



**City Council Workshop & Meeting
Agenda
March 6, 2023
Auburn Hall, Council Chambers**

5:30 P.M. City Council Workshop

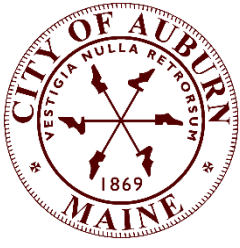
- A. Budget and CIP (Capital Improvement Plan) Schedule Review – Phil Crowell
- B. CSX Quiet Zone – Jonathan LaBonté
- C. Spring Clean-up (follow up) – Denis D’Auteuil
- D. Assessing Market Rate Adjustment on Multi-family Units – Karen Scammon
- E. Executive Session - Economic Development, pursuant to 1 M.R.S.A. §405(6)(C) which premature disclosure would prejudice the competitive or bargaining position of the City.

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

Pledge of Allegiance

- I. **Consent Items** – All items with an asterisk (*) are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council member or a citizen so requests, in which event, the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.
 - 1. **Order 24-03062023***
Setting the time to open the polls at 7:00 a.m. for 2023 Elections.
 - 1. **Order 25-03062023***
Appointing Chris Carson to the Sustainability and Natural Resource Management Board with a term expiration of April 1, 2024.
- II. **Minutes**
 - February 13, 2023, Regular Council Meeting
 - February 17, 2023, Special Council Meeting
- III. **Communications, Presentations and Recognitions**
 - Norway Savings Bank Arena’s 10 Year Anniversary
 - Council Communications (about and to the community)

- IV. **Open Session** – *Members of the public are invited to speak to the Council about any issue directly related to City business or any item that does not appear on the agenda.*
- V. **Unfinished Business - None**
- VI. **New Business**
 - 1. **Order 26-03062023**
Authorizing the marketing of City owned property 121 Mill Street Parcel ID 221-041.
 - 2. **Order 27-03062023**
Authorizing the marketing of City owned property 80 Lake Street Parcel ID 239-114.
 - 3. **Order 28-03062023**
Authorizing the marketing of City owned property Rodman Road Parcel ID 198-036.
 - 4. **Public Hearing**
Stable Ridge TIF District.
 - 5. **Order 29-03062023**
Amending Order 151-11072022 previously adopted by the City Council on 11/07/2022 extending the date for the Planning Board to provide a recommendation on a text amendment on a proposed zoning amendment from 3/20/2023 to 4/18/2023.
- VII. **Open Session** - *Members of the public are invited to speak to the Council about any issue directly related to City business or any item that does not appear on the agenda*
- VIII. **Reports (from sub-committees to Council)**
 - a. Mayor’s Report
 - b. City Councilors’ Reports
 - c. City Manager Report
- IX. **Executive Sessions** – None
- X. **Adjournment**



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: March 6, 2023

Author: Sue Clements-Dallaire, City Clerk

Subject: Budget and CIP (Capital Improvement Plan) Schedule Review

Information: City Manager Crowell will provide the Council with the FY24 proposed Budget and CIP schedule.

City Budgetary Impacts: N/A

Staff Recommended Action: Discussion

Previous Meetings and History: N/a

City Manager Comments:

Phillip Crowell Jr.

I concur with the recommendation. Signature:

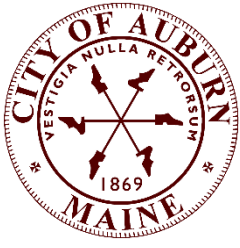
Attachments: Tentative schedule



TO: Mayor and City Councilors
 FROM: Phil Crowell, City Manger
 RE: Council Budget Schedule
 DATE: March 2, 2023

The following is a **tentative** budget schedule.

Date	Time	Agenda Items
March 6, 2023	5:30 PM Workshop 7:00 PM Meeting	<ul style="list-style-type: none"> Budget / CIP Schedule Review
March 14, 2023	6.00 PM	<ul style="list-style-type: none"> ACM presents CIP to Planning Board
March 20, 2023	5:30 PM Workshop 7:00 PM Meeting	<ul style="list-style-type: none"> School Budget Presentation City CIP Presentation
March 30, 2023	NO MEETING	<ul style="list-style-type: none"> CIP DEADLINE BY CHARTER
April 3 2023	5:30 PM Workshop 7:00 PM Meeting	<ul style="list-style-type: none"> CM Preliminary Budget Discussion FY24 CIP Discussion
April 17, 2023	HOLIDAY	<ul style="list-style-type: none"> Meeting Canceled
April 18, 2023 (TUESDAY RESCHEDULE)	5:30 PM Workshop 7:00 PM Meeting	<ul style="list-style-type: none"> City Manager's Final Budget Adopt CIP 5 Year Plan
April 24, 2024	5:30 PM Special Workshop	<ul style="list-style-type: none"> FY24 Budget Review
April 30, 2023	NO MEETING	<ul style="list-style-type: none"> FINAL DAY TO SUBMIT MGR's BUDGET
May 1, 2023	5:30 PM Workshop 7:00 PM Meeting	<ul style="list-style-type: none"> Public hearing and first reading on appropriation resolve and CIP bonding
May 15, 2023	5:30 PM Workshop 7:00 PM Meeting	<ul style="list-style-type: none"> Adopt the School Budget Second reading on appropriation resolve and CIP bonding.



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: March 8, 2023

Author: Jonathan P. LaBonte

Subject: CSX Transportation (railroad) Quiet Zone

Information: City staff and elected officials have consistently received requests from citizens and investors interested in Auburn establishing a “quiet zone” in the community. A “quiet zone” is a designation from the Federal Railroad Administration for a designating area of reduced horn use, typically targeting an improvement in quality of life for residents living near at-grade highway crossings of a railroad. Since quiet zones are initiated by the local government, any costs associated with the necessary safety improvements to achieve this status must be borne by the local government. The included memo provides further context on the recent history of this topic, and a potential pathway to evaluate this along the entirety of the CSX (former PanAM) corridor from Danville through Downtown.

City Budgetary Impacts: None at this time

Staff Recommended Action: City Council support to advance evaluation of quiet zone designation, including potential at-grade highway crossing closures. (NOTE: All evaluations require public process and hearings and further City Council action)

Previous Meetings and History: N/A

City Manager Comments:

I concur with the recommendation. Signature:

Attachments:

March 8, 2023 Quiet Zone Memo from Transportation Systems Director
FRA Quiet Zone Information Brochure



City of Auburn, Maine

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

TO: Mayor Jason Levesque and the Auburn City Council
FROM: Jonathan P. LaBonte, Transportation Systems Director
DATE: March 8, 2023
RE: Potential Evaluation of Quiet Zones and Targeted At-Grade Highway Rail Crossings

BACKGROUND

City staff and elected officials have consistently received requests from citizens and investors interested in Auburn establishing a “quiet zone” in the community. A “quiet zone” is a designation from the Federal Railroad Administration for a designating area of reduced horn use, typically targeting an improvement in quality of life for residents living near at-grade highway crossings of a railroad. Since quiet zones are initiated by the local government, any costs associated with the necessary safety improvements to achieve this status must be borne by the local government.

PREVIOUS EVALUATION

In 2017, ATRC was tasked with completing the initial documentation for a potential quiet zone application for downtown Auburn from Albiston Way to Spring Street. At the time, staff there noted that before a risk assessment could be calculated as part of the FRA process, each crossing must have a minimum set of safety hardware that includes, at minimum, a ‘constant warning time device’ (a motion sensing system with the capability of measuring train speed and providing a relatively uniform warning time to public traffic at highway-rail intersections) and a ‘power-off indicator’ (alerts operators that the crossing does not have power and may not be operational.) From the assessment of just those downtown, Spring Street, Hampshire Street, and Library Ave did not have a ‘constant warning time device’ installed. Given the significant costs associated with that, before being able to complete the risk assessment, the effort was put aside.

CURRENT OPPORTUNITY

PanAm, before its acquisition by CSX Transportation in June of 2022, had secured a federal Consolidated Rail Infrastructure and Safety (CRISI) grant of \$17 million for crossing improvements from Yarmouth through Waterville, including Auburn. Due to other delays, that project had not gone forward and is not under design and planning for 2023 or 2024 construction. This introduces an opportunity to assess infrastructure needs at crossings to achieve quiet zone status and to coordinate and achieve an economy of scale with the CSX project.



City of Auburn, Maine

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

While investors and residents in the downtown neighborhood have continued to inquire about quiet zone opportunities, no previous effort to assess options for quiet zones in Danville have been done. With residents there having also made inquiries, and the potential for residential development in south Auburn in Danville and near Exit 75 and Washington Street, staff is recommending assessing the entirety of the CSX corridor.

As noted in the background section, quiet zones, if deemed appropriate through the FRA risk assessment and calculator, required all costs be paid by the requesting authority (local government). From discussions with other Maine municipalities that have recently completed upgrades, these costs are likely \$125,000 or more per crossing. Staff has reviewed all CSX at-grade crossings in Auburn and believes there is an opportunity to evaluate the closure of some crossings (due to logical alternative routes for vehicles and pedestrians and improved overall safety) and negotiate the investment of "savings" by CSX at those crossings to achieve a quiet zone investment at the remaining.

There have been preliminary conversations with CSX about this framework. City staff have also met with MaineDOT to discuss funding programs to support improved safety at rail crossings, up to and including closures. MaineDOT does not provide funding for quiet zones, aligned with FRA's rules, but closure funding could be available in FY24 or FY25.

The crossings we would evaluate closing include:

- Black Cat Road (Danville)
- Library Avenue (Downtown)
- Spring Street (Downtown)

If the City Council supports advancing this evaluation, there would be public process, including public hearings, as state statute requires public hearings for any closures of streets at railroad crossings. Staff recognizes pedestrian connectivity, public works winter maintenance operations, community parking access, landscaping and visual appeal if crossings were closed, and safety along any new travel routes would be essential to any review of implementing such an initiative. Improving quality of life for residents in our community and leveraging the alignment of CSX investments with state and federal grants could yield these improvements with little cost to Auburn when compared to the alternative.



GUIDE TO THE QUIET ZONE ESTABLISHMENT PROCESS

AN INFORMATION GUIDE

Federal Railroad Administration

1200 New Jersey Avenue S.E.
Washington, DC 20590
Telephone: 202-493-6299

www.fra.dot.gov

Federal Railroad Administration

Highway-Rail Crossing and Trespasser Programs Division

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Purpose of the Guide

This brochure was developed to serve as a guide for local decision makers seeking a greater understanding of train horn sounding requirements and how to establish quiet zones. Its purpose is to provide a general overview and thus does not contain every detail about the quiet zone establishment process. For more detailed and authoritative information, the reader is encouraged to review the official regulations governing the use of locomotive horns at public highway-rail grade crossings and the establishment of quiet zones that are contained in 49 CFR Part 222. A copy of the rule can be downloaded or printed at <http://www.fra.dot.gov/eLib/Details/L02809>.

About Quiet Zones



FRA is committed to reducing the number of collisions at highway-rail grade crossings, while establishing a consistent standard for communities who opt to preserve or enhance quality of life for their residents by establishing quiet zones within which routine use of train horns at crossings is prohibited.

Federal regulation requires that locomotive horns begin sounding 15–20 seconds before entering public highway-rail grade crossings, no more than one-quarter mile in advance. Only a public authority, the governmental entity responsible for traffic control or law enforcement at the crossings, is permitted to create quiet zones.

A quiet zone is a section of a rail line at least one-half mile in length that contains one or more consecutive public highway-rail grade crossings at which locomotive horns are not routinely sounded when trains are approaching the crossings. The prohibited use of train horns at quiet zones only applies to trains when approaching and entering crossings and does not include train horn use within passenger stations or rail yards. Train horns may be sounded in emergency situations or to comply with other railroad or FRA rules even within a quiet zone. Quiet zone regulations also do not eliminate the use of locomotive bells at crossings. Therefore, a more appropriate description of a designated quiet zone would be a “reduced train horn area.”

Communities wishing to establish quiet zones must work through the appropriate public authority that is responsible for traffic control or law enforcement at the crossings.

Historical Context

Historically, railroads have sounded locomotive horns or whistles in advance of grade crossings and under other circumstances as a universal safety precaution. Some States allowed local communities to create whistle bans where the train horn was not routinely sounded. In other States, communities created whistle bans through informal agreements with railroads.

In the late 1980's, FRA observed a significant increase in nighttime train-vehicle collisions at certain gated highway-rail grade crossings on the Florida East Coast Railway (FEC) at which nighttime whistle bans had been established in accordance with State statute. In 1991, FRA issued Emergency Order #15 requiring trains on the FEC to sound their horns again. The number and rate of collisions at affected crossings returned to pre-whistle ban levels.



In 1994, Congress enacted a law that required FRA to issue a Federal regulation requiring the sounding of locomotive horns at public highway-rail grade crossings. It also gave FRA the ability to provide for exceptions to that requirement by allowing communities under some circumstances to establish "quiet zones."

The Train Horn Rule became effective on June 24, 2005. The rule set nationwide standards for the sounding of train horns at public highway-rail grade crossings. This rule changed the criteria for sounding the horn from distance-based to time-based. It also set limits on the volume of a train horn. The rule also established a process for communities to obtain relief from the routine sounding of train horns by providing criteria for the establishment of quiet zones. Locomotive horns may still be used in the case of an emergency and to comply with Federal regulations or certain railroad rules.

Because the absence of routine horn sounding increases the risk of a crossing collision, a public authority that desires to establish a quiet zone usually will be required to mitigate this additional risk. At a minimum, each public highway–rail crossing within a quiet zone must be equipped with active warning devices: flashing lights, gates, constant warning time devices (except in rare circumstances) and power out indicators.

In order to create a quiet zone, one of the following conditions must be met

1. ***The Quiet Zone Risk Index (QZRI) is less than or equal to the Nationwide Significant Risk Threshold (NSRT)*** with or without additional safety measures such as Supplementary Safety Measures (SSMs) or Alternative Safety Measures (ASMs) described below. The QZRI is the average risk for all public highway-rail crossings in the quiet zone, including the additional risk for absence of train horns and any reduction in risk due to the risk mitigation measures. The NSRT is the level of risk calculated annually by averaging the risk at all of the Nation’s public highway-rail grade crossings equipped with flashing lights and gates where train horns are routinely sounded.
2. ***The Quiet Zone Risk Index (QZRI) is less than or equal to the Risk Index With Horns (RIWH)*** with additional safety measures such as SSMs or ASMs. The RIWH is the average risk for all public highway-rail crossings in the proposed quiet zone when locomotive horns are routinely sounded.
3. ***Install SSMs at every public highway-rail crossing.*** This is the best method to reduce to reduce risks in a proposed quiet zone and to enhance safety.

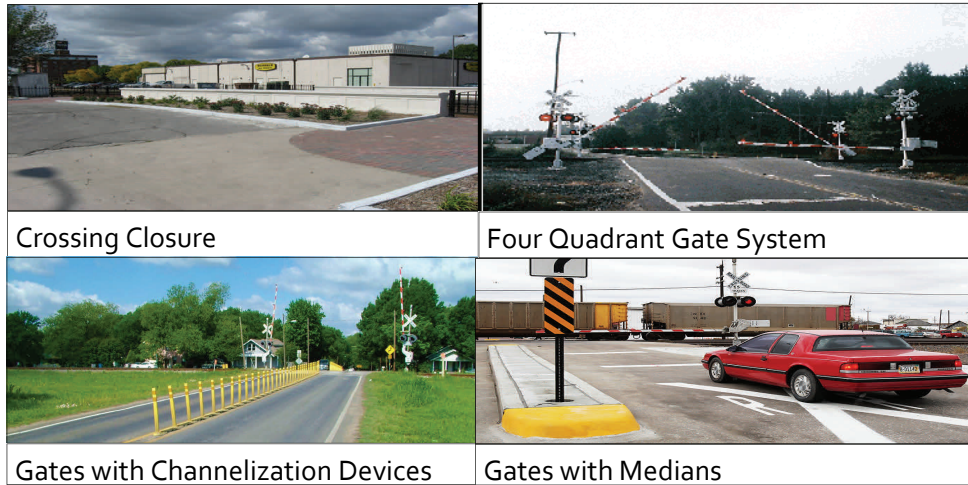
SSMs are pre-approved risk reduction engineering treatments installed at certain public highway-rail crossings within the quiet zone and can help maximize safety benefits and minimize risk. SSMs include: medians or channelization devices, one-way streets with gates, four quadrant gate systems, and temporary or permanent crossing closures. Examples of SSMs are shown on the next page.

ASMs are safety systems, other than SSMs, that are used to reduce risk in a quiet zone. ASMs typically are improvements that do not fully meet the requirements to be SSMs and their risk reduction effectiveness must be submitted in writing and approved by FRA.

FRA strongly recommends that all crossings in the quiet zone be reviewed by a diagnostic team. A diagnostic team typically consists of representatives from the public authority, railroad, and State agency responsible for crossing safety and FRA grade crossing managers.

Public Safety Considerations continued

Examples of SSMs



Wayside Horns The train horn rule also provides another method for reducing the impact of routine locomotive horn sounding when trains approach public highway-rail grade crossings. A wayside horn may be installed at highway-rail grade crossings that have flashing lights, gates, constant warning time devices (except in rare circumstances), and power out indicators. The wayside horn is positioned at the crossing and will sound when the warning devices are activated. The sound is directed down the roadway, which greatly reduces the noise footprint of the audible warning. Use of wayside horns is not the same as establishing a quiet zone although they may be used within quiet zones.

Cost Considerations

The enabling Federal statute did not provide funding for the establishment of quiet zones. Public authorities seeking to establish quiet zones should be prepared to finance the installation of SSMs and ASMs used. Costs can vary from \$30,000 per crossing to more than \$1 million depending on the number of crossings and the types of safety improvements required.

Legal Considerations

The courts will ultimately determine who will be held liable if a collision occurs at a grade crossing located within a quiet zone, based upon the facts of each case, as a collision may have been caused by factors other than the absence of an audible warning. FRA’s rule is intended to remove failure to sound the horn as a cause of action in lawsuits involving collisions that have occurred at grade crossings within duly established quiet zones.

The Quiet Zone Establishment Process

Under the Train Horn Rule, only public authorities are permitted to establish quiet zones. Citizens who wish to have a quiet zone in their neighborhood should contact their local government to pursue the establishment of a quiet zone. The following is a typical example of the steps taken to establish a quiet zone:

1. **Determine** which crossings will be included in the quiet zone. All public highway-rail crossings in the quiet zone must have, at a minimum, an automatic warning system consisting of flashing lights and gates. The warning systems must be equipped with constant warning time devices (except in rare circumstances) and power out indicators. The length of the quiet zone must be at least one-half mile in length.
2. **Identify** any private highway-rail grade crossings within the proposed quiet zone. If they allow access to the public or provide access to active industrial or commercial sites, a diagnostic review must be conducted and the crossing(s) treated in accordance with the recommendations of the diagnostic team.
3. **Identify** any pedestrian crossings within the proposed quiet zone and conduct a diagnostic review of those crossings too. They also must be treated in accordance with the diagnostic team's recommendations. *NOTE:* While it is not required by the regulations, FRA recommends that every crossing within a proposed quiet zone be reviewed for safety concerns.
4. **Update** the U.S. DOT Crossing Inventory Form to reflect current physical and operating conditions at each public, private, and pedestrian crossing located within a proposed quiet zone.
5. **Provide** a Notice of Intent (NOI) to all of the railroads that operate over crossings in the proposed quiet zone, the State agency responsible for highway safety and the State agency responsible for crossing safety. The NOI must list all of the crossings in the proposed quiet zone and give a brief explanation of the tentative plans for implementing improvements within the quiet zone. Additional required elements of the NOI can be found in 49 CFR 222.43(b). The railroads and State agencies have 60 days in which to provide comments to the public authority on the proposed plan.
6. **Alternative Safety Measures** – If ASMs are going to be used to reduce risk, an application to FRA must be made. The application must include all of the elements provided in 49 CFR 222.39(b)(1) and copies of the application must be sent to the entities listed in 49 CFR 222.39(b)(3). They will have 60 days to provide comments to FRA on the application. FRA will provide a written decision on the application typically within three to four months after it is received.

The Quiet Zone Establishment Process continued

7. **Determine** how the quiet zone will be established using one of the following criteria: (Note that Options 2 through 4 will require the use of the FRA Quiet Zone Calculator available at <http://safetydata.fra.dot.gov/quiet/>.)

1. Every public highway-rail crossing in the proposed quiet zone is equipped with one or more SSMs.
2. The Quiet Zone Risk Index (QZRI) of the proposed quiet zone is less than or equal to the Nationwide Significant Risk Threshold (NSRT) without installing SSMs or ASMs.
3. The QZRI of the proposed quiet zone is less than or equal to the Nationwide Significant Risk Threshold (NSRT) after the installation of SSMs or ASMs.
4. The QZRI of the proposed quiet zone is less than or equal to the Risk Index with Horns (RIWH) after the installation of SSMs or ASMs.



8. **Complete** the installation of SSMs and ASMs and any other required improvements determined by the diagnostic team at all public, private, and pedestrian crossings within the proposed quiet zone.

9. **Ensure** that the required signage at each public, private, and pedestrian crossing is installed in accordance with 49 CFR Sections 222.25, 222.27, and 222.35, and the standards outlined in the Manual on Uniform Traffic Control Devices. These signs may need to be covered until the quiet zone is in effect.

10. **Establish** the quiet zone by providing a Notice of Quiet Zone Establishment to all of the parties that are listed in 49 CFR Section 222.43(a)(3). Be sure to include all of the required contents in the notice as listed in 49 CFR Section 222.43(d). The quiet zone can take effect no earlier than 21 days after the date on which the Notice of Quiet Zone Establishment is mailed.

*****Appendix C to the Train Horn Rule provides detailed, step by step guidance on how to create a quiet zone.*****

Required Documentation

Public authorities interested in establishing a quiet zone are required to submit certain documentation during the establishment process. FRA has provided checklists for the various documents that can be found at <http://www.fra.dot.gov/Elib/Details/L03055>.

FRA's Regional Grade Crossing Managers are available to provide technical assistance. A State's department of transportation or rail regulatory agency also may be able to provide assistance to communities pursuing quiet zones.

Public authorities are encouraged to consult with the agencies in their State that have responsibility for crossing safety. Some States may have additional administrative or legal requirements that must be met in order to modify a public highway-rail grade crossing.

Role of Railroads

Communities seeking to establish a quiet zone are required to send a Notice of Intent and a Notice of Quiet Zone Establishment to railroads operating over the public highway-rail grade crossings within the proposed quiet zone. Railroad officials can provide valuable input during the quiet zone establishment process and should be included on all diagnostic teams. Listed below are links to the Class I Railroads and Amtrak.

BNSF Railway (BNSF)	Canadian Pacific (CP)
CSX Transportation (CSX)	Norfolk Southern (NS)
Canadian National (CN)	Union Pacific (UP)
Kansas City Southern (KCS)	Amtrak (ATK)

FINAL NOTE

The information contained in this brochure is provided as general guidance related to the Quiet Zone Establishment Process and should not be considered as a definitive resource. FRA strongly recommends that any public authority desiring to establish quiet zones take the opportunity to review all aspects of safety along its rail corridor. Particular attention should be given to measures that prevent trespassing on railroad tracks since investments made to establish a quiet zone may be negated if the horn has to be routinely sounded to warn trespassers.

POINTS OF CONTACT

General Questions:

Inga Toye, 202-493-6305

Debra Chappell, 202-493-6018

Ron Ries, 202-493-6285

Regional Contacts

Region 1 Connecticut, Maine, Massachusetts, New Hampshire, New Jersey,
New York, Rhode Island, and Vermont

1-800-724-5991

Region 2 Delaware, Maryland, Ohio, Pennsylvania, Virginia, West Virginia ,
and Washington, D.C.

1-800-724-5992

Region 3 Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina,
South Carolina, and Tennessee

1-800-724-5993

Region 4 Illinois, Indiana, Michigan, Minnesota, and Wisconsin

1-800-724-5040

Region 5 Arkansas, Louisiana, New Mexico, Oklahoma, and Texas

1-800-724-5995

Region 6 Colorado, Iowa, Kansas, Missouri, and Nebraska

1-800-724-5996

Region 7 Arizona, California, Nevada, and Utah

1-800-724-5997

Region 8 Alaska, Idaho, Montana, North Dakota, South Dakota, Oregon,
Washington, and Wyoming

1-800-724-5998



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U.S. Department of Transportation Federal Railroad Administration

1200 New Jersey Avenue S.E.

Washington, DC 20590

Telephone: 202-493-6299

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September 2013



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: March 6, 2023

Author: Denis D'Auteuil

Subject: Spring Clean Up 2023

Information: Public Works staff will update the City Council on the costs associated with Spring Clean Up and continue discussions on the City's new year around Bulky Waste Disposal Program for 2023.

City Budgetary Impacts: TBD

Staff Recommended Action: Discussion

Previous Meetings and History: February 13, 2023 City Council Workshop

City Manager Comments:

Phillip Crowell Jr.

I concur with the recommendation. Signature:

Attachments:

Addendum to presentation

CITY OF AUBURN



Auburn Public Works
296 Gracelawn Road

TO: Phil Crowell, City Manager
FROM: Denis D'Auteuil, Public Works Director
RE: Bulky Waste Presentation Addendum
DATE: March 6, 2023

The following information is additional information for the Bulky Waste 2023 presentation scheduled for the City Council Workshop on March 6, 2023. Public Works staff gathered the following information related to Bulky Waste Disposal Programs around Maine.

Portland

- Permit required. No fee for permit.
- Curbside collection available for free for items under 30lbs.
- Curbside collection available with permit and \$40 fee for each item over 30lbs. Limited to 10 items per year per resident.
- Program runs from April through November.

South Portland

- No curbside collection
- Residents may bring bulky waste to transfer station for a fee on each bulky item to be disposed. They have a detailed fee schedule for items.
- Permit required

Lewiston

- No curbside collection
- EZ card program
- Residents may bring items to dump with EZ card
- 1,000 lb limit per household per year
- Lewiston is considering a more frequent bulky waste collection event in the Choice Neighborhood Grant area (Downtown Tree streets). This would not be a City wide program and this is being planned through a non-profit in the City associated with the Choice Neighborhood Grant.

Bangor

- No curbside collection
 - Residents may bring items to the Transfer Station for a fee
-



**AUBURN'S HOUSEHOLD
BULKY WASTE
DISPOSAL PROGRAM**

Helping to keep Auburn clean, safe & beautiful

2021 Spring Clean Up

Bulky Waste Disposal: \$49,376

Equipment Rental: \$13,624

Fuel: \$4,994

Labor: \$86,214

IMPACT: STAFFING RESOURCES

Avg. 2 injuries per Spring Clean Up Collection Event

Total W/C injury costs over past 10 yrs was \$338,975 for a total of 8 injuries

Currently 6 vacant positions. W/C Injuries impact operations after Spring Clean Up putting further strain on resources

IMPACT: SERVICE DELAYS

- All available resources dedicated to Spring Clean Up for minimum 2-3 weeks.
- Parks: clean up, mowing, playground repairs, and new installs delayed
- Memorial Day Preparations delayed
- Athletic mowing and lining
- Roadside mowing and ditch work
- Catch basin cleaning
- Street Sweeping
- Special Event Preparation: New Event May 6, 2023
- Residential lawn repairs- plow damage
- Norway Savings Bank Arena Special Event Support- Business to Business Trade Show
- Pothole patching



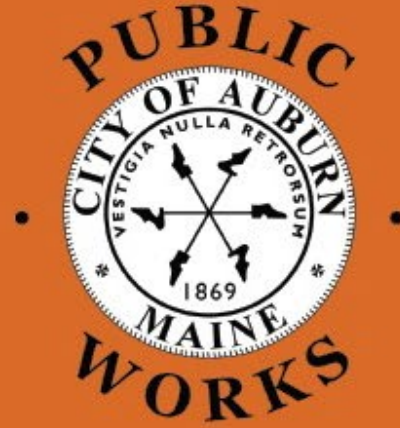


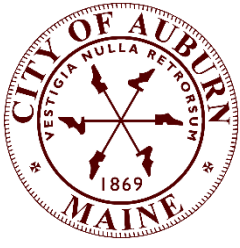
Starting **April 1, 2023, Auburn residents can dispose of household bulky waste **YEAR-ROUND** at **MWE** [110 Goldthwaite Road] at **no cost**.**



Monday-Friday 7am - 4pm
Saturday 7am to 12pm

QUESTIONS?





**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: March 6, 2023

Author: Karen Scammon, Joseph St Peter

Subject: Assessing Department 2023 updates

Information: Assessing staff will provide a power point presentation.

City Budgetary Impacts: None

Staff Recommended Action: Update and discussion.

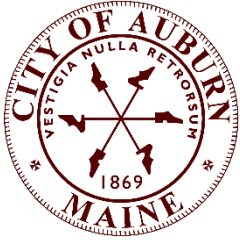
Previous Meetings and History: N/A

City Manager Comments:

I concur with the recommendation. Signature:



Attachments: None



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: March 6, 2023

Subject: Executive Session

Information: Economic development, pursuant to 1 M.R.S.A. Section 405(6)(C) which premature disclosure would prejudice the competitive or bargaining position of the city.

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;

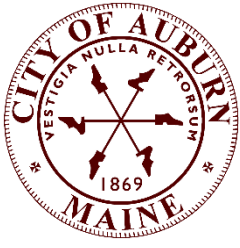
D. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators. The parties must be named before the body or agency may go into executive session. Negotiations between the representatives of a public employer and public employees may be open to the public if both 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: March 6, 2023

Order: 24-03062023

Author: Sue Clements-Dallaire, City Clerk

Subject: Setting the time for opening the polls for 2023 Elections

Information:

State law requires the Municipal Officers to set the time to open the polls for elections (21-A §626. Polling times). The polls must be opened no earlier than 6 a.m. and no later than 8 a.m. on election day, except that in municipalities with a population of less than 500, the polls must be opened no later than 10:00 a.m. It is recommended that the polls open at 7:00 A.M. in Auburn for all 2023 elections. Opening the polls at 7:00 A.M. is consistent with past practice in Auburn and it allows additional time in the morning for people to have an opportunity to vote.

City Budgetary Impacts: Minimal – the cost for Election workers to start one hour early is minimal.

Staff Recommended Action: Recommend a motion to set the time for opening the polls for all 2023 Elections to be 7:00 AM.

Previous Meetings and History: N/A

City Manager Comments:



I concur with the recommendation. Signature:

Attachments: Order



ORDER 24-03062023

City Council Order

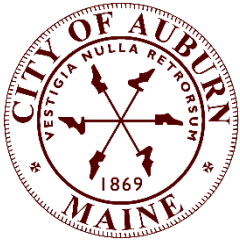
IN CITY COUNCIL

ORDERED, that the City Council hereby sets the time for opening the polls for 2023 elections to be 7:00 AM.

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

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

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



City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: March 6, 2023

Order: 25-03062023

Author: Sue Clements-Dallaire, City Clerk

Subject: Appointing Chris Carson to the Sustainability & Natural Resource Management Board (SNRB)

Information: Chris Carson has volunteered and been selected by the agriculture working group to fill the remaining term of the seat previously held by William Sylvester on the Sustainability & Natural Resource Management Board (SNRB):

*Sec. 2-477. Board established. A Board is hereby established pursuant to 30-A M.R.S.A. §§ 3261—3263 to consist of six members, including representatives of the city council, planning board, and four standing working groups on agriculture, conservation, the community forest, and sustainability. The planning board chair and the mayor may either serve on this board or appoint a representative to serve as members of the SNRB for a term of two years. **The standing working groups on agriculture, conservation, the community forest, and sustainability shall nominate one representative each for approval by the Council;** these members shall serve staggered three-year terms. There shall be one ex officio member of the board, consisting of the city manager or his/her designee.*

City Budgetary Impacts: N/A

Staff Recommended Action: Motion to approve the appointment as nominated by the agriculture working group.

Previous Meetings and History: N/A

City Manager Comments:

I concur with the recommendation. Signature:

Attachments: Order



ORDER 25-03062023

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby appoints Chris Carson to the Sustainability and Natural Resource Management Board with a term expiration of 4/1/2024.

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

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

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

Mayor Levesque called the meeting to order at 7:01 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

7:00 P.M. City Council Meeting

Pledge of Allegiance

I. Consent Items

1. Order 21-01032023*

Re-appointing Robert Cavanagh to the Auburn Sewer District Board of Trustees, with a term expiration of 3/1/2027.

2. Order 22-01032023*

Re-appointing Jason Pawlina to the Auburn Water District Board of Trustees, with a term expiration of 3/1/2027.

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

Passage 7-0.

II. Minutes – January 17, 2023 Regular Council Meeting

Motion was made by Councilor Walker and seconded by Councilor Staples to approve the minutes of the January 17, 2023 Regular City Council meeting.

Passage 6-0-1 (Councilor Milks abstained as he was not present for the meeting).

III. Communications, Presentations and Recognitions

- Mayor Jason Levesque’s State of the City Address which was previously recorded was presented.
- Communication from Frederick Kunas (Auburn Suburban Baseball & Softball)
- A Special City Council Meeting to be held on February 17, 2023
- Council Communications (about and to the community)

Councilor Staples congratulated the Edward Little High School basketball teams on a successful season. He also commented on the Sun Journal article regarding the warming shelter. He stated that the city did put forth a good effort and would like that to continue.

IV. Open Session

Larry Pelletier, 129 Second Street, spoke regarding an article on homelessness and read reasons why someone may become homeless. He provided a written copy.

Bruce Rioux, 85 Mary Carroll Street, would like Auburn tax payers to reimburse the Water District rate payers for the legal fees incurred due to the law suit that was initiated by the City of Lewiston.

V. Unfinished Business

1. Ordinance 24-12052022

Zoning Map Amendment - Amending a portion of 150 Andrew Drive (Parcel I.D. 347-003) from Agriculture and Resource Protection (AG), and Low-Density Country Residential (LDCR), zoning districts to the Suburban Residential (SR) as recommended by the Planning Board. Public hearing and second reading.

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

Public hearing –

Ryan Smith, 14 Weaver Street, spoke regarding the City Attorney’s recent legal opinion and said he would like the City Council to reach out to legal counsel again or have the petitioner start the process over.

Stephen Beal, 575 Johnson Road, spoke regarding this property adding that this parcel is not suitable for suburban residential.

Razell Ward, 1372 North River Road, spoke regarding storm water runoff on Andrew Drive and stated that this lot is not suited for residential development, and she is respectfully requesting that this not be approved.

Lisa Bisson, 199 Andrew Drive, stated that there was a lack of adequate infrastructure for development at this location, the roads are narrow and there is no turnaround. She stated that the East Auburn Community respectfully requests that they not approve the zoning change.

John Cleveland, 183 Davis Avenue, discussed elevations and slope sides of this lot, there is no way to develop a road on those steep grades and there are no other abutting roads to get there adding that it is not adequate to support suburban residential construction, and he would like the City Council to reject this.

Passage 5-2 (Councilors Whiting and Gerry opposed). A roll call vote was taken.

2. Order 165-12192022

Allocating \$145,000 of ARPA (American Rescue Plan Act) funds for the acquisition of the Shovel Ready Housing Plans.

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

Public comment – No one from the public spoke.

Motion was made by Councilor Staples to postpone this item, then withdrew his motion.

Failed 1-6 (Councilors Gerry, Whiting, Hawes, Milks, Morin, Staples opposed). A roll call vote was taken.

VI. New Business

1. Public hearing – CDBG & HOME Annual Action Plan

Larry Pelletier, 129 Second Street, continued reading an article he found regarding homelessness.

Andy Titus, 24 Rubellite Lane, stated that this plan should have a goal and how we did against that goal when spending the money. We need to measure how the money is being used and if it is not working that is how we will know to switch to something different.

2. Ordinance 02-02132023

Amending the definition and use of standards related to Public Safety Facilities, Detention Facilities, Correctional Facilities and/or Government Offices at a site on which the use does not currently exist. First reading.

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

Public comment – Andy Titus, 24 Rubellite Lane stated that he was disturbed about this, adding that it is far reaching, and Council will have to become involved and then it becomes politics. He said he feels it is wrong and they are rushing this through.

Passage 5-2 (Councilors Whiting and Gerry opposed). A roll call vote was taken.

3. Order 23-02132023

Authorizing the City Manager to execute a CBA between the City of Auburn and the Auburn Firefighters Association Local 797.

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

Public comment – No one from the public spoke.

Passage 7-0.

VII. Open Session – Fred Stone, 169 Royal River Road would like to extend some of his property to rural residential, which is currently listed in the Ag zone. He said he would like to build a home on the land, but he can't because of the zoning. He also spoke about a blue building on Trapp Road that he said is an eyesore, a danger, and a fire hazard. It is boarded up now after being vandalized. He would like to know if something can be done about that property.

VIII. Reports (from sub-committees to Council)

Mayor Levesque commented on the ELHS basketball games, the boys alpine ski team came in first place in KVAC's, girls came in second, and boys swimming first place, adding that it is a very busy sports season. He spoke about the Court Street traffic, and appreciates the work Jason Moen, Jonathan LaBonté, and Kris Bennett did presenting, and he reported that the Legislative Policy Committee will be working on several bills.

Councilor Gerry commented on the warming shelter and asked what will we be doing moving forward. She would like to see the City Manager come up with some other locations.

Councilor Whiting wanted to attest to Mr. Stones comment on the building on Trapp Road and said he was glad that he brought it to our attention. He also announced the new name of Museum LA is Maine Mill – Maine Museum of Innovation, Learning, and Labor.

Councilor Milks reported that we are looking for two additional Sewer District Trustees.

Councilor Morin reported that Mr. Stone lives in his ward and he encouraged him to come here to speak.

Councilor Walker said he agreed with Mr. Stone regarding his property and the warehouse that he mentioned earlier. He also reported that the Neighborhood Watch meeting will be held at the Sixth Street Congregational Church at 6:00 pm on February 23rd. The United New Auburn Association will be meeting on February 28th at Rolly's Diner. Fire Chief Chase will be the guest speaker at 6:00 pm.

Councilor Staples reported that the library committee met at the end of January, and they've been discussing fundraising events.

City Manager Crowell will provide a budget meeting schedule at the next regular meeting, he provided an update on the status of the warming center, some of the partnerships working with the city on this, and resources that are available and how we are addressing the issue.

Jill Eastman, Finance Director – January 2023 Finance Report

Motion was made by Councilor Walker and seconded by Councilor Morin to accept and place on file the January 2023 Finance Report.

Passage 7-0.

IX. Executive Sessions

Labor contract negotiations (Police Patrol), pursuant to 1 M.R.S.A. §405(6)(D).

Motion was made by Councilor Hawes and seconded by Councilor Milks to enter executive session.

Passage 7-0. Time 8:29 pm.

Council was declared out of Executive Session at 8:39 pm.

Labor contract negotiations (Police Command), pursuant to 1M.R.S.A. §405(6)(D).

Motion was made by Councilor Milks and seconded by Councilor Walker to enter executive session.

Passage 7-0. Time 8:40 pm.

Council was declared out of Executive Session at 8:48 pm.

Economic development, pursuant to 1 M.R.S.A. §405(6)(C) which premature disclosure would prejudice the competitive or bargaining position of the City.

Motion was made by Councilor Milks and seconded by Councilor Whiting to enter executive session.

Passage 7-0. Time 8:51 pm.

Council was declared out of Executive Session at 9:11 pm.

X. Adjournment

Motion was made by Councilor Whiting and seconded by Councilor Morin to adjourn. Unanimously approved and the meeting adjourned at 9:13 pm.

A TRUE COPY

ATTEST 

Susan Clements-Dallaire, City Clerk

Mayor Levesque called the meeting to order at 5:30 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Councilor Moring had an excused absence. All other City Councilors were present.

5:30 P.M. City Council Meeting

Pledge of Allegiance

I. Unfinished Business

1. Ordinance 02-02132023

Amending the definition and use of standards related to Public Safety Facilities, Detention Facilities, Correctional Facilities and/or Government Offices at a site on which the use does not currently exist. Public hearing and second reading.

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

Public hearing – No one from the public spoke.

Motion was made by Councilor Staples and seconded by Councilor Whiting to postpone this item to the next City Council meeting.

Motion failed 3-4 (there was a tie vote of 3-3 with Councilors Hawes, Milks, and Walker opposed, and in accordance with the City Charter, Article III, Section 3.3, Mayor Levesque voted to break the tie vote and voted in opposition).

Passage of Ordinance 02-02132023 4-2 (Councilors Gerry and Whiting opposed).

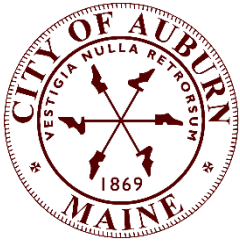
X. Adjournment

Motion was made by Councilor Milks seconded by Councilor Hawes to adjourn. Unanimously approved and the meeting adjourned at 5:35 pm.

A TRUE COPY

ATTEST 

Susan Clements-Dallaire, City Clerk



**City of Auburn
City Council Information Sheet
March 06, 2023**

Council Workshop Date: March 6, 2023

Orders: 26-03062023 through 28-03062023

Author: Jay Brenchick, Director of Economic Development

Subject: Sale of City-Owned Properties

Information: The Economic Development department has identified 3 city-owned properties that have the potential to create economic impact if sold. The Economic Development Department will market the properties to be sold via the city approved bid process.

City Budgetary Impacts: None

Staff Recommended Action: Approve the orders at the March 6, 2023 meeting.

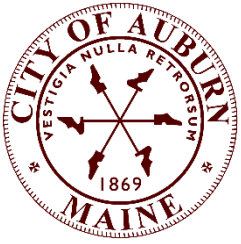
Previous Meetings and History: None

City Manager Comments:

Phillip Crowell Jr.

I concur with the recommendation. Signature:

Attachments: City Owned Properties



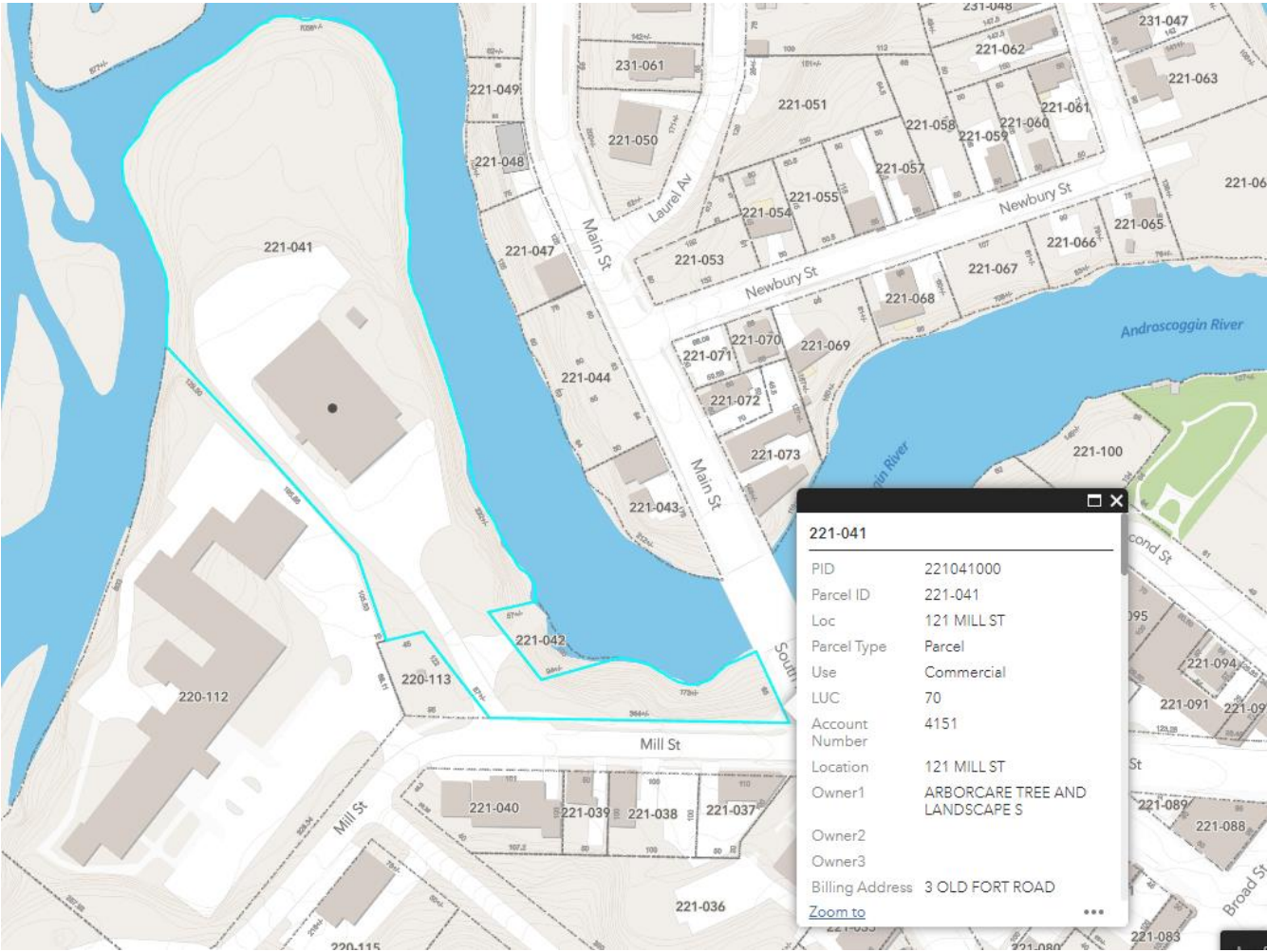
**City of Auburn
Proposed Sale of City-Owned Properties
City Council Meeting: March 06, 2023**

Jay Brenchick, Director of Economic Development

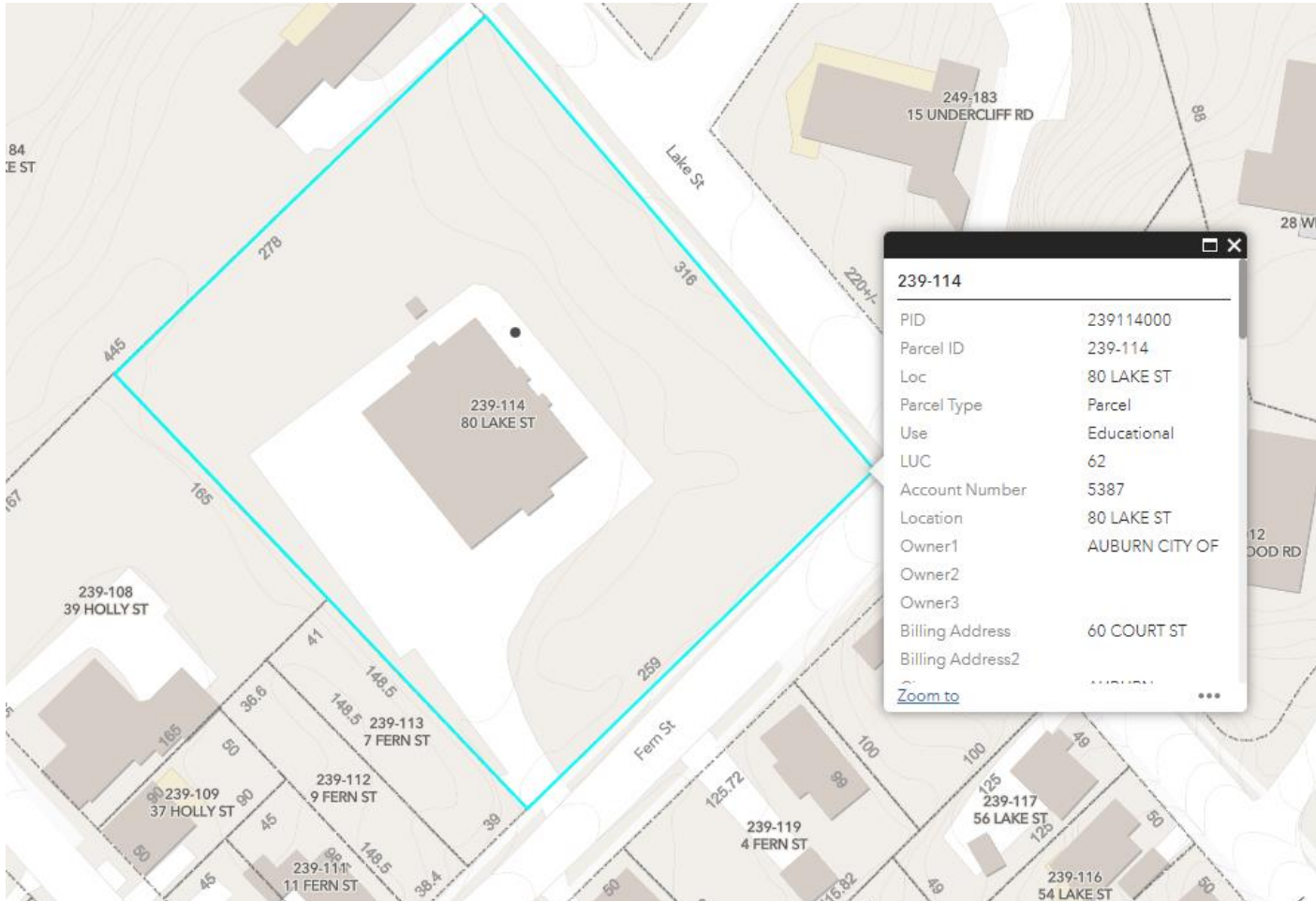
Subject: The City of Auburn Economic Development Department seeks approval to sell the city-owned properties below through the city's approved bid process.

Address	Description
121 Mill Street	Parcel ID: 221-041
80 Lake Street (Lake Street School)	Parcel ID: 239-114
Rodman Rd	Parcel ID: 198-036

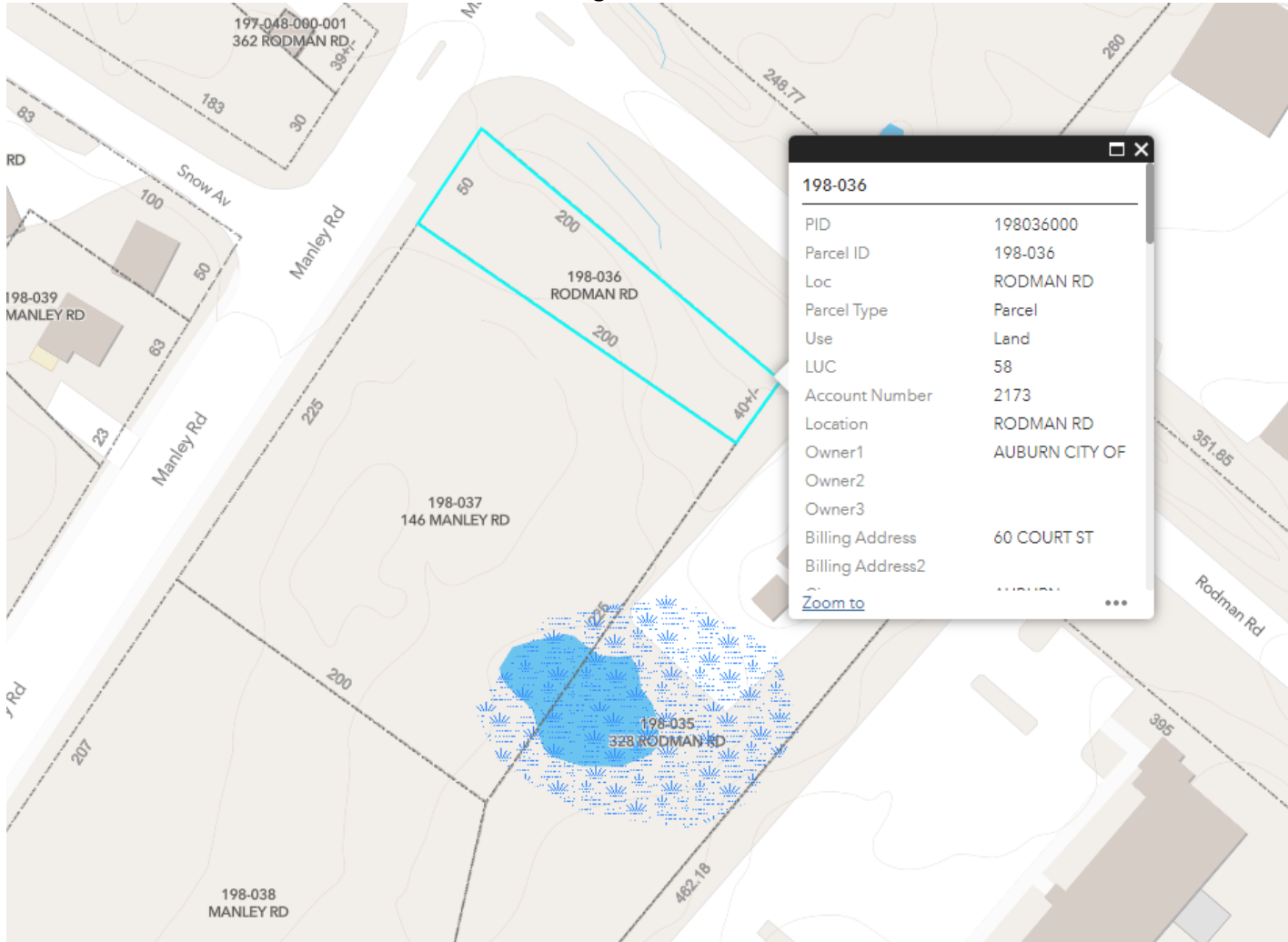
121 Mill Street / Parcel ID 221-041
4.58+/- Total Acres and 30,930 sf Building
Zoning: Downtown Traditional Center T-5.1



80 Lake Street / Parcel ID 239.114
Lake Street School
1.88 Acres +/- and 14,820 sf Building
Zoning: T-4 2B Traditional Neighborhood Development District



Rodman Rd / Parcel ID 198-036
.22 Acres +/-
Zoning: UR Urban Residential

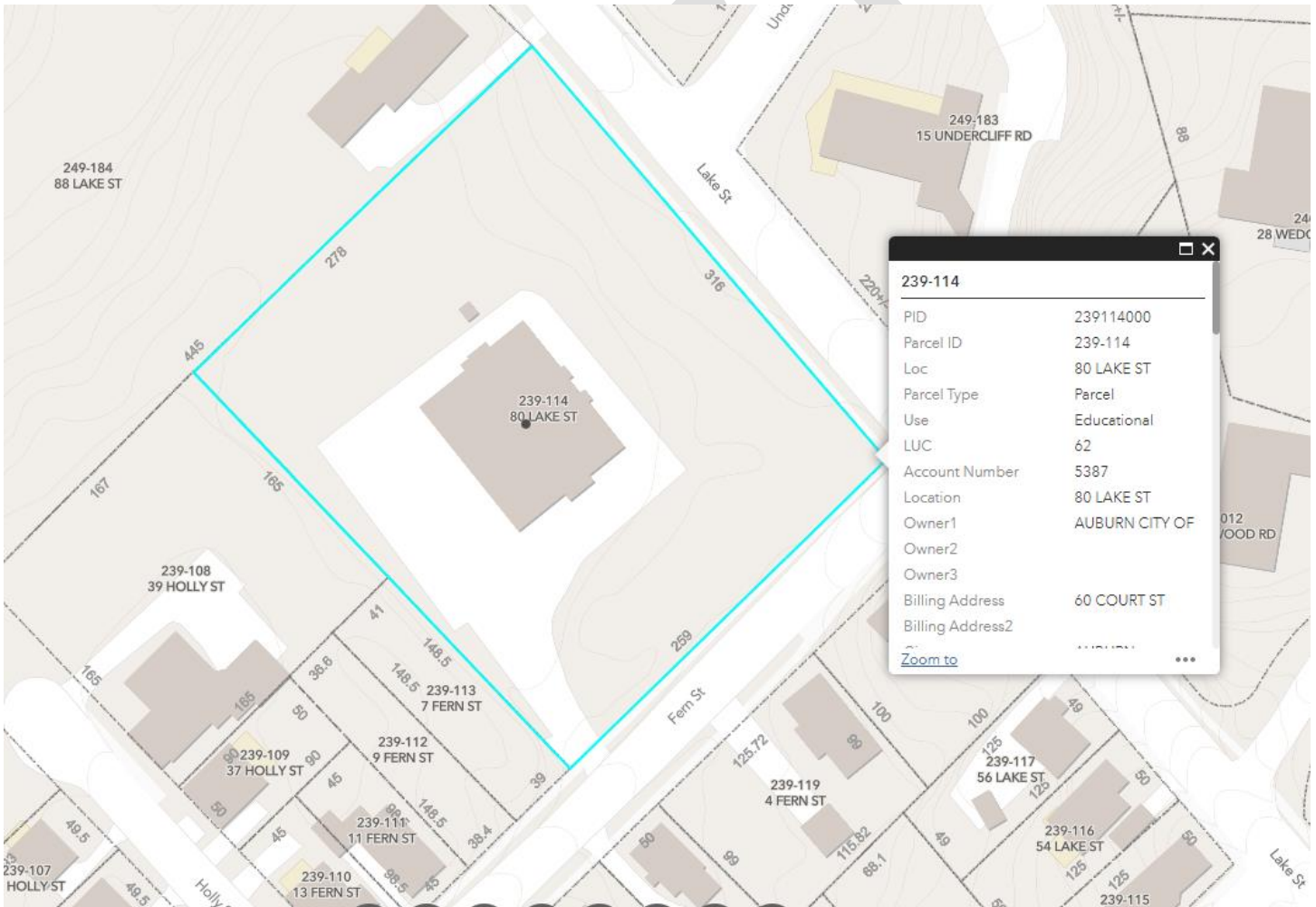




City of Auburn, Maine
 Office of Economic & Community Development
www.auburnmaine.gov | 60 Court Street
 Auburn, Maine 04210
 207.333.6601

DRAFT
REQUEST FOR PROPOSALS

DEVELOPMENT PROPOSALS FOR the acquisition and development of 80 Lake Street Auburn, ME 04210



INTRODUCTION:

The City of Auburn, Maine is seeking proposals for the acquisition and development of 80 Lake Street. This property is known as the Lake Street School. The property is currently utilized as a school but will be vacated and available for development June 2023. The site is identified as tax map parcel number 239-114. The school building is 14,820 sf and sits on 1.88 acres. Adjacent to this parcel are two more city-owned lots. They are 7 Fern Street (Property ID 239-113) and 9 Fern Street

(Property ID 239-112). Proposals that incorporate 7 and 9 Fern Street will be considered.

See the legal description attached hereto as Exhibit “A”

DEVELOPMENT GOALS:

The City of Auburn is seeking a developer with the proven skills, resources and commitment needed to renovate the school into private residential, daycare, or other use in conformance with zoning. In pursuing this project, the City is seeking a developer who will assemble a team that is capable of planning, designing, financing, negotiating and managing the proposed project in a timely manner.

DRAFT



City of Auburn, Maine

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

The development of the parcel and facility should be in conformance with the City's Traditional Neighborhood Development District Zoning (T-4.2B) and should be consistent with surrounding and/or existing uses. The Form Based Code is available on the City website at <http://www.auburnmaine.gov/Pages/Government/City-Charter-Ordinances>.

The City has identified the following criteria for the development of the property and the surrounding area:

1. The school structure should maintain the current historic high-quality façade.
2. The development should provide for thoughtful pedestrian connectivity.
3. Proposals must complement the character of the surrounding neighborhood and the existing infrastructure resources of the area.
4. Proposals should incorporate facets of the area's historic character in the design concept.
5. Proposals should identify anticipated assessed value created by the development and any financial assistance required to complete the development.
9. The proposal should emphasize the immediate usefulness of the subject parcels as part of a development plan that will be a tangible asset to the City and its residents and demonstrate the proposed use will provide the highest and best value to the area and meet the development goals of the developer and City.

PROPOSAL REQUIREMENTS:

The following information must be included in all proposal submissions unless otherwise provided:

1. **Detailed description** of the proposed development, a concept site plan showing orientation of all buildings, parking areas, vehicle and pedestrian access and circulation patterns, other site improvements, size of buildings and square footage of specific components, exterior building elevations and anticipated materials and design style. Provide a list of all approvals necessary, including any variances, zone change requests, subdivision approvals or special use permits required. Staff can help with this based on a specific project proposal.

The developer must also clearly identify any additional land acquisition that may be necessary to support the development and provide a clear explanation for how this land will be acquired.



City of Auburn, Maine

Office of Economic & Community Development

www.auburnmaine.gov | 60 Court Street

Auburn, Maine 04210

207.333.6601

If the development is proposed to be phased, the narrative should clearly define the components, timing and contingencies for each phase of development. However, the developer shall demonstrate that the project will have immediate utility for its intended purposes, rather than simply as a real property holding with no usefulness to the area or added value.

2. An **identification of the entities** that will be involved in the project, a description of the roles each will play (*e.g.* developer, architect, details of ownership and operation, property manager, tenant, professional consultant) and a summary of the team's past experience in working together. A description of each of the entities' experience in developing similar projects should be included.

Provide information on past development activities and/or projects completed for other public and/or private sector clients that shows the competency of the respondent in acting as the lead development entity, being sure to specify size, capacity and experience relevant to similar type developments. Provide references related to projects that are similar in size and scope to this project that may be contacted by the City with phone numbers and email addresses, if available.

3. A preliminary **capital pro forma** showing the detailed sources (amounts and names of banks or financial institutions) and uses of funds (debt, equity and other) to acquire the parcel(s) and construct the development (including any tenant improvements). Information as to the status of securing those funds should be included and inclusion of a conditional financing commitment is strongly encouraged.

4. A **description of the public benefits** that will result from the development, *e.g.* the number and types of housing units, the creation or retention of jobs (including the estimated number, type and wage levels), tax base enhancement, the provision of services, etc. This should include an estimate of the taxable value upon completion and annual real estate taxes.

5. A **proposed schedule** for the development, including identification of any conditions that must be met. The schedule should include the time needed to obtain financing, complete design and secure permits and approvals, prepare the site, start and complete construction, and state and complete lease-up and operations.

6. Provide a detailed explanation of any **public assistance** that will be required to support this development, including any property tax credits, credit enhancement agreements, loans or capital grants.

The contents of the proposal and any clarification to the contents submitted by the successful respondent may be incorporated by reference into an agreement between the developer and the City.

The City reserves the right to waive any of the above submission requirements.



EVALUATION CRITERIA:

All proposals submitted will be evaluated based upon the qualifications and financial strength of the developer, the technical, financial and market feasibility of the proposal, and the degree to which the development goals outlined above are addressed.

REVIEW/SELECTION PROCESS:

Review of proposals will proceed in the following steps:

1. The City will review all proposals.
2. Selected respondents may be requested to make a formal presentation of their proposal to the City Council.
3. Following the presentations, the City Council will meet to select a developer and will initiate negotiations regarding a preferred developer agreement and/or land disposition agreement.

The City shall not be responsible for any costs incurred by any submitting individual or firm in the preparation of any response to this Request for Proposals. The City reserves the right to reject any and all proposals for any reason, and to waive any irregularities or noncompliance with the Request for Proposals in the selection of any firm or individual to participate in the redevelopment of the subject property. Submissions will not be returned.

PRICE:

The City shall consider which proposal will result in an overall higher benefit than comparable proposals; Net tax revenues, overall compatibility with the neighborhood and purchase price will be considered. The City reserves the right to reject all proposals. The proposed purchase price must be included in the submitted proposal.

TIMING:

Developers can make an appointment to tour the school and property from **April 17 through April 21, 2023**.

The City plans to review initial proposals monthly as they are received and select a developer by **May 15, 2023** or reissue the RFP for additional proposals.

PROPOSAL SUBMISSION AND DEADLINE:

Three (3) complete copies of all proposals should be delivered to the City Clerk at Auburn Hall, 60 Court Street, Auburn, Maine 04210 on or before August 25, 2023.



City of Auburn, Maine

Office of Economic & Community Development

www.auburnmaine.gov | 60 Court Street

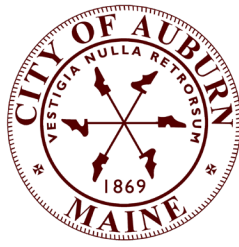
Auburn, Maine 04210

207.333.6601

Submission of a proposal shall constitute the consent of the submitting firm, its principals and employees to the making of inquiries and investigations by the City into the qualifications of the submitting firm, its principals and employees, including the contacting of references.

PRE-PROPOSAL INFORMATION MEETING:

The City will host a pre-proposal information meeting on **Wednesday, April 26 at 9:00 a.m.** at Auburn Hall, 60 Court Street, Auburn, Maine 04210. The meeting will be on the second floor of City Hall in the Community Room. The meeting will begin with City staff providing a brief overview of the property and goals and concluding with a question-and-answer session. Persons interested in attending this meeting are asked to contact Jenna-Rae Brown at (207) 333-6601, ext. 1156.



ORDER 26-03062023

City Council Order

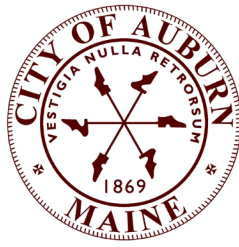
IN CITY COUNCIL

ORDERED, the City of Auburn authorizes the marketing of 121 Mill Street Parcel ID 221-041 (city-owned property) by the Economic Development Department.

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

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

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



ORDER 27-03062023

City Council Order

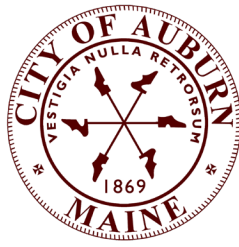
IN CITY COUNCIL

ORDERED, the City of Auburn authorizes the marketing of 80 Lake Street Parcel ID 239-114 (Lake Street School/city-owned property) by the Economic Development Department.

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

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

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



ORDER 28-03062023

City Council Order

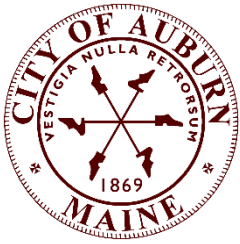
IN CITY COUNCIL

ORDERED, the City of Auburn authorizes the marketing of Rodman Road Parcel ID 198-036 (city-owned property) by the Economic Development Department.

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

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

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



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: March 6, 2023

Author: Glen E. Holmes, Director of Business & Community Development

Subject: Tax increment Financing (TIF) District #27 Stable Ridge Public Hearing

Information: Council will hold Public Hearings on March 6, & 20, 2023, to receive public input and comment regarding the TIF District #27 Stable Ridge Development. The accompanying document outlines the plan to capture new value tax revenue and the projects within the district and benefit the whole community.

City Budgetary Impacts: NONE

Staff Recommended Action: NONE

Previous Meetings and History: NONE

City Manager Comments:

Phillip Crowell Jr.

I concur with the recommendation. Signature:

Attachments: Draft TIF #27 Application

ECONOMIC DEVELOPMENT PROJECT

CITY OF AUBURN, MAINE

An Application for a Municipal Development and Tax Increment Financing District

**TIF #27 - STABLE RIDGE MUNICIPAL DEVELOPMENT
AND TAX INCREMENT FINANCING DISTRICT**

DEVELOPMENT PROGRAM

Presented to:

**City Council
City of Auburn
March 20,
2023**

APPLICATION COVER SHEET

MUNICIPAL TAX INCREMENT FINANCING

A. General Information

1. Municipality Name: City of Auburn		
2. Address: 60 Court Street, Auburn, ME 04210		
3. Telephone: 207-333-6601	4. Fax: 207-333-6623	5. Email: gholmes@auburnmaine.gov
6. Municipal Contact Person: Glen E. Holmes, Director of Business and Community Development		
7. Business Name: American Development Group, LLC		
8. Address: 8 Belmont Court Auburn, ME 04210		
9. Telephone: 207-240-3965	10. Fax: N/A	11. Email: jessicaklimek.ahi@gmail.com
12. Business Contact Person: President & CEO Jessica Klimek		
13. Principal Place of Business: Maine		
14. Company Structure (e.g. corporation, sub-chapter S, etc.): LLC		
15. Place of Incorporation: Maine		
16. Names of Officers: Jessica Klimek		
17. Principal Owner(s) Name: Jessica Klimek		
18. Address: 8 Belmont Court Auburn ME 04210		

B. Disclosure

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

C. Employment Data

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

N/A

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Development Program

I. Introduction

The Maine Legislature established tax increment financing as an economic development tool to be used by municipalities to: (a) provide new employment opportunities; (b) improve and broaden its tax base; and (c) improve the general economy of the State. The Legislature recognizes that the State and its municipalities benefit from a municipality's economic development partnership with a local business to promote responsible new development that (a) enhances local efforts for economic, industrial or commercial development; and (b) retains and expands the local tax base and employment opportunities.

The City of Auburn (the "City" or "Auburn") seeks to establish a Tax Increment Financing ("TIF") district to be known as the "**TIF #27 Stable Ridge Municipal Development and Tax Increment Financing District**" (the "District"), located at 555 Court Street.

The District consists of one parcel located at 555 Court Street and is identified on City Tax Maps as Tax Map 229 Lot 007. The District is approximately 13.19 acres. The District is being developed for rental housing, Phase 1 consisting of five (5) buildings with twelve (12) apartments per building and Phase 2 consisting of five (5) buildings with twelve (12) apartments per building, a garage and recreational storage facility for use by the residents. The complex is estimated to add \$14,000,000 in taxable value to the City.

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

- Maintain the existing tax revenues;
- Enjoy enhanced future tax revenues generated by improvements within the District;
- Enable the investment of TIF Revenues (defined below) in high priority City projects;
- Improve the overall economy of the City, the Androscoggin County region, and the State of Maine.

In addition, by creating a TIF district, the City will "shelter" the increase in municipal valuation that the development will bring about. The tax benefit provided by the District will mitigate the adverse effect that the District's increased assessed property value would have on the City's share of state aid to education, municipal revenue sharing, and its county tax assessment. An estimate of the tax shift benefit is shown as **Exhibit C-2** attached hereto.

II. Development Program Narrative

A. The Development District

The District will encompass approximately 13.19 acres of real property. The District is located at 555 Court Street. The District is shown in Exhibit A-1 and Exhibit A-2 attached hereto.

B. The Development Program

The City's designation of the District and adoption of this Development Program creates a single municipal TIF District in order to capture the value of the taxable real property improvements made within the District and to authorize the use of tax increment financing revenues for various municipal economic development projects, as well as any potential future credit enhancement agreements. The Development Program will begin with the City's 2023-2024 fiscal year on July 1, 2023 and will continue for a total of twenty (20) years, ending on June 30, 2043.

Under this Development Program, the City will capture one hundred (100%) of the increased assessed value of taxable real property over the original assessed value of the District and retain the tax revenues generated by the captured assessed value for designated economic development purposes. The calculation of TIF Revenues (as defined below) is more specifically described below in Section IV – Financial Plan. In the Assessor's Certificate attached as Exhibit B hereto, the Assessor has certified the original assessed value of the District.

By adopting this Development Program, the City is creating a TIF district that will: (1) maintain existing tax revenues; (2) enjoy enhanced future tax revenues generated by new development within the District; and (3) shelter the captured assessed value from impacting the overall State valuation for the City of Auburn, thereby minimizing: (a) potential decreases in the City's State school subsidy and State revenue sharing, and (b) potential increases in the City's county tax assessments and local school district contributions.

Further, approval of this Development Program and the designation of the District will have a neutral impact on the existing tax base; only the increased assessed value over the original assessed value within the District will be captured. In addition, at the end of the District and Development Program, the City expects to emerge with a substantial amount of new taxable property value to add to its municipal tax base.

This Development Program is structured and proposed pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended (the "TIF Statute"). Subsequent to a City Council vote designating the District and adopting this Development Program, evidenced by Exhibit F hereto, the designation of the District and adoption of this Development Program are effective upon approval by the DECD.

C. The Projects

Development within the District will provide a revenue source for the City’s economic development projects. The City plans to use the TIF Revenues for several projects related to economic and infrastructure development. Please see Table 1 herein for a complete list of authorized projects and their respective cost estimates.

**TABLE 1
Municipal Project Costs**

Project	Cost Estimate*	Statutory Citation
1. <u>Administrative & Professional Services Costs</u> . Costs of prorated portion of salaries of City staff for time associated with creation and administration of District, and fund costs of professional services associated with creation and administration of District. ***	\$120,000	30-A M.R.S. § 5225(1)(A)(4); (1)(A)(5)
2. <u>Economic Development Programs</u> : Costs of the City’s economic development programs, including, but not limited to, marketing costs, prorated portions of staff salaries devoted to supporting and administering TIF programming, and other related operating expenses for the City’s Economic Development Department.**	\$20,000	30-A M.R.S. § 5225(1)(C)(1)
3. <u>Road Improvements</u> : Design, construction, engineering, other associated costs of road construction, sidewalk and pedestrian crossing safety improvements on Court Street, Park Ave., Russel Ave., Pinnacle Drive, Fairview Ave, Allen Ave., Dawes Ave., and Minot Ave. located within the District or outside the District but directly related to or made necessary by the District.***	\$3,000,000	30-A M.R.S. § 5225(1)(A)(1); (1)(B)(1)

Project	Cost Estimate*	Statutory Citation
<p>4. Public Safety Facility: To the extent a new public safety building or equipment is needed to serve District development, TIF revenues may support the costs of such facility whether it is located inside the District or outside the District.</p> <p>Costs related to the construction or operation of a public safety facility in the City, the need for which is related to general economic development within the City, not to exceed 15% of the captured assessed value of the development district.***</p>	\$250,000	30-A M.R.S. § 5225 (1)(C)(9); (1)(B)(1)
Total	\$3,390,000	

* These are estimates only. The City may allocate revenues generated by the District across approved project cost categories as needed.

** Similar project contained within #23 Auburn Memory Care TIF, #10 Downtown Omnibus TIF, #25 Futureguard TIF and TID #26 – North River Road.

*** Similar project costs contained within TIF #25 Futureguard and TIF #26 – North River Road.

D. Strategic Growth and Development

By creating and designating the District, the City is maximizing the economic development potential of the District and the City in general. TIF Revenues from the District will be used on important City economic development projects and programs.

Further, the City’s designation of a TIF district and pursuit of this Development Program constitute a good and valid public purpose described in the TIF Statute in Chapter 206 of Title 30-A because it represents a substantial contribution to the economic well-being of both the City and the Androscoggin County Region, by providing jobs and contributing to property taxes.

E. Improvements to the Public Infrastructure

As further set forth in Table 1, the City will use certain TIF Revenues for a variety of projects, including public infrastructure improvements.

F. Operational Components

1. Public Facilities

Please refer to Table 1 to review public facilities intended to be financed with TIF Revenues.

2. Commercial Improvements Financed Through Development Program

No commercial improvements will be financed through the Development Program.

3. Relocation of Displaced Persons

No persons will be displaced.

4. Transportation Improvements

Certain transportation related improvements are described in Table 1.

5. Environmental Controls

The improvements made under the proposed Development Program will meet or exceed all federal and state environmental regulations and will comply with all applicable land use requirements for the City.

6. Plan of Operation

During the term of the District, the City Manager or his designee will be responsible for all administrative matters within the purview of the City concerning the implementation and operation of the District.

III. Physical Description

Municipal documents relating to the District's physical description attached as Exhibits:

- (a) City of Auburn property map showing the District relative to City boundaries. **Exhibit A-1**
- (b) City of Auburn property map showing the District property. **Exhibit A-2**
- (c) Certification by the City of Auburn Assessor of the original assessed value of the District. **Exhibit B**.

IV. Financial Plan

The District will encompass approximately 13.19 acres of property. The original assessed value of the real property in the District was \$235,500 as of March 31, 2022 (April 1, 2021). Development of the parcel is estimated to add approximately \$14,000,000 of new assessed real property value to the City.

This Development Program provides that, beginning on July 1, 2023, the City will "capture" one hundred percent (100%) of the increased assessed value of real property in the District. TIF revenues will consist of property taxes paid on 100% of the increased assessed value ("TIF Revenues").

The reimbursement schedule provides for the Developer to receive up to fifty percent (50%) of the TIF revenues generated by the captured assessed value of real property in the District for a term not to exceed ten (10) years or until the Developer reaches an overall payment cap not to exceed \$500,000, whichever occurs first. The City will retain the remainder of TIF Revenues generated by the captured assessed value of the real property located within the District for the City's economic development projects. The City will retain 100% of the TIF Revenues for the remainder of the District term after the expiration of the Credit Enhancement Agreement with the Developer.

The City will establish two Development Program Fund sub-accounts: one for the Developer reimbursement and one for the City programs and projects. Upon each payment in full as due of property taxes by the Developer, the City, based upon the allocations described above, will deposit into the Development Program Fund Developer's sub-account. The Development Program Fund Developer's sub-account is pledged to and charged with the payment of the project costs in the manner provided in 30-A M.R.S.A. § 5227(3). In each fiscal year, the City will disburse funds from the Development Program Fund sub-account to the Developer within thirty (30) business days following payment of the taxes on all captured assessed value.

The Credit Enhancement Agreement will provide for the maximum of a 10-year term of TIF revenue reimbursements to the Developer at fifty percent (50%) of the captured assessed value until payments reach an overall cap of \$500,000, per **Exhibit C-1 and Exhibit C-2**. This Credit Enhancement Agreement represents reimbursement of extraordinary costs associated with infrastructure improvement and improved site access. Estimates of the increased assessed values of the District, the anticipated TIF Revenues generated by the District, the portion of the TIF revenues to be applied to the District each year, and the estimated tax shifts are shown in **Exhibit C-1 and Exhibit C-2**.

A. Costs and Sources of Revenues

Developers of District property will pay for and/or finance all costs of projects located in the District through private sources.

B. Municipal Indebtedness

The City reserves the right to issue municipal bonds in order to pay for infrastructure improvements described in Table 1. Any municipal bond issued for such project would require City Council approval.

V. Financial Data

The original assessed value of the taxable property in the District was \$235,500 as of March 31, 2022 (April 1, 2021). Please find attached as **Exhibit G** the Statutory Requirements and Thresholds Form required by the Maine Department of Economic and Community Development.

VI. Tax Shifts

In accordance with Maine statutes governing the establishment of a tax increment financing district, the table set forth in **Exhibit C-2** identifies the tax shifts that are expected to result during the term of the District from the establishment of the District.

VII. Municipal Approvals

A. Notice of Public Hearing

Attached as **Exhibit D** is a certified copy of the Notice of Public Hearing held on March 6, 2023 in accordance with the requirements of 30-A M.R.S.A. § 5226(1). The notice was published in the *Sun Journal*, a newspaper of general circulation in the City on a date at least ten (10) days prior to the public hearing.

B. Minutes of Public Hearing

Attached as **Exhibit E** is a certified copy of the minutes of the public hearing held on March 6, 2023, at which time the proposed District was discussed by the public.

C. City Council Order

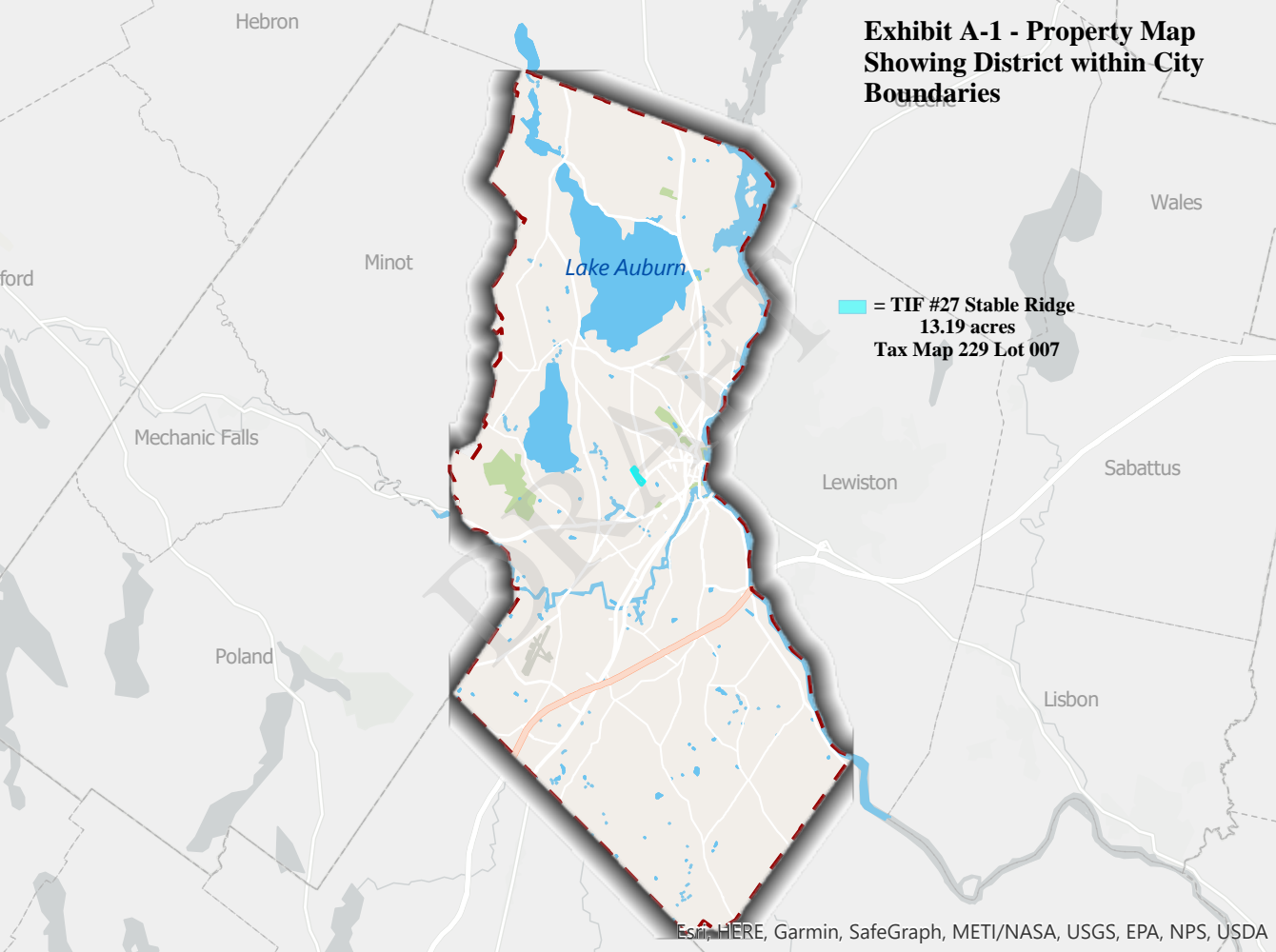
Attached as **Exhibit F**, is an attested copy of the City Council Order adopted by the Auburn City Council at a Council Meeting duly called and held on March 6, 2023, designating the District and adopting the Development Program.

Exhibit A-1

**(Property Map Showing District Property Relative to City
Boundaries)**

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Exhibit A-1 - Property Map Showing District within City Boundaries



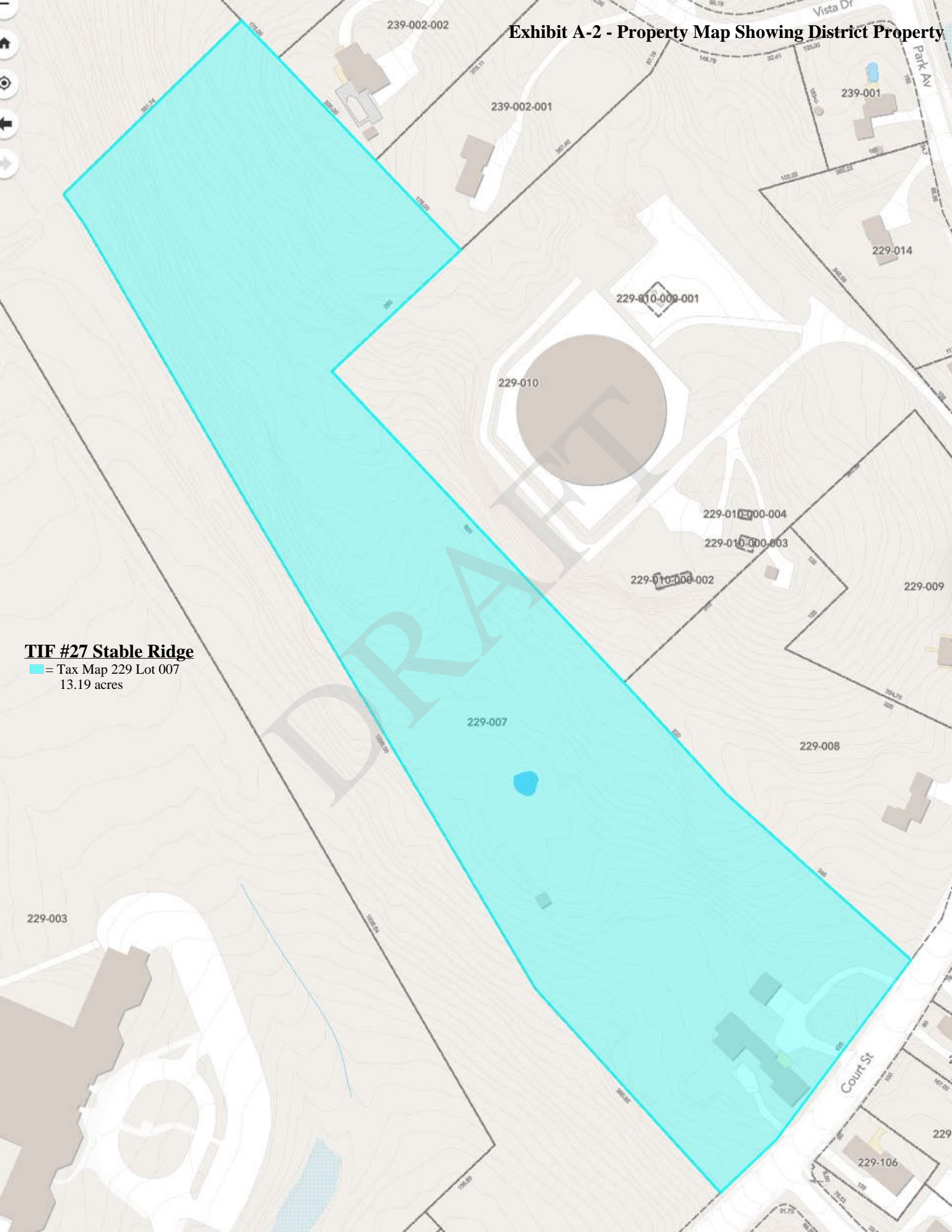
■ = TIF #27 Stable Ridge
13.19 acres
Tax Map 229 Lot 007

Exhibit A-2

(Property Map Showing District Property)

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Exhibit A-2 - Property Map Showing District Property



TIF #27 Stable Ridge

■ = Tax Map 229 Lot 007
13.19 acres

Exhibit B

(Assessor's Certificate)

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City of Auburn, Maine

Office of the Assessor

www.auburnmaine.gov | 60 Court Street

Auburn, Maine 04210

207.333.6601

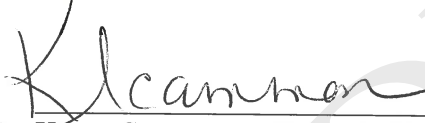
ASSESSOR'S CERTIFICATE CITY OF AUBURN

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

The assessed value of taxable real property of the TIF #27 Stable Ridge Municipal Development and Tax Increment Financing District as described in the Development Program to which the Certificate is included, comprised of the approximately 13.19 acres identified on City Tax Maps as Tax Map 229, Lot 007, was **\$235,500** as of March 31, 2022 (April 1, 2021).

In Witness Whereof, This Certificate has been executed as of this 24th day of February, 2023.

ASSESSOR



Karen Scammon, CMA-4, City Assessor

Exhibit C-1

(Anticipated TIF Captured Assessed Values)

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Exhibit C-1 - Captured Assessed Value & TIF Revenue Projections

TIF #27 Stable Ridge TIF District – City of Auburn

Fiscal Year	TIF Year	Original Assessed Value	Projected Total Assessed Value	Projected Increased Assessed Value	Percent Captured in TIF	Estimated Assessment Ratio	TIF District Projected Captured Assessed Value	Projected Mill Rate 22/23: 22.75	Projected Total TIF Revenue	TIF Revenue to Company (50%) Years 1-10	TIF Revenue to City
2023-2024	1	\$235,500	\$ 2,735,500	\$2,500,000	100%	100%	\$2,500,000	22.75	\$56,875	\$28,438	\$28,438
2024-2025	2	\$235,500	\$ 2,735,500	\$2,500,000	100%	100%	\$2,500,000	22.75	\$56,875	\$28,438	\$28,438
2025-2026	3	\$235,500	\$ 5,235,500	\$5,000,000	100%	100%	\$5,000,000	22.75	\$113,750	\$56,875	\$56,875
2026-2027	4	\$235,500	\$14,235,500	\$14,000,000	100%	100%	\$14,000,000	22.75	\$318,500	\$159,250	\$159,250
2027-2028	5	\$235,500	\$14,235,500	\$14,000,000	100%	100%	\$14,000,000	22.75	\$318,500	\$159,250	\$159,250
2028-2029	6	\$235,500	\$14,235,500	\$14,000,000	100%	100%	\$14,000,000	22.75	\$318,500	\$67,750	\$250,750
2029-2030	7	\$235,500	\$14,235,500	\$14,000,000	100%	100%	\$14,000,000	22.75	\$318,500	\$0	\$318,500
2030-2031	8	\$235,500	\$14,235,500	\$14,000,000	100%	100%	\$14,000,000	22.75	\$318,500	\$0	\$318,500
2031-2032	9	\$235,500	\$14,235,500	\$14,000,000	100%	100%	\$14,000,000	22.75	\$318,500	\$0	\$318,500
2032-2033	10	\$235,500	\$14,235,500	\$14,000,000	100%	100%	\$14,000,000	22.75	\$318,500	\$0	\$318,500
2033-2034	11	\$235,500	\$14,235,500	\$14,000,000	100%	100%	\$14,000,000	22.75	\$318,500	\$0	\$318,500
2034-2035	12	\$235,500	\$14,235,500	\$14,000,000	100%	100%	\$14,000,000	22.75	\$318,500	\$0	\$318,500
2035-2036	13	\$235,500	\$14,235,500	\$14,000,000	100%	100%	\$14,000,000	22.75	\$318,500	\$0	\$318,500
2036-2037	14	\$235,500	\$14,235,500	\$14,000,000	100%	100%	\$14,000,000	22.75	\$318,500	\$0	\$318,500
2037-2038	15	\$235,500	\$14,235,500	\$14,000,000	100%	100%	\$14,000,000	22.75	\$318,500	\$0	\$318,500
2038-2039	16	\$235,500	\$14,235,500	\$14,000,000	100%	100%	\$14,000,000	22.75	\$318,500	\$0	\$318,500
2039-2040	17	\$235,500	\$14,235,500	\$14,000,000	100%	100%	\$14,000,000	22.75	\$318,500	\$0	\$318,500
2040-2041	18	\$235,500	\$14,235,500	\$14,000,000	100%	100%	\$14,000,000	22.75	\$318,500	\$0	\$318,500
2041-2042	19	\$235,500	\$14,235,500	\$14,000,000	100%	100%	\$14,000,000	22.75	\$318,500	\$0	\$318,500
2042-2043	20	\$235,500	\$14,235,500	\$14,000,000	100%	100%	\$14,000,000	22.75	\$318,500	\$0	\$318,500

20-Year Projected Total:	\$5,642,000	\$500,000	\$5,142,000
20-Year Projected Average:	\$282,100	\$25,000	\$257,100

Assumptions:

1. The above projections show the anticipated increased assessed values, captured assessed values, and TIF revenues throughout the term of the District. The Assessor has estimated the projected increased assessed value based on available project plans and currently available information. The final assessed value will be determined based on the actual land and improvement values after construction of phase one and phase two on the applicable April 1st.
2. The projections assumes a 20-year district term, with a 10-year credit enhancement agreement to the Developer. The credit enhancement agreement under these assumptions provides a reimbursement of 50% of the TIF revenues to the Developer and 50% to the City until the Developer reaches a cap of \$500,000. The \$500,000 payment cap is projected in year 6. The City will retain 100% of the TIF revenues for years 7-20 based on this projection model.
3. Projections assume a flat mill rate of 22.75 and projected certified assessment ratio of 100%.
4. Projections assume 100% of the increased assessed value is captured in the District and that TIF revenue is available for municipal project costs.
5. The preceding financial information contains projections and forward-looking statements that are subject to a number of risks and uncertainties that could cause the actual results, performance, or achievements to differ materially from any future results, performances, or achievements expressed or implied by the financial information reported in this projection. The model is not, nor intended to be, an appraisal or guarantee of an assessed value, and there may be positive or negative variations in the actual assessment of the project due to variety of factors, including without limitation the employment of alternative methods of valuation and then-current market conditions.

Exhibit C-2

(Projected Tax Shift Benefits)

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Exhibit C-2 - Tax Shift Benefits
TIF #27 Stable Ridge TIF District – City of Auburn

Fiscal Year	TIF Year	State Aid to Education Benefit	County Tax Benefit	State Revenue Sharing Benefit	Total Tax Benefit
2023-2024	1	-	-	-	\$0
2024-2025	2	-	-	-	\$0
2025-2026	3	-	\$2,441	\$829	\$3,270
2026-2027	4	\$18,225	\$2,441	\$829	\$21,495
2027-2028	5	\$18,225	\$4,740	\$1,658	\$24,623
2028-2029	6	\$36,450	\$13,009	\$4,641	\$54,099
2029-2030	7	\$102,060	\$13,009	\$4,641	\$119,709
2030-2031	8	\$102,060	\$13,009	\$4,641	\$119,709
2031-2032	9	\$102,060	\$13,009	\$4,641	\$119,709
2032-2033	10	\$102,060	\$13,009	\$4,641	\$119,709
2033-2034	11	\$102,060	\$13,009	\$4,641	\$119,709
2034-2035	12	\$102,060	\$13,009	\$4,641	\$119,709
2035-2036	13	\$102,060	\$13,009	\$4,641	\$119,709
2036-2037	14	\$102,060	\$13,009	\$4,641	\$119,709
2037-2038	15	\$102,060	\$13,009	\$4,641	\$119,709
2038-2039	16	\$102,060	\$13,009	\$4,641	\$119,709
2039-2040	17	\$102,060	\$13,009	\$4,641	\$119,709
2040-2041	18	\$102,060	\$13,009	\$4,641	\$119,709
2041-2042	19	\$102,060	\$13,009	\$4,641	\$119,709
2042-2043	20	\$102,060	\$13,009	\$4,641	\$119,709
2042-2043		\$102,060	\$13,009	\$4,641	\$119,709
2043-2044		\$102,060	\$13,009	\$4,641	\$119,709
2044-2045		\$102,060	-	-	\$102,060
Totals:		\$1,807,920	\$230,773	\$82,206	\$2,120,899
Averages:		\$90,396	\$11,539	\$4,110	\$92,213

Assumptions:

1. Data sources include the 2022-2023 mill rate/commitment reported by the City, Androscoggin County's FY2022 Budget reflecting Tax Allocation, the State Treasurer's Office Municipal Revenue Sharing projections for FY2023, published 03/17/2022, and the Maine Department of Education 02/02/2023 2023-2024 ED 279 form for Auburn Schools. Based on these projections, the City of Auburn loses approximately 37 cents out of every new tax dollar to education and state subsidy losses and increased County taxes. This loss is determined by calculating the total subsidy and County tax that would have left the City's revenue stream for this project and dividing it by the total TIF revenue generated for there District term.
2. Tax shift losses are comprised of declining subsidies in revenue sharing and increasing obligations to pay county taxes. Tax shift losses occur for a couple of years following the year in which the new assessed value is first recognized in the assessment. No tax shift losses occur when a TIF captures all of the new value.
3. The preceding financial information contains projections and forward-looking statements that are subject to a number of risks and uncertainties that could cause the actual results, performance, or achievements to differ materially from any future results, performances, or achievements expressed or implied by the financial information reported in this projection. These projections assume that the formulas and general inputs for state subsidies and county taxes do not change over time and they assume that all other values in other communities are static relative to one another except for the new value assessed. The projections are less likely to be accurate farther into the future.
4. Assumes the assessment ratio in the City is 100% when the new property value arrives, such that the market value of new property is used for assessment purposes.

Exhibit D

(Notice of Public Hearing)

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NOTICE OF PUBLIC HEARING

CITY OF AUBURN NOTICE OF PUBLIC HEARING

Regarding
Approval of the Municipal Development and Tax Increment Financing District known as:
“TIF #27 Stable Ridge Municipal Development and Tax Increment Financing District”

Notice is hereby given that the City of Auburn will hold a public hearing on

March 20, 2023
at 60 Court Street Auburn , ME 04210
The Public Hearing will be at 7:00 p.m.

The purpose of the public hearing is to receive public comments on the creation of a municipal development and tax increment financing district known as the TIF #27 Stable Ridge Municipal Development and Tax Increment Financing District (the “District”) and the adoption of the development program for the District pursuant to the provisions of Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended.

The TIF #27 Stable Ridge Municipal Development Tax Increment Financing District is comprised of approximately 13.19 acres and is located at 555 Court Street. The proposed district will consist of Phase 1 consisting of three five buildings with sixty apartments per building and Phase 2 consisting of five buildings with sixty apartments per building. This District authorizes the City Manager to enter into a credit enhancement agreement with the developer, as described in the proposed development program.

A copy of the proposed Development Program materials, , including a description of a proposed credit enhancement agreement with the developer, will be on file with the City Office during normal business hours of 8:30 am – 4:00 pm. They can also be found at <https://www.auburnmaine.gov/> or one can call 207-333-6601 during normal business hours to request that a copy be mailed to you. All interested persons are invited to attend the public hearing and will be given an opportunity to be heard at that time.

Public comments will be taken at the hearings and written comments should be submitted to Susan Clements-Dallaire, City Clerk. Written comments will be accepted until 4:00 PM on March 20, 2023.

Exhibit E

(Minutes of Public Hearing)

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Exhibit F

(City Council Order)

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City Council Order

Approving the TIF #27 Stable Ridge Municipal Development Tax Increment Financing Development Program

WHEREAS, the City of Auburn (the “City”) is authorized pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, to designate specific areas within the City as the TIF #27 Stable Ridge Municipal Tax Increment Financing District ("the District") and to adopt a development program for the District (the "Development Program"); and

WHEREAS, there is a need to provide continuing employment opportunities for the citizens of the City and the surrounding region; to improve and broaden the tax base of the City; and to improve the general economy of the City, the surrounding region and the State of Maine; and

WHEREAS, adopting and implementing the District and the Development Program will help to improve and broaden the tax base in the City and improve the economy of the City and the State of Maine; and

WHEREAS, the City has held a public hearing on the question of establishing the District in accordance with the requirements of 30-A M.R.S.A. §5226, upon at least ten (10) days prior notice published in a newspaper of general circulation within the City; and

WHEREAS, the City desires to designate the District and to adopt the Development Program for the District; and

WHEREAS, it is expected that approval will be sought and obtained from the Maine Department of Economic and Community Development (“DECD”), approving the designation of the District and the adoption of the Development Program; and

NOW THEREFORE, BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF AUBURN, MAINE:

Section 1. The City hereby finds and determines that:

(a) At least twenty-five percent (25%), by area, of the real property within the District, as hereinafter designated, is in need of rehabilitation, redevelopment or conservation or is suitable for commercial uses as defined in 30-A M.R.S.A. §5223(3); and

(b) The total area of the District does not exceed two percent (2%) of the total acreage of the City, and the total area of all development districts within the City (including the District) does not exceed five percent (5%) of the total acreage of the City; and

(c) The aggregate original assessed value of the District plus the original assessed value of all other existing tax increment financing districts in the City does not exceed five percent (5%) of the total value of taxable property within the City as of April 1, 2021; and

(d) The City Council has considered all evidence presented to it with regard to any adverse economic effect on or detriment to any existing business and has found and determined

that any such adverse economic effect on or detriment to any existing business is outweighed by the contribution expected to be made through the District and the adoption of the Development Program. The projects and improvements described in the Development Program will contribute to the economic growth and well-being of the City and the surrounding region, and will contribute to the betterment of the health, welfare and safety of the inhabitants of the City, including employment opportunities, a broadened and improved tax base and economic stimulus, and therefore constitutes a good and valid public purpose.

Section 2. Pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, the City hereby designates the District and adopts the Development Program all as more particularly described in the Development Program presented to the City Council and such Development Program is hereby incorporated by reference into this vote as the Development Program for the District.

Section 3. Pursuant to the provisions of 30-A M.R.S.A. §5227, the percentage of increased assessed value to be retained in the District as captured assessed value and the term for which it will be retained is hereby established as set forth in the Development Program.

Section 4. The City Manager be, and hereby is, authorized, empowered and directed to submit the designation of the District and the Development Program to DECD for review and approval pursuant to the requirements of 30-A M.R.S.A. §5226(2).

Section 5. The foregoing designation of the District and adoption of the Development Program shall automatically become final and shall take full force and effect upon receipt by the City of approval of the designation of the District and adoption of the Development Program by DECD, without requirement of any further action by the City, the City Council, or any other party.

Section 6. The City Manager be and hereby is authorized and empowered, at his discretion, from time to time, to make such revisions and corrections to the Development Program or to the scope, cost or description of the public improvements to be financed with tax increment revenues generated by the District as described in the Development Program, and to the exhibits to the Development Program, as the City Manager deems reasonably necessary or convenient, necessary in order to facilitate the process for review and approval of the District or the Development Program by DECD, or for any other reason so long as such revisions are not inconsistent with these resolutions or the basic structure and intent of the Development Program.

Section 7. The City Manager be and hereby is authorized, empowered and directed to enter into the Credit Enhancement Agreement contemplated by the Development Program, in the name of and on behalf of the City, such agreement to be in such form and to contain such terms and provisions, not inconsistent with the Development Program, as the City Manager may approve, the City Manager's approval to be conclusively evidenced by his or her execution thereof.

This Order shall take effect immediately upon adoption.

Approved March 20, 2023, by the City Council, at a meeting duly convened and conducted in Auburn, Maine.

DRAFT

Exhibit G

(Statutory Requirements and Thresholds)

DRAFT

STATUTORY REQUIREMENTS AND THRESHOLDS
TIF #27 STABLE RIDGE MUNICIPAL TAX INCREMENT FINANCING DISTRICT

41SECTION A. Acreage Caps		
1. Total municipal acreage;		41,430
2. Acreage of proposed Municipal TIF District;		13.19
3. Downtown-designation ¹ acres in proposed Municipal TIF District;		0
4. Transit-Oriented Development ² acres in proposed Municipal TIF District;		0
5. Total acreage [=A2-A3-A4] of proposed Municipal TIF District counted toward 2% limit;		13.19
6. Percentage [=A5÷A1] of total acreage in proposed Municipal TIF District (CANNOT EXCEED 2%).		.032%
7. Total acreage of all <u>existing/proposed</u> Municipal TIF districts in municipality including Municipal Affordable Housing Development districts: ³ #6 Proctor & Gamble (Tambrands II)/84 acres #10 Downtown Omnibus/264.18 acres #13 Retail Development/29.67 acres #15 Mall Area Hotel/1.5 acres #19 Hartt Transportation Industrial Park/43 acres #20 62 Spring Street/.81 #22 Hampshire Street/1.01 #24 Gracelawn/2.92 #26 North River Road Apartments/3.32	Existing	653.36
	Proposed	13.19
	Total:	666.55
30-A § 5223(3) EXEMPTIONS⁴		
8. Acreage of an <u>existing/proposed</u> Downtown Municipal TIF district;		264.18
9. Acreage of all <u>existing/proposed</u> Transit-Oriented Development Municipal TIF districts:		0
10. Acreage of all <u>existing/proposed</u> Community Wind Power Municipal TIF districts:		0
11. Acreage in all <u>existing/proposed</u> Municipal TIF districts common to ⁵ Pine Tree Development Zones per 30-A § 5250-I (14)(A) excluding any such acreage also factored in Exemptions 8-10 above:		0
12. Total acreage [=A7-A8-A9-A10-A11] of all <u>existing/proposed</u> Municipal TIF districts counted toward 5% limit;		402.37
13. Percentage of total acreage [=A12÷A1] of all <u>existing/proposed</u> Municipal TIF districts (CANNOT EXCEED 5%).		.971%
14. Real property in proposed Municipal TIF District that is:	ACRES	% [=Acres÷A2]
a. A blighted area;	0	0
b. In need of rehabilitation, redevelopment or conservation;	0	0
c. Suitable for commercial or arts district uses.	13.19	100%
TOTAL (except for § 5223 (3) exemptions a., b. OR c. must be at least 25%)		100%

*The acreages for existing TIF districts are consistent with existing approved TIF development program documentation and do not necessarily represent revisions that might result in time to acreages from updated surveys and assessing software information.

¹ Before final designation, the Commissioner will seek advice from MDOACF and MDOT per 30-A § 5226(2).

² For Transit-Oriented Development (TOD) definitions see 30-A § 5222 sub-§§ 19-24.

³ For AH-TIF acreage requirement see 30-A § 5247(3)(B). Alternatively, Section B. must exclude AH-TIF valuation.

⁴ Downtown/TOD overlap nets single acreage/valuation caps exemption.

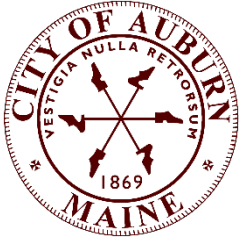
⁵ PTZ districts approved through December 31, 2008.

STATUTORY REQUIREMENTS AND THRESHOLDS
TIF #27 STABLE RIDGE MUNICIPAL TAX INCREMENT FINANCING DISTRICT

SECTION B. Valuation Cap		
1. Total TAXABLE municipal valuation—use most recent April 1;	\$2,171,967,423	
2. Taxable Original Assessed Value (OAV) of proposed Municipal TIF District as of March 31 preceding municipal designation—same as April 1 prior to such March 31;	\$235,500	
3. Taxable OAV of all <u>existing/proposed</u> Municipal TIF districts in municipality excluding Municipal Affordable Housing Development districts: #6 Proctor & Gamble (Tambrands II)/\$520,900 #10 Downtown Omnibus/\$83,168,800 #13 Retail Development/\$5,425,400 #15 Mall Area Hotel/\$4,900 #19 Hartt Transportation Center/\$1,278,600 #23 Memory Care/\$327,100 #25 FutureGuard/\$3,838,700 #27 Stable Ridge/\$235,500	Existing	\$107,024,200
	Proposed	\$235,500
	Total:	\$107,259,700
30-A § 5223(3) EXEMPTIONS		
4. Taxable OAV of an <u>existing/proposed</u> Downtown Municipal TIF district;	\$83,168,800	
5. Taxable OAV of all <u>existing/proposed</u> Transit-Oriented Development Municipal TIF districts:	0	
6. Taxable OAV of all <u>existing/proposed</u> Community Wind Power Municipal TIF districts:	0	
7. Taxable OAV of all <u>existing/proposed</u> Single Taxpayer/High Valuation ⁶ Municipal TIF districts:	0	
8. Taxable OAV in all <u>existing/proposed</u> Municipal TIF districts common to Pine Tree Development Zones per 30-A § 5250-I (14)(A) excluding any such OAV also factored in Exemptions 4-7 above:	0	
9. Total taxable OAV [=B3-B4-B5-B6-B7-B8] of all <u>existing/proposed</u> Municipal TIF districts counted toward 5% limit;	\$24,090,900	
10. Percentage of total taxable OAV [=B9÷B1] of all <u>existing/proposed</u> Municipal TIF districts (CANNOT EXCEED 5%).	1.109%	

COMPLETED BY			
PRINT NAME	Amanda J. Methot		
SIGNATURE		DATE	
If this form has not be completed by the municipal or plantation assessor , the assessor must sign and date below, acknowledging he/she agrees with the information reported on this form, and understands the OAV stated in Section B, line 2, will be used to determine the IAV for this District.			
PRINT NAME	Karen Scammon, CMA-4, City Assessor		
SIGNATURE		DATE	

⁶ For this exemption see 30-A §5223(3)(C) sub-§§ 1-4.



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: March 6, 2023

Order: 29-03062023

Author: Eric Cousens, Director of Planning and Permitting

Subject: Directing the Planning Board to provide a recommendation on a text amendment (Amending the date and clarifying expectations on residential strip limitations of Order 151-11072022 previously adopted by the City Council on 11/7/2022)

Information: The Council on September 6, 2022, voted on a resolve (06-09062022) to direct the Planning Board to provide an opinion, no later than 3/20/2023 on whether to eliminate the income standard and the current strip zoning limitations in all areas outside of the Lake Auburn Watershed overlay in an effort to try to help address the housing shortage and demand upon existing housing stock.

The Council clarified that effort on 11/7/2022 with Order 151-11072022.

In accordance with city ordinance the city council is directing the Planning Board, after consultation with the Sustainability and Natural Resource Management Board, to conduct a public hearing pursuant to Article XVII, Division 3 of the Zoning Ordinance and report in writing the results of the hearing and recommendations of the Planning Board pursuant to Article XVII, Division 4 of the Zoning Ordinance to the City Council no later than April 18, 2023, instead of March 20, 2023 as previously adopted, on whether or not to eliminate the income standard and the current strip zoning limitations in all areas outside of the Lake Auburn Watershed overlay as an ordinance text amendment, as shown on the attached proposed text changes. Eliminate the current strip zoning limitations means where there is a residential strip over a portion of a parcel, the entirety of the parcel would become residentially zoned in the same way as the strip (zoning map amendment).

City Budgetary Impacts: NA

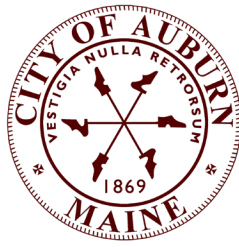
Staff Recommended Action: NA

Previous Meetings and History: September 6, 2022, November 7, 2022

City Manager Comments: For council consideration.

Signature: 

Attachments: Order 29-03062023 amending order 151-11072022 previously adopted by the City Council on 11/7/2022.



City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby amends Order 151-11072022, previously adopted by the Auburn City Council on November 7, 2022 directing the Planning Board, after consultation with the Sustainability and Natural Resource Management Board, to conduct a public hearing pursuant to Article XVII, Division 3 of the Zoning Ordinance and report in writing the results of the hearing and recommendations of the Planning Board pursuant to Article XVII, Division 4 of the Zoning Ordinance to the City Council no later than April 18, 2023, instead of March 20, 2023 as previously adopted, on whether or not to eliminate the income standard and the current strip zoning limitations in all areas outside of the Lake Auburn Watershed overlay as an ordinance text amendment, as shown on the attached proposed text changes.

Eliminate the current strip zoning limitations means where there is a residential strip over a portion of a parcel, the entirety of the parcel would become residentially zoned in the same way as the strip (zoning map amendment).

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

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

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