 Vacant land
221-131	AUBURN CITY OF	RIVERSIDE DR	58	MISC	0.09	3,200	0	0	3,200 Vacant along river
237-051	AUBURN CITY OF	MASON ST	58	MISC	0.13	3,300	0	0	3,300 Vacant land
221-055	AUBURN CITY OF	115 NEWBURY ST	51	R3	0.16	25,900	0	0	25,900 Vacant land
191-103	AUBURN CITY OF	PAUL ST	58	MISC	0.07	2,500	0	0	2,500 Vacant land
237-080	AUBURN CITY OF	CHICOINE AV	58	MISC	0.04	1,400	0	0	1,400 Vacant land
191-087	AUBURN CITY OF	REGINALD ST	58	MISC	0.25	3,400	0	0	3,400 Vacant land
219-119	AUBURN CITY OF	CLEVELAND AV	56	GB8	3.04	58,600	0	0	58,600 Parkland
250-096	AUBURN CITY OF	DENNISON ST	58	MISC	0.02	700	0	0	700 Vacant land
261-056-00:	AUBURN CITY OF	85 NORTH RIVER RD	72	GB8	0.74	44,400	0	0	44,400 Boat launch
226-027	AUBURN CITY OF	188 CHICOINE AV	58	MISC	0.23	3,400	0	0	3,400 Vacant land
063-004	AUBURN CITY OF	2335 RIVERSIDE DR	66	MISU	0.82	200	0	0	200 Cemetary
221-272	AUBURN CITY OF	SOUTH MAIN ST	56	R3	0.33	26,100	0	0	26,100 Parkland
144-015	AUBURN CITY OF	DAVID DR	58	MISC	1.11	4,200	0	0	4,200 Vacant land
135-076	AUBURN CITY OF	155 POWNAL RD	66	MISU	5.34	1,600	0	0	1,600 Cemetary
240-169	AUBURN CITY OF	UNION ST	58	GB8	0.02	4,000	0	0	4,000 Vacant land
221-067	AUBURN CITY OF	104 NEWBURY ST	51	R3	0.19	25,900	0	0	25,900 Vacant/abuts river
231-069	AUBURN CITY OF	MILLER ST	56	CB	1.28	677,500	15,400	0	692,900 Parkland
211-083	AUBURN CITY OF	SOUTH MAIN ST	58	MISC	0.05	1,800	0	0	1,800 Vacant land
237-060	AUBURN CITY OF	MASON ST	58	MISC	0.20	3,300	0	0	3,300 Vacant land
198-036	AUBURN CITY OF	RODMAN RD	58	MISC	0.22	3,300	0	0	3,300 Vacant land

ALL CITY OWNED PROPERTY

Prepared 12/13/16

182-003	AUBURN CITY OF	BROAD ST	52	R2	17.34	81,400	0	0	81,400 Vacant land
079-032	AUBURN CITY OF	77 OLD HOTEL RD	61	R3	31.62	79,500	0	0	79,500 Vacant land
221-074	AUBURN CITY OF	8 SOUTH MAIN ST	72	GB7	0.10	62,500	0	0	62,500 Vacant land
271-080-00:	AUBURN CITY OF	140 NORTHERN AV	58	MISU	9.21	2,800	0	0	2,800 Vacant land
241-005	AUBURN CITY OF	76 COURT ST	60	CB	0.27	200,600	0	0	200,600 Parking lot
135-100	AUBURN CITY OF	355 OLD DANVILLE RD	66	MISU	0.34	100	0	0	100 Cemetary
188-035	AUBURN CITY OF	BRETTON AV	58	MISC	0.28	3,400	0	0	3,400 Vacant land
231-031	AUBURN CITY OF	284 MAIN ST	56	DE	0.23	57,500	0	0	57,500 Parkland/Riverwalk
230-063	AUBURN CITY OF	MINOT AV	72	GB4	0.09	23,900	0	0	23,900 Vacant land
201-139	AUBURN CITY OF	LOUISE ST	58	MISC	0.12	3,300	0	0	3,300 Vacant land
229-010-00:	AUBURN CITY OF	491 COURT ST	61	X	0.00	0	1,500	0	1,500 Cell shelter
230-065	AUBURN CITY OF	87 MINOT AV	72	GB4	0.37	91,100	0	0	91,100 Vacant land
187-034-00:	AUBURN CITY OF	BRANN AV	58	MISU	0.46	100	0	0	100 Vacant land
161-009	AUBURN CITY OF	SOUTH WITHAM RD	58	AG	1.06	800	0	0	800 Vacant land
079-019	AUBURN CITY OF	65 OLD HOTEL RD	66	MISU	0.18	100	0	0	100 Cemetary
271-100	AUBURN CITY OF	NORTH RIVER RD	50	GB8	0.74	44,400	0	0	44,400 Vacant/abuts river
231-018	AUBURN CITY OF	96 MILLER ST	56	MISC	0.21	3,300	0	0	3,300 Parkland
289-003	AUBURN CITY OF	159 GRACELAWN RD	61	AG	26.50	21,200	76,400	0	97,600 Tower/Shelter
198-063	AUBURN CITY OF	SMITH ST	58	MISC	0.23	3,400	0	0	3,400 Vacant land
079-059	AUBURN CITY OF	POLAND SPRING RD	58	MISC	0.35	3,500	0	0	3,500 Vacant land
237-019	AUBURN CITY OF	42 SANDY BEACH RD	51	R3	0.13	21,100	0	0	21,100 Vacant land
367-009	AUBURN CITY OF	94 FISH HATCHERY RD	56	R3	3.87	30,900	0	0	30,900 Parkland
221-104	AUBURN CITY OF	51 BROAD ST	60	GB7	0.25	120,300	7,300	0	127,600 Parking lot
211-003	AUBURN CITY OF	175 SOUTH MAIN ST	51	R2	0.13	25,400	0	0	25,400 Vacant land
240-212	AUBURN CITY OF	TROY ST	60	GB8	0.52	43,900	0	0	43,900 Parking lot
191-101	AUBURN CITY OF	SOUTH MAIN ST	52	R2	34.24	113,300	0	0	113,300 Vacant land
019-009	AUBURN CITY OF	1698 JORDAN SCHOOL RD	66	MISU	0.09	100	0	0	100 Cemetary
192-001	AUBURN CITY OF	653 RIVERSIDE DR	66	MISU	0.07	100	0	0	100 Cemetary
266-045	AUBURN CITY OF	59 WILLARD RD	58	MISU	0.09	100	0	0	100 Vacant land
240-231	AUBURN CITY OF	57 HIGH ST	56	DE	0.14	35,000	0	0	35,000 Parkland
260-022	AUBURN CITY OF	192 WINTER ST	58	R3	0.28	26,000	0	0	26,000 Vacant land
221-058	AUBURN CITY OF	103 NEWBURY ST	51	R3	0.21	25,900	0	0	25,900 Vacant land
326-006	AUBURN CITY OF	1095 NORTH RIVER RD	66	MISU	0.69	200	0	0	200 Cemetary
115-010	AUBURN CITY OF	RIVERSIDE DR	66	MISU	0.38	100	0	0	100 Cemetary
269-005	AUBURN CITY OF	SUMMER ST	51	R3	13.68	59,100	0	0	59,100 Vacant land
207-079	AUBURN CITY OF	SWETT AV	58	MISC	0.58	3,600	0	0	3,600 Old paper street
231-020	AUBURN CITY OF	186 MAIN ST	72	DE	0.13	32,500	0	0	32,500 Vacant land
219-023	AUBURN CITY OF	FAIRVIEW AV	58	MISC	0.02	700	0	0	700 Vacant land
241-004	AUBURN CITY OF	MECHANICS ROW	54	DE	0.43	86,500	0	0	86,500 Vacant land
212-005	AUBURN CITY OF	22 JOSEPH LN	58	MISC	0.05	1,800	0	0	1,800 Vacant land
241-009	AUBURN CITY OF	GREAT FALLS PLZ	72	CB	8.25	1,085,400	2,700	0	1,088,100 Great Falls Plaza
247-051	AUBURN CITY OF	CREST AV	61	MISC	1.27	4,400	0	0	4,400 Access Road
221-183	AUBURN CITY OF	41 SECOND ST	72	GB7	0.14	87,500	0	0	87,500 Vacant land
231-017	AUBURN CITY OF	74 MILLER ST	56	CB	0.95	535,800	0	0	535,800 Parkland
230-089	AUBURN CITY OF	133 PLEASANT ST	60	DE	0.28	67,400	0	0	67,400 Parking lot
250-382	AUBURN CITY OF	126 GOFF ST	58	MISC	0.15	3,300	0	0	3,300 Vacant land
178-001	AUBURN CITY OF	232 FLETCHER RD	66	MISU	0.59	200	0	0	200 Cemetary

ALL CITY OWNED PROPERTY

Prepared 12/13/16

221-089	AUBURN CITY OF	MILL ST	58	GB8	0.03	6,100	0	0	6,100 Vacant land
055-008	AUBURN CITY OF	BROWNS CROSSING RD	61	MISC	0.24	3,400	0	0	3,400 Vacant land
109-010	AUBURN CITY OF	1836 WASHINGTON ST N	58	MISC	1.23	4,300	0	0	4,300 Vacant land
250-094	AUBURN CITY OF	85 DENNISON ST	56	R3	0.08	13,000	0	0	13,000 Parkland
221-101	AUBURN CITY OF	8 SECOND ST	29	GB7	0.49	121,800	0	0	121,800 Boat launch
155-002	AUBURN CITY OF	233 LEWISTON JUNCTION RD	55	I1	42.80	716,200	1,405,700	175,600	2,297,500 Intermodel Facility
200-028	AUBURN CITY OF	32 SHERWOOD DR	62	GB8	53.50	162,100	25,900	4,591,800	4,779,800 School
206-052	AUBURN CITY OF	33 INDUSTRY AV	36	I2	3.26	102,300	60,600	506,900	669,800 School
209-035	AUBURN CITY OF	550 MINOT AV	61	GB4	5.34	292,000	31,700	1,253,500	1,577,200 Fire Station
209-059	AUBURN CITY OF	435 MINOT AV	62	GB8	10.02	80,300	19,300	6,035,400	6,135,000 School
210-084	AUBURN CITY OF	94 NINTH ST	56	GB8	1.47	48,500	3,500	104,000	156,000 Ballfields
211-194	AUBURN CITY OF	92 MARY CARROLL ST	62	GB8	11.30	82,800	92,700	2,173,800	2,349,300 School
211-289	AUBURN CITY OF	180 SOUTH MAIN ST	61	GB8	0.73	44,400	500	185,300	230,200 Fire Station
213-014	AUBURN CITY OF	106 SMALL RD	61	AGR3	344.33	305,200	0	12,400	317,600 Mt Appetite

of Parcels: 153

Land Value: 19,597,400

Yard Value: 5,963,400

Building Value: 66,075,800

Total Value: 91,636,600

CITY OWNED PROPERTY UNUSED
Prepared 12/13/16

Map/Lot	Owner	Address	Land Use Codes		Acreeage	Land Value	Yard Items	Bldg Value	Total Value	Use
156-005-001	AUBURN CITY OF / LEWISTON CITY OF	WEST HARDCRABBLE RD	58	AG	0.19	200	0	0	200	Vacant land
247-053	AUBURN CITY OF / LEWISTON CITY OF	YANKEE WY	58	MISC	0.01	400	0	0	400	Vacant land
249-157-001	AUBURN CITY OF / C/O WATERS CHERRI M	LINDEN ST	58	MISC	0.25	3,400	0	0	3,400	Vacant land
345-020	AUBURN CITY OF	OAK HILL RD	58	MISC	0.06	2,200	0	0	2,200	Vacant land
191-057	AUBURN CITY OF	73 PAUL ST	01	R2	0.23	31,200	0	0	31,200	CDBG Vacant land
247-052	AUBURN CITY OF / LEWISTON CITY OF	YANKEE WY	58	MISC	0.11	3,300	0	0	3,300	Vacant land
221-100	AUBURN CITY OF	6 SECOND ST	72	GB7	0.30	120,600	0	0	120,600	Vacant land
156-048	AUBURN CITY OF / LEWISTON CITY OF	LEWISTON JUNCTION RD	71	GB8	0.82	44,600	0	0	44,600	Vacant land
201-093	AUBURN CITY OF	10 LUCILLE ST	51	R2	0.23	31,200	0	0	31,200	CDBG Vacant land
221-064	AUBURN CITY OF	88 NEWBURY ST	01	R3	0.75	26,700	0	0	26,700	Vacant land
131-002	AUBURN CITY OF / LEWISTON CITY OF	KITTYHAWK AV	71	I1	4.97	266,800	0	0	266,800	Vacant land
131-007	AUBURN CITY OF / LEWISTON CITY OF	FLIGHT LINE DR	71	I1	9.74	401,000	0	0	401,000	Vacant land
107-020	AUBURN CITY OF / LEWISTON CITY OF	2977 HOTEL RD	45	I1	5.00	267,600	1,800	0	269,400	Vacant land
168-002	AUBURN CITY OF / LEWISTON CITY OF	HOTEL RD	71	I1	10.93	434,400	0	0	434,400	Vacant land
250-383	AUBURN CITY OF	18 WESTERN PROM	58	R3	0.12	19,400	0	0	19,400	vacant land
250-311	AUBURN CITY OF	143 HAMPSHIRE ST	51	R3	0.47	26,300	0	0	26,300	vacant land
240-280	AUBURN CITY OF	SOUTH ST	58	MISC	0.34	3,400	0	0	3,400	vacant land
156-005	AUBURN CITY OF / LEWISTON CITY OF	WEST HARDCRABBLE RD	58	AG	0.15	100	0	0	100	vacant land
106-007	AUBURN CITY OF / LEWISTON CITY OF	270 FOSTER RD	71	I3	73.09	301,200	0	0	301,200	vacant land
168-013	AUBURN CITY OF / LEWISTON CITY OF	85 LEWISTON JUNCTION RD	71	I1	1.57	168,500	0	0	168,500	vacant land
119-002	AUBURN CITY OF / LEWISTON CITY OF	KITTYHAWK AV	61	I1	23.20	693,100	0	0	693,100	vacant land
250-177	AUBURN CITY OF	325 TURNER ST	51	R3	0.11	17,800	0	0	17,800	vacant land
250-331	AUBURN CITY OF	61 WEBSTER ST	51	R3	0.09	14,600	0	0	14,600	vacant land
142-001	AUBURN CITY OF / LEWISTON CITY OF	47 KITTYHAWK AV	71	I1	3.10	213,500	0	0	213,500	vacant land
156-028	AUBURN CITY OF	HOTEL RD	58	MISU	0.11	100	0	0	100	vacant land
130-002	AUBURN CITY OF / LEWISTON CITY OF	KITTYHAWK AV	71	I1	2.44	194,500	0	0	194,500	vacant land
221-071	AUBURN CITY OF	364 MAIN ST	51	R3	0.09	14,600	0	0	14,600	CDBG Vacant land
143-013	AUBURN CITY OF / LEWISTON CITY OF	OMNI CIR	58	MISC	0.50	3,600	0	0	3,600	vacant land
132-007	AUBURN CITY OF / LEWISTON CITY OF	2662 HOTEL RD	72	GB8	0.71	44,300	0	0	44,300	vacant land
156-022	AUBURN CITY OF / LEWISTON CITY OF	HOTEL RD	58	MISC	0.11	3,300	0	0	3,300	vacant land
155-004	AUBURN CITY OF / LEWISTON CITY OF	LEWISTON JUNCTION RD	71	I1	11.24	443,100	0	0	443,100	vacant land
221-109	AUBURN CITY OF	9 BROAD ST	54	GB7	0.71	123,200	0	0	123,200	Vacant/abuts river
387-055	AUBURN CITY OF	SKILLINGS CORNER RD	58	MISC	0.14	3,300	0	0	3,300	vacant land
221-048	AUBURN CITY OF	351 MAIN ST	51	R3	0.15	24,300	0	0	24,300	Vacant/abuts river
183-029	AUBURN CITY OF	VICKERY RD	52	R2	3.01	40,900	0	0	40,900	vacant land
387-021	AUBURN CITY OF	HOLBROOK RD	58	AG	0.31	200	0	0	200	vacant land
221-103	AUBURN CITY OF	14 SECOND ST	03	GB8	0.14	28,400	0	128,700	157,100	vacant land
216-062	AUBURN CITY OF	GARFIELD RD	51	R2	0.52	31,700	0	0	31,700	Vacant land
237-090	AUBURN CITY OF	HOTEL RD	58	MISC	2.76	6,600	0	0	6,600	Vacant land
211-069	AUBURN CITY OF	95 EIGHTH ST	51	R2	0.56	31,800	0	0	31,800	Vacant land
221-131	AUBURN CITY OF	RIVERSIDE DR	58	MISC	0.09	3,200	0	0	3,200	Vacant along river
237-051	AUBURN CITY OF	MASON ST	58	MISC	0.13	3,300	0	0	3,300	Vacant land
221-055	AUBURN CITY OF	115 NEWBURY ST	51	R3	0.16	25,900	0	0	25,900	Vacant land
191-103	AUBURN CITY OF	PAUL ST	58	MISC	0.07	2,500	0	0	2,500	Vacant land
237-080	AUBURN CITY OF	CHICOINE AV	58	MISC	0.04	1,400	0	0	1,400	Vacant land
191-087	AUBURN CITY OF	REGINALD ST	58	MISC	0.25	3,400	0	0	3,400	Vacant land
250-096	AUBURN CITY OF	DENNISON ST	58	MISC	0.02	700	0	0	700	Vacant land
226-027	AUBURN CITY OF	188 CHICOINE AV	58	MISC	0.23	3,400	0	0	3,400	Vacant land
144-015	AUBURN CITY OF	DAVID DR	58	MISC	1.11	4,200	0	0	4,200	Vacant land

CITY OWNED PROPERTY UNUSED
Prepared 12/13/16

240-169	AUBURN CITY OF	UNION ST	58	GB8	0.02	4,000	0	0	4,000 Vacant land
221-067	AUBURN CITY OF	104 NEWBURY ST	51	R3	0.19	25,900	0	0	25,900 Vacant/abuts river
211-083	AUBURN CITY OF	SOUTH MAIN ST	58	MISC	0.05	1,800	0	0	1,800 Vacant land
237-060	AUBURN CITY OF	MASON ST	58	MISC	0.20	3,300	0	0	3,300 Vacant land
198-036	AUBURN CITY OF	RODMAN RD	58	MISC	0.22	3,300	0	0	3,300 Vacant land
182-003	AUBURN CITY OF	BROAD ST	52	R2	17.34	81,400	0	0	81,400 Vacant land
079-032	AUBURN CITY OF	77 OLD HOTEL RD	61	R3	31.62	79,500	0	0	79,500 Vacant land
221-074	AUBURN CITY OF	8 SOUTH MAIN ST	72	GB7	0.10	62,500	0	0	62,500 Vacant land
271-080-001	AUBURN CITY OF	140 NORTHERN AV	58	MISU	9.21	2,800	0	0	2,800 Vacant land
188-035	AUBURN CITY OF	BRETTON AV	58	MISC	0.28	3,400	0	0	3,400 Vacant land
230-063	AUBURN CITY OF	MINOT AV	72	GB4	0.09	23,900	0	0	23,900 Vacant land
201-139	AUBURN CITY OF	LOUISE ST	58	MISC	0.12	3,300	0	0	3,300 Vacant land
230-065	AUBURN CITY OF	87 MINOT AV	72	GB4	0.37	91,100	0	0	91,100 Vacant land
187-034-001	AUBURN CITY OF	BRANN AV	58	MISU	0.46	100	0	0	100 Vacant land
161-009	AUBURN CITY OF	SOUTH WITHAM RD	58	AG	1.06	800	0	0	800 Vacant land
271-100	AUBURN CITY OF	NORTH RIVER RD	50	GB8	0.74	44,400	0	0	44,400 Vacant/abuts river
198-063	AUBURN CITY OF	SMITH ST	58	MISC	0.23	3,400	0	0	3,400 Vacant land
079-059	AUBURN CITY OF	POLAND SPRING RD	58	MISC	0.35	3,500	0	0	3,500 Vacant land
237-019	AUBURN CITY OF	42 SANDY BEACH RD	51	R3	0.13	21,100	0	0	21,100 Vacant land
211-003	AUBURN CITY OF	175 SOUTH MAIN ST	51	R2	0.13	25,400	0	0	25,400 Vacant land
191-101	AUBURN CITY OF	SOUTH MAIN ST	52	R2	34.24	113,300	0	0	113,300 Vacant land
266-045	AUBURN CITY OF	59 WILLARD RD	58	MISU	0.09	100	0	0	100 Vacant land
260-022	AUBURN CITY OF	192 WINTER ST	58	R3	0.28	26,000	0	0	26,000 Vacant land
221-058	AUBURN CITY OF	103 NEWBURY ST	51	R3	0.21	25,900	0	0	25,900 Vacant land
269-005	AUBURN CITY OF	SUMMER ST	51	R3	13.68	59,100	0	0	59,100 Vacant land
207-079	AUBURN CITY OF	SWETT AV	58	MISC	0.58	3,600	0	0	3,600 Old paper street
231-020	AUBURN CITY OF	186 MAIN ST	72	DE	0.13	32,500	0	0	32,500 Vacant land
219-023	AUBURN CITY OF	FAIRVIEW AV	58	MISC	0.02	700	0	0	700 Vacant land
241-004	AUBURN CITY OF	MECHANICS ROW	54	DE	0.43	86,500	0	0	86,500 Vacant land
212-005	AUBURN CITY OF	22 JOSEPH LN	58	MISC	0.05	1,800	0	0	1,800 Vacant land
221-183	AUBURN CITY OF	41 SECOND ST	72	GB7	0.14	87,500	0	0	87,500 Vacant land
250-382	AUBURN CITY OF	126 GOFF ST	58	MISC	0.15	3,300	0	0	3,300 Vacant land
221-089	AUBURN CITY OF	MILL ST	58	GB8	0.03	6,100	0	0	6,100 Vacant land
055-008	AUBURN CITY OF	BROWNS CROSSING RD	61	MISC	0.24	3,400	0	0	3,400 Vacant land
109-010	AUBURN CITY OF	1836 WASHINGTON ST N	58	MISC	1.23	4,300	0	0	4,300 Vacant land

of Parcels: 84

Land Value: 5,072,400

Yard Value: 1,800

Building Value: 128,700

City of Auburn

City Council, Auburn, Maine

Date: July 6, 2009

**TITLE: RESOLVE – AMENDMENT TO THE POLICY REGARDING THE
ACQUISITION AND DISPOSITION OF TAX ACQUIRED
PROPERTY**

Be It Resolved by the Auburn City Council, that the attached policy regarding the acquisition and disposition of tax acquired property is hereby approved as amended.

Motion for acceptance: Ronald Potvin

Seconded by: Robert Hayes

Vote: 6 Yeas with Councilor Herrick voting Nay

Action by the City Council: Passed

Date: July 6, 2009

Attest: 
City Clerk

City Council

Agenda Information Sheet

Council Meeting Date: 7/6/2009

Agenda Item No. 4

SUBJECT:

**RESOLVE – AMENDMENT TO THE POLICY REGARDING THE
ACQUISITION AND DISPOSITION OF TAX ACQUIRED
PROPERTY**

INFORMATION:

The City Council has collaborated with staff to amend the tax acquired policy to ensure that abutters receive notification of all tax-acquired property sales and that the Council be given the latitude to review a variety of concerns and issues when disposing of said property. The policy will also require a minimum bid of 50% of assessed value. This item was discussed at the June 15th City Council Workshop.

STAFF COMMENTS/RECOMMENDATION:

The City Manager recommends passage of this resolve.

REQUESTED ACTION:

Motion for passage of the resolve.

VOTE:



City of Auburn

Policy Regarding the Acquisition and Disposition of Tax Acquired Property

Article 1. Purpose

The purpose of this policy is to establish a procedure for the management, administration and disposition of real property acquired due to non-payment of taxes in accordance with Title 36 MRSA Sections 942 and 943 as amended. It is in the City's and the residents' best interest to have a clear policy with respect to the disposal of tax acquired property and to have that property disposed of efficiently as possible in order to:

- Return properties to the tax rolls;
- Reduce the opportunity for neighborhood blight by not having buildings or lots sit vacant and untended, thus potentially becoming an eyesore and a target for vandalism;
- Preserve neighborhoods by having properties sold in a timely manner, thus reducing the likelihood of deterioration or becoming dilapidated.

Article 2. Administration – "Tax Acquired Property Management Committee"

Section 2.1 Committee Established. The City Manager will appoint a staff committee which will be called the "Tax Acquired Property Management Committee".

Section 2.2 Committee Composition. The committee will have representation from those departments as determined by the City Manager which have a direct relationship to property administration in the City of Auburn. Permanent members of the committee will be the Finance Director, Tax Collector, Purchasing Agent and a representative of the City Manager's Office. The City Manager will name the committee chairperson.

Section 2.3 Meetings. The Committee will meet as often as necessary to carry out the duties and responsibilities set forth in this policy.

Article 3. Duties and Responsibilities of the City Tax Collector and the Committee

Section 3.1 Review of Properties. At least forty five (45) days prior to the foreclosure date, the City Tax Collector shall identify each property on the list and notify all members of the committee of the impending foreclosure. The identification shall include, but is not limited to, the following: property tax map and lot number, property owner name, property location by street address, current property use if improved with buildings, and any other information available that the Tax Collector feels will be helpful to the committee.

Section 3.2 Notice to Departments. The Tax Collector shall notify the following departments of the impending foreclosure, and provide the list of properties and the same information as provided to the committee: the City Manager, Community Development, Assessing Department, Economic Development, Planning and Code Enforcement, Parks and Recreation, Public Works Department, Engineering Division, Fire Department, Police Department, and City Clerk. In addition to the above named City departments, the Tax Collector will notify the Auburn Water District, the Auburn Sewer District and any other persons requesting such notification.

Section 3.3 Request for Department Review. At the time of the notice, the Tax Collector will request the departments to review the property list for the purpose of advising the committee of any properties which the City should not acquire through the lien foreclosure process. When appropriate, the department should perform a field visit to the property. In reviewing the list, each department will consider the criteria and guidelines established in this policy and by the Committee.

In order for the Committee to perform its work, each department must conduct its review and return its written findings and recommendations to the Tax Collector within five (5) business days.

~~**Section 3.4 Guidelines Regarding the Sale or Disposition of Tax Acquired Property.** All tax acquired properties will automatically be eligible for disposition immediately following foreclosure by the City with the following exceptions:~~

- ~~• In cases where the City has negotiated a payment plan with the owner for back taxes prior to foreclosure, and payments are being made accordingly; and~~
- ~~• In cases where the City wishes to retain ownership for municipal purposes, such as open space, public improvements, sewers, storm drains, parks and recreation, public safety, transportation, education, right of ways, storage areas, etc., or the City wishes to convey the property for a use which serves the City's interests.~~

Section 3.4 Guidelines for reviewing

When reviewing properties that may be subject to foreclosure, the Committee and the affected departments will, at a minimum, consider the following guidelines and criteria in determining whether the City should: (1) retain the property for public use, (2) sell the property, or (3) waive foreclosure:

- the property is either unfit or unnecessary for City use;
- the City wishes to retain ownership for municipal purposes;
- the property is adjacent to publicly owned land;
- there are buildings on the property that should be demolished;
- there are environmental liabilities or hazards present on the site;
- the property has investment or marketable value;
- there are uses that the property is suited for which meet the requirements of the City's zoning and land use ordinance;
- the property has value only to an abutter (provides additional set back, off

street parking, etc.).

The Committee may consider additional criteria in formulating its recommendation to the Manager and City Council regarding disposition of the property.

Section 3.5 Committee Action/Recommendations. The committee will meet to review the comments received from each department. The Committee will then forward a recommendation to the City Manager for appropriate action. The Committee will meet in sufficient time before the foreclosure deadline in order for the City Manager and City Council to have sufficient time to take any action that may be necessary, including waiver of foreclosure.

Article 4. Sale and Marketing of Tax Acquired Properties

The City of Auburn will dispose of tax acquired properties by the following method.

Section 4.1 Guidelines Regarding the Sale or Disposition of Tax Acquired Property. All tax acquired properties will automatically be eligible for disposition immediately following foreclosure by the City with the following exceptions:

- In cases where the City has negotiated a payment plan with the owner for back taxes - prior to foreclosure, and payments are being made accordingly; and
- In cases where the City wishes to retain ownership for municipal purposes, such as open space, public improvements, sewers, storm drains, parks and recreation, public safety, transportation, education, right of ways, storage areas, etc., or the City wishes to convey the property for a use which serves the City's interests.

Section 4.12 Sale to the Prior Owner. The City will first offer tax acquired property to the prior owner, it shall be offered upon the following conditions: Upon acquiring a property, the Tax Collector shall notify the prior owner that they have thirty (30) days within which to inform the City if they intend to redeem the foreclosed property. To redeem the property, the prior owner must pay all taxes assessed and unpaid, all interest on those unpaid taxes, all costs associated with the lien and foreclosure process and the estimated next fiscal year's property taxes if the redemption occurs after April 1st. If the prior owner has not entered into a payment plan or has not redeemed the property within sixty (60) days of the date of notification by the City, the City will proceed with the disposition in accordance with this policy. Nothing in this policy shall be construed to create any entitlement of reconveyance.

Section 4.23 Sale to Abutters. In the event the prior owner has declined or is unable to buy the property within the timeframe specified in Section 4.1, the property will be offered-advertised for sale to all immediate abutters and the general public. Immediate abutters will receive notice by certified mail and notice to the public will be by generally accepted means. requesting a bid for -All notices will require a minimum bid of 50% of the assessed value of the property. When selling any property the Council will take into consideration:

- Whether the lot is nonconforming and/or unbuildable.
- The needs of abutting properties for additional land to meet current zoning

requirements.

- The plans for neighborhood development or master planning and the potential effect on the neighborhood.
- The minimum bid price.

The Council will determine the outcome of all tax-acquired bids and reserves the right to accept or reject any proposal it receives.

~~If there is more than one acceptable proposal, and unless the City chooses to withdraw the property from the market, the highest offer will be accepted. The City will provide tax title only through a quit claim deed.~~

Section 4.3-4 Public Sales. Depending on the type of property and its value, the City may use a variety of marketing methods, as indicated below. Regardless of the method, the City reserves the right to accept or reject any proposal it receives. The Finance Department will maintain an updated list of all tax acquired properties which are available for sale and which will be provided to the public upon request.

i. Sealed Bids. The City may offer properties for sale by sealed bid in conformance with the City charter and applicable statutes. This sale will be conducted by the City's Purchasing Agent ~~within 90 days of the date of foreclosure.~~ The City retains the sole discretion to accept or reject any bid depending on whether the City determines a bid proposal meets the City's objectives.

ii. Request for Proposals. The City may solicit proposals using an RFP process.

iii. Real Estate Broker Contract. Vacant land, commercial, industrial, residential and multi-family residential properties which are determined to have investment or high sale value will be identified with a disclosure statement describing all property attributes. This disclosure statement will be obtained from the Assessing Department based on the available record and a field inspection when entry to the property can be obtained. The City may place these properties with a professional real estate broker to be marketed. If the properties are placed with a professional broker, they will be given a deadline within which to sell the property. If the property is not sold within that timeframe, thereafter if any broker produces a purchaser, which results in a sale, the broker will receive a commission.

Section 4.34. Rejection of Bid or Purchase Offer. All properties will be sold at a price acceptable to meet the City's priorities for reuse, taking into consideration the assessed value, the property's current condition, and potential use. Nothing in this policy shall limit or modify the discretion of the City Manager or the City Council to reject any bid offer to purchase, should they deem it in the best interests of the City to do so. All properties must be sold for uses in keeping with the City's zoning ordinance. The City may place criteria on the disposition of any property that meet or further the City's objectives including: the density of development, design standards, the intended use

(even when the particular use is allowed in that zone), and evidence of the buyer's financial ability to develop the property.

Article 5. Occupied Residential Properties. Prior to the conveyance by the City of a foreclosed residential property, the City will manage the property in accordance with the provisions of Title 14 MRSA Section 8104-A. The purpose for this provision is to avoid any liability, or management responsibility with regard to ownership of the property.

The City may notify the occupants that the property has been foreclosed and is in the possession of the City of Auburn. The City may choose to evict the occupants in accordance with the law. If the City allows the occupants to continue to reside in the building, the City will notify the occupants that it will perform no maintenance on the property or buildings, that the City will accept no financial obligations or responsibilities to operate the buildings and that the continued occupancy of the property is at the sole discretion and risk of the tenant or leasee.

Adopted by the Auburn City Council February 17, 1998
Amended by the Auburn City Council: January 29, 2009
Amended by the Auburn City Council: July 6, 2009

Addendum to the City of Auburn's Joint Purchasing and Procurement Policy Adopted by City Council on January 2, 2013

SALE OF PROPERTY: The Finance Director or his/her designee shall be responsible for the sale of all municipal property (real or personal) which is no longer used or has become obsolete, worn out or scrapped.

NOTICE: Department heads of all using agencies shall notify the Finance Director or his/her designee, at such times and in such form as he/she may prescribe, reports of all surplus material available in their respective departments.

TRANSFER: The Finance Director shall have the authority to transfer surplus property to other agencies after being offered to all City Departments.

SALE PROCEDURE: All sales which have an estimated dollar value over \$5,000 shall be sold at a public auction or through the formal competitive bid process. Stand alone sales from \$1,000 to \$5,000 shall be supported by price quotations from three (3) competitive sources or adequate explanation justifying the absence of such competition. Sales under \$1,000 and all other sales shall be conducted in the most economical manner and in the best interest of the City. All sales shall be posted to the City's website and an e-alert will be set up for anyone who is interested in such sales, to subscribe to.

DONATION: All items which might be donated to another town, municipality or non-profit organization shall require prior approval of the City Council.

In accordance with the City Charter, this policy applies to **all** City Departments, which includes the School Department.

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Mayor LaBonté called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

I. Consent Items

1. Order 89-12052016*

Re-appointing Susan Clements-Dallaire as Registrar of Voters with a term expiration of December 31, 2018.

2. Order 90-12052016*

Re-appointing Karen Scammon as City Assessor with a term expiration of January 31, 2019.

Motion was made by Councilor Burns and seconded by Councilor Walker for passage of consent items. Passage 7-0.

II. Minutes

- November 21, 2016 Regular Council Meeting

Motion was made by Councilor Walker and seconded by Councilor Gilbert to accept the minutes of November 21, 2016 as presented. Passage 7-0.

III. Communications, Presentations and Recognitions - None

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

Mamie Anthoine Ney, Director of the Auburn Public Library wanted to let the public know that the Library has been selected by YELP, an online review platform, to participate in their foundations annual grant contest. The library is one of three organizations in southern Maine that have an opportunity to win either \$5,000, \$3,000, or \$2,000. People can go to the Auburn Public Library's website and look for the link to the YELP contest and people can vote every day.

V. Unfinished Business

1. Ordinance 09-10172016

Amending the zoning map in the area of 1863 Pownal Road. First reading.

Motion was made by Councilor Burns and seconded by Councilor Gilbert to postpone until December 19, 2016. Passage 5-2 (Councilors Young and Walker opposed).

VI. New Business

2. Order 91-12052016

Funding for the Hampshire Street Project.

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Motion was made by Councilor Burns and seconded by Councilor Walker for passage of Order 91-12052016. Passage 7-0.

3. Order 92-12052016

Sapphire Entertainment. Public hearing.

Motion was made by Councilor Pross and seconded by Councilor Stone to approve the Liquor License (Class A Lounge) and Special Amusement Permit for Sapphire Entertainment, Inc. located at 150 Center Street.

Public hearing – Amanda Cloutier, owner, and Jeremy Fitts, manager provided Council with information regarding the establishment. No other members of the public spoke.

Passage 7-0.

VII. Executive Session - None

VIII. Reports

a. Mayor's Report

The Mayor reported that he will be meeting with Michael Chammings (Director of Economic and Community Development), and Acting City Manager, Denis D'Auteuil on Wednesday to talk about the Union Street target area and what it will take to see more private investment in this neighborhood. He is also looking at establishing an ad hoc committee to focus on that area.

He also reported that he would be establishing a Mayor's Committee on Sports Tourism and Visitor Impact. Marc Gosselin, General Manager of the Norway Savings Bank Arena, will staff the Committee.

Last, he provided an update on the L-A Railroad Board meeting that took place the morning of 12/5/2016. The meeting was to vote on a contract for services with the Lewiston Auburn Economic Growth Council. He expressed concerns that over the last fiscal year, the Railroad Company paid the Growth Council \$20,000 for administrative support (\$125 per hour after breaking down the number of hours worked). The Growth Council is now requesting \$25,000 for administrative support. The Mayor offered several amendments, and each of those amendments failed. He expressed his frustration and noted that he plans to work with Councilor Stone and Dick Trafton, the chair of the Railroad Board to come up with some ideas on what they would like to propose to the Railroad Board and will bring those forward to the Council for discussion.

b. City Councilors' Reports

Councilor Pross – reported that last Tuesday was the first formal meeting of the ELHS Building Committee. On December 14th, they will be interviewing architects for the project.

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Councilor Burns – reported that he also attended the ELHS Building Committee meeting. He is on the architect sub-committee and will be attending the meeting on December 14th.

Councilor Walker – thanked City staff for their assistance on the Christmas Parade in New Auburn. It was a great night out.

Councilor Titus – reported on the Androscoggin Budget Committee, and the litigation that took place regarding Charter disputes (whether or not the budget committee had complete authority over the budget and over salaries and benefits).

He also provided an update on the Water and Sewer District meetings.

Councilor Stone – reported on Gippers Auburn-Lewiston Sports Hall of Fame Basketball tournament. They had approximately a 25% increase adding that sports are a hot item in this community.

- c. **City Manager Report** – wanted to commend the Public Services Department for their efforts rolling out the Sand Buckets for Seniors Program.

He also handed out an informational sheet regarding a solar project that will be coming forward at the workshop on December 19, 2016.

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

No one from the public spoke.

- X. **Adjournment**

Motion was made by Councilor Stone and seconded by Councilor Walker to adjourn. All were in favor, the meeting adjourned at 7:52 PM.

A True Copy.

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



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: December 19, 2016

Ordinance: 09-10172016

Author: Eric Cousens, Deputy Director of Economic and Community Development

Subject: Zoning Map Amendment Request for Pownal Road Area

Information: The City Manager's office received a request from two Councilors for consideration to be given to a zone change in the area of 1863 Pownal Road and passed that along to the Economic and Community Development Department to carry through the review process. Staff brought the request to the Council Committee on Economic and Community Development and the committee directed staff to bring the item to the Planning Board for a recommendation to Council as required by ordinance for any zoning amendment. Staff drafted 4 options for the request and the Planning Board considered the item at the August 9th meeting. After public input and substantial deliberation the Planning Board tabled the item and requested additional information. At the September 13th meeting the board accepted additional public input beginning at about 8:00 minutes into the meeting and continued the extensive deliberation until making a motion to recommend approval at 46:50 minutes into the meeting. The motion to recommend approval with conditions failed 3 to 4 and the deliberation continued until 1 hour 04:05 minutes when a motion was made to recommend to the City Council that no change in Zoning District be approved at this time; the motion passed 4 / 3. The draft minutes of both meetings are attached and the videos of the Planning Board meetings are available at <http://www.greatfallstv.net/webstream.htm>. At the October 17, 2016 Council meeting the item was tabled to November 7th to allow the owner of 1863 Pownal Road to discuss obtaining land with the abutter. As of November 2nd they are still talking but have not reached an agreement. The owner of 1863 Pownal Road is asking for more time to continue the discussion.

Advantages: See staff report.

Disadvantages: See staff report.

City Budgetary Impacts: See staff report.

Planning Board Recommended Action: The Planning Board recommended that that no change in the Zoning District near 1863 Pownal Road be approved at this time.

Staff Recommended Action: See staff report. New option of reducing the impacted area was supported by staff for Planning Board review. At this time we ask that the Council postpone this item to a future meeting to allow additional time for the property owners to meet.

Previous Meetings and History: July Council Committee on Economic and Community Development and August 9, 2016 Planning Board Meeting, August 22nd Council Workshop, August 9th and September 13th Planning Board, 10/3/2016 Council Workshop, public hearing on 10/17/16 and the item was postponed until 11/7/2016. On 11/7/2016 it was postponed to 12/5/2016. On 12/5/2016 it was postponed until 12/19/2016.

Attachments: Planning Board Report to Council, 1863 Pownal Road ZC Staff Report 8-9-16 w/ attachments, Planning Board Meeting Minutes 8.9.16 Showing DVD Times (Pending Approval), 1863 Pownal Road ZC Staff Report 9-13-16 w/ attachments, 4 Planning Board Meeting Minutes 9.13.16 Showing DVD Times (Pending Approval), Comp Plan Excerpt for Rural Residential strip criteria, 1863 Pownal Rd map and aerial photo, Photo of home from assessment records.



City of Auburn, Maine

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PLANNING BOARD RECOMMENDATION

To: Auburn City Council

From: Eric J. Cousens, Deputy Director of Economic and Community Development

Re: Zoning Map Amendment Request for Pownal Road Area

Date: September 27, 2016

I. **THE PROPOSAL-** The City Manager's office received a request from two Councilors for consideration to be given to a zone change in the area of 1863 Pownal Road. Staff prepared a number of options for consideration by the Planning Board and the Board held a public hearing as required by the ordinance.

II. **PLANNING BOARD ACTION and RECOMMENDATION** - The Planning Board held a public hearing regarding the proposed map amendment on August 9, 2016 and September 13, 2016. Members of the public spoke both for and against the proposal. The Planning Board voted (4/3) to send the City Council a recommendation that no change in the Zoning District near 1863 Pownal Road be approved at this time.



PLANNING BOARD STAFF REPORT

To: Auburn Planning Board

From: Douglas M. Greene; AICP, RLA
City Planner

Re: Zoning Map Amendment Request for Pownal Road Area

Date: August 9, 2016

I. PROPOSAL- The Auburn City Council has initiated a zoning map amendment for properties located in the southern end of Auburn along Pownal Road from Agricultural-Resource Protection to Low Density Rural Residential Development. The proposed properties are; a portion of 1807 Pownal Road, a portion of 1850 Pownal Road, a portion of PID # 021-012 Pownal Road, 1890 Pownal Road, 1863 Pownal Road and a portion of PID # 021-012-001

The property that triggered this request is 1863 Pownal Road. The property was created by a deed split around 2010 and was done in error. One property was created as an 8 to 9 acre parcel, which does not meet the 10 acre minimum lot size. As a result, this property and the parent tract is in a legally "locked up" situation and neither property can be issued building permits or is unable to be sold through financial institutions. The current owner has gone into foreclosure and has had difficulty in maintaining the large Victorian mansion.

At their June 16th Economic and Community Development Committee meeting, Council Members Walker and Gilbert presented a memo (attached) that proposed a zone change for 1863 Pownal Road and the surrounding area. The Committee voted to have the Planning Board consider a zoning map amendment, hold a public hearing and bring a recommendation on the proposed zone change back to the Council.

II. DEPARTMENT REVIEW-

- a. Police- No concerns.
- b. Auburn Water and Sewer- This rural area is served by private well and septic systems.
- c. Fire Department- Would like to see the home at 1863 become occupied, repairs made and brought up to code. The house currently has no heat and the

Fire Department is concerned about the home being protected during the upcoming winter.

- d. Engineering- No concerns.
- e. Public Services-No concerns.
- f. Economic and Community Development (ECD)- The Planning Office has attempted numerous ways to resolve the illegal lot situation at 1863 Pownal Road to no avail. The Staff is will consider this limited zone change as a way of correcting undersized lot and to bring the property back into productive use.

III. PLANNING BOARD ACTION- The Planning Board is being asked to consider whether the zone change either meets the future land use plan from the 2010 Comprehensive Plan or that evidence has been presented to prove that significant changes have taken place to the physical, economic or social nature of the area that were not anticipated by the last comprehensive plan.

In addition, the 2010 Comprehensive Plan (pages 70-71) lists the specific criteria that need to be present to approve an extension of a rural residential strip.

3. Rural Residential Road Strips

The City has historically zoned narrow strips of land along some rural roads for low density residential development. These strips represent a compromise between the City's goal of limiting residential development in rural areas, and existing conditions along these rural roads. As part of the development of the Future Land Use Plan (see Chapter 2), the City conducted a comprehensive review of where residential strips should and should not be created based upon the following set of criteria. The considerations outlined below apply sequentially – first to identify where strips are appropriate based on current land use patterns, and then to work through where residential strips are inappropriate based on a variety of considerations.

Consideration #1 – Established Residential Pattern

A residential strip may be provided along a rural road where there is an established pattern of residential uses along the road. An established residential pattern means at least 6-8 homes per half mile counting both sides of the road. In general, both sides of a road should have a residential strip unless there is a significant reason not to allow residential development based on the following considerations.

Staff Comment- The existing half mile of Rural Residential zoned land along Pownal Road before the proposed zone change area has 10 homes, which meets criteria #1.

Consideration #2 – Reserve Area Adjacency

A residential strip should not be provided along a rural road if the area adjacent to the road is a "reserve area" where the objective is to maintain the land as undeveloped to allow for its conversion to a different use in the foreseeable future. There should be

some realistic expectation that something will occur that will change the desired land use for the area in the future.

Staff Comment- The area adjacent to the proposed zone change is not designated as a "reserve area".

Consideration #3 – Natural Resource Adjacency

A residential strip should not be provided along a rural road if the area adjacent to the road has significant natural resource value. Areas with significant natural value include areas that are zoned Resource Protection or are high value wetlands, 100 Year floodplains, significant wildlife habitats, and areas with steep slopes (>25%).

Staff Comment- The area adjacent to the proposed zone change is not considered a significant natural resource area.

Consideration #4 – Conservation/Open Space Adjacency

A residential strip should not be provided along a rural road where the adjacent land is protected open space, or where there is a reasonable expectation that the land will be preserved as open space in the foreseeable future, and residential development is inconsistent with that open space use.

Staff Comment- The land adjacent to the proposed zone change is not protected open space nor is there a reasonable expectation to preserve open space in the foreseeable future.

Consideration #5 -- Ability to Provide Public Services

A residential strip should not be provided along a rural road if residential development will tax the City's ability to provide municipal services as indicated by the following:

- *The road is a gravel or dirt road*
- *The road is a poorly maintained paved road that will need to be improved to support residential development along it*

Staff Comment- The proposed zone change will not tax the City's ability to provide municipal services. Given the nearby area already zoned Rural Residential has 10 homes in a half mile, police and fire already must serve the area. All water and sewerage are provided by private wells and septic systems.

Consideration #6 – Water Quality Protection

A residential strip should not be provided along rural roads with undeveloped frontage that are located in the watershed of Lake Auburn, unless such development will not have an adverse impact on the lake's water quality.

Staff Comment- The proposed zone change is not located in the watershed of Lake Auburn.

The Future Land Use Plan (see Chapter 2) shows the areas where low density residential development is proposed to be allowed along rural roads based on these criteria. These criteria should be used in the future to review the areas designated as residential strips as conditions change, or to review property owner-initiated requests for rezoning.

IV. STAFF RECOMMENDATION- The Staff considered how the proposal meets the six considerations of the Rural Residential Strips in the 2010 Comprehensive Plan and finds that this area meets those criteria. Criteria 6 does not apply.

Other issues the Staff considered were:

- Correcting non-conformities through a zone change is not a normal procedure.
- The staff wants to minimize the number of lots that would be possible as a result of the zone change to a rural residential zoning type.
- There are some concerns that approving this could be considered a precedent for other areas in Auburn's Agricultural Zone.

Zoning Map Amendment Staff Scenario Options- The memo from Councilman Walker initiating the zone change amendment labeled the existing and proposed zoning in the Pownal Road area as Low Density Country Residential. The zoning in the area is actually Low Density Rural Residential. The staff has created different 4 scenarios (attached) for the Planning Board to consider.

1. Rezone both sides of Pownal Road to the end of 1863 Pownal Road from Agriculture to Low Density Rural Residential to be consistent with the existing zoning. This option rezones approximately 23 acres and creates the potential for 5 new residential lots.
2. Rezone both sides of Pownal Road from Agriculture to Low Density Rural Residential to the end of 1863 Pownal Road but not include Parcel # 021-012-001. This option rezones approximately 20 acres and creates the possibility of 4 new residential lots.
3. Rezone both side of Pownal Road to the end of 1863 Pownal Road from Agriculture to Low Density Country Residential. This option rezones approximately 23 acres and creates the possibilities of 3 new lots.
4. Rezone both side of Pownal Road to the end of 1863 Pownal Road from Agriculture to Low Density Country Residential but not include Parcel # 021-012-001. This option rezones approximately 20 acres and creates the possibilities of 2 new lots.

STAFF RECOMMENDS SCENARIO OPTION 4. While rezoning to Low Density Country Residential is not consistent with the adjoining Rural Residential zoning, it would limit the number of new lots and still meet the Council directive of correcting the non-conformity of 1863 Pownal Road.



City of Auburn, Maine

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The Staff recommends sending a recommendation of **APPROVAL** to the City Council using Scenario 4 provided in the Staff Report to rezone a 20 acre that consists of; portion of 1807 Pownal Road, a portion of 1850 Pownal Road, a portion of PID # 021-012 Pownal Road, 1890 Pownal Road and 1863 Pownal Road from Agriculture/Resource Protection to Low Density Country Residential with the following findings.

1. The rezoning complies with the Rural Residential Strips criteria from the 2010 Comprehensive Plan.
2. The rezoning will allow the property at 1863 Pownal Road to be purchased, repaired, maintained and put on the tax rolls.

A handwritten signature in black ink that reads "Douglas M. Greene".

Douglas M. Greene, A.I.C.P., R.L.A.
City Planner



City Council Workshop Agenda Item Request Form

City of Auburn

Requesting Councilor's Name: Leroy Walker- Councilor Ward 5

Second Councilor Name: *Cristine M. Gilbert*

Policy: Change in zoning for City owned property- 1863 Pownal Road

Summary of Issue:

This property has been a zoning problem for years and is costing the City of Auburn a significant amount of loss tax revenue due to a mistake made in dividing lots. We have the opportunity to fix the problem. I think City staff has avoided settling the matter in a reasonable way. As the Council it's time to settle the matter in Auburn's favor.

The Property at 1863 Pownal Road was created in or about 2010 when it was divided from a 67 acre parcel into two lots: the house lot on an 8.1 acre lot and a 58 acre vacant field and woods lot. Both lots are in the AG/RP zone requiring a minimum lot size of 10 acres. When the City permitted the division, the property at 1863 Pownal Road was left with 1.9 acres less than required. The penalty for this violation is Chapter 60, Sec. 60-40-Reduction of Dimensional Regulations. "No building permit or other municipal permit or license shall be issued to any of the land so transferred or to the land retained until all of such land or lots in conformance with all dimensional requirements." Attempts to correct the violation through the purchase of the needed land from the two contiguous property owners have been unsuccessful. If the zoning issue is not resolved it will be difficult to secure a mortgage and insurance and to do the renovations that are necessary to bring this 1900's house and property back to its former beauty. It needs to be put back on the tax roll and so the non-conforming lot issue needs resolution.

Recommended Action for Consideration: Request the Planning Board to review and make a recommendation on a proposal to amend the Zoning Map in the vicinity of Pownal Road and Jordan School Road, specifically, 1863 Pownal Road, Parcel ID # 021-001, from Agricultural/Resource Protection to Low Density Country Residence (with 3 acre minimum lot size). This is a tax acquired property now owned by the City of Auburn.

There are 4 solutions to this issue, but I think #4 rezoning is the best answer:

1. Have the City issue a "No Action Letter" as a condition of sale.
2. The City, as the current property owner, request that Jenis Holding Company convey back a 1.1 acre lot to make both properties conforming. Sec.60-40 also penalizes any development of the Jenis lot unless the 1863 Pownal Road lot is made conforming. Conveying a strip of land 57.05' by 840' (47,922sf) along the length of the rear line dividing the two properties is suggested.
3. Purchase 1.1 acres from John F. Murphy Homes at 1805 Pownal Road.
4. Have the City initiate a rezoning to Low Density Country Residence District to include this lot and the two lots across Pownal Road. This action would make all three lots conforming.

Existing Policy References (Comp. Plan, etc): Copies attached: Auburn Maine Code of Ordinances- Sec. 60-146 Dimensional Regulations, Auburn Maine Code of Ordinances- Sec. 60-1445 zoning amendments purpose, Auburn Maine Code of Ordinances- Sec. 60-40 Reduction in dimensional regulations, Auburn Parcel Inquiry for 1863 Pownal Road,



Auburn Parcel Inquiry

City of Auburn Website MapAuburn Home Page

+

Find address or place



-



AGRICULTURE/
RESOURCE PROTECTION

LOW DENSITY
~~RESIDENCE~~ RESIDENCE

COUNTRY 3 ACRES or more

1863
POWINAL RD.

IFM

COUNTRY RESIDENCE

Total - \$ 413,000

Total - \$ 215,00 Building V.

600ft

44.005 - 70.232 Degrees

ZONING AMENDMENTS

Sec. 60-1445. - Purpose.

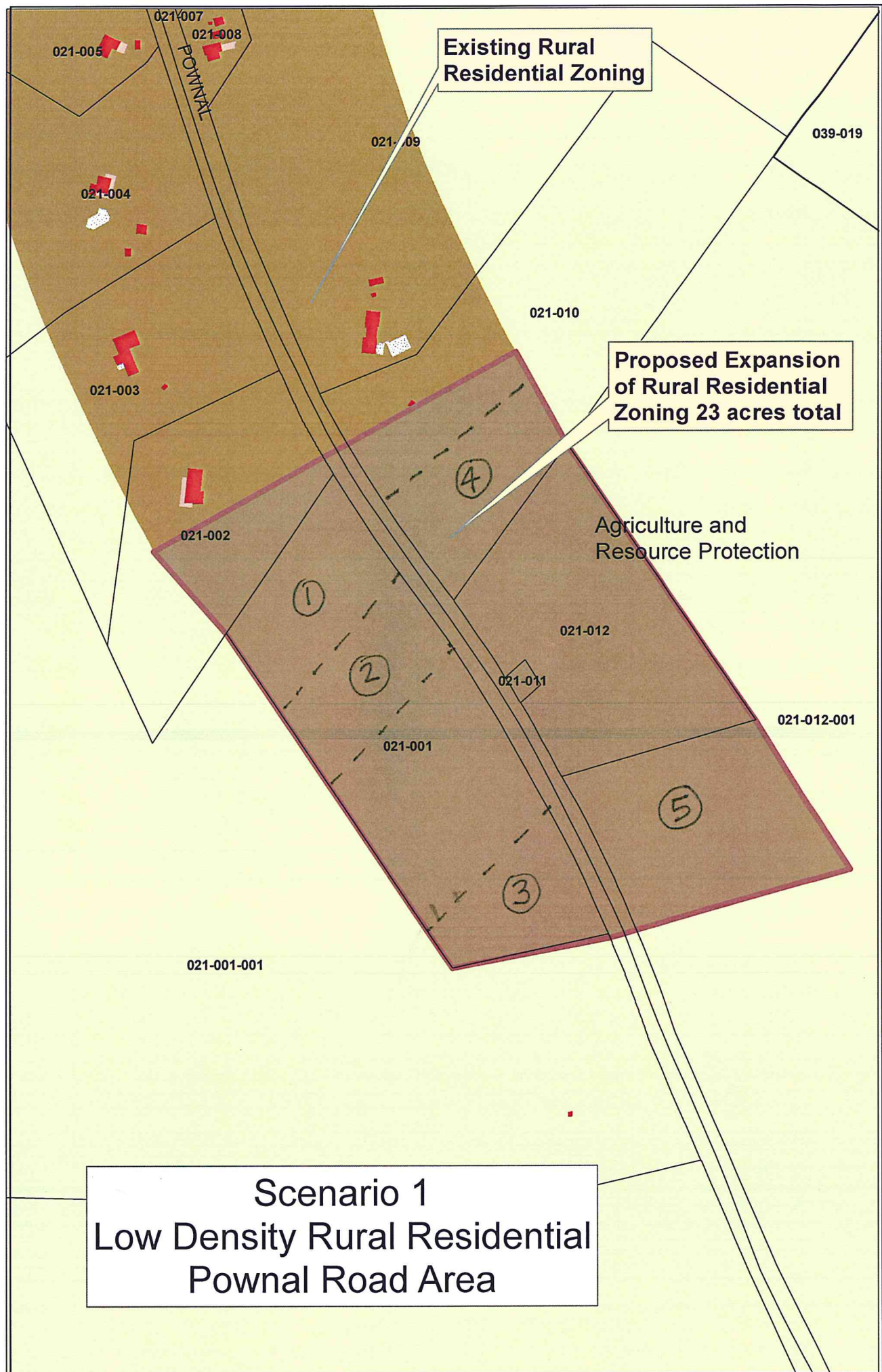
Amendments to the zoning ordinance, including the zoning map, may be initiated by the planning board on its own initiative or upon request by the city council or by a petition signed by not less than 25 registered voters of the city.

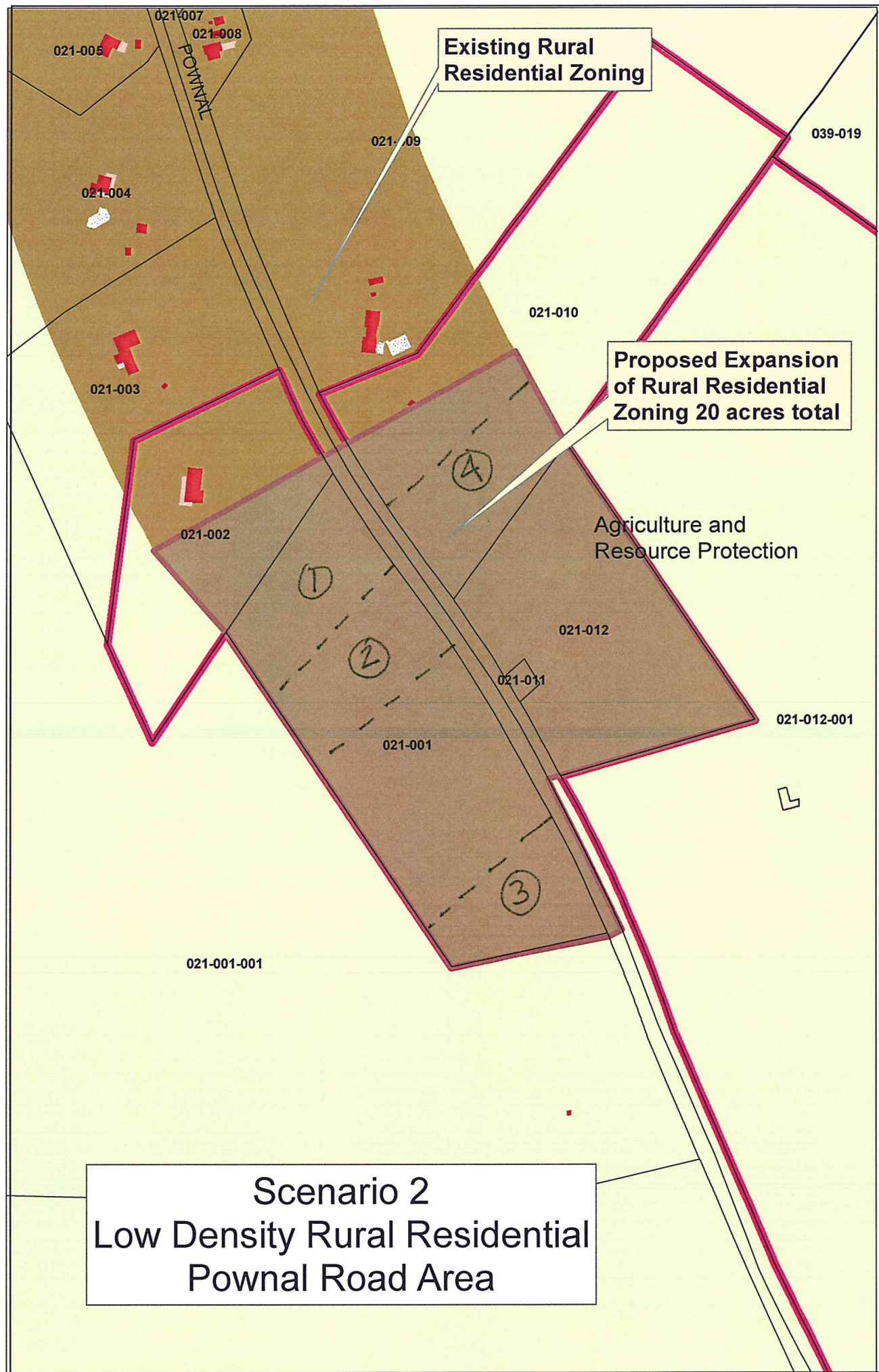
(Ord. of 9-21-2009, § 8.1A)

Sec. 60-40. - Reduction in dimensional regulations.

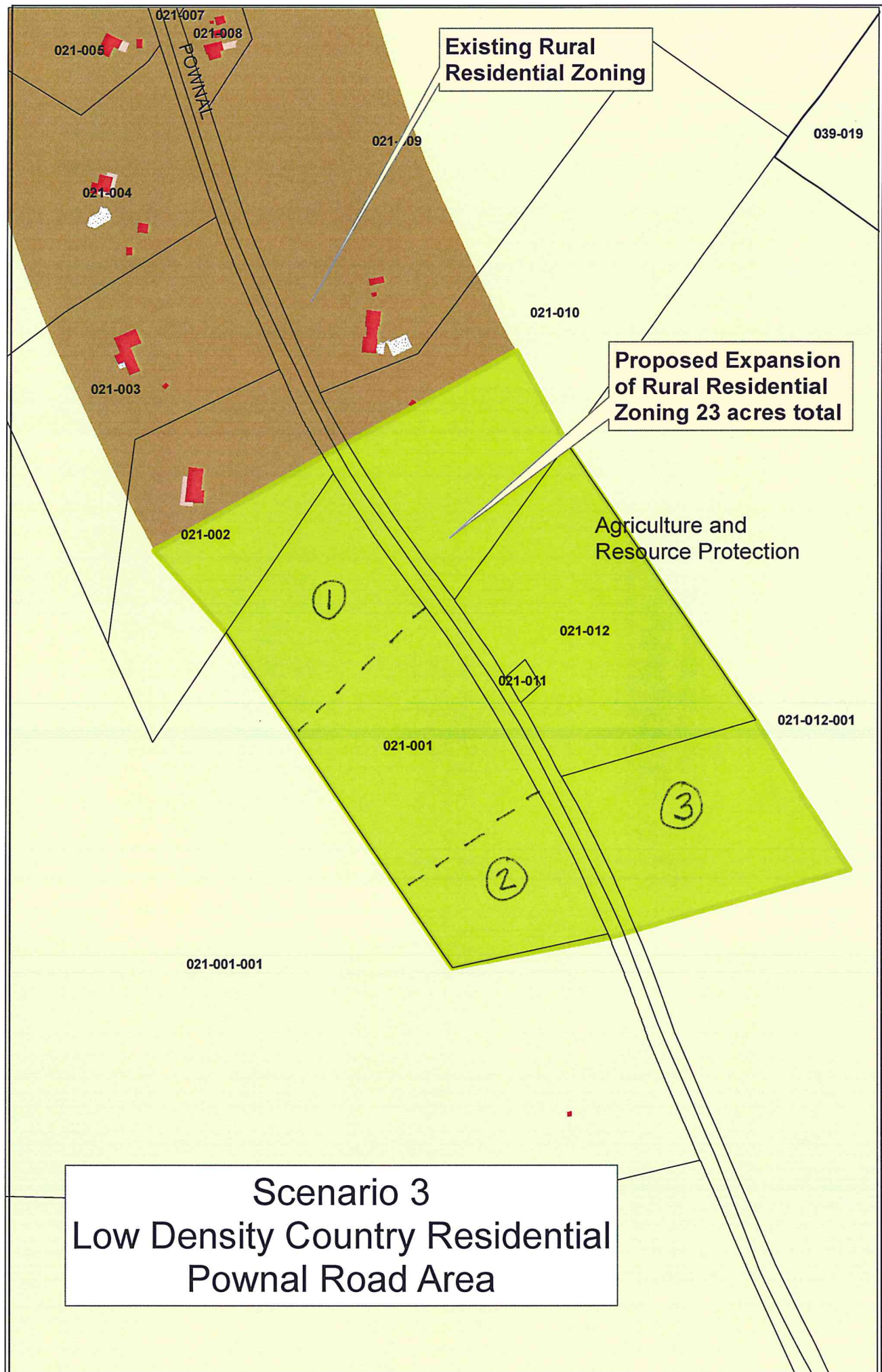
No lot (except as allowed by the planning board at the time of final approval of a subdivision or development plan) shall be reduced, subdivided, conveyed, divided or otherwise transferred that violates, or creates a lot that violates, any minimum dimensional regulation of this chapter. No building permit or other municipal permit or license shall be issued to any of the land so transferred or to the land retained until all of such land or lots are in conformance with all dimensional regulations. If a serious health or safety issue with the property should arise, the director of planning and permitting services shall determine if a permit should be issued to correct the problem. This provision shall not allow further nonconformity to occur in order to achieve the corrective action necessary. Any land taken by eminent domain or conveyed for a public purpose shall not be deemed in violation of this provision. Any setback or lot that is reduced below the minimum dimensional requirements as a result of land taken by eminent domain or conveyed for a public purpose shall not be deemed nonconforming. Setbacks for the enlargement of any existing building located on such a lot shall be referenced to the property line as it was located prior to the eminent domain action or the conveyance for a public purpose.

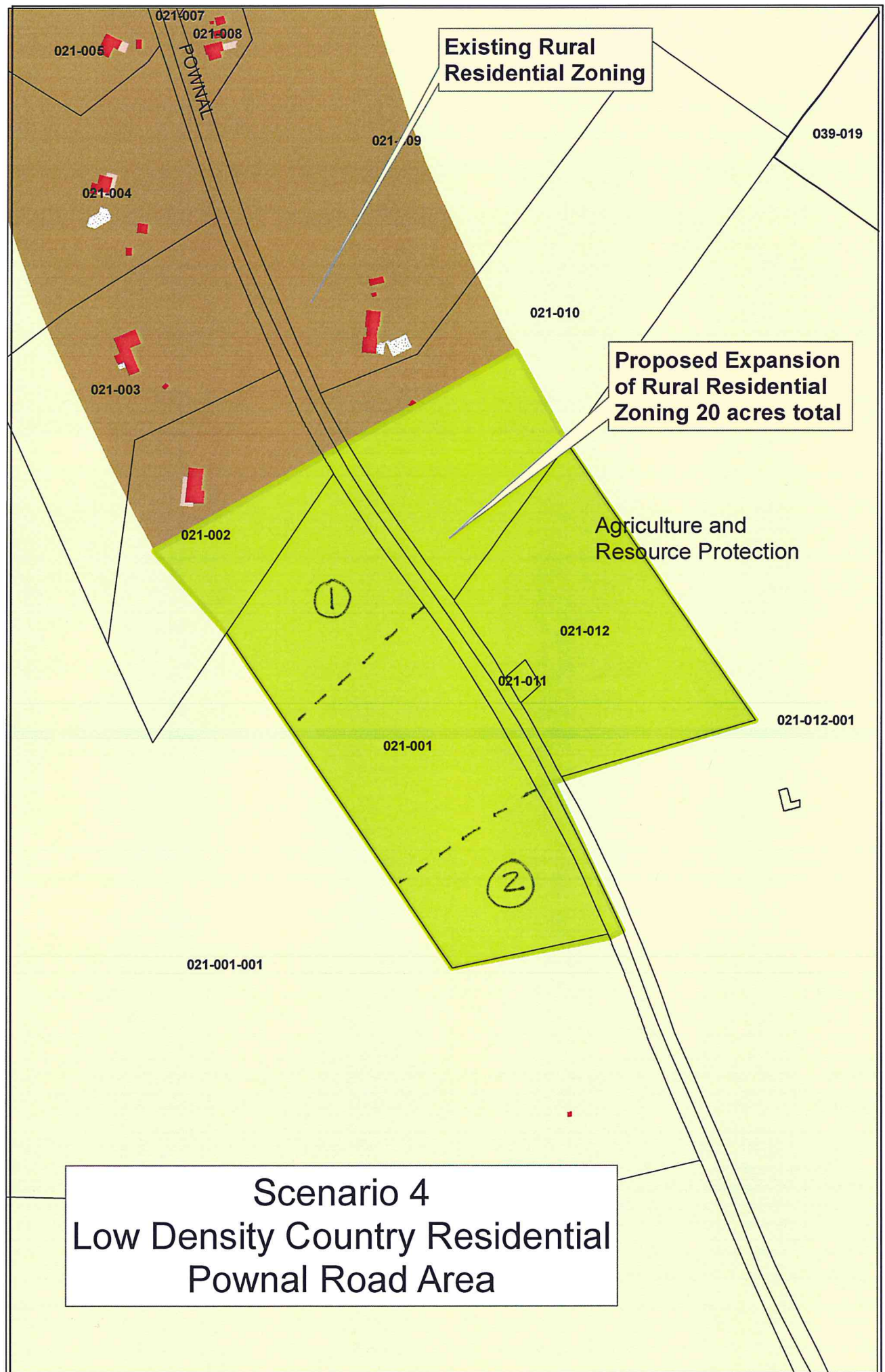
(Ord. of 9-21-2009, § 3.1H)





Scenario 2
Low Density Rural Residential
Pownal Road Area





Auburn Planning Board Meeting Minutes August 9, 2016

ROLL CALL:

Regular Members present: Mia Poliquin Pross, Robert Bowyer, Evan Cyr, Ken Bellefleur Presiding, Dan Philbrick, and Marc Tardif.

Regular Members absent: Samuel Scogin

Associate Members present: Nathan Hamlyn

Associate Members absent: Elaine Wickman

Also present representing City staff: Douglas Greene, City Planner and Eric Cousens, Deputy Director of Economic & Community Development

Chairperson Bellefleur called the meeting to order and stated Nathan Hamlyn would be acting as a Full member for this meeting. He also stated meeting minutes would be reviewed and acted upon at the end of this meeting.

PUBLIC HEARINGS & NEW BUSINESS:

Special Exception and Site Plan Review for an 8,400 sf commercial building and drive through restaurant located at 410 Center Street, 10 Blackmer Street and 19 West Dartmouth Street submitted by R & D Resources, LLD

Doug Greene presented the Staff Report via PowerPoint.

(09:50 on DVD)

Sean Thies, agent for R & D Resources, LLD continued with the presentation and answered questions from the Board members. The following topics were discussed: parking, pedestrian safety, deliveries, signage, lighting, etc...

(35:45 on DVD)

Open Public Input

David Rutenberg of 27 West Dartmouth Street said they had nothing but trouble with Tim Horton's from the beginning. He said they never put in the acoustic fence as they agreed to do and the dumpster was picked up at 3:00 in the morning and the banging sound could be heard 3 houses up the street. He mentioned Sysco trucks blocking West Dartmouth Street when they made deliveries and that the promised landscaping was never completed by the developers and never enforced by the City. He said these issues needed to be addressed here somehow.

Paul Bellanceau of 4 University Street said he had issues with vehicle headlights shining through his house windows and the lack of buffering.

Fern Masse of 25 Blackmer Street gave a brief history of the property and asked who was responsible for enforcing the planting of shrubs and trees around the perimeter.

Frank Pepin of 36 West Dartmouth Street stated he was in favor of the proposal.

(46:10 on DVD)

A motion was made by Robert Bowyer and seconded by Evan Cyr to close the Public Input part of the hearing. After a vote of 7-0-0, the motion carried.

A discussion ensued regarding the following: the concerns of the neighbors, provision requiring maintenance of landscape & plantings if it's spelled out on approved plans, willingness of developer to install a tall fence while waiting for shrubbery to grow to address headlight issue, and scheduling of deliveries and dumpster pick up.

Douglas proposed adding the following conditions to the 2 already mentioned in the staff report:

- 3) Staff will monitor each new tenant and each use – ensure they are not adding to traffic and hours of operation
- 4) Addition of crosswalk, striping and pedestrian lighting where appropriate
- 5) 6' to 8' plantings in southern end (in lieu of a fence)
- 6) Hours of operation concerning dumpster and delivery trucks: After 10:00 am and before 7:00 pm.
- 7) One-way directional signage

A discussion continued regarding times of truck deliveries and dumpster pick-up.

(59:15 on DVD)

A motion was made by Evan Cyr and seconded by Dan Philbrick to approve the Special Exception and Site Plan Review for an 8,400 sf commercial building and drive through restaurant located at 410 Center Street, 10 Blackmer Street and 19 West Dartmouth Street submitted by R & D Resources, LLD citing that the plans meet conditions for both site plan review and special exception and subject to the following conditions:

1. No development activity shall occur until any bonding and inspection fees are determined by the Department of Engineering.
2. The owner is responsible for maintaining all boundary and buffer area landscaping and will replace any damaged or dead plantings to the approval of the Planning Staff.
3. The Planning Staff shall review and monitor all proposed tenants for their type of use, hours of operation and parking requirements for the project with regards to the traffic analysis submitted with this application.
4. The applicant shall install cross walk striping and pedestrian lighting to the approval of the Planning Staff.
5. The plantings along the southwest and southern boundaries shall have 6-8 foot tall eastern red cedar installed.
6. On site signage shall be used at the Center Street entrance to direct incoming traffic around the building and for employee parking to the rear of the building.
7. The hours of operation for dumpster service and deliveries shall be between the hours of 7

am and 7 pm.

8. The development of the site shall be as per the site plan dated July 12, 2016 and revised as per the conditions listed above.

After a vote of 7-0-0, the motion carried.

George Courbron, agent for John Vallieres, is seeking Special Exception and Site Plan Review of an auto sales and service facility at 204 Minot Avenue pursuant to Section 60-499 (b) (3) Auto sales and service agency, Section 60-1336, and Section 60-1277 Auburn Ordinance.

Doug went over the staff report and presented slides via PowerPoint.

John Vallieres, owner and applicant and George Courbron from Survey Works and agent for Mr. Vallieres spoke about the proposal.

(01:21:00 on DVD)

Open Public Input

A motion was made by Evan Cyr and seconded by Mia Poliquin Pross to close the Public Input part of the hearing. After a vote of 7-0-0, the motion carried.

A lengthy discussion ensued regarding the waiver request and it was decided that the Board members would vote on the waiver request separately.

A motion was made by Dan Philbrick and seconded by Mia Poliquin Pross to approve the waiver request Section 60-607 (13) (d) Off Street Parking for the property of John Vallieres at 204 Minot Avenue. After a vote of 6-1-0, the motion carried. Robert Bowyer opposed.

A motion was made by Dan Philbrick and seconded by Mia Poliquin Pross to approve the Special Exception with the 7 conditions as recorded by the City Planning Office and Site Plan with the 4 conditions as recorded by the City Planning Office of an auto sales and service facility at 204 Minot Avenue pursuant to Section 60-499 (b) (3) Auto sales and service agency, Section 60-1336, and Section 60-1277 Auburn Ordinance with the additional 2 conditions:

1. Bonding and inspection fees must be approved and a notice to proceed obtained from the City Engineer.
2. Prior to development activity, the applicant shall obtain a written maintenance agreement with the City of Auburn for a landscape area on the southern portion of the project that is located with the street right of way.

After a vote of 6-1-0, the motion carried. Robert Bowyer opposed.

(01:39:50 on DVD)

After a brief recess, the meeting was called back to order.

William T. Conway, agent for the Auburn Housing Development Corporation is seeking approval of a 39,152 sf, mixed use building at 62 Spring Street pursuant to Section 60-550,

Downtown Traditional Center T-5.1, and Section 60-556 Form Based Code Plan Types, (b) (3) New construction over 12,000 s.f. of the Auburn Code of Ordinance.

Doug went over the staff report and presented slides via PowerPoint.

Richard Whiting of Auburn Housing Development Corporation, Ethan Boxer-Macomber of Anew Development, LLC, William Conway of Sebago Technics, Inc. and several other members on the development team presented additional information on the proposal.

Open Public Input

(02:19:25 on DVD)

A motion was made by Robert Bowyer and seconded by Evan Cyr to close the Public Input part of the hearing. After a vote of 7-0-0, the motion carried.

A long discussion ensued amongst Board members regarding the waiver request and Form Based Code regulations.

A motion was made by Robert Bowyer to approve the Special Exception and Site Plan Review of the mixed use building at 62 Spring Street based on the site plan dated 7/7/16 and revised on August 3, 2016 based on the 4 Findings listed in the Staff report and that the Planning Board approve the waiver request A thru E listed in the Staff report and subject further to the Conditions that no development activity shall be allowed until a bonding inspection fee has been determined by the Department of Engineering and with the additional amendment that there may be up to 41 dwelling units in the development.

Douglas mentioned that Staff would like to add another condition that the applicant will provide an updated and corrected site plan that reflects the appropriate statistics for the T-5.1.

The motion was seconded by Marc Tardif. After a vote of 7-0-0, the motion carried.

(02:35:00 on DVD)

The Auburn City Council initiated a zoning map amendment for the following properties: a portion of 1807 Pownal Road, a portion of 1850 Pownal Road, a portion of PID # 021-012 Pownal Road, 1890 Pownal Road, 1863 Pownal Road and a portion of PID # 021-012-001 from Agricultural Resource Protection District to Low Density Rural Residential District pursuant to Section 60-1445 Amendments to the Zoning Map.

Eric Cousens went over the history of how the property came to be and then went over the Staff report using a PowerPoint presentation.

Eric answered several questions from Board members.

(02:56:45 on DVD)

Open Public Input

A woman from the audience asked if the zone was being changed on both sides of the road.

Dan Herrick of 470 Hatch Road told Board members he had a chance to purchase the property back in the 1970's when it was a 464 acre farm. Along with giving a brief history he commented on the following:

- That the subcommittee is not the full council and that they did not write this proposal.
- The City is now approving rezoning both sides of the road because it is now owned by a developer.
- The lot was split as an illegal lot and added that when a lot is split you have to get a permit.
- Didn't know who from the City permitted it but now the City is trying to come together to fix the mistake.
- Didn't have a problem with fixing it but there are a lot of these in the city that need fixing.

Joe Gray of Sopers Mill Road stated there was a whole lot of back story that we are not getting from Staff mostly because Staff caused the problem and added the following comments:

- The owner who just lost the house had a plan to make it right and Mr. Cousens just blamed her for the demise of the property.
- Former owner asked for it to be rezoned a long time ago but Mr. Cousens said no.
- The property is useless due to vandals stripping the copper and doors but the City is still taxing property extremely high
- It's not fair the way it happened
- The process did not follow the tax acquired policy which doesn't make sense.
- Rezone it all the way to Durham

Previous owner tearfully spoke about her struggles with the City to try to get the property conformed. She asked that the lot gets conformed as Agricultural and that the shooting range does not get approved.

Eric read a letter from Linda Hansen. Ms. Hansen could not be at the meeting so requested that her comments be read as part of Public Comment. She states in the letter that she objects to the rezoning as it seems the City would be rewarding bad behavior.

Kim Visbaras of Hersey Hill Road said he, on behalf of the owner of the property at the time, had worked with an abutter, Jenis Holdings to convey some land to try to make this lot conforming but when his client made what was thought to be a generous offer to purchase the land, Jenis Holdings basically said to go pound sand.

(03:12:15 on DVD)

A motion was made by Dan Philbrick and seconded by Robert Bowyer to close the Public Input part of the hearing. After a vote of 7-0-0, the motion carried.

A lengthy discussion ensued amongst Board members and Staff. The following are some of the items that were discussed:

- Are the 4 options the only options available?
- Taxing City services

- Focus on the lot that isn't legal instead of creating a bunch of new lots and changing the zoning
- Variance option and Council petition
- Current owner willing to have a deed restriction stating that the lot can never be split for any other residential purpose

Evan Cyr stated his preference would be to Table this until a deed restriction is in place before the Board makes a recommendation to rezone.

(03:33:40 on DVD)

Doug explained that the Board can only make a recommendation to the City Council so whether a deed restriction is part of the recommendation or not, it's still up to the City Council as to whether or not they take it into consideration. Eric added the ordinance does not allow for conditional rezoning so holding it hostage over that is pushing the boundaries of what the Board would have authority to do.

Chairperson Bellefleur commented that he would not vote for any of these solutions because it was a spot attempt and not fair to other property owners in similar situations. A long discussion ensued between Board members.

Dan Herrick stated he owns a dead piece of land which he cannot build on because of him (as he pointed to staff).

Eric explained we have zoning standards of which staff is given a set of rules that were approved by the Council.

A motion was made by Marc Tardif and seconded by Evan Cyr to table until the next meeting.

James McPhee asked for 5 minutes of comment time of which he was granted. He spoke about Non-Action Letters as a simple solution to this and explained why.

(03:45:40 on DVD)

After a vote of 7-0-0, the motion carried. Eric asked for direction as to what the Board would like staff to put together for the next meeting. Marc Tardif said he would like staff's opinion on what Mr. McPhee spoke about.

Chairperson Bellefleur stated that he wanted to make clear that there wasn't anything nefarious going on within City government to somehow impose hardships on any particular property.

Reggie Bouffard, Home Builder, is seeking approval of a 2 lot subdivision located at Woodbury Road (PID # 110-008)

Douglas went over the staff report and presented slides via PowerPoint.

Kim Visbaras on behalf of the applicant, Gary McFarland, commented that lot 5 will be slightly larger than what is depicted on the plans.

Chairperson Bellefleur commented since there were no members of the public present, he wouldn't open the Public Hearing.

A motion was made by Dan Philbrick and seconded by Evan Cyr to approve the 2 lot subdivision for Mountain View Estates located on Woodbury Road (PID # 110-008) with the Finding #1 in the staff recommendation and the Conditions that no development activity shall occur until the subdivision plan is recorded at the County Board of Registration and that no development activity shall occur until the Division of Engineering has determined if bonding or inspection fees are required. After a vote of 7-0-0, the motion carried.

The Auburn Planning Board has initiated a zoning map amendment in Colonial Ridge PUD for a .81 acre area of the southwest portion of lots 8 and 9 and an adjacent open space area from Industrial District to Suburban Residential District.

Douglas mentioned that this was just a correction. A short discussion ensued.

Open Public Input

No members of the public were present.

A motion was made by Evan Cyr and seconded by Robert Bowyer to close the Public Input part of the hearing. After a vote of 7-0-0, the motion carried.

Robert Bowyer added the following points:

- It is essential to do a change from Industrial to Residential because residence is not a permitted use in the Industrial District.
- The property in the Industrial District is essentially inaccessible because there's a provision in our zoning ordinance that you cannot access an industrial property through a residential district.
- Zoning should be consistent with the Use.

A motion was made by Robert Bowyer and seconded by Dan Philbrick to send a favorable recommendation to the City Council the zoning map amendment in Colonial Ridge PUD for a .81 acre area of the southwest portion of lots 8 and 9 and an adjacent open space area from Industrial District to Suburban Residential District subject to the findings and conditions that are listed in the staff report dated August 9, 2016 and including the comments as presented by Mr. Bowyer.

(04:03:30 on DVD)

After a vote of 7-0-0, the motion carried.

OLD BUSINESS:

Douglas passed around documents regarding the Adaptive Re-use. He said the City attorney suggested we look at contract zoning but staff feels we need to keep working on it.

MISCELLANEOUS:

None

MINUTES:

June 14, 2016 Meeting Minutes Approval Request

A motion was made by Evan Cyr and seconded by Nathan Hamlyn to approve the June 14, 2016 meeting minutes. After a vote of 7-0-0, the motion carried.

ADJOURNMENT

A motion was made by Evan Cyr and seconded by Marc Tardif to adjourn. After a vote of 7-0-0, the motion carried.

AMENDED PLANNING BOARD STAFF REPORT

To: Auburn Planning Board

From: Douglas M. Greene; AICP, RLA
City Planner

Re: Zoning Map Amendment Request for Pownal Road Area

Date: September 13, 2016

I. **AMENDED STAFF REPORT-** At their August 9th meeting, the Planning Board deliberated a Council initiated zoning map amendment for properties located in the southern end of Auburn along Pownal Road from Agricultural-Resource Protection to Low Density Rural Residential Development. The properties proposed for rezoning at the meeting were; a portion of 1807 Pownal Road, a portion of 1850 Pownal Road, a portion of PID # 021-012 Pownal Road, 1890 Pownal Road, 1863 Pownal Road and a portion of PID # 021-012-001

After lengthy public input and Planning Board discussion, the item was tabled to the September 13th meeting. The Board asked the staff to provide the following additional information at the September 13 meeting.

1. A revised Zoning Map Amendment that would only re-zone the southwest side of Pownal Road from Agricultural Resource Protection to Low Density Country Residential for to an 1.35 acre portion of 1807 Pownal Road (J. F. Murphy Homes Property) and approximate 8.89 acre property at 1863 Pownal Road.
2. A copy of a proposed Declaration of Covenant and Restrictions for 1863 Pownal Road that would permanently restrict that property to one existing dwelling unit.
3. Provide additional information regarding the timeline of events for 1863 Pownal Road.
4. Information pertaining to a “no-decision” option presented at the 8/9 meeting.

These items are attached with this revised and amended Staff Report. In addition, the City Council held a workshop on this item on August 22nd.

II. **DEPARTMENT REVIEW- NO NEW COMMENTS** since the August 9th meeting.

- a. Police- No concerns.

- b. Auburn Water and Sewer- This rural area is served by private well and septic systems.
- c. Fire Department- Would like to see the home at 1863 become occupied, repairs made and brought up to code. The house currently has no heat and the Fire Department is concerned about the home being protected during the upcoming winter.
- d. Engineering- No concerns.
- e. Public Services-No concerns.
- f. Economic and Community Development (ECD)- The Planning Office has attempted numerous ways to resolve the illegal lot situation at 1863 Pownal Road to no avail. The Staff will consider this limited zone change as a way of correcting undersized lot and to bring the property back into productive use.

III. PLANNING BOARD ACTION-

1. At the September 13th meeting, the Planning Board is being asked to bring this item back on the table for further discussion.
2. The Planning Board is being asked to consider a new scenario # 5, which includes 2 properties located in the southern end of Auburn along Pownal Road to be rezoned from Agricultural-Resource Protection to Low Density Rural Residential Development.

At the August 9th meeting, the Planning Board also considered language from the 2010 Comprehensive Plan (pages 70-71) regarding criteria that need to be present to approve an extension of a rural residential strip.

Rural Residential Road Strips

The City has historically zoned narrow strips of land along some rural roads for low density residential development. These strips represent a compromise between the City's goal of limiting residential development in rural areas, and existing conditions along these rural roads. As part of the development of the Future Land Use Plan (see Chapter 2), the City conducted a comprehensive review of where residential strips should and should not be created based upon the following set of criteria. The considerations outlined below apply sequentially – first to identify where strips are appropriate based on current land use patterns, and then to work through where residential strips are inappropriate based on a variety of considerations.

Consideration #1 – Established Residential Pattern

A residential strip may be provided along a rural road where there is an established pattern of residential uses along the road. An established residential pattern means at least 6-8 homes per half mile counting both sides of the road. In general, both sides of a road should have a residential strip unless there is a significant reason not to allow residential development based on the following considerations.

Staff Comment- The existing half mile of Rural Residential zoned land along Pownal Road before the proposed zone change area has 10 homes, which meets criteria #1.

Consideration #2 – Reserve Area Adjacency

A residential strip should not be provided along a rural road if the area adjacent to the road is a “reserve area” where the objective is to maintain the land as undeveloped to allow for its conversion to a different use in the foreseeable future. There should be some realistic expectation that something will occur that will change the desired land use for the area in the future.

Staff Comment- The area adjacent to the proposed zone change is not designated as a “reserve area”.

Consideration #3 – Natural Resource Adjacency

A residential strip should not be provided along a rural road if the area adjacent to the road has significant natural resource value. Areas with significant natural value include areas that are zoned Resource Protection or are high value wetlands, 100 Year floodplains, significant wildlife habitats, and areas with steep slopes (>25%).

Staff Comment- The area adjacent to the proposed zone change is not considered a significant natural resource area.

Consideration #4 – Conservation/Open Space Adjacency

A residential strip should not be provided along a rural road where the adjacent land is protected open space, or where there is a reasonable expectation that the land will be preserved as open space in the foreseeable future, and residential development is inconsistent with that open space use.

Staff Comment- The land adjacent to the proposed zone change is not protected open space nor is there a reasonable expectation to preserve open space in the foreseeable future.

Consideration #5 -- Ability to Provide Public Services

A residential strip should not be provided along a rural road if residential development will tax the City’s ability to provide municipal services as indicated by the following:

- *The road is a gravel or dirt road*
- *The road is a poorly maintained paved road that will need to be improved to support residential development along it*

Staff Comment- The proposed zone change will not tax the City’s ability to provide municipal services. Given the nearby area already zoned Rural Residential has 10 homes in a half mile, police and fire already must serve the area. All water and sewerage are provided by private wells and septic systems.

Consideration #6 – Water Quality Protection

A residential strip should not be provided along rural roads with undeveloped frontage that are located in the watershed of Lake Auburn, unless such development will not have an adverse impact on the lake's water quality.

Staff Comment- The proposed zone change is not located in the watershed of Lake Auburn.

The Future Land Use Plan (see Chapter 2) shows the areas where low density residential development is proposed to be allowed along rural roads based on these criteria. These criteria should be used in the future to review the areas designated as residential strips as conditions change, or to review property owner-initiated requests for rezoning.

IV. STAFF RECOMMENDATION-

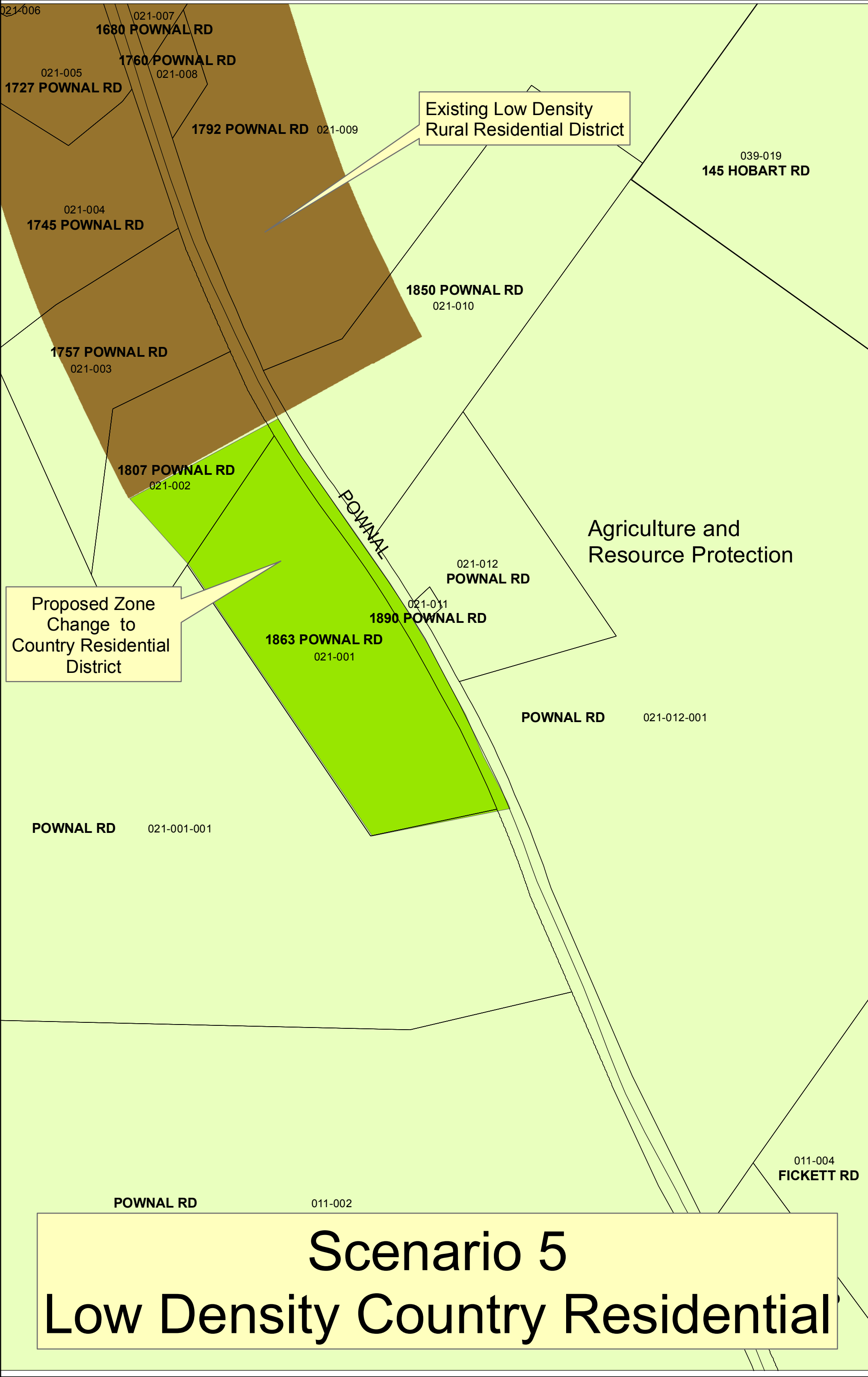
STAFF COMMENTS- The Staff is still concerned that correcting non-conformities through a zone change is not a normal justification for rezoning a property. The Staff is also concerned that approving this Zoning Map Amendment could be considered a precedent for rezoning other areas in Auburn's Agricultural Zone.

STAFF RECOMMENDATION- Last month, the Staff produced 4 possible scenarios for a possible zone change, based on a Zone Change initiated by the City Council. At the end of this item's discussion at the August 9th meeting, the Planning Board asked the Staff to produce a 5th scenario that only proposed Low Density Country Residential for a 1.35 acre portion of 1807 Pownal Road and all of 1863 Pownal Road, which is approximate 8.87 acres. The applicant has produced a Declaration of Covenant and Restrictions, which would permanently restrict 1863 Pownal Road to only one existing home on the 8.9 acres. While this offers protection from future subdivisions, it cannot be used as a condition of the zone change.

PLANNING BOARD ACTION- Should the Planning Board consider Scenario # 5 as the preferred option for "fixing" the illegal lot status of 1863 Pownal Road, they should forward a recommendation of approval to the City Council for the Zoning Map Amendment based on Scenario # 5 with the following findings:

1. Scenario # 5, as presented by staff at the September 13 meeting, meets the six considerations of the Rural Residential Strips in the 2010 Comprehensive Plan. Criteria 6 will not apply.
2. Scenario # 5 minimizes the number of new lots that could be created.
3. The rezoning will allow the property at 1863 Pownal Road to be purchased, repaired, maintained and put on the tax rolls.


Douglas M. Greene, A.I.C.P., R.L.A.
City Planner



**DECLARATION OF COVENANT AND RESTRICTION
FOR AGHRA CAPALL LLC**

THIS Declaration of Covenant and Restriction is made effective this day of _____, 2016, by **Aghra Capall LLC**, a limited liability company duly organized and existing under the laws of the State of Maine, with a place of business at 195 Center Street in Auburn, Androscoggin County, Maine, hereinafter referred to as the "LLC", which expression shall include its successors and assigns.

WHEREAS

The LLC owns a certain parcel of improved real property (hereafter the "Real Estate") located at 1863 Pownal Road in Auburn, Androscoggin County, Maine, and being the same premises conveyed to the LLC by deed of Heaven Lee Love and Ralph Searles, Jr. dated July 26, 2016 and recorded in the Androscoggin County Registry of Deeds in Book 9422, Page 216; and

WHEREAS,

The LLC has elected to place, without any requirement imposed upon the LLC and without any coercion on the part of any person or entity, a perpetual restriction, running with the land, upon the Real Estate in order to prevent further division of the Real Estate into multiple lots and to restrict development on the Real Estate, which is the purpose of this document to recite (this document hereafter referred to as the "Declaration").

NOW, THEREFORE,

The LLC, for itself and its successors and assigns, declares the Real Estate, as described in the aforementioned deed recorded in said Registry in Book 9422, Page 216, to be subject to the following covenant and restriction:

ARTICLE 1. Restriction. The LLC hereby states and declares that the Real Estate, from the effective date of this instrument set forth above, is and shall be subject to a perpetual restriction,

running with the land, that the Real Estate shall not be divided into multiple lots, without regard to any municipal zoning provisions applicable to the Real Estate, whether hereby existing or hereafter arising. This restriction shall not prevent the LLC from accepting delivery of any subsequent deed which would add additional real property to the Real Estate, but the acceptance of any such deed shall not in any manner affect the nature or scope of the restriction established hereby or any other aspect of this Declaration. Any such additional real property once acquired by the LLC shall be included under the definition of “Real Estate” hereunder, and shall be subject to all terms and conditions set forth herein.

ARTICLE 2. Triggering Events. This restriction shall only take effect upon the following triggering events occurring; (a) the City of Auburn confirming to the LLC in writing that the City will allow permits to be issued to the LLC in order to make repairs and perform maintenance on the residential structure currently located on the Real Estate and to allow accessory structures to the currently existing residential structure to be located on the Real Estate, and (b) the recording of this Declaration in the Androscoggin County Registry of Deeds. In the event subpart (a) of this Article 2 occurs, the LLC shall be legally obligated to promptly accomplish subpart (b) of this Article 2. The cost of recording this Declaration shall be borne by the LLC.

ARTICLE 3. Enforcement. The authority for enforcement of any violation of the restriction imposed upon the Real Estate by this Declaration is hereby granted to the City of Auburn and any real estate property owner whose property abuts the Real Estate. This enforcement authority may be exercised by any of the parties set forth in this Article 2, and shall not require all of said parties to engage in any applicable enforcement action.

IN WITNESS WHEREOF, Gary McFarland, duly authorized Member of Aghra Capall LLC, has caused this instrument to be executed on the day and date first above written.

AGHRA CAPALL LLC

By: Gary McFarland
Its: Member, Duly Authorized

**STATE OF MAINE
ANDROSCOGGIN, SS.**

_____, 2016

Then personally appeared the above-named **Gary McFarland**, duly authorized Member of **AGHRA CAPALL LLC** and acknowledged the foregoing instrument to be his free act and deed in said capacity and the free act and deed of **AGHRA CAPALL LLC**.

Notary Public/Attorney At Law
Print Name: _____
Commission Expires: _____

1863 Pownal Road Timeline and questions raised by the Council at the Workshop on 8/22/16

Parcel References: Parcel 021-001 is the entire parcel in question totaling nearly 80 acres before the illegal split and after the split, Parcel 021-001 is the home and 8-9 acres with the house and barn. Parcel 021-001-001 is the vacant land parcel estimated at 56.4 Acres based on information submitted as part of the shooting range application. Below are the transfers and timelines that were available in the assessors record and the Registry of Deeds and other timeline information discussed at the meeting.

7/15/2005 – Deed from Richard and Raylene McCubrey to Carol and Jonathan Flink – Book 6409 Page 245 – Parcel 021-001 – 1863 Pownal Road before illegal lot split - Estimated at 80 Acres in Deed – Sale Price \$648,500

5/13/2008 – Deed of Foreclosure on Flinks By Sun Trust Mortgage - \$0 – Parcel estimated at 8-9 Acres - Staffs opinion is that this foreclosure caused the split of the parcel - Parcel 021-001

11/7/2008 - Deed from Sun Trust Mortgage Inc to Sun Trust Mortgage Inc – Book 7940 Page 284 – Sale Price \$525,000 - Parcel 021-001

5/13/2011 – Deed from Sun Trust Mortgage to US Bank National Association – Book 8159 Page 209 – Sale Price \$234,900 - Parcel 021-001

11/23/2010 – Bankruptcy Sale of Estate of Jonathan and Carol Flink to Jenis Holdings – Book 8061 Page 172 – Parcel 021-001-001 – Estimated at 56.4 Acres – Sale Price 37,500.

5/19/2011 – Wachovia Bank to Heaven Lee Love and Ralph Searles – Book 8159 Page 214 – Parcel 021-001 – Estimated at 8-9 Acres – Sale Price \$140,000

5/13/2013 – Application for Planning Board approval of a Firearms Training Facility – Parcel 021-001-001
Legal notice of Planning Board project sent June 25, 2013 for July 9, 2013 meeting. Substantial public input and concerns raised by neighbors and the application was withdrawn prior to the meeting after notifying staff that they had been unable to correct the lot size violation.

6/2/2016 – As was raised at the Council meeting, it appears based on a file name in the footer of the Councilor request that someone worked on drafting the request on this day.

6/10/2016 – Economic and Community Development Staff receives Councilor Request from City Manager's Office after Agenda Setting Meeting.

6/13/2016 – Staff adds the request to Council Economic and Community Development Committee Agenda for direction.

6/16/2016 - Council Economic and Community Development Committee Considers Councilor Request and recommends that staff follow the ordinance prescribed process and bring the request to the Planning Board for a recommendation to the Council.

7/26/2016 – Deed from Heaven Lee Love and Ralph Searles Jr. to Aghra Capall LLC Recorded at the Registry on 8/3/2016. The City has not yet received a copy of this deed from the registry as of 8/22/2016.

1863 Pownal Road Timeline and questions raised by the Council at the Workshop on 8/22/16

7/27/2016 – Planning Board Notice of public hearing mailed to owners and abutters based on required schedule for 8/9/2016 Board Meeting.

7/28/2016 and 8/2/2016 – Planning Board Notice Appears in Sun Journal based on required schedule for 8/9/2016 Board Meeting.

8/9/16- Planning Board Considers proposal and requests additional information. Board tables item to September 13 meeting.

8/22/2016 – Council agenda includes update and discussion on the proposed zoning change.

Other questions raised at the meeting on 8/22/2016:

1. When did we change the zoning at the intersections of Rt 136 and Jordan School Road and Pownal and Jordan School Roads? Both ends of Jordan School Road (Rt 136 and Pownal) appear to be zoned as they are today on the 2002 zoning map on file in the Economic and Community Development Office. We did not research beyond 2002.
2. When did the South Witham Road zoning change near the Alpaca Farm and how far did the change extend? Ordinance 06-09172012 approved the second and final reading on a zoning change on South Witham Road. Second and final reading vote for passage was 4-3 (Councilors Crowley, Walker, and Gerry). The change did not impact the AG zone but did change an area from Low Density Country Residential (LDCR) to Rural Residence (RR) which went from a lot size requirement of 3 acres with 325 feet of street frontage to a 1 acre minimum with 250' frontage requirement. Both ends of the road were already RR with a section of LDCR in between. The Change replaced about 4,000 feet of LDCR frontage with RR Frontage.

BRANN & ISAACSON
ATTORNEYS AND COUNSELORS AT LAW

DANIEL C. STOCKFORD | Partner
dstockford@brannlaw.com

MEMORANDUM

To: Howard Kroll, City Administrator;
Eric Cousens, Deputy Director of Planning & Development
From: Daniel Stockford, Esq.; Anne Torregrossa, Esq.
Date: May 2, 2016
Re: Request for No-Action Letter

This memorandum is in response to your inquiry regarding the possibility of issuing a “no-action letter” regarding 1863 Pownal Road, which is a nonconforming lot due to its failure to meet minimum lot size requirements.¹ We understand that a representative for a potential purchaser of the property has requested that the City issue a no-action letter, essentially agreeing not to take enforcement action on the basis of the nonconformity. Because no-action letters are not enforceable, and because a no-action letter would likely not accomplish the purchaser’s goals anyway, we do not recommend that the City issue a no-action letter in this case.

A no-action letter is generally a letter by municipal officers or a municipal official agreeing not to prosecute a landowner on the basis of a land use or zoning violation. The authority for issuing a no-action letter is the City’s inherent prosecutorial discretion on when, and how, to enforce its own ordinances. Both Maine Municipal Association and the State Planning Office recognize no-action letters as a tool for code enforcement officers, but they also recognize that such letters are not binding on future administrations. This is exactly what limits their effectiveness, because a future City Council could decide to pursue enforcement action despite any previously issued letter.

A case decided by the Law Court last year highlights the limitations of a no-action letter. The Phippsburg Board of Selectmen issued a property owner a no-action letter that the Town would not enforce its ordinance against two nonconforming lots and would “consider both lots to be lawful nonconforming lots.” On the basis of this letter, the property owner applied for, and received a permit to develop one of the lots. An abutter sued the owner, requesting a declaratory judgment that the lot was not lawfully nonconforming. After a year and a half of litigation, the Law Court agreed with the abutter, and the no-action letter did nothing to protect the owner’s development rights. *Day v. Town of Phippsburg*, 2015 ME 13, 110 A.3d 645.

¹ Whether this lot is lawfully nonconforming is a question that we are currently researching and will separately address.

May 2, 2016
Page 2

Additionally, it is likely that a no-action letter would not give the City the authority to grant building and other permits that it could not otherwise grant under its ordinances. The no-action letter is simply a statement agreeing not to prosecute. It is not an agreement to violate the City's own permitting ordinances. Even if the City granted a building or other permit, an abutter or other interested party could challenge that decision, just as the abutter did in the *Phippsburg* case. Any such challenge likely would be successful.

DCS/lh

Auburn Planning Board Meeting Minutes September 13, 2016

ROLL CALL:

Regular Members present: Mia Poliquin Pross, Robert Bowyer, Ken Bellefleur Presiding, Dan Philbrick, Samuel Scogin and Marc Tardif.

Regular Members absent: Evan Cyr

Associate Members present: Elaine Wickman and Nathan Hamlyn

Associate Members absent: None

Also present representing City staff: Eric Cousens, Deputy Director of Economic & Community Development

Chairperson Bellefleur called the meeting to order and stated Nathan Hamlyn would be acting as a Full member for this meeting. He also stated any action on the meeting minutes would take place at the end of this meeting.

PUBLIC HEARINGS & NEW BUSINESS:

Zoning map amendment for a portion of 1807 Pownal Road, a portion of 1850 Pownal Road, a portion of PID # 021-012, 1890 Pownal Road, 1863 Pownal Road and a portion of PID # 021-012-001 from Agricultural Resource Protection District to Low Density Rural Residential District pursuant to Section 60-1445 Amendments to the Zoning Map. *Proposal was heard and tabled August 9, 2016.*

A motion was made by Dan Philbrick and seconded by Mia Poliquin Pross to take the item off the table. After a vote of 7-0-0, the motion carried.

Eric Cousens explained that staff left the description of the proposed zone change the same as it was for the last meeting because staff wanted to make sure that the description and public notice brought everybody possible that would have been interested or affected to this meeting. He said staff provided 4 additional pieces of information and listed the following:

- 1) A revised zoning map that would limit any zone change to just the southernmost portion of the John F. Murphy lot and the 1863 Pownal Road lot.
- 2) A copy of a proposed declaration of covenants and restrictions by the owner of 1863 Pownal Road,
- 3) A copy of a timeline that staff put together of the transfers and events of 1863 Pownal Road
- 4) A copy of the opinion of the City Attorney about why a No-Action letter probably would not accomplish the goals of the property owner or solve the problem that the City has outlined.

Eric went on to explain the 5th scenario and presented slides on the projector.

Robert Bowyer asked Eric to further explain the restricted covenants.

Open Public Input

Joe Gray of Sopers Mill Road asked how is this fair when one lot gets what they want when for 5 years the previous owner didn't get any consideration from the City at all. He said this was spot zoning and many people will be coming forward to get theirs spot zoned as well.

Mike Pelletier of 1282 Pownal Road said he tried to get a permit to build a house but was told by Eric he could only build a barn and could change it later. He said it's been 5 years and is being told by the City it's looking too much like a house. He said he planned on building a log cabin but neighbors are complaining to the City and Council so he doesn't know what to do. He hopes this passes and gets to his property which is a half mile up the road.

(19:05 on DVD)

Marc Tardif said this is a unique situation and because the building exists and will be going into disrepair, he would go with scenario #5.

The Board members discussed at length all the various options that were on the table. Eric and Mr. Visbaras answered questions that were asked by Board members.

(46:50 on DVD)

A motion was made by Marc Tardif and seconded by Mia Poliquin Pross to forward a recommendation of approval to the City Council for the Zoning Map Amendment based on scenario #5 with the following Findings: 1) Scenario # 5, as presented by staff at the September 13 meeting, meets the six considerations of the Rural Residential Strips in the 2010 Comprehensive Plan. Criteria 6 will not apply. 2) Scenario # 5 minimizes the number of new lots that could be created. 3) The rezoning will allow the property at 1863 Pownal Road to be purchased, repaired, maintained and put on the tax rolls. And also to recommend to the City Council that the restrictive covenants prepared by the applicant be incorporated in this approval.

After a vote of 3-4-0 the motion failed. Robert Bowyer, Chairperson Bellefleur, Samuel Scogin and Nathan Hamlyn opposed.

Members who opposed gave the following reasons for doing so:

- Asking City to solve a problem created by private entities,
- Spot zoning characteristics so if we are to rezone this one property we should do so in the rest of the area,
- Don't want to see this used as a precedent for other petitions,
- Ag Zone has been an issue and needs to be looked at more comprehensively.

Eric asked the Board members to make a recommendation to the City Council; even if the Board is opposed to this, they should make a motion to recommend that it not be approved by the City Council.

Robert Bowyer asked what particular set of boundaries is in the petition in front of the City Council. Eric replied that this was one of the challenges with the proposal. He said there was a map that showed the outline of 1863 Pownal Road and extended the zone the same way Scenario #5 did and there was also a written description that said that it should be both sides of the road. He explained that public notices were sent to property owners affected within the larger area and all those within 500 feet from that area.

(01:04:05 on DVD)

A motion was made by Robert Bowyer and seconded by Samuel Scogin to forward a recommendation to the City Council that no change in Zoning District be approved at this time. After a vote of 4-3-0 the motion passed. Mia Poliquin Pross, Dan Philbrick and Marc Tardif opposed.

Recommendation to the Council on an amendment to Chapter 60, Article XVI, Division 2, Subdivision 1, Sec. 60-1301(14) pursuant to Chapter 60 Article XVII- Amendments, Division 2- Amendment to the Zoning Map of the Auburn Code of Ordinances. The changes amend references to State Stormwater Standards to allow the City to maintain Delegated Review Authority.

Eric explained the proposal to the Board members.

Open Public Input

No members of the public spoke.

A motion was made by Dan Philbrick and seconded by Samuel Scogin to close the Public Input part of the hearing. After a vote of 7-0-0, the motion carried.

(01:08:15 on DVD)

A motion was made by Mia Poliquin Pross and seconded by Dan Philbrick to send a favorable recommendation to the City Council an amendment to Chapter 60, Article XVI, Division 2, Subdivision 1, Sec. 60-1301(14) pursuant to Chapter 60 Article XVII- Amendments, Division 2- Amendment to the Zoning Map of the Auburn Code of Ordinances with the following Finding: Updating the Site Plan Law to reflect the newer State regulations will allow the city to maintain its Delegated Review Authority.

After a vote of 7-0-0, the motion carried.

OLD BUSINESS:

None

MINUTES:

July 12, 2016 Meeting Minutes Approval Request

A motion was made by Robert Bowyer and seconded by Samuel Scogin to approve the July 12, 2016 meeting minutes with the sole correction that the last word on page 5 be changed to Street. After a vote of 7-0-0, the motion carried.

MISCELLANEOUS:

Eric updated Board members regarding the Recommendation on the Capital Improvement Plan which the Planning Board recommended that the City Council fund the Ag District Study. He said the Council did not fund it but there was some interest at the Council level to revisit and said Council asked staff for a study outline to be updated to everything staff has prepared to date. He mentioned the Economic & Community Development Committee was a good place to get some more input before going for a full Council review so would be presenting to that committee on Thursday evening. He said any Ag District Study draft would be brought before the Planning Board for review.

ADJOURNMENT

A motion was made by Marc Tardif and seconded by Dan Philbrick to adjourn. After a vote of 7-0-0, the motion carried.

all areas subject to shoreland zoning under state law. It establishes water body setback requirements and performance standards, and is being updated to reflect current state requirements.

3. RURAL RESIDENTIAL ROAD STRIPS

The City has historically zoned narrow strips of land along some rural roads for low density residential development. These strips represent a compromise between the City's goal of limiting residential development in rural areas, and existing conditions along these rural roads. As part of the development of the Future Land Use Plan (see Chapter 2), the City conducted a comprehensive review of where residential strips should and should not be created based upon the following set of criteria. The considerations outlined below apply sequentially – first to identify where strips are appropriate based on current land use patterns, and then to work through where residential strips are inappropriate based on a variety of considerations.

Consideration #1 – Established Residential Pattern

A residential strip **may be provided** along a rural road where there is an established pattern of residential uses along the road. An established residential pattern means at least 6-8 homes per half mile counting both sides of the road. In general, both sides of a road should have a residential strip unless there is a significant reason not to allow residential development based on the following considerations.

Consideration #2 – Reserve Area Adjacency

A residential strip **should not be provided** along a rural road if the area adjacent to the road is a “reserve area” where the objective is to maintain the land as undeveloped to allow for its conversion to a different use in the foreseeable future. There should be some realistic expectation that something will occur that will change the desired land use for the area in the future.

Consideration #3 – Natural Resource Adjacency

A residential strip **should not be provided** along a rural road if the area adjacent to the road has significant natural resource value. Areas with significant natural value include areas that are zoned Resource Protection or are high value wetlands, 100 Year floodplains, significant wildlife habitats, and areas with steep slopes (>25%).

Consideration #4 – Conservation/Open Space Adjacency

A residential strip **should not be provided** along a rural road where the adjacent land is protected open space, or where there is a reasonable expectation that the land will be preserved as open space in the foreseeable future, and residential development is inconsistent with that open space use.

Consideration #5 -- Ability to Provide Public Services

A residential strip **should not be provided** along a rural road if residential development will tax the City's ability to provide municipal services as indicated by the following:

- The road is a gravel or dirt road
- The road is a poorly maintained paved road that will need to be improved to support residential development along it

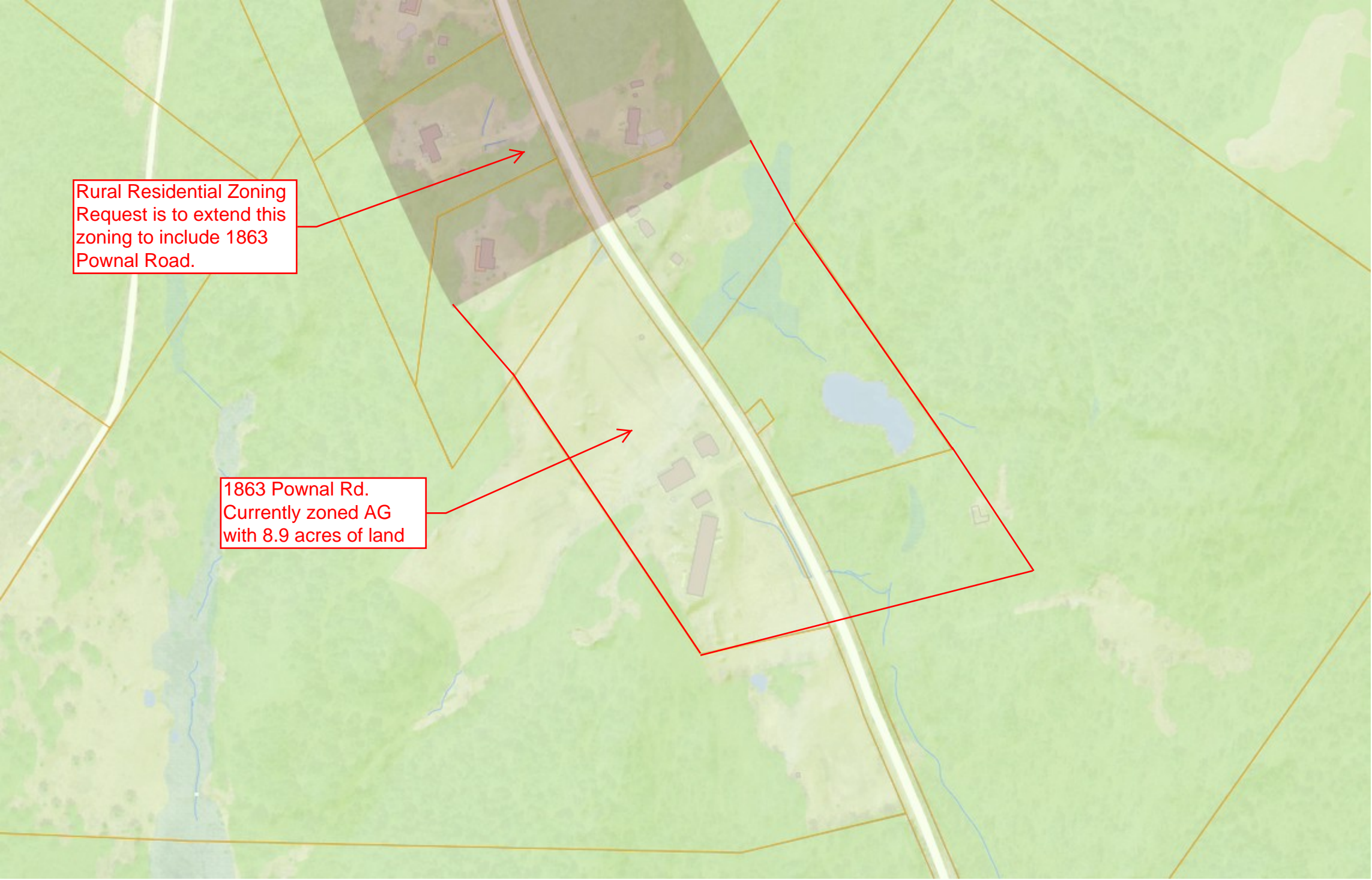
Consideration #6 – Water Quality Protection

A residential strip **should not be provided** along rural roads with undeveloped frontage that are located in the watershed of Lake Auburn, unless such development will not have an adverse impact on the lake's water quality.

The Future Land Use Plan (see Chapter 2) shows the areas where low density residential development is proposed to be allowed along rural roads based on these criteria. These criteria should be used in the future to review the areas designated as residential strips as conditions change, or to review property owner-initiated requests for rezoning.

4. NEIGHBORHOOD BUSINESS DISTRICTS

The City has a number of neighborhood businesses that are located within residential neighborhoods. It is the City's policy to support the retention and improvement of these businesses since they offer a valuable service to the City's residents. It is also the City's policy to encourage the owners of these properties to reinvest in maintaining and improving these buildings. To accomplish these objectives, the Future Land Use Plan (see Chapter 2) designates these properties as Neighborhood Business Districts. The standards for these districts allow the existing nonresidential use to be maintained and improved, as long as it is compatible with the surrounding neighborhood. The standards also allow for replacing an existing use with a new nonresidential use (other than service stations and auto service facilities), as long as it is appropriate for the neighborhood. The primary objective in creating these districts is to encourage the retention of these neighborhood businesses. As long as the property includes nonresidential space, whether occupied or not, the property should remain in the Neighborhood Business District to allow re-occupancy by an appropriate nonresidential use.



Rural Residential Zoning
Request is to extend this
zoning to include 1863
Pownal Road.

The map is an aerial photograph with a semi-transparent overlay. A red line outlines a large area along a road, indicating the proposed extension of Rural Residential Zoning. A smaller, darker shaded area is located further north along the same road. Two red arrows point from text boxes to specific locations on the map: one points to the northern shaded area, and the other points to a property on the road.

1863 Pownal Rd.
Currently zoned AG
with 8.9 acres of land





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



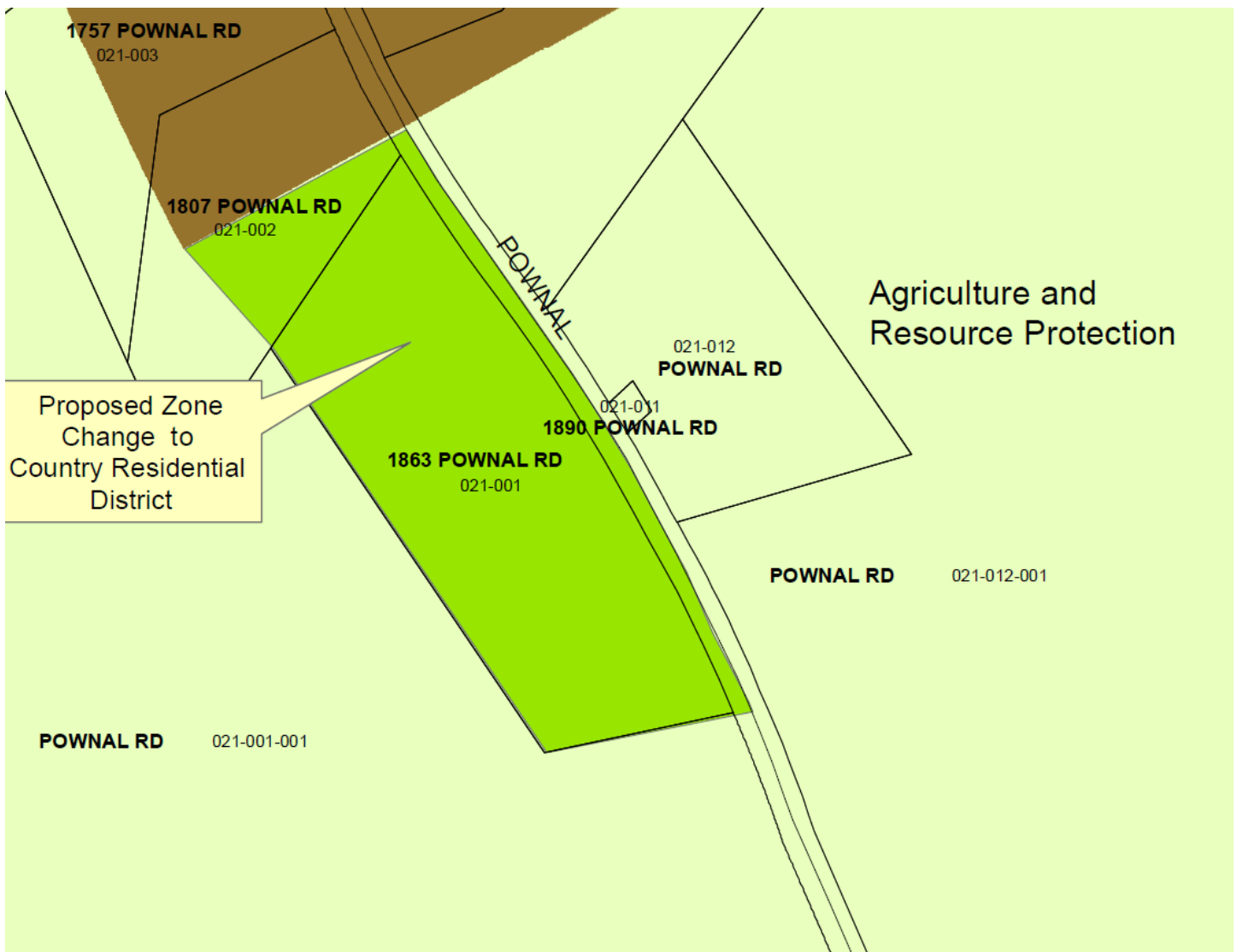
Leroy Walker, Ward Five
Grady R. Burns, At Large
David C. Young, At Large

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDINANCE 09-10172016

Be it ordained by the Auburn City Council, that the zoning map be amended in the area of 1863 Pownal Road to extend the Residential Zoning district to include the portion of 1807 within 450' of the centerline of Pownal Road and the entire parcel at 1863 Pownal Road as shown on the below map. The extension shall be Low Density Country Residential District.





**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: December 19, 2016

Order: 93-12192016

Author: Alison F. Pepin, License Specialist

Subject: New Business – LAVA/House of Bacon, 34 Court St. – application for a Liquor License and Special Amusement Permit

Information: LAVA/House of Bacon, (owner Joseph A. Richards) located at 34 Court Street applied for a Liquor License (Class A Lounge) and a Special Amusement Permit. Police, Fire, and Code have completed necessary inspections and have granted approval.

Advantages: Will help to activate the commercial area by reducing storefront vacancy, boosting foot traffic, adding to the variety of neighborhood restaurants and entertainment, creating jobs for residents, and providing space for neighbors to meet and socialize, promoting Auburn as a business friendly community.

Disadvantages: May have the potential for disorderly conduct.

City Budgetary Impacts: N/A

Staff Recommended Action: Public hearing and recommend passage.

Previous Meetings and History: N/A

Attachments:

Applications
Background check
Public Notice
Order 93-12192016

BUREAU OF ALCOHOLIC BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT
8 STATE HOUSE STATION, AUGUSTA, ME 04333-0008
10 WATER STREET, HALLOWELL, ME 04347
TEL: (207) 624-7220 FAX: (207) 287-3434
EMAIL INQUIRIES: MAINE.LIQUOR@MAINE.GOV

DIVISION USE ONLY	
License No:	
Class:	By:
Deposit Date:	
Amt. Deposited:	
Cash Ck Mo:	

NEW application: ☒ Yes ☐ No

PRESENT LICENSE EXPIRES _____

INDICATE TYPE OF PRIVILEGE: ☒ MALT ☒ VINOUS ☒ SPIRITUOUS

INDICATE TYPE OF LICENSE:

☐ RESTAURANT (Class I,II,III,IV)

☐ HOTEL-OPTINONAL FOOD (Class I-A)

☐ CLASS A LOUNGE (Class X)

☐ CLUB (Class V)

☐ TAVERN (Class IV)

☒ RESTAURANT/LOUNGE (Class XI)

☐ HOTEL (Class I,II,III,IV)

☐ CLUB-ON PREMISE CATERING (Class I)

☐ GOLF CLUB (Class I,II,III,IV)

☐ OTHER: _____

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

Corporation Name:			Business Name (D/B/A)		
			LAVA/HOUSE OF BACON (HOB)		
APPLICANT(S) –(Sole Proprietor)		DOB:	Physical Location:		
Joseph A. Richards		01/22/1989	34 Court Street		
		DOB:	City/Town	State	Zip Code
			Auburn	ME	04210
Address			Mailing Address		
28 Bryana Way					
City/Town	State	Zip Code	City/Town	State	Zip Code
New Gloucester	ME	04260			
Telephone Number		Fax Number	Business Telephone Number		Fax Number
207-776-8735			207-200-8057		
Federal I.D. #			Seller Certificate #:		
46-5505521			or Sales Tax #:		
Email Address:			Website:		
Please Print fondueshowlounge@gmail.com					

If business is NEW or under new ownership, indicate starting date: 12/14/2016

Requested inspection date: ASAP Business hours: W-Sat 6a-2p, 4p-12a; Sun 6a-2p

3. If a premise is a hotel, indicate number of rooms available for transient guests: _____

4. State amount of gross income from period of last license: ROOMS \$ _____ FOOD \$ 20,000 LIQUOR \$ 150,000

5. Is applicant a corporation, limited liability company or limited partnership? YES ☐ NO ☒

If YES, complete Supplementary Questionnaire

6. Do you permit dancing or entertainment on the licensed premises? YES ☒ NO ☐

7. If manager is to be employed, give name: Marcus Verrill

9. Business records are located at: 34 Court Street

10. Is/are applicants(s) citizens of the United States? YES ☒ NO ☐

11. Is/are applicant(s) residents of the State of Maine? YES ☒ NO ☐

12. List name, date of birth, and place of birth for all applicants, managers, and bar managers. Give maiden name, if married:
Use a separate sheet of paper if necessary.

Name in Full (Print Clearly)	DOB	Place of Birth
Joseph Andrew Richards	01-22-84	Maine
Marcus Lee Verrill	06-19-76	Maine

Residence address on all of the above for previous 5 years (Limit answer to city & state)

New Gloucester, ME

13. Has/have applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States? YES ☒ NO ☐

Name: Joseph A. Richards

Date of Conviction: 5-29-2010

Offense: CVI Misdemeanor

Location: Portland

Disposition: CVI Class D

14. Will any law enforcement official benefit financially either directly or indirectly in your license, if issued?
Yes ☐ No ☒ If Yes, give name: _____

15. Has/have applicant(s) formerly held a Maine liquor license? YES ☒ NO ☐

16. Does/do applicant(s) own the premises? Yes ☐ No ☒ If No give name and address of owner: _____

Justin Flannery PO Box 748 Gorham, ME 04038

17. Describe in detail the premises to be licensed: (On Premise Diagram Required) _____

18. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services?
YES ☒ NO ☐ Applied for: _____

19. What is the distance from the premises to the NEAREST school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? 0.4 M Which of the above is nearest? Church

20. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES ☐ NO ☒

If YES, give details: _____

The Division of Liquor Licensing & Enforcement is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

NOTE: "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to \$2,000 or both."

Dated at: Auburn ME
Town/City, State

on Dec. 6th, 20 10
Date

Please sign in blue ink

Signature of Applicant or Corporate Officer(s)

Joseph Richards
Print Name

Signature of Applicant or Corporate Officer(s)

Print Name

STATE OF MAINE

Dated at: _____, Maine _____
City/Town (County)

On: _____
Date

The undersigned being: ☐ Municipal Officers ☐ County Commissioners of the
☐ City ☐ Town ☐ Plantation ☐ Unincorporated Place of: _____, Maine

Hereby certify that we have given public notice on this application and held public hearing thereon as required by Section 653 Title 28A, Maine Revised Statutes and hereby approve said application.

THIS APPROVAL EXPIRES IN 60 DAYS

NOTICE – SPECIAL ATTENTION

§653. Hearings; bureau review; appeal

1. Hearings. The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, may hold a public hearing for the consideration of applications for new on-premises licenses and applications for transfer of location of existing on-premises licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.

A. The bureau shall prepare and supply application forms. [1993, c. 730, §27 (AMD).]

B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c. 140, §4 (AMD).]

C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premises license or transfer of the location of an existing on-premises license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premises license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premises license that has been extended pending renewal within 120 days of the filing of the application. [2003, c. 213, §1 (AMD).]

D. If an application is approved by the municipal officers or the county commissioners but the bureau finds, after inspection of the premises and the records of the applicant, that the applicant does not qualify for the class of license applied for, the bureau shall notify the applicant of that fact in writing. The bureau shall give the applicant 30 days to file an amended application for the appropriate class of license, accompanied by any additional license fee, with the municipal officers or county commissioners, as the case may be. If the applicant fails to file an amended application within 30 days, the original application must be denied by the bureau. The bureau shall notify the applicant in writing of its decision to deny the application including the reasons for the denial and the rights of appeal of the applicant. [1995, c. 140, §5 (NEW).][2003, c. 213, §1 (AMD) .]

2. Findings. In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:

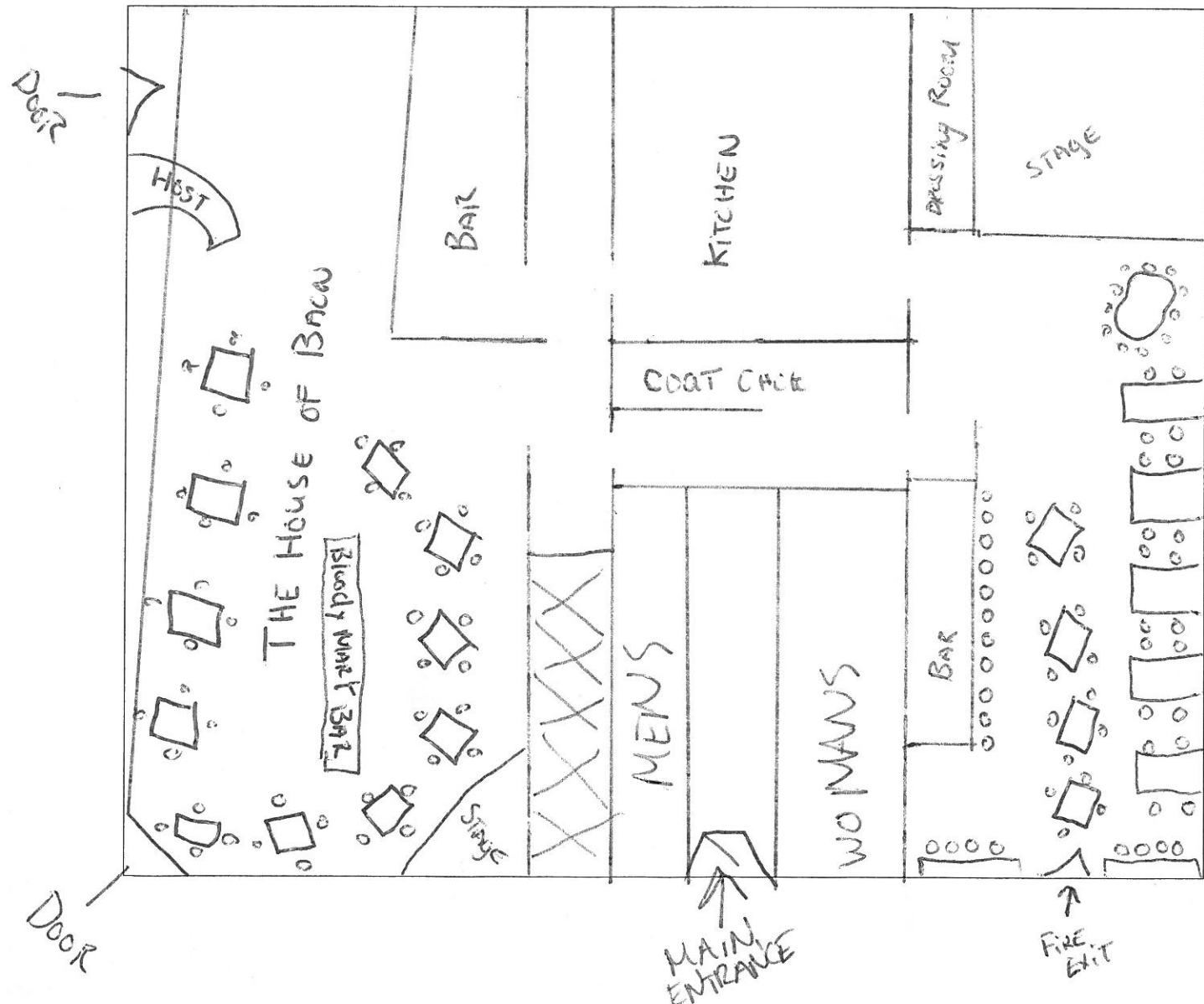
Bureau of Alcoholic Beverages and Lottery Operations
 Division of Liquor Licensing & Enforcement
 8 State House Station, Augusta, ME 04333-0008
 10 Water Street, Hallowell, ME 04347
 Tel: (207) 624-7220 Fax: (207) 287-3434
 Email Inquiries: MaineLiquor@maine.gov

DIVISION USE ONLY	
<input type="checkbox"/>	Approved
<input type="checkbox"/>	Not Approved
BY:	

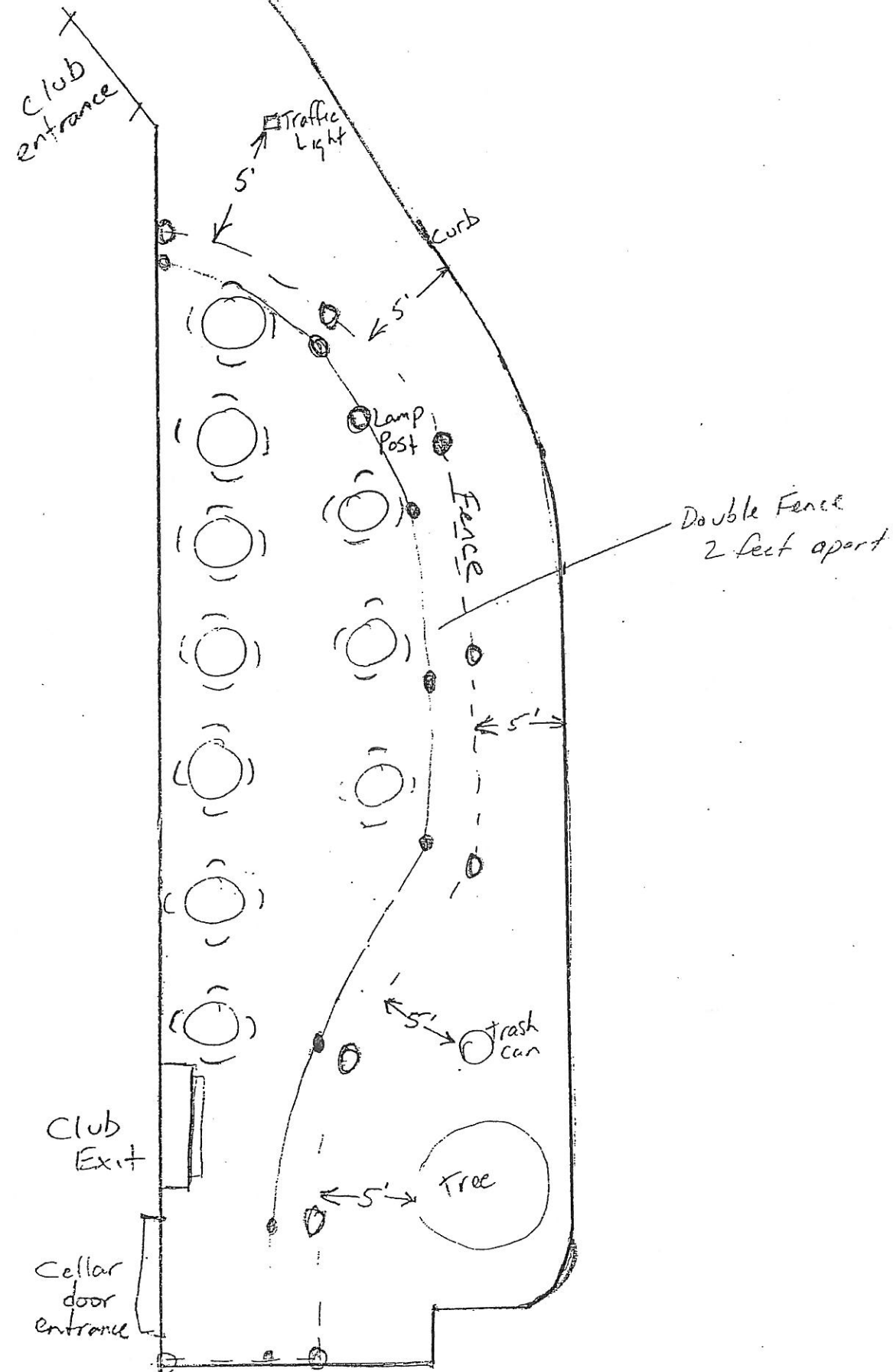
ON PREMISE DIAGRAM

In an effort to clearly define your license premise and the area that consumption and storage of liquor is allowed. The Division requires all applicants to submit a diagram of the premise to be licensed in addition to a completed license application.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the areas of your diagram including entrances, office area, kitchen, storage areas, dining rooms, lounges, function rooms, restrooms, decks and all areas that you are requesting approval from the Division for liquor consumption.



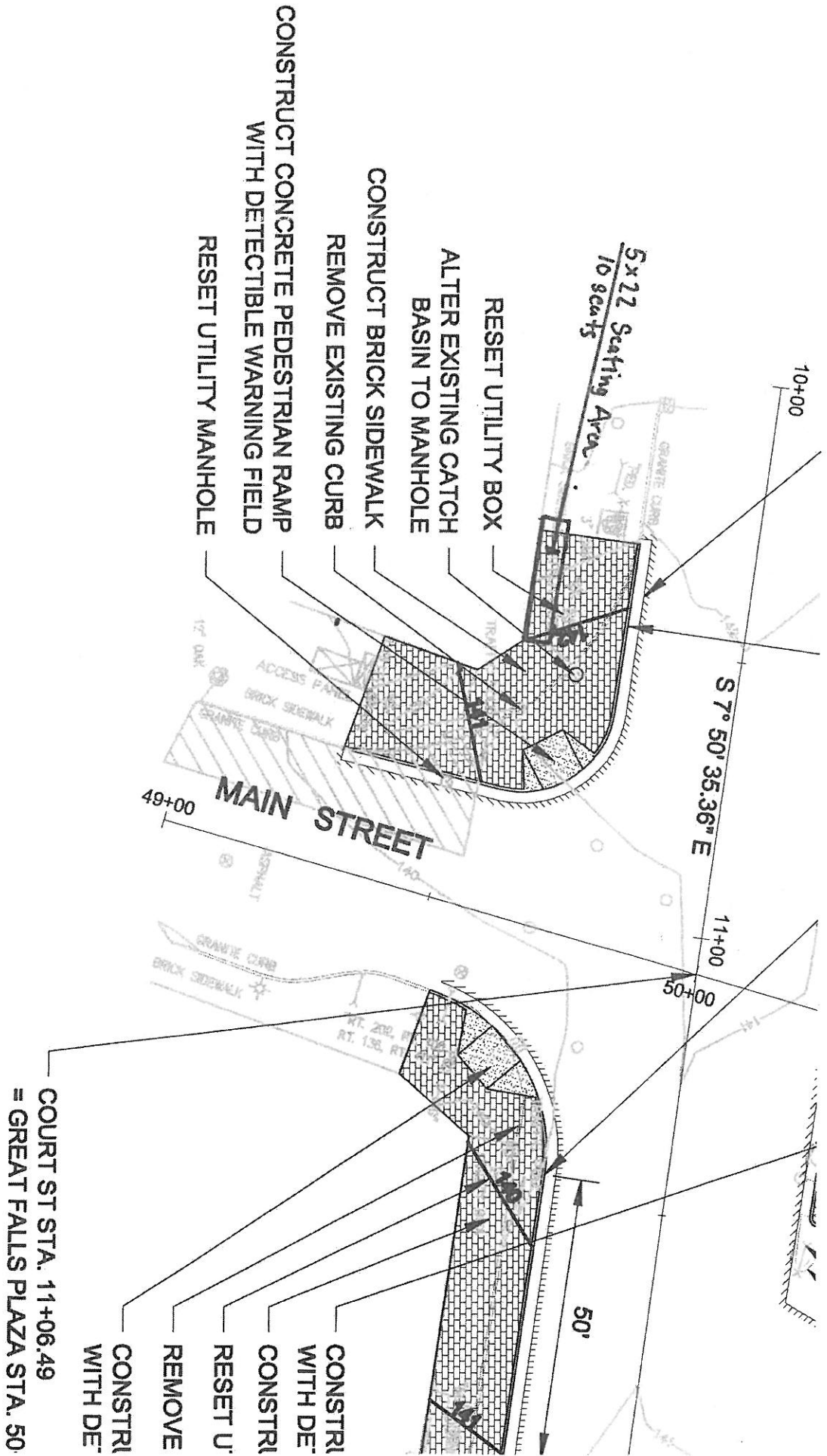
OFF PREMISE DIAGRAM



OFF PREMISE DIAGRAM

Sidewalk Seating Addition of up to 10 seats
5x22 Area along Court St.

1 = 25'



8x22
22

FEE SCHEDULE

FILING FEE: (must be included on all applications).....		\$ 10.00
Class I	Spirituos, Vinous and Malt	\$ 900.00
	CLASS I: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers; OTB.	
Class I-A	Spirituos, Vinous and Malt, Optional Food (Hotels Only)	\$1,100.00
	CLASS I-A: Hotels only that do not serve three meals a day.	
Class II	Spirituos Only	\$ 550.00
	CLASS II: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; and Vessels.	
Class III	Vinous Only	\$ 220.00
	CLASS III: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	
Class IV	Malt Liquor Only	\$ 220.00
	CLASS IV: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.	
Class V	Spirituos, Vinous and Malt (Clubs without Catering, Bed & Breakfasts)	\$ 495.00
	CLASS V: Clubs without catering privileges.	
Class X	Spirituos, Vinous and Malt – Class A Lounge	\$2,200.00
	CLASS X: Class A Lounge	
Class XI	Spirituos, Vinous and Malt – Restaurant Lounge	\$1,500.00
	CLASS XI: Restaurant/Lounge; and OTB.	

UNORGANIZED TERRITORIES \$10.00 filing fee shall be paid directly to County Treasurer. **All applicants in unorganized territories shall submit along with their application evidence of payment to the County Treasurer.**

All applications for NEW or RENEWAL liquor licenses must contact their Municipal Officials or the County Commissioners in unincorporated places for approval and signatures for liquor licenses prior to submitting them to the bureau.

All fees must accompany application, make check payable to the **Treasurer, State of Maine.**

This application must be completed and signed by the Town or City and mailed to:
Bureau of Alcoholic Beverages and Lottery Operations
Division of Liquor Licensing and Enforcement
8 State House Station, Augusta, ME 04333-0008.
Payments by check subject to penalty provided by Title 28A, MRS, Section 3-B.



☒ NEW
☐ RENEW

CITY OF AUBURN
SPECIAL AMUSEMENT PERMIT APPLICATION

LICENSE / APPLICATION FEE: \$125.00

BUSINESS NAME: LAVA / HOUSE OF BACON @ 34 Court St
PHYSICAL ADDRESS: 34 Court St. Auburn ME 04210
MAILING ADDRESS: 34 Court St. Auburn ME 04210
BUSINESS TELEPHONE NUMBER(S): 207-200-8057

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 Theater
Carol Bonds

DAYS AND HOURS OF ENTERTAINMENT:

☒ SUNDAY HOURS: 6A-2P ~~12A~~
☐ MONDAY HOURS: _____
☐ TUESDAY HOURS: _____
☒ WEDNESDAY HOURS: 6A-2P 4P-10P
☒ THURSDAY HOURS: 6A-2P 4P-12A
☒ FRIDAY HOURS: 6A-2P 4P-12A
☒ SATURDAY HOURS: 6A-2P 4P-12A

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

Lava Fondue Restaurant with theatrical
Shows, Dinner only.
House of Bacon Side Breakfast/Lunch/Tapas
Banquet Room Stage

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: Joseph A Richards
DATE OF BIRTH: Sept. 22. 1989
ADDRESS: 28 Bryana Way
PRIMARY TELEPHONE NUMBER: 207-776-8135
SECONDARY TELEPHONE NUMBER: _____
2. NAME: _____
DATE OF BIRTH: _____
ADDRESS: _____
PRIMARY TELEPHONE NUMBER: _____
SECONDARY TELEPHONE NUMBER: _____
3. NAME: _____
DATE OF BIRTH: _____
ADDRESS: _____
PRIMARY TELEPHONE NUMBER: _____
SECONDARY TELEPHONE NUMBER: _____

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

NAME (FULL): Justin Flannery

STREET ADDRESS: P.O. Box 748 CITY/STATE: Gorham ZIP: 04038

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):

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: Portland
CHARGE: 001 MISOLEMPANO ✓ STATUE# _____
DATE OF CHARGE: 5-29-2010
DISPOSITION: 001 Class D

JURISDICTION: _____
CHARGE: _____ STATUE# _____
DATE OF CHARGE: _____
DISPOSITION: _____

JURISDICTION: _____
CHARGE: _____ STATUE# _____
DATE OF CHARGE: _____
DISPOSITION: _____

PLEASE PROVIDE THE FOLLOWING, IF APPLICABLE:

- ☐ CURRENT LIQUOR LICENSE # _____ EXPIRATION DATE: _____
- ☐ CURRENT DANCE LICENSE # _____ EXPIRATION DATE: _____

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 AMUSEMENT 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: _____

PRINT NAME AND TITLE: _____

WITNESS: _____

DATE: _____

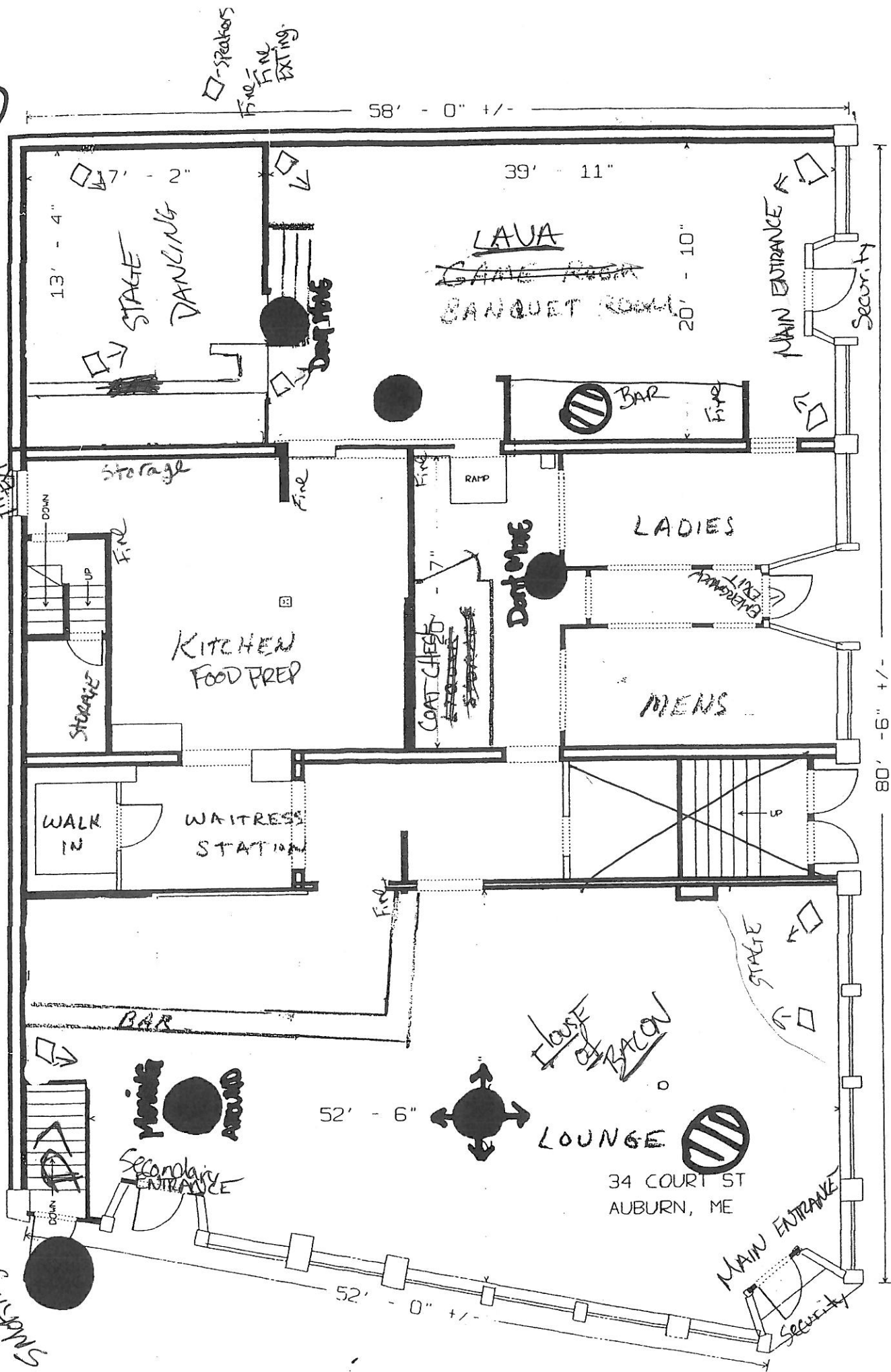
FOR INTERNAL USE ONLY

DATE RECEIVED: 12/05/2016				
PUBLIC HEARING DATE: 12/19/2016				
APPROVALS:				
<input checked="" type="checkbox"/> POLICE	<input checked="" type="checkbox"/> FIRE	<input checked="" type="checkbox"/> CODE	<input checked="" type="checkbox"/> FINANCE	<input type="checkbox"/> CITY COUNCIL

FOR INTERNAL USE ONLY

Rolling

Smoking orders





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

ALISON PEPIN
60 COURT STREET
AUBURN, ME 04210

Transaction Response #: MIQ99D084464

Criminal History Record

Introduction

**This criminal history record was produced in response to the following request
(Produced on 2016-12-06) :**

Inquiries Name(s) JOSEPH A RICHARDS (1989-01-22)

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

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: 2016-12-06**

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.

Identification

Subject Name/or potential Alias Name(s)

RICHARDS, JOSEPH ANDREW

Subject Description (date information provided listed in parentheses)

State ID Number ME0196964	DOC Number Unknown/NA	
Sex Male	Race White	Skin Tone Unknown/NA
Height 511 (2010-05-29) 511	Weight 160 (2010-05-29) 150	Date of Birth 1989-01-22
Hair Color Blonde Or Strawberry (2010-05-29) Brown	Eye Color Blue (2010-05-29) Blue	
Scars, Marks, and Tattoos Unknown/NA		
Place of Birth ME	Citizenship XX (2010-05-29)	
Residence Residence as of Address	2011-08-27 28 BRYANNA WAY NEW GLOUCESTER, ME 04260	
Residence as of Address	2010-05-29 28 BRYANA WY NEW GLOUCESTER, ME 04260	

Caution Information

Firearms Disqualified

X - Unknown

Criminal History**Cycle 001**

ATN/Tracking Number 804665A
Earliest Event Date 2010-05-29

Arrest/Charge (Cycle 001)
Arrest/Charge Date 2010-05-29
Arresting/Charging Agency PORTLAND PD; ME0030500
Subject Name(s) RICHARDS, JOSEPH
Arrest Type Adult

Charge 1

Charge Number 804665A 001
 Charge Tracking Number 804665A
 Charge Case Number 10-4770
 Agency PORTLAND PD; ME0030500
 Offense Date 2010-05-29
 Charge Description OPERATING UNDER THE INFLUENCE (Charge Class D)
 Statute 29-A MRSA SUBSECTION 2411(1-A)(A)
 State Sequence Code 11493
 Severity Misdemeanor

Prosecutor Disposition (Cycle 001)
Prosecutor Agency DISTRICT ATTORNEY'S OFFICE PORTLAND;
 ME003013A

Charge 1

Charge Number 804665A 001
 Charge Tracking Number 804665A
 Offense Date 2010-05-29
 Charge Description OPERATING UNDER THE INFLUENCE (Charge Class D)
 Statute 29-A MRSA SUBSECTION 2411(1-A)(A)
 State Sequence Code 11493
 Severity Misdemeanor
 Prosecutor Record ADDED
 Modified/Updated

Court Disposition (Cycle 001)

Court Case Number CUMCDCR201003588
Court Agency CUMBERLAND CRIMINAL DOCKET COURT; ME003075J
Charge 1
 Charge Number 804665A 001
 Charge Tracking Number 804665A
 Agency CUMBERLAND CRIMINAL DOCKET COURT; ME003075J
 Offense Date 2010-05-29
 Charge Description OPERATING UNDER THE INFLUENCE (Charge Class D)
 Statute 29-A MRSA SUBSECTION 2411(1-A)(A)
 State Sequence Code 11493
 Severity Misdemeanor
 Disposition 2010-07-08; GUILTY

Sentencing (Cycle 001)
Sentencing Agency CUMBERLAND CRIMINAL DOCKET COURT; ME003075J
 Court Case Number CUMCDCR201003588
 Charge Number 804665A 001
 Charge Sequence Number 1
 Charge Tracking Number 804665A
 Sentence 2010-07-08: FINED \$500.00

Corrections No data supplied

Index of Agencies

Agency	CUMBERLAND CRIMINAL DOCKET COURT; ME003075J
Agency Telephone	207-822-4113
Address	205 NEWBURY STREET PORTLAND, ME 04112-0287

Agency	DISTRICT ATTORNEY'S OFFICE PORTLAND; ME003013A
Agency Telephone	207-871-8384
Address	142 FEDERAL ST PORTLAND, ME 04101

Agency	PORTLAND PD; ME0030500
Agency Telephone	207-874-8479
Address	109 MIDDLE ST PORTLAND, ME 04111

**CITY OF AUBURN
PUBLIC NOTICE**

A public hearing will be held on Monday, December 19, 2016 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 and Liquor License Application for:

**LAVA/House of Bacon
34 Court Street, Auburn, Maine**

All interested persons may appear to show cause, if any they may have, why this license should not be granted.

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 93-12192016

ORDERED, that the City Council hereby approves the request for Liquor License and Special Amusement Permit for LAVA/House of Bacon, located at 34 Court Street.



City of Auburn City Council Information Sheet

Council Workshop or Meeting Date: December 19, 2016

Subject: Executive Session

Information: Discussion regarding a personnel matter (City Manager search), pursuant to 1 M.R.S.A. Section 405(6) (A).

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: December 19, 2016

Subject: Executive Session

Information: Discussion regarding a real estate 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, Maine

"Maine's City of Opportunity"

Financial Services



TO: Denis D'Auteuil, Acting City Manager

FROM: Jill Eastman, Finance Director

REF: November 2016 Financial Report

DATE: December 13, 2015

The following is a discussion regarding the significant variances found in the City's November 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 fifth month of the current fiscal year. As a guideline for tracking purposes, revenues and expenditures should amount to approximately 41.7% 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 November 30th, including the school department were \$32,546,481, or 40.41%, of the budget. The municipal revenues including property taxes were \$28,299,110, or 49.27% of the budget which is higher than last year by 0.57% or \$1,545,721. The accounts listed below are noteworthy.

- A. Excise tax for the month of November is at 50.25%. This is a \$69,445 increase from FY 15. Our excise revenues for FY 17 are 8.6% above projections as of November 30, 2016.
- B. State Revenue Sharing for the month of November is 42.43% or \$623,019. This is 4.07% decrease this year from last November.
- C. Property Tax revenues are at 51.75% of the total budget, which is 1.42% higher than last year at this time.

Expenditures

City expenditures through November 2015 were \$18,736,605 or 47.09%, of the budget. This is 1.47% less than the same period last year. Noteworthy variances are:

- A. The operating departments are all in line with where they should be at this time. Several line items are paid quarterly, semi-annually or annually thus creating the appearance of being over budget. I have and will continue to monitor each department's expenditures throughout the fiscal year.
- B. Legal Services are over budget by 21.5% as of the end of November.

Investments

This section contains an investment schedule as of November 30th. Currently the City's funds are earning an average interest rate of .55%.

Respectfully submitted,

A handwritten signature in black ink that reads "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 November 2016, October 2016, and June 2016

	UNAUDITED November 30 2016	UNAUDITED October 31 2016	Increase (Decrease)	AUDITED JUNE 30 2016
ASSETS				
CASH	\$ 14,486,975	\$ 10,749,948	\$ 3,737,027	\$ 10,809,594
RECEIVABLES			-	
ACCOUNTS RECEIVABLES	2,222,832	2,377,495	(154,663)	2,561,677
TAXES RECEIVABLE-CURRENT	20,811,723	21,242,979	(431,256)	1,015,068
DELINQUENT TAXES	650,227	697,640	(47,413)	613,248
TAX LIENS	959,367	1,049,941	(90,573)	473,362
NET DUE TO/FROM OTHER FUNDS	1,723,900	6,602,088	(4,878,188)	2,298,596
TOTAL ASSETS	\$ 40,855,025	\$ 42,720,091	\$ (1,865,066)	\$ 17,771,545
LIABILITIES & FUND BALANCES				
ACCOUNTS PAYABLE	\$ (19,188)	\$ (757,114)	\$ 737,926	\$ (643,393)
PAYROLL LIABILITIES	(318,043)	(309,700)	(8,343)	-
ACCRUED PAYROLL	529,353	529,353	-	(3,934,340)
STATE FEES PAYABLE	(50,383)	(39,606)	(10,777)	-
ESCROWED AMOUNTS	(10,873)	(10,873)	-	(12,981)
DEFERRED REVENUE	(22,264,027)	(22,822,101)	558,074	(1,970,197)
TOTAL LIABILITIES	\$ (22,133,161)	\$ (23,410,041)	\$ 1,276,880	\$ (6,560,911)
FUND BALANCE - Unassigned	\$ (16,854,894)	\$ (15,599,089)	\$ (1,255,805)	\$ (6,158,083)
FUND BALANCE - Assigned	\$ (783,311)	\$ (2,084,993)	\$ 1,301,682	\$ (2,084,993)
FUND BALANCE - Nonspendable-long term receivables				\$ (1,341,590)
FUND BALANCE - Restricted	(1,083,659)	(1,625,968)	542,309	(1,625,968)
TOTAL FUND BALANCE	\$ (18,721,863)	\$ (19,310,050)	\$ 588,187	\$ (11,210,634)
TOTAL LIABILITIES AND FUND BALANCE	\$ (40,855,025)	\$ (42,720,091)	\$ 1,865,066	\$ (17,771,545)

CITY OF AUBURN, MAINE
REVENUES - GENERAL FUND COMPARATIVE
THROUGH November 30, 2016 VS November 30, 2015

REVENUE SOURCE	FY 2017 BUDGET	ACTUAL REVENUES THRU NOV 2016	% OF BUDGET	FY 2016 BUDGET	ACTUAL REVENUES THRU NOV 2015	% OF BUDGET	VARIANCE
TAXES							
PROPERTY TAX REVENUE-	\$ 46,032,435	\$ 23,822,048	51.75%	\$ 44,021,283	\$ 22,158,102	50.33%	\$ 1,663,946
PRIOR YEAR TAX REVENUE	\$ -	\$ 489,451		\$ -	\$ 474,494		\$ 14,957
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	\$ 1,690,984	50.25%	\$ 3,350,000	\$ 1,621,539	48.40%	\$ 69,445
PENALTIES & INTEREST	\$ 150,000	\$ 66,202	44.13%	\$ 150,000	\$ 34,124	22.75%	\$ 32,078
TOTAL TAXES	\$ 50,297,435	\$ 26,637,773	52.96%	\$ 48,026,283	\$ 24,546,786	51.11%	\$ 2,090,987
LICENSES AND PERMITS							
BUSINESS	\$ 48,000	\$ 17,563	36.59%	\$ 48,300	\$ 19,198	39.75%	\$ (1,636)
NON-BUSINESS	\$ 427,384	\$ 173,781	40.66%	\$ 356,800	\$ 146,980	41.19%	\$ 26,801
TOTAL LICENSES	\$ 475,384	\$ 191,343	40.25%	\$ 405,100	\$ 166,178	41.02%	\$ 25,165
INTERGOVERNMENTAL ASSISTANCE							
STATE-LOCAL ROAD ASSISTANCE	\$ 400,000	\$ -	0.00%	\$ 440,000	\$ -	0.00%	\$ -
STATE REVENUE SHARING	\$ 1,468,313	\$ 623,019	42.43%	\$ 1,477,641	\$ 687,078	46.50%	\$ (64,059)
WELFARE REIMBURSEMENT	\$ 59,000	\$ 22,494	38.13%	\$ 70,000	\$ 15,483	22.12%	\$ 7,011
OTHER STATE AID	\$ 22,000	\$ -	0.00%	\$ 22,000	\$ -	0.00%	\$ -
CITY OF LEWISTON	\$ 160,000	\$ -	0.00%	\$ 155,000	\$ 5,040	3.25%	\$ (5,040)
TOTAL INTERGOVERNMENTAL ASSISTANCE	\$ 2,109,313	\$ 645,513	30.60%	\$ 2,164,641	\$ 707,601	32.69%	\$ (62,088)
CHARGE FOR SERVICES							
GENERAL GOVERNMENT	\$ 132,640	\$ 44,077	33.23%	\$ 133,040	\$ 42,215	31.73%	\$ 1,862
PUBLIC SAFETY	\$ 139,077	\$ 36,061	25.93%	\$ 239,138	\$ 35,641	14.90%	\$ 420
EMS TRANSPORT	\$ 1,250,000	\$ 445,105	35.61%	\$ 1,250,000	\$ 430,523	34.44%	\$ 14,582
TOTAL CHARGE FOR SERVICES	\$ 1,521,717	\$ 525,243	34.52%	\$ 1,622,178	\$ 508,379	31.34%	\$ 16,864
FINES							
PARKING TICKETS & MISC FINES	\$ 65,000	\$ 24,316	37.41%	\$ 60,000	\$ 27,957	46.60%	\$ (3,641)
MISCELLANEOUS							
INVESTMENT INCOME	\$ 10,000	\$ 8,177	81.77%	\$ 5,000	\$ 4,882	97.64%	\$ 3,295
INTEREST-BOND PROCEEDS	\$ -	\$ -		\$ 2,000	\$ -	0.00%	\$ -
RENTS	\$ 18,000	\$ 16,010	88.94%	\$ 18,000	\$ 139,607	775.59%	\$ (123,597)
UNCLASSIFIED	\$ 10,000	\$ 21,028	210.28%	\$ 20,000	\$ 19,942	99.71%	\$ 1,086
COMMERCIAL SOLID WASTE FEES	\$ -	\$ 22,262		\$ -	\$ 22,560		\$ (298)
SALE OF PROPERTY	\$ 20,000	\$ 10,427	52.13%	\$ 20,000	\$ 502,424	2512.12%	\$ (491,997)
RECREATION PROGRAMS/ARENA	\$ -	\$ -		\$ -	\$ -		\$ -
MMWAC HOST FEES	\$ 210,000	\$ 195,393	93.04%	\$ 210,000	\$ 87,773	41.80%	\$ 107,620
TRANSFER IN: TIF	\$ 1,537,818	\$ -	0.00%	\$ 545,000	\$ -	0.00%	\$ -
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	\$ -	0.00%	\$ 58,000	\$ 11,174	19.27%	\$ (11,174)
UTILITY REIMBURSEMENT	\$ 27,500	\$ -	0.00%	\$ 37,500	\$ 4,526	12.07%	\$ (4,526)
CITY FUND BALANCE CONTRIBUTION	\$ 825,000	\$ -	0.00%	\$ 1,650,000	\$ -	0.00%	\$ -
TOTAL MISCELLANEOUS	\$ 2,967,163	\$ 274,921	9.27%	\$ 2,653,218	\$ 796,488	30.02%	\$ (521,567)
TOTAL GENERAL FUND REVENUES	\$ 57,436,012	\$ 28,299,110	49.27%	\$ 54,931,420	\$ 26,753,389	48.70%	\$ 1,545,721
SCHOOL REVENUES							
EDUCATION SUBSIDY	\$ 21,373,337	\$ 4,041,196	18.91%	\$ 20,854,672	\$ 5,270,155	25.27%	\$ (1,228,959)
EDUCATION	\$ 814,540	\$ 206,175	25.31%	\$ 856,607	\$ 27,959	3.26%	\$ 178,216
SCHOOL FUND BALANCE CONTRIBUTION	\$ 906,882	\$ -	0.00%	\$ 906,882	\$ -	0.00%	\$ -
TOTAL SCHOOL	\$ 23,094,759	\$ 4,247,371	18.39%	\$ 22,618,161	\$ 5,298,114	23.42%	\$ (1,050,743)
GRAND TOTAL REVENUES	\$ 80,530,771	\$ 32,546,481	40.41%	\$ 77,549,581	\$ 32,051,503	41.33%	\$ 494,978

CITY OF AUBURN, MAINE
EXPENDITURES - GENERAL FUND COMPARATIVE
THROUGH November 30, 2016 VS November 30, 2015

DEPARTMENT	FY 2017 BUDGET	Unaudited EXP THRU NOV 2016	% OF BUDGET	FY 2016 BUDGET	Unaudited EXP THRU NOV 2015	% OF BUDGET	VARIANCE
ADMINISTRATION							
MAYOR AND COUNCIL	\$ 78,464	\$ 43,190	55.04%	\$ 77,366	\$ 35,210	45.51%	\$ 7,980
CITY MANAGER	\$ 378,880	\$ 108,273	28.58%	\$ 269,340	\$ 103,717	38.51%	\$ 4,556
CITY CLERK	\$ 177,906	\$ 72,600	40.81%	\$ 165,053	\$ 72,731	44.07%	\$ (131)
FINANCIAL SERVICES	\$ 637,754	\$ 255,062	39.99%	\$ 619,855	\$ 253,375	40.88%	\$ 1,687
HUMAN RESOURCES	\$ 150,435	\$ 33,256	22.11%	\$ 143,526	\$ 58,746	40.93%	\$ (25,490)
INFORMATION TECHNOLOGY	\$ 479,324	\$ 257,845	53.79%	\$ 390,190	\$ 231,380	59.30%	\$ 26,465
LEGAL SERVICES	\$ 45,650	\$ 55,469	121.51%	\$ 65,000	\$ 33,215	51.10%	\$ 22,254
TOTAL ADMINISTRATION	\$ 1,948,413	\$ 825,695	42.38%	\$ 1,730,330	\$ 788,374	45.56%	\$ 37,321
COMMUNITY SERVICES							
ECONOMIC & COMMUNITY DEVELOPMENT	\$ 1,938,437	\$ 422,747	21.81%	\$ 1,267,711	\$ 599,893	47.32%	\$ (177,146)
HEALTH & SOCIAL SERVICES	\$ 171,474	\$ 78,645	45.86%	\$ 184,711	\$ 64,260	34.79%	\$ 14,385
RECREATION & SPECIAL EVENTS*	\$ 341,772	\$ 104,689	30.63%	\$ 338,871	\$ 128,808	38.01%	\$ (24,119)
PUBLIC LIBRARY	\$ 979,516	\$ 403,798	41.22%	\$ 979,516	\$ 400,007	40.84%	\$ 3,791
TOTAL COMMUNITY SERVICES	\$ 3,431,199	\$ 1,009,879	29.43%	\$ 2,770,809	\$ 1,192,968	43.05%	\$ (183,089)
FISCAL SERVICES							
DEBT SERVICE	\$ 6,406,845	\$ 5,905,713	92.18%	\$ 6,324,864	\$ 5,792,676	91.59%	\$ 113,037
FACILITIES	\$ 645,756	\$ 275,166	42.61%	\$ 653,080	\$ 373,902	57.25%	\$ (98,736)
WORKERS COMPENSATION	\$ 522,088	\$ -	0.00%	\$ 496,536	\$ -	0.00%	\$ -
WAGES & BENEFITS	\$ 5,274,528	\$ 2,214,266	41.98%	\$ 5,171,309	\$ 2,045,043	39.55%	\$ 169,223
EMERGENCY RESERVE (10108062-670000)	\$ 375,289	\$ -	0.00%	\$ 375,289	\$ -	0.00%	\$ -
TOTAL FISCAL SERVICES	\$ 13,224,506	\$ 8,395,145	63.48%	\$ 13,021,078	\$ 8,211,621	63.06%	\$ 183,524
PUBLIC SAFETY							
FIRE DEPARTMENT	\$ 4,049,396	\$ 1,701,093	42.01%	\$ 4,099,634	\$ 1,773,030	43.25%	\$ (71,937)
FIRE EMS	\$ 590,997	\$ 229,012	38.75%	\$ 549,801	\$ 214,246	38.97%	\$ 14,766
POLICE DEPARTMENT	\$ 3,875,113	\$ 1,479,015	38.17%	\$ 3,870,995	\$ 1,481,366	38.27%	\$ (2,351)
TOTAL PUBLIC SAFETY	\$ 8,515,506	\$ 3,409,120	40.03%	\$ 8,520,430	\$ 3,468,642	40.71%	\$ (59,522)
PUBLIC WORKS							
PUBLIC SERVICES DEPARTMENT	\$ 4,496,349	\$ 1,536,165	34.16%	\$ 4,525,898	\$ 1,707,236	37.72%	\$ (171,071)
SOLID WASTE DISPOSAL	\$ 932,689	\$ 296,739	31.82%	\$ 927,278	\$ 298,793	32.22%	\$ (2,054)
WATER AND SEWER	\$ 599,013	\$ 305,753	51.04%	\$ 599,013	\$ 305,756	51.04%	\$ (3)
TOTAL PUBLIC WORKS	\$ 6,028,051	\$ 2,138,657	35.48%	\$ 6,052,189	\$ 2,311,785	38.20%	\$ (173,128)
INTERGOVERNMENTAL PROGRAMS							
AUBURN-LEWISTON AIRPORT	\$ 106,000	\$ 53,405	50.38%	\$ 105,000	\$ 52,500	50.00%	\$ 905
E911 COMMUNICATION CENTER	\$ 1,088,857	\$ 536,621	49.28%	\$ 1,069,122	\$ 270,048	25.26%	\$ 266,573
LATC-PUBLIC TRANSIT	\$ 182,244	\$ 182,244	100.00%	\$ 209,244	\$ 233,256	111.48%	\$ (51,012)
LA ARTS	\$ -	\$ -		\$ -	\$ -		\$ -
TAX SHARING	\$ 270,000	\$ 18,015	6.67%	\$ 270,000	\$ 21,066	7.80%	\$ (3,051)
TOTAL INTERGOVERNMENTAL	\$ 1,647,101	\$ 790,285	47.98%	\$ 1,653,366	\$ 576,870	34.89%	\$ 213,415
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	\$ -	0.00%	\$ -
OVERLAY	\$ -	\$ -		\$ -	\$ -	0.00%	\$ -
TOTAL CITY DEPARTMENTS	\$ 39,787,403	\$ 18,736,605	47.09%	\$ 38,490,384	\$ 18,692,528	48.56%	\$ 44,077
EDUCATION DEPARTMENT	\$ 40,743,368	\$ 7,593,570	18.64%	\$ 39,062,197	\$ 6,675,964	17.09%	\$ 917,606
TOTAL GENERAL FUND EXPENDITURES	\$ 80,530,771	\$ 26,330,175	32.70%	\$ 77,552,581	\$ 25,368,492	32.71%	\$ 961,683

**CITY OF AUBURN, MAINE
INVESTMENT SCHEDULE
AS OF November 30, 2016**

INVESTMENT		FUND	BALANCE November 30, 2016	BALANCE October 31, 2016	INTEREST RATE
ANDROSCOGGIN BANK	449	CAPITAL PROJECTS	\$ 4,172,844.28	\$ 4,171,129.91	0.45%
ANDROSCOGGIN BANK	502	SR-TIF	\$ 1,005,514.22	\$ 1,005,101.13	0.45%
ANDROSCOGGIN BANK	836	GENERAL FUND	\$ 4,057,641.35	\$ 4,055,686.67	0.45%
ANDROSCOGGIN BANK	801	WORKERS COMP	\$ 50,232.10	\$ 50,211.48	0.45%
ANDROSCOGGIN BANK	748	UNEMPLOYMENT	\$ 50,232.10	\$ 50,211.51	0.45%
ANDROSCOGGIN BANK	684	EMS CAPITAL RESERVE	\$ 230,654.93	\$ 230,560.22	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	0.85%
GRAND TOTAL			\$ 11,317,118.98	\$ 11,312,900.92	0.55%

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

	Beginning Balance 11/01/16	November 2016				Ending Balance 11/30/2016
		New Charges	Payments	Refunds	Adjustments	
Bluecross	\$ 35,152.23	\$ 7,624.60	\$ (3,077.83)	\$ 974.60	\$ (1,039.60)	\$ 39,634.00
Intercept	\$ 300.00	\$ 434.80	\$ (700.00)			\$ 34.80
Medicare	\$ 110,664.19	\$ 70,601.00	\$ (45,039.84)		\$ (60,895.38)	\$ 75,329.97
Medicaid	\$ (15,482.12)	\$ 35,292.20	\$ (13,434.53)		\$ (17,220.24)	\$ (10,844.69)
Other/Commercial	\$ 113,479.25	\$ 34,368.20	\$ (16,119.69)	\$ 444.85	\$ (7,175.05)	\$ 124,997.56
Patient	\$ 499,794.37	\$ 20,298.20	\$ (6,730.43)	\$ 84.31	\$ (1,638.60)	\$ 511,807.85
Worker's Comp	\$ -	\$ 728.40	\$ -			\$ 728.40
TOTAL	\$ 743,907.92	\$ 169,347.40	\$ (85,102.32)	\$ 1,503.76	\$ (87,968.87)	\$ 741,687.89

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

	July 2016	August 2016	Sept 2016	Oct 2016	Nov 2016	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	\$ 4,465.20	\$ 53,262.60	5.70%
Intercept	\$ 200.00	\$ 800.00	\$ 200.00	\$ 400.00	\$ 434.80	\$ 1,025.00	\$ 3,059.80	0.33%
Medicare	\$ 65,787.40	\$ 79,078.20	\$ 87,750.40	\$ 101,560.20	\$ 70,601.00	\$ 9,487.20	\$ 414,264.40	44.37%
Medicaid	\$ 34,317.20	\$ 36,679.60	\$ 25,523.80	\$ 34,320.80	\$ 35,292.20	\$ 9,010.80	\$ 175,144.40	18.76%
Other/Commercial	\$ 54,548.80	\$ 49,906.40	\$ 44,401.40	\$ 39,102.00	\$ 34,393.20	\$ (6,776.60)	\$ 215,575.20	23.09%
Patient	\$ 16,125.40	\$ 20,867.80	\$ 12,572.60	\$ 13,732.00	\$ 20,298.20	\$ (11,910.40)	\$ 71,685.60	7.68%
Worker's Comp	\$ 651.40				\$ 728.40	\$ (651.40)	\$ 728.40	0.08%
TOTAL	\$ 181,630.60	\$ 205,083.60	\$ 178,335.00	\$ 199,298.80	\$ 169,372.40	\$ 0.00	\$ 933,720.40	100.00%

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

	July 2016	August 2016	Sept 2016	Oct 2016	Nov 2016	Adjustment	Totals	% of Total
No Insurance Information		6					6	0.50%
Bluecross	12	15	9	12	10		58	4.85%
Intercept	2	10	2	4	8		26	2.17%
Medicare	80	99	105	126	87		497	41.52%
Medicaid	45	50	33	44	45		217	18.13%
Other/Commercial	69	65	56	54	44		288	24.06%
Patient	20	25	16	17	25		103	8.60%
Worker's Comp	1				1		2	0.17%
TOTAL	229	270	221	257	220	0	1197	100.00%

TOTAL REVENUE COLLECTED AS OF 11/30/16 \$445,105.

TOTAL EXPENDITURES AS OF 11/30/16 \$ 229,012

Current		31-60		61-90		91-120		121+ days		Totals	
\$ 7,743.72	64%	\$ 2,648.23	22%	\$ 1,616.47	13%	\$ -	0%	\$ 69.69	1%	\$ 12,078.11	1.63%
\$ 1,059.80	786%	\$ -		\$ -		\$ -		\$ (925.00)		\$ 134.80	0.02%
\$ 42,133.40	100%	\$ -	0%	\$ -	0%	\$ -	0%	\$ -	0%	\$ 42,133.40	5.68%
\$ 34,961.28	87%	\$ 150.14	0%	\$ 1,177.56	3%	\$ 1,577.00	4%	\$ 2,339.17	6%	\$ 40,205.15	5.42%
\$ 38,932.21	56%	\$ 10,334.34	15%	\$ 5,141.97	7%	\$ 899.00	1%	\$ 13,674.64	20%	\$ 68,982.16	9.30%
\$ 39,151.31	7%	\$ 32,297.86	6%	\$ 40,415.74	7%	\$ 13,638.19	2%	\$ 452,651.17	78%	\$ 578,154.27	77.95%
\$ -		\$ -		\$ -		\$ -		\$ -		\$ -	0.00%
\$ 163,981.72		\$ 45,430.57		\$ 48,351.74		\$ 16,114.19		\$ 467,809.67		\$ 741,687.89	
22%		6%		7%		2%		63%		100% 100.00%	

CITY OF AUBURN
SPECIAL REVENUE FUNDS
As of November 30, 2016

	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	\$ 31,637.51	\$ 2,450.00		\$ 218.70				\$ 2,204.00	\$ 1,987.97	\$ 8,164.96	\$ 18,305.89	\$ 396.00				
Expenditures FY17	\$ 105,681.60	\$ -					\$ 5,000.00	\$ 1,901.80	\$ 893.55	\$ 3,360.00	\$ 6,735.24	\$ 638.81				
Fund Balance 11/30/16	\$ 924,244.91	\$ 5,954.80	\$ 44,875.00	\$ 4,041.29	\$ 5,932.53	\$ 27,084.76	\$ (1,488.84)	\$ 4,959.55	\$ 8,253.35	\$ 4,635.55	\$ (30,705.40)	\$ (145.55)	\$ 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				\$ 102,245.77	\$ 4,898.50		\$ 8,205.00	\$ 4,436.00	\$ 372,720.53	\$ 2,932.20	\$ 79,385.16			
Expenditures FY17	\$ 66.40	\$ 1,427.74		\$ 567.56		\$ 45,331.98	\$ 11,553.38	\$ 11,760.00	\$ 6,156.00	\$ 850.00	\$ 241,407.74	\$ 500.00	\$ 91,054.17			
Fund Balance 11/30/16	\$ 3,963.82	\$ 6,294.21	\$ (300,767.41)	\$ 4,546.35	\$ 3,838.00	\$ (22,988.68)	\$ 25,506.61	\$ 8,316.97	\$ 11,335.00	\$ 821.74	\$ 4,522,108.62	\$ 31,795.76	\$ (4,342.83)	\$ (4,994.50)		
	2033	2037	2038	2040	2041	2042	2044	2045	2046	2050	2051	2052	2053	2054		
	Safe School/Health (COPS)	Bulletproof Vests	Community Action Team	Great Falls TV	Blanche Stevens	High Visibility	Federal Drug Money	Forest Management	Joint Land Use Study	Project Lifesaver	Project Canopy	Nature Conservancy	St Louis Bells	EMS Transport Capital Reserve		
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	\$ 2,357.75	\$ 230,363.06		
Revenues FY17	\$ 6,893.21						\$ 6,252.55			\$ 50.00	\$ 12,970.00					
Expenditures FY17	\$ 38,393.45	\$ 4,926.39		\$ 4,375.38	\$ 642.45		\$ 12,774.39									
Fund Balance 11/30/16	\$ (43,098.69)	\$ 6,664.71	\$ 7,206.21	\$ 45,319.88	\$ 50,462.81	\$ 3,528.71	\$ 21,724.74	\$ 4,661.52	\$ 0.57	\$ 150.00	\$ 12,970.00	\$ 975.05	\$ 2,357.75	\$ 230,363.06		
	2055	2056	2057	2058	2059	2201	2500	2501								
	Work4ME-PAL	Lake Auburn Neighborhood	ASPCA Grant	Barker Mills Greenway	Distracted Driving	EDI Grant	Parks & Recreation	Recreation Donation								
Fund Balance 7/1/16	\$ (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	\$ 14,151.00		\$ 74,974.36									
Expenditures FY17	\$ 10,387.50				\$ 12,378.00	\$ 875.00	\$ 201,833.04									
Fund Balance 11/30/16	\$ (21,212.42)	\$ 125.00	\$ 800.00	\$ (2,597.43)	\$ 1,053.00	\$ (1,337,403.99)	\$ 158,800.23	\$ 1,757.00								
	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									\$ 838,670.46
Expenditures FY17							\$ 836,586.74		\$ 136,810.59	\$ 79,912.46	\$ 534,503.92	\$ 14,645.06		\$ 84,567.93	\$ 14,972.71	\$ 2,523,470.98
Fund Balance 11/30/16	\$ (127,347.23)	\$ 14,500.44	\$ (471,229.88)	\$ 2,558.27	\$ 134,174.73	\$ 538,642.58	\$ (89,286.10)	\$ 50,183.21	\$ (510,097.53)	\$ 33,011.05	\$ (624,782.87)	\$ (14,284.15)	\$ 388.80	\$ (195,940.90)	\$ (14,978.11)	\$ 2,590,986.39

City of Auburn, Maine

"Maine's City of Opportunity"

Financial Services

To: Denis D'Auteuil, Acting City Manager
From: Jill Eastman, Finance Director
Re: Arena Financial Reports for November 30, 2016

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 November 30, 2016.

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, October 31, 2016.

Current Assets:

As of the end of November 2016 the total current assets of Norway Savings Bank Arena were (\$397,871). These consisted of cash and cash equivalents of \$91,217, accounts receivable of \$119,434, and an interfund payable of \$608,522.

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 November 30, 2016 was \$186,561.

Liabilities:

Norway Arena had no accounts payable as of November 30, 2016.

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 November 2016 are \$443,091. 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 November 2016 were \$516,260. These expenses include personnel costs, supplies, utilities, repairs, rent, capital purchases and maintenance.

As of November 2016 Norway Arena has an operating loss of \$73,169 compared to the October 2016 operating loss of \$76,924 a decrease in the operating loss for the fiscal year of \$3,755.

As of November 30, 2016 Norway Arena has a decrease in net assets of \$73,169.

The budget to actual reports for revenue and expenditures, with comparison to the same period last year show that revenue for FY17 is \$62,521 more than in FY16 and expenditures in FY17 are \$25,720 more than last year in November.

CITY OF AUBURN, MAINE
Statement of Net Assets
Norway Savings Bank Arena
November 30, 2016
Business-type Activities - Enterprise Fund

	November 30, 2016	October 31, 2016	Increase/ (Decrease)
ASSETS			
Current assets:			
Cash and cash equivalents	\$ 91,217	\$ 91,221	\$ (4)
Interfund receivables	\$ (608,522)	\$ (576,857)	\$ (31,665)
Prepaid Rent	\$ -	\$ -	\$ -
Accounts receivable	119,434	92,099	27,335
Total current assets	(397,871)	(393,537)	(4,334)
Noncurrent assets:			
Capital assets:			
Buildings	35,905	35,905	-
Equipment	285,813	285,813	-
Land improvements	-	-	-
Less accumulated depreciation	(135,157)	(135,157)	-
Total noncurrent assets	186,561	186,561	-
Total assets	(211,310)	(206,976)	(4,334)
LIABILITIES			
Accounts payable	\$ -	\$ 8,089	\$ (8,089)
Net pension liability	77,298	77,298	-
Total liabilities	77,298	85,387	(8,089)
NET ASSETS			
Invested in capital assets	\$ 186,561	\$ 186,561	\$ -
Unrestricted	\$ (475,169)	\$ (478,924)	\$ 3,755
Total net assets	\$ (288,608)	\$ (292,363)	\$ 3,755

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
November 30, 2016

	Norway Savings Arena
Operating revenues:	
Charges for services	\$ 443,091
Operating expenses:	
Personnel	150,132
Supplies	24,843
Utilities	99,312
Repairs and maintenance	4,865
Rent	211,035
Depreciation	-
Capital expenses	20,368
Other expenses	5,705
Total operating expenses	516,260
Operating gain (loss)	(73,169)
Nonoperating revenue (expense):	
Interest income	-
Interest expense (debt service)	-
Total nonoperating expense	-
Gain (Loss) before transfer	(73,169)
Transfers out	-
Change in net assets	(73,169)
Total net assets, July 1	(215,439)
Total net assets, November 30, 2016	\$ (288,608)

CITY OF AUBURN, MAINE
REVENUES - NORWAY SAVINGS BANK ARENA
Through November 30, 2016 compared to November 30, 2015

REVENUE SOURCE	FY 2017 BUDGET	ACTUAL REVENUES THRU NOV 2016	% OF BUDGET	FY 2016 BUDGET	ACTUAL REVENUES THRU NOV 2015	% OF BUDGET	VARIANCE
CHARGE FOR SERVICES							
Concussions	\$ 18,000	\$ 370	2.06%	\$ 30,000	\$ 2,175	7.25%	\$ (1,805)
Sponsorships	\$ 230,000	\$ 131,261	57.07%	\$ 230,000	\$ 78,757	34.24%	\$ 52,504
Pro Shop	\$ 8,500	\$ 2,183	25.68%	\$ 8,500	\$ 2,994	35.22%	\$ (811)
Programs	\$ 31,000		0.00%	\$ 280,000	\$ 101,625	36.29%	\$ (101,625)
Rental Income	\$ 672,250	\$ 260,742	38.79%	\$ 398,500	\$ 195,019	48.94%	\$ 65,723
Camps/Clinics	\$ 50,000	\$ 38,895	77.79%				\$ 38,895
Tournaments	\$ 50,000	\$ 9,640	19.28%	\$ 50,000	\$ -	0.00%	\$ 9,640
TOTAL CHARGE FOR SERVICES	\$ 1,059,750	\$ 443,091	41.81%	\$ 997,000	\$ 380,570	38.17%	\$ 62,521
INTEREST ON INVESTMENTS	\$ -			\$ -			
GRAND TOTAL REVENUES	\$ 1,059,750	\$ 443,091	41.81%	\$ 997,000	\$ 380,570	38.17%	\$ 62,521

CITY OF AUBURN, MAINE
EXPENDITURES - NORWAY SAVINGS BANK ARENA
Through November 30, 2016 compared to November 30, 2015

DESCRIPTION	ACTUAL			ACTUAL			VARIANCE
	FY 2016 BUDGET	EXPENDITURES THRU NOV 2016	% OF BUDGET	FY 2015 BUDGET	EXPENDITURES THRU NOV 2015	% OF BUDGET	
Salaries & Benefits	\$ 311,000	\$ 150,132	48.27%	\$ 311,000	\$ 149,042	47.92%	\$ 1,090
Purchased Services	\$ 87,306	\$ 10,569	12.11%	\$ 96,150	\$ 17,320	18.01%	\$ (6,751)
Supplies	\$ 37,150	\$ 24,843	66.87%	\$ 17,500	\$ 22,075	126.14%	\$ 2,768
Utilities	\$ 199,800	\$ 99,312	49.71%	\$ 200,200	\$ 89,467	44.69%	\$ 9,845
Capital Outlay	\$ 57,000	\$ 20,368	35.73%	\$ 57,000	\$ 1,600	2.81%	\$ 18,768
Rent	\$ 507,000	\$ 211,035	41.62%	\$ 507,000	\$ 211,035	41.62%	\$ -
	\$ 1,199,256	\$ 516,259	43.05%	\$ 1,188,850	\$ 490,539	41.26%	\$ 25,720
GRAND TOTAL EXPENDITURES	\$ 1,199,256	\$ 516,259	43.05%	\$ 1,188,850	\$ 490,539	41.26%	\$ 25,720

City of Auburn, Maine

"Maine's City of Opportunity"

Financial Services

To: Denis D'Auteuil, Acting City Manager
From: Jill Eastman, Finance Director
Re: Financial Reports for November, 2016



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 November 30, 2016.

INGERSOLL TURF FACILITY

Statement of Net Assets:

The Statement of Net Assets lists current assets, noncurrent assets, liabilities and net assets as of November 30, 2016.

Current Assets:

As of the end of November 2016 the total current assets of Ingersoll Turf Facility were (\$2,394). This consisted of an interfund payable of \$2,394 a reduction from October of \$6,880.

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 November 30, 2016 was \$195,659.

Liabilities:

Ingersoll had no accounts payable as of November 30, 2016.

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 November 2016 are \$40,395. This revenue comes from the sponsorships, programs, rental income and batting cages.

The operating expenses for Ingersoll Turf Facility through November 2016 were \$42,349. These expenses include personnel costs, supplies, utilities, repairs, capital purchases and maintenance.

As of November 2016 Ingersoll has an operating loss of \$1,954 compared to a net loss in October of \$9,014.

As of November 30, 2016 Ingersoll has a decrease in net assets of \$1,954.

The budget to actual reports for revenue and expenditures, show that the revenue for FY17 compared to FY 16. Ingersoll Arena opened last year in the middle of October.

Statement of Net Assets
Ingersoll Turf Facility
November 30, 2016
Business-type Activities - Enterprise Fund

	November 30 2016	October 30 2016	Increase/ (Decrease)
ASSETS			
Current assets:			
Cash and cash equivalents	\$ -	\$ -	-
Interfund receivables/payables	\$ (2,394)	\$ (9,274)	6,880
Accounts receivable	-	-	-
Total current assets	(2,394)	(9,274)	6,880
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	193,265	186,385	6,880
LIABILITIES			
Accounts payable	\$ -	\$ 180	\$ (180)
Total liabilities	-	180	(180)
NET ASSETS			
Invested in capital assets	\$ 195,659	\$ 195,659	\$ -
Unrestricted	\$ (2,394)	\$ (9,454)	\$ 7,060
Total net assets	\$ 193,265	\$ 186,205	\$ 7,060

CITY OF AUBURN, MAINE
Statement of Revenues, Expenses and Changes in Net Assets
Ingersoll Turf Facility
Business-type Activities - Enterprise Funds
Statement of Activities
November 30, 2016

	Ingersoll Turf Facility
Operating revenues:	
Charges for services	\$ 40,395
Operating expenses:	
Personnel	32,797
Supplies	1,621
Utilities	3,329
Repairs and maintenance	-
Rent	-
Depreciation	-
Capital expenses	-
Other expenses	4,602
Total operating expenses	42,349
Operating gain (loss)	(1,954)
Nonoperating revenue (expense):	
Interest income	-
Interest expense (debt service)	-
Total nonoperating expense	-
Gain (Loss) before transfer	(1,954)
Transfers out	-
Change in net assets	(1,954)
Total net assets, July 1	195,219
Total net assets, November 30, 2016	\$ 193,265

CITY OF AUBURN, MAINE
REVENUES - INGERSOLL TURF FACILITY
Through November 30, 2016

REVENUE SOURCE	FY 2017 BUDGET	ACTUAL REVENUES THRU NOV 2016	% OF BUDGET	FY 2017 BUDGET	ACTUAL REVENUES THRU NOV 2015	% OF BUDGET
CHARGE FOR SERVICES						
Sponsorship	\$ 15,000	\$ 6,500	43.33%	\$ 15,000	\$ 3,500	23.33%
Batting Cages	\$ 9,940	\$ 2,945	29.63%	\$ -	\$ 1,460	
Programs	\$ 90,000	\$ 18,483	20.54%	\$ 8,640	\$ 6,278	72.66%
Rental Income	\$ 100,000	\$ 12,467	12.47%	\$ 191,300	\$ 10,630	5.56%
TOTAL CHARGE FOR SERVICES	\$ 214,940	\$ 40,395	18.79%	\$ 214,940	\$ 21,868	10.17%
INTEREST ON INVESTMENTS	\$ -			\$ -		
GRAND TOTAL REVENUES	\$ 214,940	\$ 40,395	18.79%	\$ 214,940	\$ 21,868	10.17%

CITY OF AUBURN, MAINE
EXPENDITURES - INGERSOLL TURF FACILITY
Through November 30, 2016

DESCRIPTION	ACTUAL			ACTUAL		
	FY 2017 BUDGET	EXPENDITURES THRU NOV 2016	% OF BUDGET	FY 2016 BUDGET	EXPENDITURES THRU NOV 2015	% OF BUDGET
Salaries & Benefits	\$ 101,899	\$ 32,797	32.19%	\$ 101,899	\$ 11,937	11.71%
Purchased Services	\$ 20,750	\$ 4,603	22.18%	\$ 20,750	\$ 1,364	6.57%
Programs	\$ 5,000	\$ 1,513	30.26%	\$ 5,000	\$ -	0.00%
Supplies	\$ 6,750	\$ 108	1.60%	\$ 6,750	\$ 855	12.67%
Utilities	\$ 41,320	\$ 3,328	8.05%	\$ 41,320	\$ 2,024	4.90%
Insurance Premiums	\$ 2,383	\$ -	0.00%	\$ 2,383	\$ -	0.00%
Capital Outlay	\$ -	\$ -		\$ -		
	\$ 178,102	\$ 42,349	23.78%	\$ 178,102	\$ 16,180	9.08%
GRAND TOTAL EXPENDITURES	\$ 178,102	\$ 42,349	23.78%	\$ 178,102	\$ 16,180	9.08%