



**City Council Workshop & Meeting
September 9, 2019
Agenda**

5:30 P.M. City Council Workshop

- A. Executive Session – Economic Development (Auburn Industrial Park), pursuant to 1 M.R.S.A. §405(6)(C) – Michael Chammings (20 minutes).
- B. Feeding Auburn – Microgrants to Fight Food Insecurity – Phil Crowell (15 minutes)
- C. Council Initiatives – Peter Crichton (15 minutes)

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

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 102-09092019***
Setting the time for opening the polls for the November 5, 2019 Election to be at 7:00 A.M.
 - 2. **Order 103-09092019***
Designating City Manager, Peter Crichton as the official voting delegate to the Maine Municipal Association Annual Business Meeting to be held on October 2, 2019.
- II. **Minutes** – August 19, 2019 Regular Council Meeting
- III. **Communications, Presentations and Recognitions**
 - Recognition – Maple Way Dental
 - Auburn Business Association Update – Darcie Beaudin, President
- IV. **Open Session** – Members of the public are invited to speak to the Council about any issue directly related to City business which is *not on this agenda*.
- V. **Unfinished Business**
 - 1. **Ordinance 09-05202019**
Adopting the proposed amendment to Chapter 60, Section 60-1038 - Odors. Second reading.

2. **Ordinance 11-08192019**
Adopting the proposed amendment to Chapter 60, Section 60-201(a)(1) Use Regulations, Permitted uses. Second reading.
3. **Ordinance 12-08192019**
Adopting the proposed amendment to Chapter 60, Section 60-229(a)(1) Use Regulations, Permitted uses. Second reading.

VI. New Business

1. **Order 104-09092019**
Referring the Zoning Map Amendment (965 Minot Avenue) to the Planning Board.
2. **Order 105-09092019**
Accepting the Strategic Plan Report.
3. **Order 106-09092019**
Appointing Jonathan LaBonte to the Lewiston and Auburn Railroad Company with a three-year term of April 2019 - April 2022.
4. **Order 107-09092019**
Approving the Liquor License application for Pierrette's C'est Si Bon Café LLC, DBA Pierrette's C'est si Bon Café, a new business, located at 550 Center Street. Public hearing.

VII. Reports

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

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

IX. Executive Session – None

X. Adjournment



City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: September 9, 2019

Subject: Executive Session

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

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

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

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

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

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

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

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

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

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

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

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



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: Workshop September 9, 2019

Author: Phil Crowell, Assistant City Manager

Subject: Feeding Auburn Initiative

Information: At the second reading for the FY20 Budget Resolve, the Mayor proposed adding \$10,000 to the Mayor/Council Budget to reduce food insecurity in Auburn, which was passed by the city council. Staff has been considering various options for the funding and we propose establishing community microgrants.

The purpose of the Feeding Auburn microgrant is to provide small programming grants to community-based organizations to help “kick-start” efforts to eliminate food insecurity in Auburn. Non-profit and community organizations may submit applications for grants up to \$2,000 per project. As part of this initiative, the City and non-profit partners will offer support and capacity-building training to ensure that the efforts seeded by these grants may be sustained into the future.

City Budgetary Impacts: \$10,000 is appropriated in the FY20 budget for this project

Staff Recommended Action: Staff recommends council discuss any changes to the proposed program or make suggestions for how the funds should be spent.

Previous Meetings and History: Budget approved on June 24, 2019.

City Manager Comments:

I concur with the recommendation. Signature:

A handwritten signature in blue ink that reads "Peter J. Crowell".

Attachments:

Additional information about the project is provided on the attached handout.



FEEDING AUBURN

Microgrants to Fight Food Insecurity

The purpose of the Feeding Auburn microgrant is to provide small programming grants to community-based organizations to help “kick-start” efforts to eliminate food insecurity in Auburn. Non-profit and community organizations may submit applications for grants up to \$2,000 per project. As part of this initiative, the City and non-profit partners will offer support and capacity-building training to ensure that the efforts seeded by these grants may be sustained into the future.

AWARDS & CATEGORIES

Awards:

- \$500 (one-time event)
- \$2,000 (small project)

Nutrition and Food Security Categories:

- Families
- Seniors
- Youth
- Homeless

ELIGIBILITY

- Organizations must serve a public good within the City of Auburn
- Projects must be connected to one of the categories listed above
- Must have attended a pre-application workshop

SELECTION PROCESS & CONSIDERATIONS

- Must attend a pre-application workshop
- Complete an application & submit project budget
- Grant review process
- Close-out reporting - submit a short report and receipts
- Participate in project showcase event, date to be determined

The Feeding Auburn microgrant team will prioritize projects that are collaborative, resourceful, and innovative. Applications should focus on a community approach that is more effective, equitable, or sustainable than existing approaches.

PRE-APPLICATION WORKSHOPS

Pre-application workshops will be held to walk organizations through the grant process and answer any questions about the process and program. All potential grantees must attend one session. Pre-application workshop date: TBD

TO APPLY

For more information or for application paperwork, please email: pcrowell@auburnmaine.gov.



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: September 9, 2019

Author: Peter Crichton, City Manager

Subject: City Council Initiatives Report

Information: After I became City Manager, the City Manager's Office in collaboration with the Department Directors began putting together a report to the City Council that updates Councilors and the Mayor on various initiatives by the City Council. This Workshop will provide a few of the highlights to the City Council, Mayor, and the community from our latest report of August 26, 2019.

City Budgetary Impacts: N/A

Staff Recommended Action: Discussion.

Previous Meetings and History: None

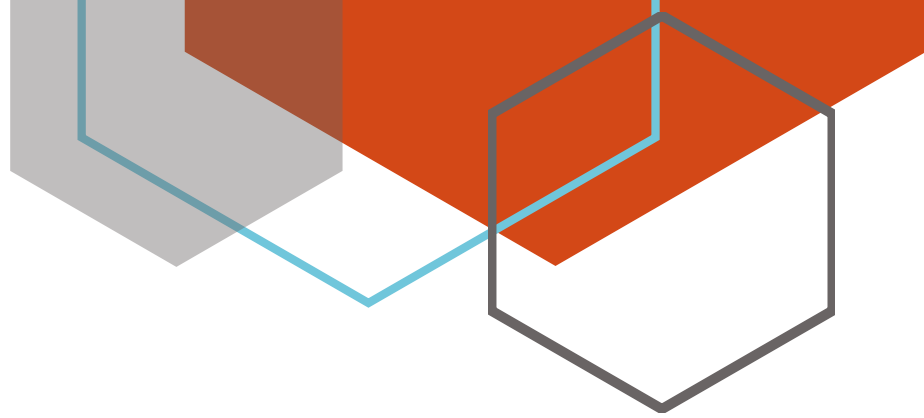
City Manager Comments:

Signature:

A handwritten signature in blue ink that reads "Peter J. Crichton".

Attachments:

City Council Initiative Report of August 26, 2019



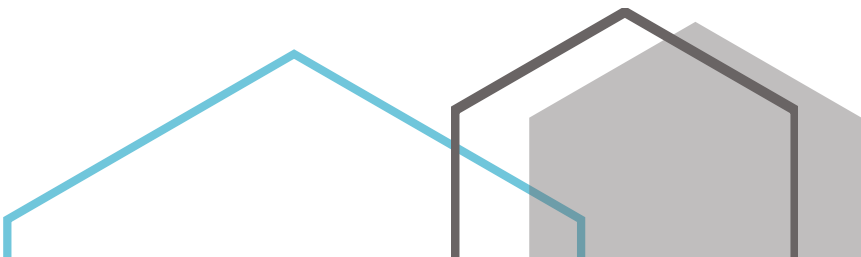
City Council Initiatives Report

August 26, 2019

Dear Mayor and City Council,

Enclosed in this report you'll find the status updates on various initiatives by the City Council, as well as the Planning Board and staff. In this report specifically you will find updates from the Economic & Community Development, Fire, Public Works, and Recreation & Sports Facilities Departments.

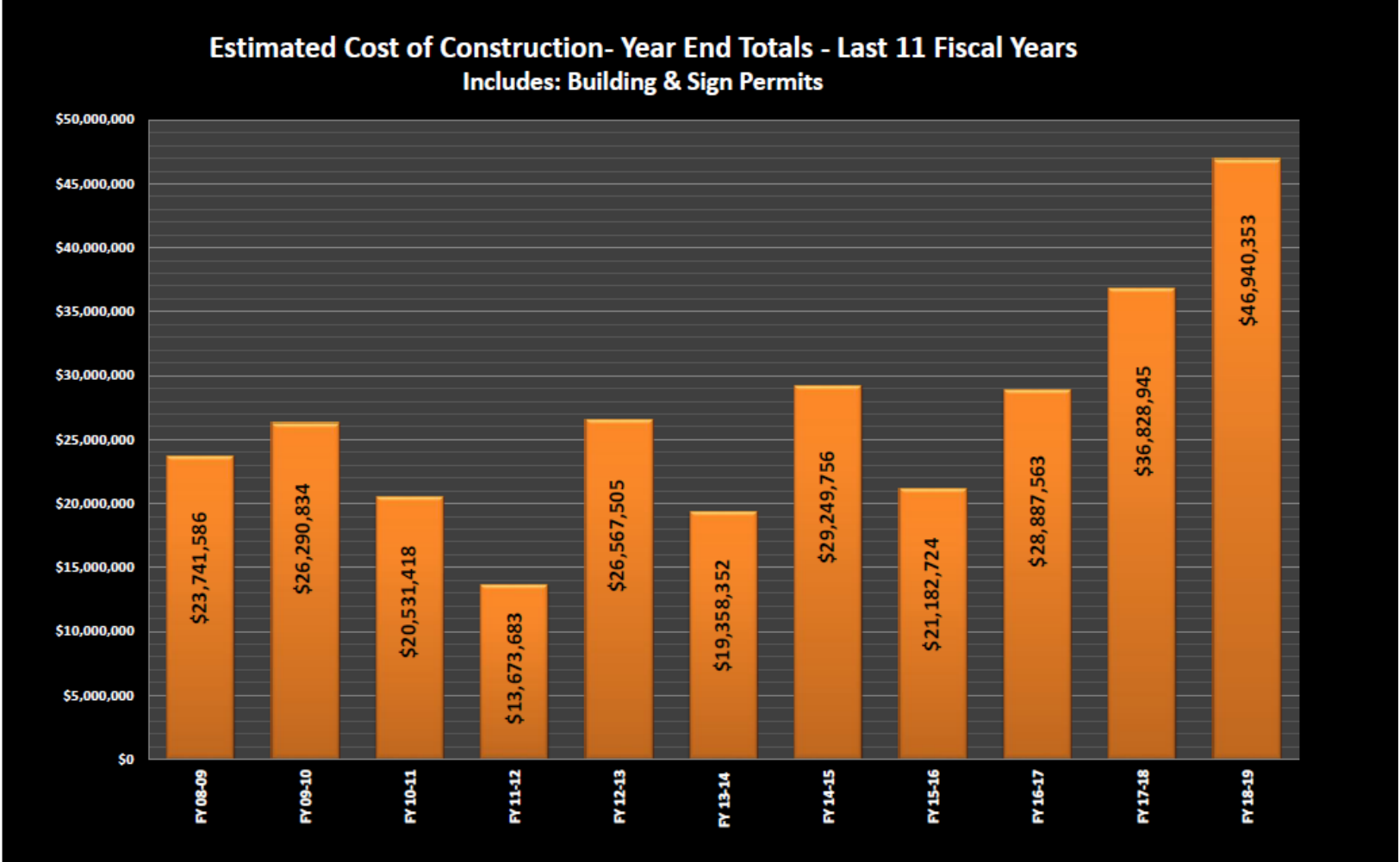
It is my hope that you will find this report both informative and interesting. I look forward to your comments. ~Peter





Economic & Community Development Department

Michael Chammings, Director
Eric Cousens, Deputy Director



City Council Initiatives Report



WORK CATEGORY	ORDER, ORDINANCE RESOLVE NUMBER	WORK ELEMENT W/ COUNCIL APPROVAL DATE	INITIATED BY	STATUS
Economic Development Projects	ORDER 83-10192015 RESOLVE 1-04062015	Rail Study Funding (10/19/15) Passenger Rail Study (4/6/15)	City Council	Final version of operation study was just released and can be found at: https://www.nnepra.com/projects/lewistonauburn-passenger-rail-service-plan.html
		Tastemaker Program	Staff	City Staff completed a presentation to market Auburn to food and beverage production companies searching for suitable space. A presentation was made on 8/6 and several leads for new business were obtained. An ongoing marketing effort will be supported by CEI to this group.
		St. Louis Church Sale	Staff/ Private Investment	Staff has been working with a prospective buyer for the St Louis Church, that had recently been acquired by the City. Private rehabilitation is preferred over alternatives (demolition or rehabilitation by City). Purchase and Sales agreement is signed, investor testing.
		Solar Energy Projects	Staff/ Private Investment	The City has been approached by several interested parties in building solar farms on City or Private Property. Staff is reviewing current ordinances and determining what (if any) may require amending.
		Great Falls Community School	Staff	Staff has been in contact with CMP to release deed restriction requiring City to use property only as a school or park. CMP has agreed to release the restriction and waiting on documents to be made available end of August.
		South Auburn Foreign Investment Area (Prospect Hill Golf Course, residential and agricultural)	Private Investment	Two new high-end homes are near completion. Expect expansion plans soon. CFO returning in late September.

City Council Initiatives Report



WORK CATEGORY	ORDER, ORDINANCE RESOLVE NUMBER	WORK ELEMENT W/ COUNCIL APPROVAL DATE	INITIATED BY	STATUS
Economic Development Projects		Intermodal Facility (City owned) freight study leases	Staff	A freight rail study being conducted/nearing conclusion. The Economic Development division is renegotiating current leases to the city owned property and is also working with a new shipping company on a possible new lease. Local fuel company is also looking to extend their footprint at this facility.
	ORDER 8-02022015 ORDER 42-05182015	Lease with Power and Construction Group (2/9/15) and (5/18/15 amd.)	Staff	Ongoing.
	ORDER 53-06192017	477 Minot Avenue Affordable Housing		(City work Completed other than permit inspections and Certificate of Occupancy) TIF and CDBG support approved. Awarded state tax credits. Permits issued and project has passed 50% completion.
	ORDER 74- 08312017	Troy Street Affordable Housing		Construction underway. (City work Completed other than permit inspections and Certificate of Occupancy)
	RESOLVE 8-07182016	Auburn Enterprise Center – Lot development and sales.	Staff/ Council	City is assisting with marketing of lots. In contact with several prospective investors. Ongoing.
		New Auburn Village Community Plan (NAVCP) Construction Year 2019-2020	Staff	Final Design Phase, Bell tower contract signed and working to incorporate into bid specs from VHB. Filling complete in available area. Working with MDOT Bridge repair project to ensure site availability for bidding soon and construction summer of 2019. Contractors suggesting that we allow for some portions to be completed in spring 2020 if we want competitive pricing. Bidding Planned in August for tower by end of October and finish in spring.

City Council Initiatives Report



WORK CATEGORY	ORDER, ORDINANCE RESOLVE NUMBER	WORK ELEMENT W/ COUNCIL APPROVAL DATE	INITIATED BY	STATUS
Economic Development Projects		NAVCP Construction Year 2019	Staff	Included in 2019 CIP for additional phase. 1 st Reading of CIP Passed. Combine with above.
	ORDER 80-11072016	Neighborhood Challenge Grant: Staff recruitment of projects.	City Council	New Auburn group recently applied for neighborhood signs. Quotes have been collected. Installation by fall.
	RESOLVE 02-06052017	NBRC Grant Management - NAVC Project		Project moving forward first reimbursement received. Resume billing in Summer 2019. Updated August 2019.
		Business Expansion and Retention (BEAR) Program	Staff	Discussions with IT on redesigning more user-friendly online survey- Ongoing.
	Order 94-11052018	TIF 23-Schooner Estates/ Auburn Memory Care	Staff	TIF proposal approved by DECD as of 1/25/19, with a start date of 7/1/19. CEA sent to developer for review.
		TIF 24- Gracelawn Apartments	Staff	TIF District approved by council on 5/6/19. Application sent to Maine DECD for final approval. Working with City Engineer and PW to design sidewalks to be built.
		TIF 25- N. River Road & Potential Land Swap- City	Staff	Developer has approached the City with plans to build apartments/mixed use property. TIF Funds would address lack of sewer/water and other infrastructure issues in the area. Land Swap with current City owned Boat ramp (ramp rebuilt by Developer) would help make project viable. Ongoing.

City Council Initiatives Report



WORK CATEGORY	ORDER, ORDINANCE RESOLVE NUMBER	WORK ELEMENT W/ COUNCIL APPROVAL DATE	INITIATED BY	STATUS
Community Development/ Neighborhood		Outreach to Auburn Neighborhoods. Attending Neighborhood Watch meeting with Police to establish relationships and get local input on issues.	City Council	5-year Community Development Block Grant (CDBG) comprehensive plan is in development. Community Development office is seeking broad input from the community.
Infrastructure		Wayfinding Signage RFP Production and Installation – nearly complete	City Council	Damaged signs in MA for repairs. Reinstall summer 2018 did not happen as promised by the contractor. Sign contractor is not being cooperative in fulfilling contract and we are negotiating a solution. Emailed commitment recently and we are working to reestablish schedule.
	RESOLVE 4-05022016	Dam Relicensing - Barker Mill Dam FERC Relicensing 2014-2019 – DLA rejected by FERC pending further information on upstream and downstream fish passage (1st barrier to Atlantic Salmon between here and Atlantic Ocean), recreational flow study and the economics of the facility that appears to lose money every year under current conditions. FERC letter from Mayor to KEI Barker Mill (5/2/16)	City Council	Barker Mill Dam Workshop & Little Androscoggin Watershed plans held on 11/13/2017. Recreational Flow Study held on 5-21-17. Fish passage prescribed by NOAA was not required by FERC. Formal Consultation process on Endangered Atlantic Salmon started 3/4/19 for up to 90 days. More info at http://www.auburnmaine.gov/pages/government/rivers-hydropower . Upper Barker License Process started August 2018. Proposed study plan comments filed 6/7/19. Barker Mill operations discontinued until penstock is repaired to prevent leaking.

City Council Initiatives Report

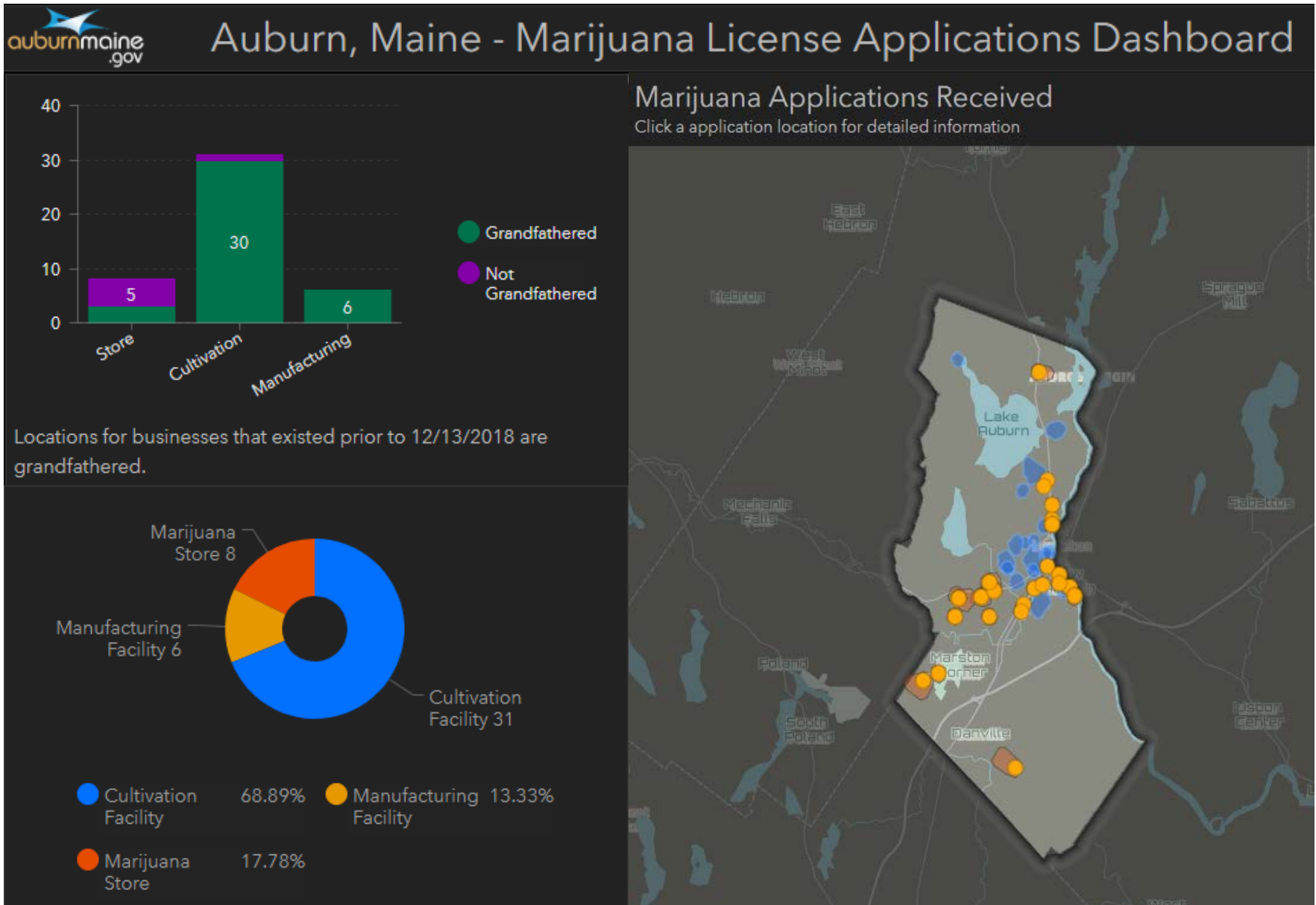


WORK CATEGORY	ORDER, ORDINANCE RESOLVE NUMBER	WORK ELEMENT W/ COUNCIL APPROVAL DATE	INITIATED BY	STATUS
Infrastructure		Lewiston Falls/Monty Hydro FERC license amendment to remove canals – may result in some resources from Brookfield for community development, water access or history trail for ALT.	Staff/Council	Approved by FERC and transfer has taken place. Auburn City Manager and staff to discuss water rights and maintenance agreements with Lewiston. (Closed)
		Intersection and Transportation Projects- High, Minot, Elm, Academy intersections and Main, Broad and Mill Street/pedestrian plan	Staff	Public meeting for High, Minot and Elm St. held on Wed. March 21, 2018. Updated plans expected based on feedback. Engineering Department/MDOT lead on road construction projects.
	RESOLVE 3-05042015	Road Diet on Court St. (5/4/15)	City Council	DOT Bike Ped safety initiative #1 Auburn Priority. Contract awarded to TiLyn, Steering Committee appointments by AVCOG, & kick-off mtg held June 14, 2019. Public Meeting Held August 1 st . Next committee meeting Sept. 13 th .
		Library Street Reconstruction design, including remainders of neighbor streets, Spring, Pleasant & Troy. Construction drawing Funding CBDG	City Council	Survey & initial urban design complete, property owner contacts & options discussed at community meetings & input in June & July 2019. Reconstruction estimates \$500k for Library Street in 2020.
	Order 24-02252019	Senior Center Expansion	City Council	Construction in progress. Electric and plumbing is roughed in. Sheetrocking has started. Site work is mostly done. Completion anticipated Fall 2019
		Neighborhood Parking Meeting- Library Area	Staff/ Council	Parking meeting with stakeholders to be held August 27 th 4-6pm at the library to brainstorm solutions.

City Council Initiatives Report



WORK CATEGORY	ORDER, ORDINANCE RESOLVE NUMBER	WORK ELEMENT W/ COUNCIL APPROVAL DATE	INITIATED BY	STATUS
Regulation/Policy		Agricultural District Study requested by Council – RFP Distributed and 2 proposals received (Council Action dates to 2014-15)	City Council	Incorporated into FY 2018 CIP. Contract signed. Committee appointed 8.17.17 and held 10+ meetings. Recommendations drafted and delivered to Council July 2018. Council to consider implementation. Mayor Levesque’Committee resumed work on this on October 11th, 2018. Committee has completed its work and Council has approved having draft ordinance to be reviewed by the Planning Board, Conservation Commission, and Department of Agriculture, Conservation, and Forestry.
		Recreational Marijuana Related Ordinances	City Council	Ordinance adopted. Significant multi departmental review and inspection effort underway for 40+ license applications.
Operational		TIF Budgets, amendments and Work plans (including workforce development).	Staff	Ongoing





Applications Received

45

Approved Applications

0

For the most recent dashboard and to view a list of applicants please click the link below:

<http://arcg.is/0HTX4j>

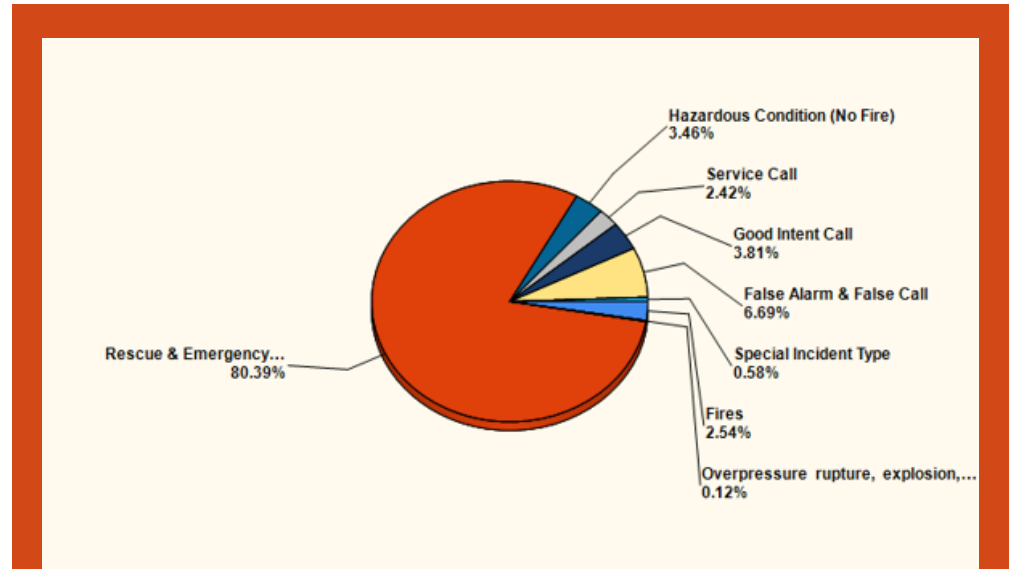
Fire Department

Robert Chase, Fire Chief
Matthew Fifield, Deputy Chief

Service Demand

From June 1st to July 31st, 2019, we responded to 867 total calls. The breakdown is as follows:

Major Incident Type	# Incidents
Fire Calls	22
Overpressure / Rupture	1
Rescue & Emergency Medical Service	697
Hazardous Condition (No Fire)	30
Service Calls	21
Good Intent Calls	33
False alarms	58
Special Incident Type	5



- We have had three civilian injuries and one civilian casualty from fire during the report period.
- We had no firefighter injuries during responses during the report period
- Eight of our calls had a dollar loss to the residents/owner's property.
- We responded to 4 non-EMS mutual aid calls and received mutual aid 6 times.
- We provided 11 EMS paramedic assistance calls and did 19 mutual aid transports
- We responded to 25 EMS calls to Lewiston with 14 patients transported.



INCREASED CALL VOLUME:

July marked the busiest month on record. It is not uncommon for there to be increased call volume through the summer months as more people are active and out in the community. We average 395 incidents a month. In July the department responded to 467 incidents, which is a 13% increase from last July.

GRANT AWARD:

The department was awarded a \$3500 grant from the Walmart Community Grant Program to support our ongoing fire prevention education program. Walmart has long been a supporter of the program. The funds will be used to purchase educational materials for elementary school children. These items will be distributed during classroom presentations in October.

UPCOMING OPEN HOUSE:

The Annual Fire Department Open House is scheduled for October 19th. The event will include presentations from many of our public safety partners, and fire prevention education displays. New this year will be live fire demonstration of the dangers associated with deep frying turkeys.

RURAL WATER PROJECT:

The department has partnered with Rural Fire Protection of New England to begin an initiative to improve firefighting water supply in areas of the City without municipal fire hydrants. The initial phase of the project started with an assessment of the existing 5 dry hydrants in the City.

A dry hydrant is a standpipe which is permanently installed near a water source (such as a lake or stream) which allows the fire department to quickly draw water from the source to fight a fire.

In the next month the department will be following recommendations from the assessment, to service, test and repair these hydrants.



Public Works Department

Dan Goyette, Director
Scott Holland, Deputy Director

Reconstruction Projects

These projects are typically performed on urban streets where a closed drainage system (catch basins, underground pipes, etc.) is required. These projects can be very complex since other underground utilities are present and requires a high level of coordination and scheduling. Besides drainage, these projects also include excavation of old gravels and pavement surfaces, installation of new gravels and pavements, curbing, sidewalks, landscaping, lighting, signage, and striping. Since most general contractors do not perform all aspects of a project, multiple subcontractors are used for specialty work. Scheduling can become a complicated task especially when work is sometimes performed at night. The following is a list of current reconstruction projects within the City:

- **5th Street Reconstruction**-Section from Mary Carroll Street to South Main Street. Project nearly complete. Surface pavement remains on driveway aprons.

Reclamation Projects

These projects are typically performed on rural roadways where an open drainage system (culverts, ditches and inslopes) is more practical. These projects consist of replacement of existing culverts, pulverization of the existing roadway surface, stabilization fabric, additional layer of surface gravel, new pavements, gravel shoulders, ditching and striping. The following is a list of current reclamation projects within the City:

- **North River Road** - Section from Center Street to Bradman Street. Drainage, box cut, and base pavement completed on section from Center Street to Cross Street. Crews are continuing drainage, box cut and gravel from Cross Street to Northern Ave.

Pavement Restoration Projects

These projects are performed on roadways that require a surface maintenance. Milling (removal of 2" of existing roadway surface) is completed prior to repaving where curbing is present. Where curbing is not present, the roadway is shimmed and repaved. Once the pavement is installed, the roadway is striped. The following is a list of current pavement restoration projects within the City:

- **Rodman Road Resurfacing** - Project complete.



Projects in Design

The following are projects that are currently in design:

- Academy/High/Elm/Main Streets Intersection Project - This project includes ADA and traffic signal upgrades, new sidewalk on the westerly side of Minot Ave from Elm to High Streets and traffic calming measures at the intersection of High and Elm Street (12 highest crash location in the State of Maine).
- Main/Mill/Broad Streets Intersection Project – This project includes ADA upgrades, geometric re-alignments and pedestrian safety improvements.
- Hotel Road Reconstruction - Lewiston Junction Road to East Hardscrabble Road. Project include full depth reconstruction of the existing roadway.
- Library Avenue Reconstruction - This CDBG funded project includes the full depth reconstruction designs of Library Hampshire Street to Troy Street and Pleasant Street from Hampshire Street to Turner Street.
- Traffic Signal Upgrades - This project includes upgrades to various traffic signals within the City including connectivity, controllers, detection and ADA ramps.
- Turner Street Sidewalk- This project includes new sidewalk from the Auburn Mall roundabout to Gracelawn Road.

Miscellaneous Projects

The following are other current projects within the City:

- **Landfill Monitoring** – This is an ongoing bi-yearly compliance to monitor the ground water at the Gracelawn and Ash Landfill.
- **MS4 Stormwater Permit** - The City of Auburn is regulated by MDEP to discharge stormwater into waters of the State (Androscoggin River). This is an ongoing yearly permit requirement.
- **2018 Drain Repair and Investigation-** the City continues to investigate the condition of its miles of underground drainage system. Previously video recorded deficiencies are being repaired using technologies which do not require excavation.
- **Chestnut Street Traffic Calming-** This project includes on-site parking and drainage improvements around the PAL Center and speed tables/raised crosswalks on Chestnut Street. Project nearly complete. Surface pavement and speed table/crosswalk remains.
- **Fire station Parking Lots Reconstruction** - This project includes reconstruction of sections of parking lots/access drives at the Center Street and Minot Avenue Stations. Project complete.



Recreation & Sports Facilities Department

Marc Gosselin, Executive Director of Community Partnerships & Sports Tourism

Sabrina Best, Recreation Director

1. Chestnut Field Renovation ~ Public Works has added fill and Sports Fields will be doing a site walk this week. Sports Field will begin their phase of the project by mid-August (weather depending). Football upright/soccer goal combo has been ordered. Goal is to have the field be open to Public and PAL by mid-fall and for Rec's Lacrosse season in the spring. Staff is getting quotes for Basketball Hoop replacement and Court Resurfacing.
2. Softball Field update (scoreboard) ~ Scoreboard is up and running, project was completed July 31st . Next item to install will be the batting cage which will be located behind the outfield fence on the left field side.
3. Summer Camp scholarship funding from CDBG have been awarded (37 families at approx. \$15,876 to date). 29 Families have been set up on payment plans for the 2019 summer camp to date.
4. Senior Center Project is on-going – Barriers are up no one (unless authorized) will be allowed inside construction zone. Bus stop is partially completed (topcoat and landscape left).
5. AV system – System has been installed; project was completed July 15th.
6. Senior Bus – Bus has been picked up and is now at Pettengill Park. Staff is working on getting it registered and working with MMA to create a policy and training for drivers.
7. New Signs at entrances of Pettengill Park have been installed
8. Kiosk has been ordered and to be placed at Mt Apatite. PW will look to install by Mid-August at the Small Rd. Parking Lot. A Porta Potty and trash can have been added to this entrance as well.



9. Summer Fest was held August 9th-11th with food, festivities and LOTS of family-friendly fun. Download info here:
<http://www.auburnmaine.gov/CMSContent/Recreation/SummerFest%20Brochure%202019.pdf>
10. Fall 2019 Program Brochure is being put together as we speak and will be available to the public Sept. 1
11. Staff helped Balloon Festival organizers with securing Fireworks and permits. Age Friendly, Rec Football, and Rec Cheerleading had a food booth during the weekend.
12. Staff has begun/continue planning for: September 150 Healthy Month, Alumni Weekend (Nov 1-3), Holiday Parade (Dec 6th), New Year's Eve (Dec 31st), and the Maine State Parade (May 16, 2020).
13. Norway Savings Bank Arena - Rink #1 ice has been installed and getting prepped for the season. Rink #2 will be offline later in August for maintenance. Below are the user groups we have had over the course of the summer using our weekend hours:

Maine Gladiators- Beginning of Learn to Play for fall season	Public Skating
Martha McCarthy	L/A Senior League
Maine Hockey Development	Twin City Thunder
Rousseau Hockey Clinic	
- Hours rented have shown an increase from last year:

Summer 2018 hours rented on Sat-Sun = 254
Summer 2019 hours rented on Sat-Sun = 383
14. Sport Tourism:
 - a. City of Auburn Maine has been awarded a chance to host the Board of Directors next June. This meeting will determine Auburn's ability to host the National Collegiate Roller Hockey Championship in 2021 or 2022.



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: September 9, 2019

Order: 102-09092019

Author: Sue Clements-Dallaire, City Clerk

Subject: Setting the time for opening the polls for the November 5, 2019 Election

Information:

State law requires the Municipal Officers to set the time to open the polls for each election. 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 the November 5, 2019 Election. 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.

21-A §626. Polling times

The following provisions apply to polling times at any election.

1. Opening time flexible. 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. The municipal officers of each municipality shall determine the time of opening the polls within these limits. The municipal clerk shall notify the Secretary of State of the poll opening times at least 30 days before each election conducted under this Title.

City Budgetary Impacts: Minimal – the cost for Election workers to start one hour early is under \$100.

Staff Recommended Action: Recommend a motion to set the time for opening the polls for the November 5, 2019 election to be 7:00 AM.

Previous Meetings and History: N/A

City Manager Comments:

I concur with the recommendation. Signature:

A handwritten signature in blue ink that reads "Peter J. Caulton".

Attachments:

Order 102-09092019

Holly C. Lasagna, Ward One
Robert P. Hayes, Ward Two
Andrew D. Titus, Ward Three
Alfreda M. Fournier, Ward Four



Leroy G. Walker, Ward Five
Belinda A. Gerry, At Large
David C. Young, At Large

Jason J. Levesque, Mayor

IN CITY COUNCIL

ORDER 102-09092019

ORDERED, that the City Council hereby sets the time for opening the polls for the November 5, 2019 Election to be at 7:00 A.M.



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: September 9, 2019

Order: 103-09092019

Author: Sue Clements-Dallaire, City Clerk

Subject: Designating City Manager, Peter Crichton, as the official voting delegate to the MMA Annual Business meeting

Information: The Maine Municipal Association will hold its Annual Business Meeting in conjunction with the MMA Annual Convention on Wednesday, October 2, 2019. The MMA Bylaws entitle each member community to 1 voting representative. The Municipal officers may designate their municipalities voting representative and alternate.

City Budgetary Impacts: None

Staff Recommended Action: Recommend passage. A motion designating City Manager, Peter Crichton, as the official voting delegate to the Maine Municipal Association Annual Business Meeting to be held on October 2, 2019.

Previous Meetings and History: N/A

City Manager Comments:

I concur with the recommendation. Signature:

A handwritten signature in blue ink that reads "Peter J. Crichton".

Attachments: MMA memo, Annual Meeting proposed agenda, and Order

TO: Key Municipal Officials of MMA Member Cities, Towns and Plantations

FROM: Stephen W. Gove, Executive Director

DATE: September 4, 2019

SUBJECT: Voting Credentials for MMA Annual Business Meeting

The Maine Municipal Association Annual Business Meeting is being held in conjunction with the MMA Annual Convention and will take place on **Wednesday, October 2, 2018, at 1:45 p.m. in Ballroom 6 at the Cross Insurance Center, Bangor.** The MMA Bylaws entitle each member community to one (1) voting representative.

Enclosed please find the ***MMA Voting Delegates Credential Form*** on which the municipal officers may designate their municipality's voting representative and alternate. We have also attached the Proposed Agenda for the MMA Annual Business Meeting for your reference. The current MMA Bylaws as adopted in 2013 will be available at the MMA Annual Business Meeting or may be viewed on the MMA website at:

<http://www.memun.org/public/MMA/Gov/bylaws.pdf>.

Please note that the MMA Executive Committee is not putting forth any proposed amendments to the MMA bylaws for this year. If you plan to be at the MMA Annual Convention and would like to have a Voting Delegate represent your municipality, please complete the MMA Voting Delegate Credential Form and return to our office by **Tuesday, October 2, 2019** or bring it with you to the MMA Annual Business Meeting.

We look forward to seeing you at this year's 83rd MMA Annual Convention at the Cross Insurance Center, Bangor. We have a great line up of speakers, workshops and networking opportunities at this year's convention. If you have any questions on this information, please contact Rebecca Lambert at 1-800-452-8786 or 623-8428 ext. 2307.

Rebecca J. Lambert
Executive Office Administrative Assistant

Maine Municipal Association

60 Community Drive, Augusta, ME 04330

TEL 1-800-452-8786 or (207) 623-8428 ext. 2307

FAX (207) 626-3358

www.memun.org *Please consider the environment before printing this e-mail.*

E-mail correspondence and attachments sent by or to the Maine Municipal Association – with certain exceptions – may be “public records” that are subject to inspection if such a request is made, according to Maine’s Freedom of Access law.

To ensure delivery of MMA mailings, please make sure that your spam filters have [memun.org](http://www.memun.org) and imail.memun.org white listed as safe.

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**Maine Municipal Association
Annual Business Meeting
Wednesday, October 2, 2019
1:45 – 2:45 p.m.
Cross Insurance Center, Bangor
Ballroom 6**

AGENDA

1. **Introductions and Welcoming Remarks** – MMA President Mary Sabins
(Town Manager, Town of Vassalboro)
2. **Approval of 2018 MMA Annual Business Meeting Minutes** – Mary Sabins
3. **Introduction of New Executive Committee Members** – Mary Sabins
4. **MMA President's Report** – Mary Sabins
5. **Executive Director's Report** – Stephen Gove, MMA Executive Director
6. **Other Business** (*comments from the floor*)
7. **Adjournment**

Holly C. Lasagna, Ward One
Robert P. Hayes, Ward Two
Andrew D. Titus, Ward Three
Alfreda M. Fournier, Ward Four



Leroy G. Walker, Ward Five
Belinda A. Gerry, At Large
David C. Young, At Large

Jason J. Levesque, Mayor

IN CITY COUNCIL

ORDER 103-09092019

Ordered, that the City Council hereby designates City Manager, Peter Crichton as the official voting delegate to the Maine Municipal Association Annual Business Meeting to be held on October 2, 2019.

IN COUNCIL REGULAR MEETING AUGUST 19, 2019 VOL. 35 PAGE 76

City Manager, Peter Crichton called the meeting to order at 7:23 P.M. in the Council Chambers of Auburn Hall. Mayor Levesque had an excused absence. All Councilors were present.

Motion was made by Councilor Lasagna and seconded by Councilor Young to elect Councilor Titus to serve as Mayor Pro Tempore in the temporary absence of the Mayor. Passage 7-0.

Mayor Pro Tempore Titus led the assembly in the salute to the flag.

Pledge of Allegiance

I. Consent Items

1. Order 85-08192019

Confirming Chief Moen's appointment of William H. Soper as a Constable with firearm for the Auburn Police Department.

Motion was made by Councilor Fournier and seconded by Councilor Hayes for passage.

Passage 7-0.

II. Minutes – July 15, 2019 Regular Council Meeting

Motion was made by Councilor Walker and seconded by Councilor Fournier to accept the minutes of the July 15, 2019 Regular Council Meeting. Passage 7-0.

III. Communications, Presentations and Recognitions

Mac Richardson, Superintendent & Travis Peaslee, Assistant Superintendent of the Lewiston Auburn Water Pollution Control Authority (LAWPCA) provided Council with an update.

Jennifer Williams, Director of the Androscoggin Transportation Resource Center (ATRC) presented the Metropolitan Transportation Plan.

IV. Open Session:

Larry Pelletier, 129 Second Street – inquired about the status of his recommendation on residents being required to use trash receptacles for all trash.

Adam Lee, Western Prom – provided clarification on comments made during the Strategic Plan presentation.

Marie Herrick, 470 Hatch Road - thanked Councilor Gerry for her letter to the editor in the Twin City Times and she commented on the three-minute rule during open session.

V. Unfinished Business

1. Ordinance 10-07152019

Amending the sign ordinance for Official business directory signs. Public hearing and second reading.

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

Public hearing – no one from the public spoke.

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

2. Ordinance 09-05202019

Adopting the proposed amendment to Chapter 60, Section 60-1038 - Odors. Public hearing and first reading.

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

Public hearing – no one from the public spoke.

Passage 7-0. A roll call vote taken.

VI. New Business

3. Ordinance 11-08192019

Adopting the proposed amendment to Chapter 60, Section 60-201(a)(1) Use Regulations, Permitted uses. Public hearing and first reading.

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

Public hearing – no one from the public spoke.

Passage 7-0. A roll call vote taken.

4. Ordinance 12-08192019

Adopting the proposed amendment to Chapter 60, Section 60-229(a)(1) Use Regulations, Permitted uses. Public hearing and first reading.

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

Public hearing – no one from the public spoke.

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

5. Order 86-08192019

Authorizing the City Manager to execute the Collective Bargaining Agreement with MSEA-SEIU.

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

Public comment – no one from the public spoke.

Passage 7-0.

6. Order 87-08192019

Authorizing the City Manager to execute the Collective Bargaining Agreement with IAFFA Local 797.

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

Public comment – no one from the public spoke.

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

7. Order 88-08192019

Confirming the additional parking at the 48 Hampshire Street location.

Motion was made by Councilor Fournier and seconded by Councilor Lasagna for passage.

Public comment:

Adam Lee, Western Prom asked for clarification regarding the lease of these parking spaces.

Mamie Anthoine Ney, Director of the Auburn Public Library would like the spaces to be used as Library staff spaces.

Passage 7-0.

8. Order 89-08192019

Appointing Celia McGuckian to the Auburn Housing Authority with a term expiration of 10/01/2023 as nominated by the Appointment Committee on 8/12/2019.

Motion was made by Councilor Gerry and seconded by Councilor Walker for passage of Orders 89-08192019 through 99-08192019.

Passage 7-0.

9. Order 90-08192019

Appointing Ron Spofford to the Auburn Housing Authority with a term expiration of 10/01/2022 as nominated by the Appointment Committee on 8/12/2019.

10. Order 91-08192019

Appointing Leroy Walker to the Cable TV Advisory Committee with a term expiration of 6/1/2021 as nominated by the Appointment Committee on 8/12/2019.

11. Order 92-08192019

Appointing Jane Costlow to the Conservation Commission with a term expiration of 06/01/2022 as nominated by the Appointment Committee on 8/12/2019.

12. Order 93-08192019

Appointing Michelle Melaragno to the Conservation Commission with a term expiration of 06/01/2022 as nominated by the Appointment Committee on 8/12/2019.

13. Order 94-08192019

Appointing Daniel Carroll to the Planning Board as a full member with a term expiration of 01/01/2021 as nominated by the Appointment Committee on 8/12/2019.

14. Order 95-08192019

Appointing Kyle Pepin to the Planning Board as Associate member with a term expiration of 01/01/2020 as nominated by the Appointment Committee on 8/12/2019.

15. Order 96-08192019

Appointing Sharon Benoit to the Recycling Ad-hoc Committee for a six-month term (which may be extended to 12 months) as nominated by the Appointment Committee on 8/12/2019.

16. Order 97-08192019

Appointing Ralph Harder to the Recycling Ad-hoc Committee for a six-month term (which may be extended to 12 months) as nominated by the Appointment Committee on 8/12/2019.

17. Order 98-08192019

Appointing Camille Parrish to the Recycling Ad-hoc Committee for a six-month term (which may be extended to 12 months) as nominated by the Appointment Committee on 8/12/2019.

18. Order 99-08192019

Appointing Silver Moore-Leamon to the Recycling Ad-hoc Committee for a six-month term (which may be extended to 12 months) as nominated by the Appointment Committee on 8/12/2019.

19. Order 100-08192019

Accepting the transfer of \$1,175.00 forfeiture assets in Rem in U.S. Currency to the Auburn Police Department (Unified Criminal Court Docket No. CR-18-4372 Shan Thompson).

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

Passage 7-0.

20. Order 101-08192019

Accepting the transfer of \$1,213.75 forfeiture assets in Rem in U.S. Currency to the Auburn Police Department (Unified Criminal Court Docket No. CR-17-1753 Rasheem Johnson).

Motion was made by Councilor Young and seconded by Councilor Fournier for passage.

Passage 7-0.

VII. Reports

Councilor Young – reported that the Knight house opened last Saturday and will open again on the 31st.

Councilor Walker – reported on the Balloon Festival noting that the Age Friendly Group volunteered many hours assisting, and next Tuesday, Sabrina Best will be speaking at the United New Auburn Association meeting at Rolly's Diner at 6:00 PM.

Councilor Fournier – reported that she was unable to attend the last school committee meeting.

Councilor Titus – reported that he attended the Sewer District and Water District meetings on July 16 and 17th, and he provided an update. Their next meetings are scheduled for tomorrow (Sewer District) and Wednesday (Water District) of this week. He also read an update provided by Sid Hazelton on the Alum treatment to Lake Auburn. Last, he noted that he attended the Police Department's National Night Out event adding that he was impressed with the event and the turnout.

Councilor Hayes – no report, however he noted that he has received some feedback from the downtown community who would like to have better communication and participation with the city when planning special events.

Councilor Lasagna – reported on Healthy Auburn in September and the Walking the Ward event. She handed out information to Councilors and encouraged their participation. She also reported on the Strategic Planning Committee meeting, the High School Building Committee meeting adding that the school department is looking for members to serve on the sub-committees for the new high school, and last, she reported that she attended the Ag Ordinance Committee last Tuesday.

Councilor Gerry – reported on the Police Department's National Night Out, and that on Wednesday, the First Auburn Seniors will be meeting. Last, she commented on the open session at the 7/15/2019 meeting and whether or not the minutes should reflect the discussion in full detail.

City Manager – he thanked staff for their participation with the Balloon Festival and National Night out, he reported that the Senior Center renovations are moving forward, and he reported that he and the Assistant City Manager, Phil Crowell attended the Maine Town, City and County Manager Association conference and he provided a report on that.

Finance Director, Jill Eastman – June and July 2019 Monthly Finance Reports.

Motion was made by Councilor Lasagna and seconded by Councilor Hayes to accept and place on file the June and July 2019 Finance Reports. Passage 7-0.

VIII. Open Session – Joe Gray, Sopers Mill Road asked when the City Manager would be addressing the ag survey.

IX. **Executive Session - None**

X. **Adjournment**

Motion was made by Councilor Lasagna and seconded by Councilor Fournier to adjourn. All were in favor, the meeting adjourned at 8:55 PM.

A TRUE COPY

ATTEST *Susan Clements Dallaire*

Susan Clements-Dallaire, City Clerk



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: September 9, 2019

Ordinance: 09-05202019

Author: Audrey Knight, City Planner

Subject: Proposed text amendments to Chapter 60, Article XIII Environmental Performance Standards.

Information: The proposed amendments are primarily to Sec.60-1038 Odors and pertain to detection, measurement and enforcement measures and methodology.

City Budgetary Impacts: Purchase of two (2) field olfactory meters (\$ 2-4,000) for police & code enforcement officers

Staff Recommended Action: Passage of 2nd reading of proposed amendments.

Previous Meetings and History: City Council considered a previous draft in workshop and held a first reading in May but it had not yet been considered by the Planning Board. The Planning Board took up the item at a Public Hearing on June 11, 2019 and had many concerns and recommendations. Staff amended the ordinance to address the concerns and specifications of the Planning Board by working with code enforcement officers and researching other jurisdictions. A second Public Hearing was held July 9, 2019 where the attached ordinance passed unanimously.

The City Council considered the attached ordinance on July 15, 2019 and is now being considered for approval. Public hearing and passage of first reading was on 8/19/2019.

City Manager Comments:

I concur with the recommendation. Signature:

A handwritten signature in blue ink that reads "Peter J. Calkins".

Attachments: Planning Board Staff Report package for July 9, 2019 with proposed amendments.



City of Auburn, Maine

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

To: Auburn Planning Board

From: Audrey Knight, City Planner

RE: Text Amendment to Article XIII, Environmental Performance Standards, Division 1, Sec.60-1038. Odors. *Revised June 26, 2019*

Date: July 9, 2019

I. BACKGROUND- The purpose of the Environmental Performance Standards section of the Zoning Ordinance is to ensure that new development has limited impact on its neighbors in contributing to noise, air quality, vibration, electrical disruptions and odors. The Odors section of this Article is being expanded to address assessment, definition, and enforcement of the ordinance. While the update to this section of the environmental standards was triggered by the development of the Marijuana Ordinance, it is applicable and relevant to all non-residential development projects in the city.

II. DISCUSSION - At the June 11, 2019 Planning Board Public Hearing of this item extensive discussion was held regarding several items of concern. Staff was asked to conduct research regarding other jurisdictions successful administration and handling of this issue, and to develop an alternate draft or alternatives for the Board to consider. Items of concern to the Planning Board could be summarized as:

- a. nuisance complaints to eliminate a business;
- b. the need for measurable, quantifiable metrics;
- c. violation and compliance should not be left to subjective opinions; and,
- d. the further need for an "observable or measured standard" to determine compliance.

Staff reviewed legal articles and Denver and Colorado, Sonoma and Mendocino Counties, Portland, ME, and Michigan ordinances and enforcement mechanisms and procedures. Each jurisdiction operates under different industry issues, enforcement air quality bodies, and urban densities, which in turn bring about different approaches. Common themes are to establish thresholds based on science and to use the now common field olfactory measuring devices to establish baselines and thresholds of tolerance. All use odor detection at the property line and more than half require more than one complaint to trigger field investigation by enforcement (the City of Portland requires complaints from 10 different properties to trigger action). Many jurisdictions have a regional air quality control board, environmental health division or other government agency for enforcement and reporting other than the central Code Enforcement officer staffed out of their Planning and Development office.

III. DRAFT LANGUAGE - The attached draft establishes an odor threshold that allows for the minor odors that ANY property may occasionally emit, which allows for minor, barely detectible emissions. It firmly connects with existing Code Enforcement practices so that all infractions are handled equally and consistently. This draft reflects a policy prohibiting egregious violations and assumes from the PB discussions that every complaint about an odor should not trigger an immediate commitment of staff time. Every complaint would be logged, and businesses that trigger at least three nuisance complaints within a week are assumed to be a problem odor that calls for investigation and action. This would allow for transitory emissions that are not on-going and concentrated to pass, and those that are on-going and strong would trigger multiple calls and therefore a site investigation.

The draft calls for the use of field olfactory meters (see attached) to be used to establish the degree of violation and establish what is needed to bring a property into compliance.

Auburn's Code Enforcement language is designed to be adaptive to the unique circumstance of each violation and reflects:

- degree of urgency (broken water pipe, oil spill- immediate life, health & safety),
- immediate or long-term impact of the violation (decreased property values, infestations – potential number impacted & effect of violation),
- the relative time and cost it may take to remedy the situation, and,
- the efforts and responsiveness of the owners or managers in addressing the problem.

Based on these factors Officers routinely work with businesses so that fines and penalties do not have to be assessed and properties can be brought into compliance. It allows for the nature and extent of the problem to be determined so that appropriate actions and time frames can be established before penalties are issued. This draft incorporates benchmarks to account for the possibility that a business may either be unable or unwilling to comply and provides an outside time limit for the offensive odors to continue before possibly being forced to shut down by removal of a business license or order of City Council (as is established by Chapter 14).

IV. PLANNING BOARD ACTION- The Planning Board is being asked to make a recommendation to the City Council on the proposed text amendment.

Audrey Knight, AICP

City Planner

Holly C. Lasagna, Ward One
Robert P. Hayes, Ward Two
Andrew D. Titus, Ward Three
Alfreda M. Fournier, Ward Four



Leroy G. Walker, Ward Five
Belinda A. Gerry, At Large
David C. Young, At Large

Jason J. Levesque, Mayor

IN CITY COUNCIL

ORDINANCE 09-05202019

TITLE: Adopting the proposed amendment to Chapter 60, Article XIII, Environmental Performance Standards, Division 1, Sections 1035-1042, Applicability.

Be it ordained, that the Auburn City Council hereby adopts the proposed amendment to Chapter 60, Article XIII, Sections 1035-1042, Applicability (as attached).

ARTICLE XIII. - ENVIRONMENTAL PERFORMANCE STANDARDS

DIVISION 1. - GENERALLY

Sec. 60-1034. - Purpose.

The purpose of the standards in this article relating to smoke, noise, vibration, odors, air pollution and electrical disturbance of infrastructure is to ensure that no new development occurs which may have an environmental impact that could be detrimental to the city or property owners or that may have a direct impact to property caused by nuisances directly or indirectly associated with the above environmental issues. The standards provided in this article shall apply to all nonresidential uses in the city.

(Ord. of 9-21-2009, § 5.6A)

Sec.60-1035. – Applicability.

No land use, facility, or activity shall be exempt from complying with the environmental performance standards contained in this article, Chapter 60-1035, Zoning, because of grandfathering or because of being an existing use, facility, or activity at the time the standards were enacted. The standards apply to all existing and future sources, land uses, facilities, and activities in the non-residential uses of the City, except as otherwise provided herein.

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Sec. 60-1036. - Smoke.

- (a) For the purposes of determining the density of equivalent opacity of smoke, the Ringlemann Chart, as adopted and published by the United States Department of Interior, Bureau of Mines Information Circular 8333, May 1967, shall be used. The Ringlemann number referred to in this section refers to the number of the area of the Ringlemann Chart that coincides most nearly with the visual density of equivalent opacity of the emission of smoke observed. For example, a reading of Ringlemann No. 1 indicates a 20 percent density of the smoke observed.
- (b) All measurements shall be taken as close to the point emission of the smoke as reasonably possible.
- (c) In all zones, no development may emit from a vent, stack, chimney or combustion process any smoke that exceeds a density or equivalent capacity of Ringlemann No. 1, except that an emission does not exceed a density or equivalent capacity of Ringlemann No. 2, is permissible for a duration of not more than four minutes during any eight-hour period if the source of such emission is not located within 250 feet of a residential district.
- (d) In the industrial zone, no development use may emit from a vent, stack, chimney or combustion process any smoke that exceeds a density or equivalent capacity of Ringlemann No. 2, except that an emission that does not exceed a density or equivalent capacity of Ringlemann No. 3 is permissible for a duration not more than four minutes during any eight-hour period if the source of emission is not located within 500 feet of a residential district.

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(Ord. of 9-21-2009, § 5.6B)

Sec. 60-1037. - Noise.

- (a) A decibel is a measure of a unit of sound pressure. Since sound waves having the same decibel level sound louder or softer to the human ear depending upon the frequency of the sound wave in cycles per sound (i.e., whether the pitch of the sound is high or low) and A-weighted filter

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constructed in accordance with the specifications of the American National Standards Institute, which automatically takes account of the varying effect on the human ear of different pitches, shall be used on any sound level meter taking measurements required by this section. And accordingly, all measurements are expressed in dB(A) to reflect the use of this A-weighted filter.

- (b) The standards established in the table set forth in subsection (c) of this section are expressed in terms of the equivalent sound level (Leq), which must be calculated by taking 100 instantaneous A-weighted sound levels at then-second intervals and computing the Leq.
- (c) Except as provided in subsection (d) of this section, the following table establishes the maximum permissible noise levels for nonresidential uses. Measurements shall be taken at the boundary line of the lot where the nonresidential use is located, and, as indicated, the maximum permissible noise levels vary according to the zoning of the lot adjacent to the lot on which the use is located.

	Zoning of Adjacent Lot		
	<i>Residential</i>	<i>General Business</i>	<i>Light Industrial</i>
Maximum sound level	50	60	70

- (d) Impact noises are sounds that occur intermittently rather than continuously. Impact noises generated by sources that do not operate more than one minute in any one-hour period are permissible up to a level of ten dB(A) in excess of the figures listed in the table, except that this higher level of permissible noise shall not apply from 7:00 p.m. to 7:00 a.m. when the adjacent lot is zoned residential. The impact noise shall be measured using the fast response of the sound level meter.
- (e) Noise resulting from temporary construction activity that occurs between 7:00 a.m. and 7:00 p.m. shall be exempt from the requirements of this section.

(Ord. of 9-21-2009, § 5.6C)

Sec. 60-103~~8~~ - Vibration.

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- (a) No development in any zone may generate any ground-transmitted vibration that is perceptible to the human sense of touch measured at:
 - (1) The outside boundary of the immediate space occupied by the enterprise generating the vibration if the enterprise is one of several located on a lot; or
 - (2) The lot line if the enterprise generating the vibration is the only enterprise located on a lot.
- (b) No development in any zone may generate any ground-transmitted vibration in excess of the limits set forth in subsection (e) of this section. Vibration shall be measured at any adjacent lot line or residential district line as indicated in the table set forth in subsection (e) of this section.
- (c) The instrument used to measure vibrations shall be a three-component measuring system capable of simultaneous measurement of vibration in three mutually perpendicular directions.
- (d) The vibration maximums set forth in subsection (e) of this section are stated in terms of particle velocity, which may be measured directly with suitable instrumentation or computed on the basis of displacement and frequency. When computed, the following formula shall be used:

$$PV = 6.28 F \times D$$

Where: ;b0;[W1] PV = Particle velocity, inches-per-second

F = Vibration frequency, cycles-per-second

D = Single amplitude displacement of the vibration, inches

The maximum velocity shall be the vector sum of the three components recorded.

(e) Table of maximum ground-transmitted vibration:

Particle velocity, inches-per-second	
<i>Adjacent Lot Line</i>	<i>Residential District</i>
0.020	0.02

(f) The values stated in subsection (e) of this section may be multiplied by two for impact vibrations, i.e., discrete vibration pulsations not exceeding one second in duration and having a pause of at least one second between pulses.

(g) Vibrations resulting from temporary construction activity that occurs between 7:00 a.m. and 7:00 p.m. shall be exempt from the requirements of this section.

(h) Vibration resulting from the railroads passing through the city shall be exempt from these standards.

(Ord. of 9-21-2009, § 5.6D)

Sec. 60-1039, - Odors.

(a) For purposes of this section, the term "odor threshold" is defined as the minimum concentration in air of a gas, vapor, or particulate matter than can be detected by the abutters of the property in question.

(1) No development in any non-residential use may generate any odor that reaches the odor threshold, measured at the lot line of the enterprise generating the odor, of a "Dilution-to-Threshold", D/T, of Seven (7) or less using a field olfactometer.

(2) Whether or not an odor emission interferes with the reasonable and comfortable use and enjoyment of a property shall be measured against the objective standards of a reasonable person of normal sensitivity. The use of a field olfactometer meter may be used for documentation, verification and enforcement as needed. A measurement reading of seven (7) D/T or less shall be maintained at the property line.

(3) Odor observation shall be undertaken to arrive at a determination that an objectionable odor exists at the property line, or beyond the property line if a public space where people live, work or assemble is impacted.

(4) If complaints are received regarding farming operations, and the farm is using Best Management Practices as outlined in state and federal standards, the Right-to-Farm, MRSA, Title 7, Chapter 6, Statute 153, shall prevail.

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b) Administration and enforcement. The Code Enforcement Officer, and/or their official designee, of the City of Auburn shall administer and enforce this article. The CEO will follow Sec.2-639 in determining time limits for corrective actions based on the level of risk or nuisance posed by the issue.

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(1) Upon receiving three (3) different complaints, the (CEO) shall investigate the issue. If the CEO detects and/or the operator indicates that management provisions installed within the facility are not being followed, the CEO shall provide verbal notice of violation with instructions to comply with the standards within 10 business days, and to inform the officer of efforts or completion within that time. The officer may use electronic meters or devices to measure and quantify the issue for comparative and/or enforcement purposes.

(2) If complaints persist and/or the issues are not resolved after the ten-day period described above, a written notice of violation, as specified under Chapter 2, Article VIII (Citation System of Code Enforcement), with the requirement that the owner/operator prepare a Mitigation Plan that meets the requirements of this ordinance, along with a time table for implementation within 30-days. If the installed mitigations fail to bring the facility into compliance, a specialist may be required to design a remedy, and the City may use contracted staff or peer review escrow fees to review the Mitigation Plan.

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(3) If the operator has not submitted the required report or made efforts to comply within 45-days the CEO shall issue a second written notice of violation and assess additional fines as specified under Chapter 2, Article VIII.

(4) If the operator has not submitted the required report or if the operator has not provided substantial evidence of attempted compliance within 60-days of the first written notice of violation, the City Manager may consider temporarily suspending the business license (if a business license was issued), under the provisions of Chapter 14, Article 11, (Business License), in addition to issuing further citations and penalties under Chapter 2, Article VIII. If the issue, complaints, or matter remains unresolved or addressed by the owner/operator within 90-days of the written notice of violation, the City Manager may ask the City Council to permanently revoke the business license, and/or further penalties and citations will be issued until the matter is resolved.

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(Ord. of 9-21-2009, § 5.6E)

Sec. 60-1040 - Air pollution.

- (a) Any development that emits an air contaminant as defined by the state department of environmental protection shall comply with applicable state standards concerning air pollution.
- (b) No zoning or special exception permit may be issued with respect to any new development covered by subsection (a) of this section until the state department of environmental protection has certified to the city that the appropriate state permits have been received by the developer, or that the developer will be eligible to receive such permits and that the development is otherwise in compliance with applicable air pollution laws.

(Ord. of 9-21-2009, § 5.6F)

Sec. 60-1041 - Electrical disturbance or interference.

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No use may:

- (1) Create any electrical disturbance that adversely affects any operations or equipment other than those of the creator of such disturbance; or

- (2) Otherwise cause, create or contribute to the interference with electronic signals (including television and radio broadcasting transmissions) to the extent that the operation of any equipment not owned by the creator of such disturbance is adversely affected.

(Ord. of 9-21-2009, § 5.6G)

Secs. 60-1042-~~Authorization, enforcement and severability~~

~~a) Authorization. This article is adopted pursuant to 30-A M.R.S.A. § 3001 and the City's Home Rule Powers as provided for in Article VII-A of the Maine Constitution and Title 30-A M.R.S.A. §§ 2101 through 2109 and in accordance with the authority of the City to seek judicial remedies in order to protect the inhabitants of the City the City as a municipal corporation, and individual residents of the City as provided for by the laws of the State of Maine, including, but not limited to 17 M.R.S.A. §§ 2702, 2705 and 2706; 30-A M.R.S.A. § 2002 and at common law.~~

~~b) Severability. If any section, subsection, sentence, clause, phrase, or portion of this article is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions.~~

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~~—Sec. 60- 1043- 60-1063. Reserved~~

DIVISION 2. - PHOSPHORUS CONTROL

Sec. 60-1064. - Purpose.

- (a) The purpose of this division is to provide protection against additional phosphorus export to Taylor Pond and Lake Auburn from new land uses and changes in existing land uses by ensuring that development within the watersheds does not generate more phosphorus than the water bodies can handle and by eliminating or reducing existing sources of phosphorus.
- (b) Phosphorus, a nutrient, stimulates algal growth, the main cause of water quality decline. The primary source of new and increasing phosphorus loading in the state lakes is land development: residential, commercial and industrial.

(Ord. of 9-21-2009, § 5.7A)

Sec. 60-1065. - Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Acceptable increase in lake phosphorus concentration (C) is based upon water quality and the city's selected level of protection. For Taylor Pond the number is 0.75; for Lake Auburn the number is 0.5.

Direct watershed means any land area which contributes storm-water runoff by either surface or subsurface flow to Taylor Pond or Lake Auburn without such runoff first passing through an upstream lake.

Future area to be developed (D) means an estimate of the acreage in the city's share of the direct watersheds that will be developed during the planning period of 50 years. For Taylor Pond, the estimated future developed acreage is 715.3; for Lake Auburn, the estimated future developed acreage is 1,180.0.

Lake Auburn means the Lake Auburn Watershed regulated by this chapter is all land areas within the direct watershed of Lake Auburn as defined on the attached map entitled Lake Auburn Watershed Map.

Per-acre phosphorus allocation (P) means the acceptable increase of phosphorus export per acre in the watershed as determined by solving the following equation $(P) = (FC)/(D)$. For Taylor Pond, the phosphorus allocation is 0.036; for Lake Auburn, the phosphorus allocation is 0.047.

Phosphorus export coefficient (F) means the amount of phosphorus export from the watershed each year that will produce a one ppb increase in the lake's phosphorus concentration. For Taylor Pond, the phosphorus coefficient is 35.26 lbs/ppb/year; for Lake Auburn, the phosphorus coefficient is 109.9 lbs/ppb/year.

Taylor Pond means the Taylor Pond Watershed regulated by this chapter is all land areas within the direct watershed of Taylor Pond as defined on the attached map entitled "Taylor Pond Watershed Map".

(Ord. of 9-21-2009, § 5.7B)

Sec. 60-1066. - Applicability.

This division shall apply to all land areas within the direct watersheds of Taylor Pond and Lake Auburn. The following land uses shall be required to obtain a phosphorus control permit and conform to the standards contained in this division:

- (1) Any new building or structure with more than 575 square feet of ground floor area.
- (2) Any expansions or series of expansions of ground floor area of any existing building which increases the area of the ground floor by more than 30 percent of that which exists at the time of adoption of the ordinance from which this division is derived.
- (3) Any earth moving, brush and tree cutting which impacts 10,000 square feet or more whether accomplished as a single activity or as a series of activities beginning on the date of adoption of the ordinance from which this division is derived shall only meet the criteria contained in section 60-1069.
- (4) Road or driveway construction and reconstruction and parking area construction which affects more than 1,500 square feet of land area whether accomplished as a single activity or as a series of activities beginning on the date of adoption of the ordinance from which this division is derived shall only meet the criteria contained in section 60-1069.
- (5) All projects for which special exception, site plan and subdivision review is required.

(Ord. of 9-21-2009, § 5.7C)

Sec. 60-1067. - Exemptions.

This division shall not apply to the following:

- (1) Changes of use within an existing structure where no ground floor expansion and/or road, driveway and parking area expansion is planned.
- (2) Timber management or harvesting operations conducted according to a management plan prepared and supervised by a registered forester (unless required by division 4 of article XII of this chapter) or the city water district.
- (3) Agricultural uses conducted according to a soil and water conservation plan approved by the Androscoggin County Soil and Water Conservation District.

(Ord. of 9-21-2009, § 5.7D)

Sec. 60-1068. - Best management practices.

Agriculture, silviculture, mining, chemical use and storage and waste disposal activities should be conducted in accordance with the best management practices (BMPs) as recommended by the department of environmental protection, the state soil and water conservation commission, the cooperative extension service or other appropriate public service agency. New roads and the reconstruction of existing roads, driveways, drainage diversions, ditches and roadside buffers should be designed for the worst storm conditions in accordance with the best management practices (BMPs) recommended by the department of environmental protection, the state soil and water conservation commission, the cooperative extension service or other appropriate public service agency.

(Ord. of 9-21-2009, § 5.7E)

Sec. 60-1069. - Erosion and sedimentation controls.

A comprehensive erosion and sedimentation control plan, including a proposed program for the maintenance and periodic inspection of all control facilities which will remain after the project is completed and a designation of the responsible party, shall be submitted as follows:

- (1) *Taylor Pond Watershed.* A plan designed in accordance with the applicable sections of chapter 8 of the DEP Phosphorous Control and Lake Watersheds: A Technical Guide to Evaluating New Development, the latest edition of the Maine Erosion and sediment Control Handbook and all building and environmental protection requirements of this Code.
- (2) *Lake Auburn Watershed.* A plan designed in accordance with the applicable sections of chapter 8 of the DEP Phosphorous Control and Lake Watersheds: A Technical Guide to Evaluating New Development, the latest edition of the Maine Erosion and Sediment Control Handbook, and all building and environmental protection requirements of this Code and criteria of the city water district or commission.

(Ord. of 9-21-2009, § 5.7F)

Sec. 60-1070. - Submission requirements.

All projects subject to review under the provisions of this division shall submit a phosphorus control plan and maintenance provisions meeting the standards set forth in the manual Phosphorus Control and Lake Watersheds A Technical Guide to Evaluating New Development (Maine DEP et al., September 1989, with the Simple Review Method revised in May 1990).

- (1) *Plan submission.* Plans shall be submitted and processed in accordance with article XVI of this chapter. In addition to the requirements for submission under this article, the following instructions shall be provided:
 - a. A long-term maintenance plan for all phosphorus control measures including provisions for inspection and repair, designation of responsible parties, contractual obligations and proposed deed restrictions.
 - b. Hydrologic soil class of all areas to be cleared or where clearing will be permitted, with the area indicated in square feet of each lot using the appropriate method as described in the phosphorus control manual.
 - c. All calculations and worksheets in the format of those contained in the phosphorus control manual and detailed construction specifications and diagrams for all control measures.
 - d. A comprehensive erosion and sedimentation control plan, designed in accordance with the Maine Erosion and Sediment Control Handbook for Construction: Best Management

Practices, March 1991, and and all building and environmental protection requirements of this Code.

(2) *Review method.*

- a. All projects shall use the standard review method and shall conform to the Phosphorus Allocation standard set forth in this division including the following: Expansions of four lot subdivisions which were previously approved using the simple review method.
- b. Projects meeting the following criteria may employ the simple review method:
 1. Minor subdivisions with four or fewer lots provided that these developments contain less than 200 feet of new or upgraded roads and/or all driveways serving residential uses are less than 150 feet in length.
 2. Activity which includes less than 200 feet of new or upgraded road construction.

(3) *Commercial and industrial development and expansions.* Commercial and industrial development and expansions of commercial and industrial developments and the expansion of multifamily dwelling units, which involve less than 15,000 square feet of disturbed area. All other subdivisions including expansions of previously approved four-lot subdivisions which were reviewed using the simple review method and all other projects shall utilize the standard review method.

(Ord. of 9-21-2009, § 5.7G)

Secs. 60-1071—60-1093. - Reserved.



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: September 9, 2019 **Ordinance:** 11-08192019

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

Subject: Chapter 60, Section 201, Low Density Country Residence District(LDCR) and Marijuana Uses

Information: During the adoption of the marijuana related ordinance it was noted that some uses in the Agriculture and Resource Protection District are automatically allowed in the LDCR District. Staff suggested that allowing cultivation and manufacturing in residential districts may cause problems and the Council agreed that was not their intent. We have been informed by Municode that this portion of the Ordinance seems to have been missed and did not get voted on with the other portions of the ordinance and we wish to correct that.

The attached change would prohibit commercial (medical or adult use) cultivation or manufacturing of Marijuana in the LDCR District.

City Budgetary Impacts: None.

Staff Recommended Action: Staff recommends passage of the attached Ordinance.

Previous Meetings and History: Many discussions during the adoption of marijuana related ordinances. A public hearing and passage of the first reading was on 8/19/2019.

City Manager Comments:

I concur with the recommendation. Signature:

A handwritten signature in blue ink that reads "Peter J. Cousens".

Attachments: Ordinance.

Holly C. Lasagna, Ward One
Robert P. Hayes, Ward Two
Andrew D. Titus, Ward Three
Alfreda M. Fournier, Ward Four



Leroy G. Walker, Ward Five
Belinda A. Gerry, At Large
David C. Young, At Large

Jason J. Levesque, Mayor

IN CITY COUNCIL

ORDINANCE 11-08192019

Be it ordained that the City of Auburn City Council hereby adopt the attached amendment to Chapter 60, Section 201 of the City of Auburn Ordinances to prohibit commercial marijuana cultivation and manufacturing in the Low Density Country Residence District.

SECTION BREAK

DIVISION 3. - LOW DENSITY COUNTRY RESIDENTIAL DISTRICT

Sec. 60-200. - Purpose.

The purpose of this zone is to maintain and promote the rural/agricultural character of the land within this zone. This zone is composed of those areas in the city whose predominant land use is rural, wooded and agricultural. The regulations for this zone are designed to protect and stabilize these predominant land uses which are the essential characteristics of these areas and to minimize conflicting land uses detrimental to agricultural enterprises. Since residences are only incidental to this zone's development, the densities which require improved roads and expanded municipal services, in excess of those required by the present agricultural-oriented uses, shall not be permitted.

(Ord. of 9-21-2009, § 3.32A)

Sec. 60-201. - Use regulations.

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

- (1) All uses permitted in the Agriculture and Resource Protection District, except uses allowed by section 60-~~145172~~(a)(8) ~~and~~ (9), (14 and (15).
- (2) One-family detached dwellings.
- (3) Lawn maintenance services.

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

- (1) All uses permitted by special exception in the Agriculture And Resource Protection (AR) District, (divisions 2 and 3 of article IV of this chapter), except uses allowed by section 60-172(b)(7), (14), and (15).
- (2) Bed and breakfast.
- (3) Adaptive reuse of structures of community significance.

(Ord. of 9-21-2009, § 3.32B; Ord. 33-02072011-08, 2-7-2011; Ord. No. 08-08012011-07b, 8-1-2011; Ord. No. 05-04032017, § 2, 4-24-2017)

Sec. 60-202. - Dimensional requirements.

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

- (1) *Minimum lot area, width and depth.* No lot shall be created and/or no building shall be erected on a lot containing less than three acres and measuring less than 325 feet in width. No lot shall be less than 200 feet in depth. The keeping of horses, mules, cows, goats, sheep, hogs and similar size animals for domestic use of the residents of the lot is permitted provided that the land area required per animal unit forms to the definition of animal farm contained in section 60-2.
- (2) *Density.* The density of dwelling units shall not exceed an average of one dwelling per three acres.

- (3) *Yard requirements.*
 - a. *Rear.* There shall be behind every building a rear yard having a minimum depth of 50 feet or 25 percent of the average depth of the lot, whichever is less.
 - b. *Side.* There shall be a minimum distance of 15 feet between any building and the side property line plus the side yard setback shall be increased one foot for every five feet or part thereof increase in street frontage over 50 feet to a maximum of 25 feet for side yard setback.
 - c. *Front.* There shall be in front of every building a front yard having a minimum depth of 50 feet or 25 percent of the average depth of the lot whichever is less.
- (4) *Height.* The height of all dwelling structures shall be limited to 2½ stories or 35 feet in height. Accessory buildings and structures may have a maximum height of 65 feet from grade, provided that the front yard, rear yard, and each of the side yards shall be increased by one foot for each foot in height in excess of 35 feet.
- (5) *Off-street parking.* Off-street parking spaces shall be provided in accordance with the requirements for specific uses as set forth in articles V through XI of this chapter.

(Ord. of 9-21-2009, § 3.32C)

Secs. 60-203—60-227. - Reserved.

SECTION BREAK

DIVISION 4. - LOW DENSITY RURAL RESIDENCE DISTRICT

Sec. 60-228. - Purpose.

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

(Ord. of 9-21-2009, § 3.41A)

Sec. 60-229. - Use regulations.

- (a) *Permitted uses.* The following uses are permitted:
 - (1) All uses permitted in the Agriculture and Resource Protection District pursuant to (section 60-172(A)), except 60-145(a)(14) and (15).
 - (2) One-family detached dwellings.
 - (3) Two-family dwellings.
 - (4) Attached single-family dwellings, provided that they are approved by the planning board as part of a planned residential unit development and subdivision, under the provisions of division 10 of article IV and division 4 of article XVII of this chapter.

- (5) Mobile home parks, subject to the requirements and conditions of section 60-669, mobile home park standards.
 - (6) Licensed veterinarians provided that the lot is of at least three acres.
 - (7) Wayside stands.
 - (8) Accessory uses, buildings or structures.
 - (9) Lawn maintenance services.
 - (10) Municipal uses and buildings.
- (b) *Special exception uses.* The following uses are permitted by special exception after approval by the planning board in accordance with the provisions of division 3 of article XVI of this chapter:
- (1) Radio, radar, television and radio-telephone transmitting or broadcasting towers, but not studios or offices for such transmitting or broadcasting, provided that:
 - a. Every such tower shall be installed in a location and manner that ensures its safe operation and the safety of the surrounding residents, buildings occupants, land uses and properties.
 - b. In no case shall such tower be located less than 1½ times its height from the nearest property line.
 - (2) Care homes, lodging houses and boardinghouses.
 - (3) Recreational uses of land intended or designed for public use, subject to the following conditions:
 - a. No such recreational use shall be expanded or extended so as to occupy additional land area greater than 20 percent of the original area or one acre, whichever is less; or by the construction of a structure or an addition to an existing structure by more than 900 square feet of additional floor space unless the owner or occupant first obtains approval of the planning board.
 - b. Any proposed new or expanded recreational use shall be completed on or before the estimated completion date except that the planning board may grant reasonable extension of time where good cause for the failure to complete is shown.
 - (4) Child day care centers, provided that:
 - a. They are located on arterial and collector streets as defined in the Auburn Tomorrow Comprehensive Plan.
 - b. They shall not be located closer than 1,000 feet from other established day care centers.
 - c. These standards shall not apply to section 60-52.
 - (5) Cemeteries, provided that:
 - a. At least 20 acres in area.
 - b. Not located in any environmental overlay district or over any known aquifer.
 - (6) Community-based residential facilities, provided that:
 - a. The minimum distance between any two such facilities shall be 1,500 feet.
 - b. Any such facility shall house no more than eight persons.
 - (7) Licensed kennels provided that there shall be available land area of at least three acres.
 - (8) Training schools.
 - (9) Handling, storage and sale of agricultural services, equipment, and supplies accessory to the farming use.
 - (10) Adult day centers.

- (11) Landscape services.
- (12) Wholesale nurseries, subject to the following conditions:
 - a. At least one-half of the area of the lot (up to a maximum of three acres) is in active nursery production in a husband type manner.
 - b. The plants and trees propagated, grown and nurtured in the nursery are used as the primary products by the owner/operator of the landscape service.
- (13) Schools.
- (14) Churches or temples.
- (15) Libraries.
- (16) Museums.
- (17) Adaptive reuse of structures of community significance.

(Ord. of 9-21-2009, § 3.41B; Ord. No. 05-04032017, § 2, 4-24-2017)

Sec. 60-230. - Dimensional regulations.

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

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

(Ord. of 9-21-2009, § 3.41C)

Secs. 60-231—60-253. - Reserved.



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: September 9, 2019 **Ordinance:** 12-08192019

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

Subject: Chapter 60, Section 229, Low Density Rural Residence District (LDRR) and Marijuana Uses

Information: During the adoption of the marijuana related ordinance it was noted that some uses in the Agriculture and Resource Protection District are automatically allowed in the LDRR District. Staff suggested that allowing cultivation and manufacturing in residential districts may cause problems and the Council agreed that was not their intent. We have been informed by Municode that this portion of the Ordinance seems to have been missed and did not get voted on with the other portions of the ordinance and we wish to correct that.

The attached change would prohibit commercial (medical or adult use) cultivation or manufacturing of Marijuana in the LDRR District.

City Budgetary Impacts: None.

Staff Recommended Action: Staff recommends passage of the attached Ordinance.

Previous Meetings and History: Many discussions during the adoption of marijuana related ordinances. A public hearing and passage of the first reading was on 8/19/2019.

City Manager Comments:

I concur with the recommendation. Signature:

A handwritten signature in blue ink that reads "Peter J. Cousens".

Attachments: Ordinance.

Holly C. Lasagna, Ward One
Robert P. Hayes, Ward Two
Andrew D. Titus, Ward Three
Alfreda M. Fournier, Ward Four



Leroy G. Walker, Ward Five
Belinda A. Gerry, At Large
David C. Young, At Large

Jason J. Levesque, Mayor

IN CITY COUNCIL

ORDINANCE 12-08192019

Be it ordained that the City of Auburn City Council hereby adopt the attached amendment to Chapter 60, Section 229 of the City of Auburn Ordinances to prohibit commercial marijuana cultivation and manufacturing in the Low Density Rural Residence District.

SECTION BREAK

DIVISION 3. - LOW DENSITY COUNTRY RESIDENTIAL DISTRICT

Sec. 60-200. - Purpose.

The purpose of this zone is to maintain and promote the rural/agricultural character of the land within this zone. This zone is composed of those areas in the city whose predominant land use is rural, wooded and agricultural. The regulations for this zone are designed to protect and stabilize these predominant land uses which are the essential characteristics of these areas and to minimize conflicting land uses detrimental to agricultural enterprises. Since residences are only incidental to this zone's development, the densities which require improved roads and expanded municipal services, in excess of those required by the present agricultural-oriented uses, shall not be permitted.

(Ord. of 9-21-2009, § 3.32A)

Sec. 60-201. - Use regulations.

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

- (1) All uses permitted in the Agriculture and Resource Protection District, except uses allowed by section 60-145(a)(8), (9), (14 and 15).
- (2) One-family detached dwellings.
- (3) Lawn maintenance services.

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

- (1) All uses permitted by special exception in the Agriculture And Resource Protection (AR) District, (divisions 2 and 3 of article IV of this chapter), except uses allowed by section 60-172(b)(7), (14), and (15).
- (2) Bed and breakfast.
- (3) Adaptive reuse of structures of community significance.

(Ord. of 9-21-2009, § 3.32B; Ord. 33-02072011-08, 2-7-2011; Ord. No. 08-08012011-07b, 8-1-2011; Ord. No. 05-04032017, § 2, 4-24-2017)

Sec. 60-202. - Dimensional requirements.

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

- (1) *Minimum lot area, width and depth.* No lot shall be created and/or no building shall be erected on a lot containing less than three acres and measuring less than 325 feet in width. No lot shall be less than 200 feet in depth. The keeping of horses, mules, cows, goats, sheep, hogs and similar size animals for domestic use of the residents of the lot is permitted provided that the land area required per animal unit forms to the definition of animal farm contained in section 60-2.
- (2) *Density.* The density of dwelling units shall not exceed an average of one dwelling per three acres.

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- (3) *Yard requirements.*
 - a. *Rear.* There shall be behind every building a rear yard having a minimum depth of 50 feet or 25 percent of the average depth of the lot, whichever is less.
 - b. *Side.* There shall be a minimum distance of 15 feet between any building and the side property line plus the side yard setback shall be increased one foot for every five feet or part thereof increase in street frontage over 50 feet to a maximum of 25 feet for side yard setback.
 - c. *Front.* There shall be in front of every building a front yard having a minimum depth of 50 feet or 25 percent of the average depth of the lot whichever is less.
- (4) *Height.* The height of all dwelling structures shall be limited to 2½ stories or 35 feet in height. Accessory buildings and structures may have a maximum height of 65 feet from grade, provided that the front yard, rear yard, and each of the side yards shall be increased by one foot for each foot in height in excess of 35 feet.
- (5) *Off-street parking.* Off-street parking spaces shall be provided in accordance with the requirements for specific uses as set forth in articles V through XI of this chapter.

(Ord. of 9-21-2009, § 3.32C)

Secs. 60-203—60-227. - Reserved.

SECTION BREAK

DIVISION 4. - LOW DENSITY RURAL RESIDENCE DISTRICT

Sec. 60-228. - Purpose.

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

(Ord. of 9-21-2009, § 3.41A)

Sec. 60-229. - Use regulations.

- (a) *Permitted uses.* The following uses are permitted:
 - (1) All uses permitted in the Agriculture and Resource Protection District pursuant to (section 60-172(A)), except 60-145(a)(14) and (15).
 - (2) One-family detached dwellings.
 - (3) Two-family dwellings.
 - (4) Attached single-family dwellings, provided that they are approved by the planning board as part of a planned residential unit development and subdivision, under the provisions of division 10 of article IV and division 4 of article XVII of this chapter.

- (5) Mobile home parks, subject to the requirements and conditions of section 60-669, mobile home park standards.
 - (6) Licensed veterinarians provided that the lot is of at least three acres.
 - (7) Wayside stands.
 - (8) Accessory uses, buildings or structures.
 - (9) Lawn maintenance services.
 - (10) Municipal uses and buildings.
- (b) *Special exception uses.* The following uses are permitted by special exception after approval by the planning board in accordance with the provisions of division 3 of article XVI of this chapter:
- (1) Radio, radar, television and radio-telephone transmitting or broadcasting towers, but not studios or offices for such transmitting or broadcasting, provided that:
 - a. Every such tower shall be installed in a location and manner that ensures its safe operation and the safety of the surrounding residents, buildings occupants, land uses and properties.
 - b. In no case shall such tower be located less than 1½ times its height from the nearest property line.
 - (2) Care homes, lodging houses and boardinghouses.
 - (3) Recreational uses of land intended or designed for public use, subject to the following conditions:
 - a. No such recreational use shall be expanded or extended, so as to occupy additional land area greater than 20 percent of the original area or one acre, whichever is less; or by the construction of a structure or an addition to an existing structure by more than 900 square feet of additional floor space unless the owner or occupant first obtains approval of the planning board.
 - b. Any proposed new or expanded recreational use shall be completed on or before the estimated completion date except that the planning board may grant reasonable extension of time where good cause for the failure to complete is shown.
 - (4) Child day care centers, provided that:
 - a. They are located on arterial and collector streets as defined in the Auburn Tomorrow Comprehensive Plan.
 - b. They shall not be located closer than 1,000 feet from other established day care centers.
 - c. These standards shall not apply to section 60-52.
 - (5) Cemeteries, provided that:
 - a. At least 20 acres in area.
 - b. Not located in any environmental overlay district or over any known aquifer.
 - (6) Community-based residential facilities, provided that:
 - a. The minimum distance between any two such facilities shall be 1,500 feet.
 - b. Any such facility shall house no more than eight persons.
 - (7) Licensed kennels provided that there shall be available land area of at least three acres.
 - (8) Training schools.
 - (9) Handling, storage and sale of agricultural services, equipment, and supplies accessory to the farming use.
 - (10) Adult day centers.

Deleted: d

- (11) Landscape services.
- (12) Wholesale nurseries, subject to the following conditions:
 - a. At least one-half of the area of the lot (up to a maximum of three acres) is in active nursery production in a husband type manner.
 - b. The plants and trees propagated, grown and nurtured in the nursery are used as the primary products by the owner/operator of the landscape service.
- (13) Schools.
- (14) Churches or temples.
- (15) Libraries.
- (16) Museums.
- (17) Adaptive reuse of structures of community significance.

(Ord. of 9-21-2009, § 3.41B; Ord. No. 05-04032017, § 2, 4-24-2017)

Sec. 60-230. - Dimensional regulations.

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

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

(Ord. of 9-21-2009, § 3.41C)

Secs. 60-231—60-253. - Reserved.



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: September 9, 2019 **Order:** 104-09092019

Author: Eric J. Cousens, Deputy Director and Michael Chamings, Director of Economic and Community Development

Subject: Proposed Zoning Map Amendment at 965 Minot Avenue

Information: There are a few ways to initiate a zoning amendment. The ordinance states: Amendments to the zoning ordinance, including the zoning map, may be initiated by the planning board on its own initiative or upon request by the city council or by a petition signed by not less than 25 registered voters of the city.

We have been working with John Petrocelli to discuss a change that would expand the commercial zone at his business (attached), and he has chosen to collect more than enough signatures to show support and to ask the Council to formally initiate the change.

We received a request from CC Titus to place this on a CC Workshop, with a copy of a petition. We are asking the Council to refer this to the Planning Board to give this formal consideration. The Planning Board would then to hold a Public Hearing with notification to property owners within 500' and provide a recommendation to the Council. Next the Council would hold a workshop(if desired), 2 readings and a Public Hearing for final adoption or denial.

Staff believes this change will provide an opportunity for expanding the business and could allow for safer vehicular and delivery access on Garfield Road and Minot Avenue.

City Budgetary Impacts: None.

Staff Recommended Action: Refer the proposal to the Planning Board for public hearing and a recommendation to the Council.

Previous Meetings and History: None

City Manager Comments:

I concur with the recommendation. Signature:

A handwritten signature in blue ink that reads "Peter J. Cousens".

Attachments: Petition, Council Agenda Request Form, Order.

**CITY COUNCIL
AGENDA REQUEST FORM**

Requesting Councilor's Name: Andrew Titus, Ward 3

Supporting Councilor Name: Belinda Lury, At Large

Summary of Issue:

Petro's Ace Hardware and owner John Petrocelli Jr. is asking that a section of the land they own behind their business at 965 Minot Ave, be re-zoned to General Business II. This land borders Garfield Rd. (100ft frontage). The plan is to build an "exit" road for delivery trucks to leave his property via Garfield Rd.

Recommended Action for Consideration:

Because this section of Minot Ave. in front of his store is very busy, this change would allow delivery trucks leaving his business to turn onto Garfield Rd. The trucks would then use the traffic stop sign on Garfield Rd. to enter Minot Ave. This will make it safer for traffic on Minot Ave, as well as the truck drivers leaving the business's yard behind Petro's Ace Hardware.

In order for a workshop item to be considered for an upcoming Auburn City Council Workshop agenda, please complete the above and present it at any time to the Mayor and City Manager. Our goal is to have items requested on a workshop agenda within 90 days of the date received.

DO NOT WRITE BELOW THIS LINE

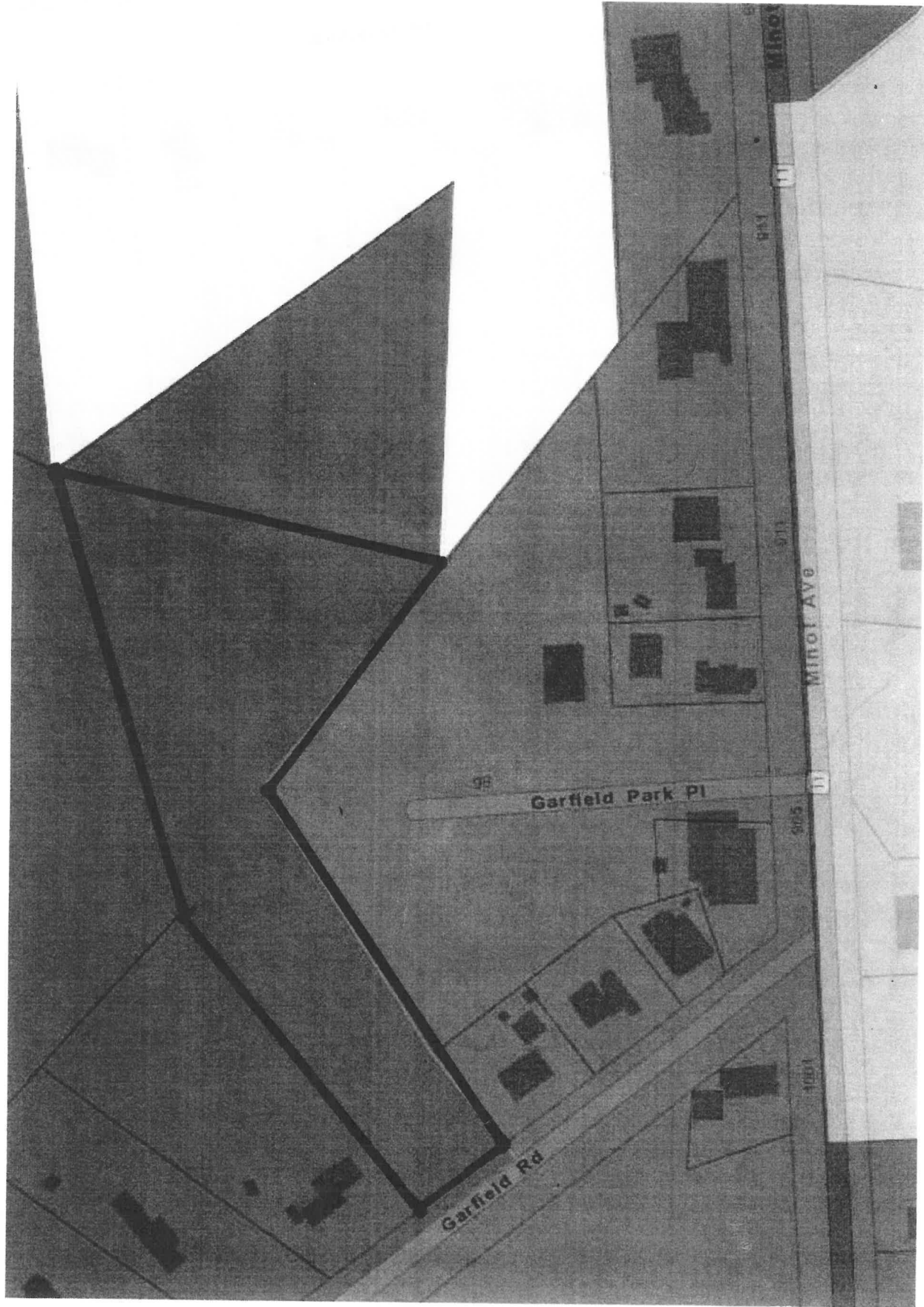
Date received by City Manager: _____

Date received by Mayor: _____

Recommended Date for Workshop Discussion: _____

Staff Assigned: _____

Proposed Minot Avenue and Garfield Road Zoning Map Amendment – Petro's Ace Hardware



REZONING PETITION

We, the undersigned registered voters of the City of Auburn, do herein petition the City of Auburn to amend the City of Auburn Zoning Map and the Future Land Use Map in the area of 951 Minot Avenue (PID#), 965 Minot Avenue (PID), and PID 217-002 to expand the General Business II Zoning District as shown on the attached map.

Print	Address	Sign
John Miller	134 STEVENS MILL RD	John Miller
SARAH MILLER	134 STEVENS MILL RD	Sarah Miller
Robert Thomas	138 Everett Rd. Auburn	Robert Thomas
Paul R. Har	470 Hubby Rd	Paul R. Har
Sean Colwell	23 Anita Ave	Sean Colwell
Don DeLoe	10 CORWELL AVE	Don DeLoe
Steven Day	34 Dillingham Hill Rd	Steven Day
Bruce Clark	81 Sunset Ave	Bruce Clark
MARK MACE	16 TOWNE ST	Mark Mace
Michael Bigne	33 Bramblewood Rd, Auburn ME 04210	Michael Bigne
John Santin	457 Stevens Mill Rd A	John Santin
Josh Wright	32 Houghton St	Josh Wright
Dave Ducharme	56 Longbow Ct	Dave Ducharme
Carolyn Fletcher	130 Riverside Ave	Carolyn Fletcher
Michael Gravel	6114 9th Ave	Michael Gravel
Cynthia St. Hilaire	219 Poland Rd	Cynthia St. Hilaire
Markman, Tom	227 Cook St	Markman, Tom
Stephen Doughty	35 W WAREHAM RD	Stephen Doughty
KEVIN L LANDRY	290 Manley Rd Auburn	Kevin L Landry
Jon Shaw	134 FAIRWAY RD	Jon Shaw
Dwayne Sanborn	64 Poland RD	Dwayne Sanborn
Gareth Sanborn	101 Valview Drive Auburn, ME	Gareth Sanborn
Scott Thebeau	101 Valview Dr. Auburn, ME	Scott Thebeau
Scott Demers	40 Sumner St Auburn Me.	Scott Demers
Emily Cuperbrook	918 Danville Corner Rd Auburn	Emily Cuperbrook
Kevin Joly	300 STEVENS MILL RD. AUBURN	Kevin Joly
Howard Sterling	167 Poland New Dr.	Howard Sterling
Seth Sterling	323 Minot Ave	Seth Sterling
FRANK GRANT	174 Monroe St	Frank Grant
GORDON SWEET	1724 MINOT AVE	Gordon O Sweet
Steve Landall	72 DAVIS AVE AUBURN	Steve Landall
	496 Poland Rd	Steve Landall

REZONING PETITION

We, the undersigned registered voters of the City of Auburn, do herein petition the City of Auburn to amend the City of Auburn Zoning Map and the Future Land Use Map in the area of 951 Minot Avenue (PID#), 965 Minot Avenue (PID), and PID 217-002 to expand the General Business II Zoning District as shown on the attached map.

Print	Address	Sign
Cameron Ivers	25 Carson Street, Auburn, ME	
Daryl LaMose	34 West Waterman Rd	
Reggie Boufford	57 PRESIDENTIAL WAY	
Jon Krumer	37 Carson St	
Leann Giguere	17 ARBONIA ST Auburn, ME	
Sabrina Turcotte	88 Cleveland Ave Auburn, Me	
Roger Bussiere	393 Center St #57	
GEORGE BOUCHLES	506 PARK AVE - AUBURN	
REGAN FOTTER	674 LAKE ST. AUBURN ME, USA	
PARLENE LEMIEUX	4 CONCORD PL Auburn, ME	
Cameron McIntosh	87 West Bates St. Auburn, ME	
MIKE MORIN	137 7th St. Auburn, ME	
DREH SALANGE	153 SUNDOWN DR Auburn, ME	
BILL CAMPBELL	176 WYLLIAM Rd	
Leann Giguere	10 Corn II Ave Auburn	
Pete Norrby	227 MELLOW RD.	
Douglas Gleason	583 WYLLIAM Hotel Rd	
Daniel MOISON	446 Mellow Road	
Amanda Morin	43 Dunn St.	
PETER GARCIA	201 WEST SHORE RD	
Louis St. Pierre - Ir	6000 521 Perkins Ridge Rd	
John Taylor	521 Perkins Ridge Rd	
Charles SIMA	6000 521 Perkins Ridge Rd	
Rick HAFNER	307 MELLOW Rd	
Patrick Francoeur	147 Broadview Ave	
STEPHEN BILLEY	33 MOORE BROOK RD AUB	
Michel O'Donnell	57 Pinnacle Drive Auburn ME 04210	
James Whitmore	37 RAFAEL ST Auburn, ME 04210	
Jenny Marchessault	24 PAVILLON DR AUBURN, ME 04210	
Richard Wing	285 GARFIELD Rd Auburn, ME	
SCOTT EATON	328 COOK ST AUBURN ME	
Michael Lupardo	100 TAFT AVE AUBURN, ME	



Measurement



| Acres ▾

Measurement Result

2.35 Acres

Clear

Press CTRL to enable snapping

Holly C. Lasagna, Ward One
Robert P. Hayes, Ward Two
Andrew D. Titus, Ward Three
Alfreda M. Fournier, Ward Four



Leroy G. Walker, Ward Five
Belinda A. Gerry, At Large
David C. Young, At Large

Jason J. Levesque, Mayor

IN CITY COUNCIL

ORDER: 104-09092019

ORDERED, That the Auburn City Council initiate consideration of a zoning map amendment in the area of 965 Minot Avenue as proposed by Councilor Titus and the owner of Petro's Ace Hardware by referring the proposal to the Planning Board for a Public Hearing a recommendation on how to proceed with the proposed amendment.



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: September 9, 2019

Order: 105-09092019

Author: Peter Crichton, City Manager

Subject: City Council Acceptance of Strategic Plan Report

Information: This is the presentation of the **Strategic Plan** that resulted from a nearly one-year process during which close to 100 residents, business leaders and community partners actively participated in conversations spanning 1,000 hours. This community-wide strategic planning process was designed to strengthen the City of Auburn's quality of life and enhance opportunities. The final recommendations within the report are the distillation of months of work by the Strategic Planning Committee and three Sub-Committees (Growth, Quality & Invest). The Strategic Planning Committee carefully crafted their final recommendations by analyzing strategies presented by the Sub-Committees and merging them with associated/complimentary strategies. Behind each recommendation are measured, supporting action steps that will assist with implementation.

The Strategic Plan contains not only the final recommendations but includes messages from the Committee and Sub-Committee Chairs, prioritization exercises & work product of the sub-committees and other supporting documentation.

City Budgetary Impacts: N/A

Staff Recommended Action: Recommend that the City Council will accept the Strategic Plan Report.

Previous Meetings and History: Annual City Council Retreat/City Council Meeting on August 6, 2018/City Council Meeting on August 20, 2018/City Council Workshop on September 10, 2018/City Council Resolve passed on September 17, 2018. This was presented to the Council at a Workshop on August 19, 2019.

City Manager Comments:

Signature: 

Attachments: Strategic Plan PDF

STRATEGIC PLAN

For the City of
Auburn, Maine



AUGUST 2019

CITY COUNCIL

2018-2019

Mayor | Jason J. Levesque
Ward 1 | Holly C. Lasagna
Ward 2 | Robert P. Hayes
Ward 3 | Andrew D. Titus
Ward 4 | Alfreda M. Fournier
Ward 5 | Leroy G. Walker, Sr.
At-Large | Belinda A. Gerry
At-Large | David C. Young

City Manager
Peter Crichton

Assistant City Manager
Phillip L. Crowell, Jr.



COUNCIL RESOLVE

#12-09172018

“Whereas, the City of Auburn has a Comprehensive Plan that is well underway; Whereas, the City of Auburn remains committed to the progress and completion of the Comprehensive Plan; Whereas, the City of Auburn is committed to safe, sustainable, and livable neighborhoods; Whereas, we are a unique small city that offers a quality education and bold economic, recreation, and housing opportunities; Whereas, the Comprehensive Plan states that it is the primary responsibility of the City Manager to implement the Plan; Whereas, the Strategic Plan is a management tool for the implementation of the Plan and other challenges facing the City; Whereas, the Council will vote on each committee and its membership, the charge for each committee, and receive a report back from each committee; Now, therefore, be it resolved that the City Council supports the creation of a Strategic Plan; Be it further resolved that the strategic planning process shall utilize three committees with Growth, Quality of Life, and Investment; And be it further resolved that under the direction and approval of the City Council, the City Manager shall move forward with the strategic planning process.”

PASSED BY UNANIMOUS VOTE: 7-0
AUBURN, MAINE | SEPTEMBER 17, 2018

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“This Strategic Plan will help position Auburn to become one of the best small cities in America.”

Peter Crichton, Auburn City Manager

A NOTE FROM THE CHAIR

Clifton Greim, P.E. President & CEO, Harriman



Dear Mayor, Councilors, community and contributors;

Successful achievement of goals in any organization, municipality or region begins with an inclusive and clear planning process. The City of Auburn's efforts to attract and retain residents, businesses, and community investment have helped me realize the value of developing a Strategic Plan. A Plan to provide clarity in our community's vision, and priorities and strategies for evolving and reaching our goals and objectives. Most importantly, a Plan that can be shared, measured, marketed, and communicated clearly and consistently.

A well-developed strategic plan speaks to a community that has aspirations and is invested in measured results; a community that has focus, is organized and is a great place to live and work. This is essential in today's competitive market.

With this Strategic Plan in place, the City of Auburn's administration will have a roadmap to follow and the Plan will offer the ability to mark and report on progress. As citizens, we will also be able to see the advancement of the envisioned results. This Strategic Plan will inform the Comprehensive planning process, and land use, zoning and facilities will benefit from the clarity and priorities established through this Plan.

I want to acknowledge the support, trust and participation from Auburn's Mayor and the City Council. Their leadership has brought this planning to reality. I also want to thank the many community citizens for their commitment and hours of valuable insight, wisdom and aspirations. We are lucky to live in a community that has such citizen response.

Special thanks to the three chairs of our sub-committees: Rick Malinowski, Chair of the Growth Sub-Committee; Dave Gonyea, Chair of the Quality Sub-Committee; and Bob Stone, Chair of the Invest Sub-Committee. Great leadership.

My personal thanks to Auburn's incredible City administration. Our City is fortunate to have such a high-performing and skilled staff! City Manager Peter Crichton and Assistant City Manager Phil Crowell provided direction and leadership throughout this process. Communications and Compliance Manager Liz Allen has been nothing short of amazing in her day-to-day engagement. Thanks, as well to Jody Durisko, Executive Assistant, for her creative scheduling and participation.

Lastly, my thanks to Harriman's Director of Planning, Emily Keys Innes. Her engagement and perspective provided alignment and great benchmarking measures.

I have been proud and honored to be part of this process and to participate with such a fantastic group of contributors. My level of confidence and excitement for this community's future has never been higher.

Congratulations, thank you...and onward and upward!

Clif Greim
President, Harriman



A NOTE FROM THE MANAGER

Peter Crichton, Auburn City Manager

Dear Mayor, Councilors, and Community;

As you can probably imagine, running a city can be a challenging and exciting adventure! We truly have a great team who are making things happen every day. But, of course, there are always more priorities than there are personnel and fiscal resources available to address the many demands and needs that a community our size faces. The City's loss of \$18.3 million in municipal revenue sharing to the state of Maine since 2010 has made it particularly challenging and difficult to accomplish everything that elected officials, citizens, and groups would like to see done.

So, what can be done? How can we best move the city forward with so many competing demands and needs? The answer is a dynamic and transformative Strategic Plan! This is a plan that will help guide the City's leaders on the multitude of investments that we could be making, and which of these investments should be a high priority as we strive to be one of the *best small cities in America*. This report is the result of many, many hours of conversations that, through a consensus decision making process, recommends what we hope you will agree should be considered the highest priorities for the City in the next 3-5 years.

This is not an updated Comprehensive Plan for the City. That update is coming in the not too-distant future. Instead, this is a blueprint for strategic decisions – that with the support and approval of the City Council – will enable the City to be more highly successful and position us for even greater economic success. The Plan addresses issues concerning growth, quality, and investment and as you will read, sets a clear path for the City to follow.

I have tremendous admiration and appreciation for the volunteers and city staff who participated in this process. We were very fortunate to have Clif Greim, CEO of Harriman, as the Chair of the Strategic Planning Committee, together with an outstanding group of individuals who served on the committee. Our three Sub-committee Chairs were: Rick Malinowski for Growth, Dave Gonyea for Quality, and Bob Stone for Investments. Thank you to everyone who stepped up to play a role on the Strategic Planning Committee and Sub-committees (see Appendix 1).

My personal thanks to Assistant City Manager Phil Crowell for quarterbacking this process in outstanding fashion on a day-to-day basis and to our Compliance & Communications Manager Liz Allen, and Jody Durisko, Executive Assistant for the City Manager's Office for their exceptional assistance. Thanks also to Emily Keys Innes from Harriman, who helped assist us with this process.

Special thanks to the City Council and Mayor for their support and trust in this process. This is an important initiative by the City of Auburn. I look forward to seeing this report's strategies and recommendations placed before the City Council. Challenges and opportunities are all around us and with these decisions come financial commitments that will have to be made. The implementation of the report is an important step forward. Only by working together can we improve the future of the City.

Respectfully,
Peter J. Crichton, City Manager

STRATEGIC PLANNING: BY THE NUMBERS

Through visioning, brainstorming, and prioritization, participants in Auburn’s Strategic Planning process captured what they felt were the most pressing issues, developed transformative strategies to address them, and made recommendations that lay the foundation for the work of the City moving forward. The image below represents the process “by the numbers.”



THE PLAN: FINAL RECOMMENDATIONS

The final recommendations below are the distillation of months of work by the Sub-Committees and Strategic Planning Committee. The SP Committee carefully crafted their recommendations by analyzing the **24 strategies** presented by the Sub-Committees and merging them with associated/complimentary strategies. These recommendations are not listed in order of priority, but according to the sub-group from which they emerged. Behind each recommendation are measured, supporting action steps that will assist with implementation. Refer to Appendix 3 to learn more.

Work to protect and fully enjoy Auburn’s natural resources

FROM GROWTH 1

Prioritize transportation by using transit to connect people with communities, employment & services

FROM QUALITY 1 & GROWTH 4

Protect Lake Auburn and all other bodies of water

FROM GROWTH 1

Improve image of schools and increase commitment to and value of education

FROM QUALITY 2 & GROWTH 3

Develop a downtown management district focusing on Great Falls Plaza, downtown & the Androscoggin River

FROM GROWTH 2

Study and plan to increase pedestrian environment, to include connectivity

FROM QUALITY 3 & GROWTH 4

Define and promote industry clusters

FROM GROWTH 2

Establish a city-wide communications plan

FROM QUALITY 4

Address identified public service and infrastructure needs

FROM GROWTH 4

Invest in arts, history, culture, recreation, and entertainment

FROM QUALITY 5

Define neighborhoods; support rehabilitation and beautification

FROM GROWTH 5

One Vision. One Plan. One Voice.

The City of Auburn embarked upon this strategic planning process with the desire for **one vision, one plan, one voice.**

ONE VISION

The City’s vision - as established by the Comprehensive Plan and City Council priorities - remains clear:

“Auburn will be a community that balances urban & rural living, with safe, sustainable, livable neighborhoods that are well-connected; a community to be proud of, with a vibrant workforce and resources that are preserved and protected; a unique small city that offers quality education and bold economic, recreation, and housing opportunities.”

ONE PLAN

Auburn’s **Comprehensive Plan** serves as a guide for decisions the City must make about growth, development, redevelopment and changes. The Comp Plan established **207** ongoing, short- and long-term strategies for the City. While action has been taken on 89% of these strategies, a well-defined plan for the implementation of the Comprehensive Plan - a multi-year *Strategic Plan* with annual updates - will be instrumental as the City works to implement the remaining strategies and prepares for the next Comprehensive Plan update.



ONE VOICE

Based on the City’s vision, three focus areas were identified: GROWTH [develop & grow our city], QUALITY [enhance our quality of life], and INVEST [invest in our future]. These three focus areas aligned perfectly with the vision and evolved into the Strategic Planning Sub-committees, which included members of Auburn’s business, non-profit, residential, and education communities. In addition, each sub-committee had representatives from city departments.

Each group was tasked with setting goals, creating solutions, prioritizing, and coming up with action steps to implement them. The groups were led by a chairperson and a facilitator who helped direct large and small group work.



“ Auburn will be a community that balances urban & rural living, with safe, sustainable, livable neighborhoods that are well-connected; a community to be proud of, with a vibrant workforce and resources that are preserved and protected; a unique small city that offers quality education and bold economic, recreation, and housing opportunities. ”



COLLABORATION

Quality Sub-Committee

DAVID GONYEA, CHAIR | Central Maine Community College

I was pleased to chair the Quality Sub-Committee as part of the City of Auburn's strategic planning process. The sub-committee benefited from the input of a cross section of our fellow Auburn neighbors who shared their own vision and goals for the city. The process was deliberate and thoughtful, and allowed the opportunity for committee members to provide input and opinions on how to best move Auburn forward.

On behalf of the members of my sub-committee, I am proud of our work and thankful that city officials value our input. We understand that this is only the beginning and will work diligently in the future to follow the blueprint set forth.

*David Gonyea, Central Maine Community College
Quality Sub-Committee Chair*

The goal of the Quality Sub-committee was to develop and grow the city so Auburn will be... *a community to be proud of, with a vibrant workforce and resources that are preserved and well protected.*

Quality sub-committee members worked toward goals that would help the city achieve their vision.

Growth Sub-Committee

RICK MALINOWSKI, CHAIR | Procter & Gamble Co.

The Growth Sub-Committee accepted the challenge of developing strategy recommendations to support the development and growth of Auburn, while maintaining the balance of urban and rural living. We put a great deal of emphasis on the character of different neighborhoods and the downtown. We talked about how to leverage the uniqueness of each area in a way that promotes growth but maintains the most desirable aspects of that area. The team was enabled to develop real, actionable recommendations through a combination of an outstanding process lead by the City leadership and a team comprised of people who live, work and believe in the City of Auburn.

The vision of the Growth Sub-committee was to develop and grow the city so Auburn will be... *a community that balances urban and rural living, with safe, sustainable, livable neighborhoods that are well connected.*

Sub-committee members developed several goals that would help the city achieve this vision.

I believe the recommendations made by the Strategic Planning Committee put forth a road map that can deliver real measurable positive change. The future of the City of Auburn is a bright one.

*Rick Malinowski, Tambrands Inc., A Procter & Gamble Co.
Growth Sub-Committee Chair*

GOAL STATEMENTS

During their first meeting, the Quality and Growth Sub-committees enhanced the focus areas identified at the Launch Event. The goal statements evolved into work-groups within the Sub-committees, and participants expanded on the goal statements, forming solutions, action steps and tasks for each.

*Note: the Growth 3 and Quality 2 work groups were blended, resulting in 9 overall goal statements.

GROWTH 1 - RECREATION/NATURAL

RESOURCES: Create, support and market an accessible, connected, and diverse network of recreation and natural resources that provides both destinations and pathways for residents and visitors.

GROWTH 2 - DOWNTOWN & BUSINESS PARK:

Develop clear identities for Auburn's downtown and industrial park that considers scale, connectivity, use (including mixed) and integrity to maximize their appeal.

GROWTH 3 - EDUCATION: Develop education strategies for all stages of life that are dynamic, innovative, and collaborative to develop a foundation for economic and personal development.

GROWTH 4 - DIRECTED PUBLIC INFRASTRUCTURE:

Invest in and maintain the infrastructure necessary to provide a sustainable, safe and livable environment.

GROWTH 5 - HOUSING:

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

QUALITY 1 - EMPLOYMENT OPPORTUNITIES:

Attract quality businesses by creating an environment where business can succeed. Collaborate with existing partners to ensure and foster a sustainable and satisfying lifestyle.

QUALITY 2 - EDUCATION: Continue to improve access to training programs designed to address workforce gaps; provide diverse, well-rounded education by partnering with available resources and businesses. Protect funding and support for educators, facilities, and accessibility.

QUALITY 3 - COMMUNITY CONNECTIONS: Support all residents by fostering a sense of unity while honoring diversity & coordinating community resources and assets to provide wraparound support to all residents.

QUALITY 4 - PR, IMAGE & BRANDING:

Dedicate resources to define our image and identity to build a sense of community.

QUALITY 5 - ENTERTAINMENT/CULTURAL OPPORTUNITIES & HISTORIC PRESERVATION:

Recognize the value of historic, cultural, and artistic assets and activities in enriching people's lives and promoting community life. Support the development of future opportunities in culture and the arts.



“SMARTER” GOALS EXERCISE



“Smarter” goals help clarify ideas and focus efforts. The Strategic Planning Committee encouraged Quality and Growth Sub-committee members to apply this “filter” to help with motivation and clarity and lead to a well-constructed Strategic Plan for Auburn.

Each group’s **initial solutions and steps** were run through the filters of **S, M, A and R** (the Strategic Planning Committee worked on T, E , R). If an item was found to NOT be specific, measurable, attainable, and realistic, members worked to build consensus and improve upon the goal.

The SMARTER exercise produced effective, impactful goal statements and solutions, which led to the next step in the process: PRIORITIZATION.

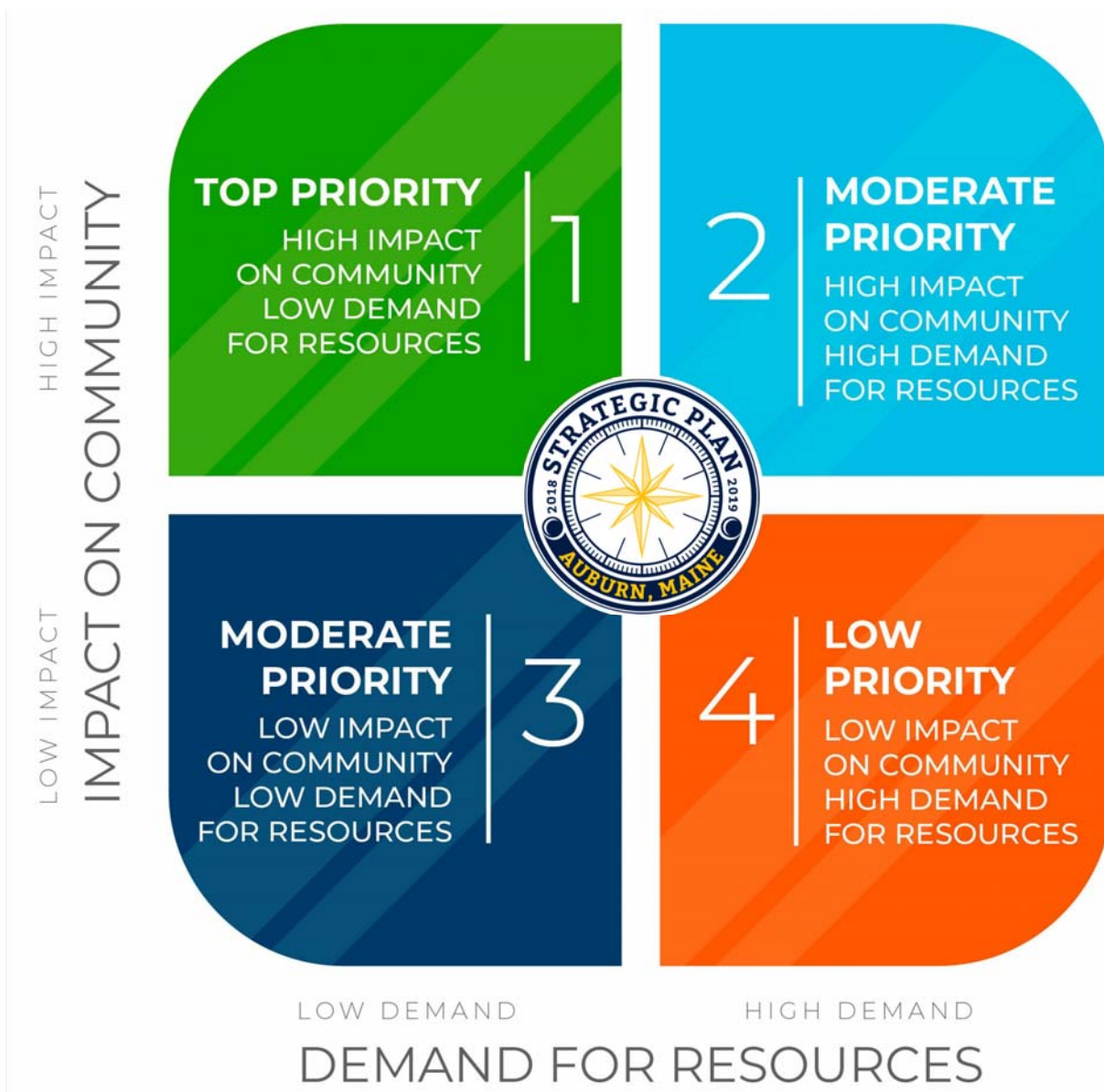
See Appendix 3 for the solutions and steps that evolved from the SMARTER exercise.

PRIORITIZATION MATRIX

One of the most important components of Auburn’s Strategic Planning process: vision.

Members of the Committee developed a prioritization matrix through which sub-committee goal statements would be “filtered.” Goals that would be likely to produce the highest impact and put the least demand on community resources were ranked as a 1. Those that would be likely to have a high impact, but put a high demand on resources were given a 2. If they would only make a low impact, even if they required few resources, they were given a 3. And, those that would make a low impact, but demand significant resources were given a 4.

Ranking results can be found in Appendix 3 of this report.



COLLABORATION

Invest Sub-Committee

ROBERT STONE, CHAIR

The Invest Sub-Committee was charged with discussing and developing a number of strategies generated by the Growth and Quality Sub-Committees. The community-wide planning exercise yielded a large number of ideas pertaining to the city's growth and quality of life. The exciting ideas were, because of the sheer numbers, run through a prioritization process to establish a workable scope of work for the Invest Sub-Committee.

Twenty-four strategies were presented to the Invest Sub-Committee. The committee was organized into sub-groups and the strategies randomly assigned to the sub-groups. The sub-groups convened for the purpose of further defining and detailing the strategies for inclusion in the final report to be presented to the Auburn City Council.

The entire Strategic Planning exercise was a stimulating and positive experience which surely will be of value to the City Council and City Staff as we move forward into the 2020's in the great community of Auburn.

Robert Stone, Invest Sub-Committee Chair

The goal of the **Invest Sub-committee** was to develop and grow the city so Auburn will be *a unique small city that offers quality education and bold economic, recreation, and housing opportunities.*

The Invest committee began their work after the Growth and Quality Sub-committees completed and reported out on their work. Their task was to take the work and look at the scale and scope of the resources that would be required.

The Invest Sub-committee explored what, if any, programs and services were already contributing to these goals while considering resources that may be available beyond city revenues. The analysis and work of this sub-committee evolved into the **final recommendations** presented by the Strategic Planning Committee.

STRATEGIC PLANNING:

Concept to Plan An Executive Summary

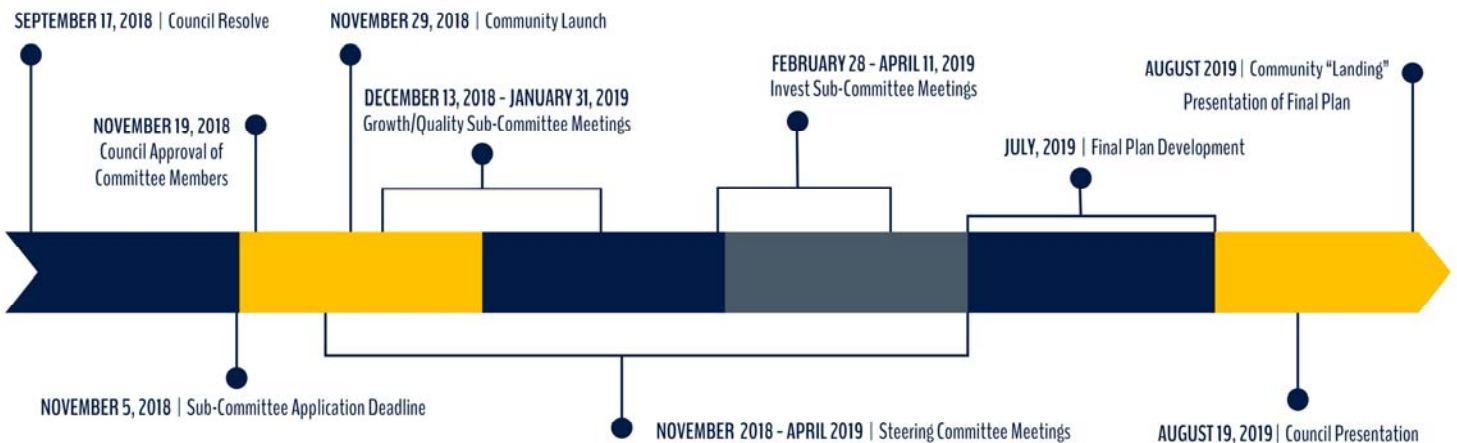
During the past 150 years, Auburn has developed a rich heritage, a strong economic base, and significant community pride. City staff seek to deliver high-quality services to the community in a way that upholds the vision and values that make Auburn the thriving community it is today.

This Strategic Plan is a blueprint to help guide the City’s day-to-day operations and its capital improvement and revitalization programs. This Plan is formulated into three focus areas: Growth, Quality and Invest.

Auburn’s City Council appointed community leaders, elected officials, and school and city staff to make up the team of engaged individuals to chart the plan to develop and **GROW** our city, enhance the **QUALITY OF LIFE** of our residents, and **INVEST** in our future. Members were assigned to the Strategic Planning Committee and three Sub-Committees.

The Growth and Quality Sub-Committees identified **Strategic Goals**, along with corresponding priorities for each. These were presented to the Invest Sub-committee, which identified action steps necessary for implementation.

Through visioning, brainstorming, and prioritization exercises, participants captured what they felt were the most pressing issues, developed transformative strategies to address them, and made recommendations to help the City of Auburn move forward. Auburn’s Strategic Planning process blended citizen involvement with staff experience and as depicted in the timeline below, in an impressive effort that lasted just short of a year, this Strategic Plan was built with care, with enthusiasm and with devotion to a great city.



FINAL THOUGHTS: A strategic plan to take Auburn into the next 150 years



Auburn, Maine is an outstanding small city whose geographic location and scale, natural resources, population diversity, long-standing economic initiative, and commitment to a high quality of life make it an appealing place to live and work, play and visit.

It is also a city determined to continue improving. That is why for the past six months, nearly 100 people have actively participated in conversations spanning 1,000 hours, all as a part of a community-wide strategic planning process designed to strengthen the city's quality and enhance its opportunities.

As this work unfolded, a number of core values emerged which became the guiding “north star” for the process. Together, these values speak not only to the mission that come to defining the planning process but also, more importantly, to the character of Auburn itself:

Auburn is committed to the importance of a dynamic downtown and strong neighborhoods that, together with a well-protected environment, offer healthy and sustainable living and make ours a welcoming, inclusive community. We believe Auburn is most successful when people feel engaged, connected and empowered here and when they see themselves and this community as economically resilient.

~Auburn's Strategic Planning Committee

“

“Every citizen of Auburn should read this Strategic Plan. Everyone in the *region* should read it. This is a living-breathing document. Thanks to a collaborative, positive process, the path forward is here.” Clif Greim, Strategic Planning Committee Chair

“This document will be referred back to, and often. It will become part of the lexicon of this organization - everything you do will tie back to it.” Dave Gonyea, Quality Sub-Committee Chair

“A strategic plan is a bedrock principle of any good organization. I have faith in this plan, and with the proper commitment, it will lead to success. Don't just put it on a shelf.”

Bob Stone, Invest Sub-Committee Chair

”

APPENDICES

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Appendix 1

PARTICIPANTS

A plan built for the community, by the community.

Auburn’s strategic planning process was expertly and thoughtfully steered by the **Strategic Planning Committee** and the components were built by three sub-committees.

Members of Auburn’s business, non-profit, residential, and education communities participated at both the committee and sub-committee level, and every single member was critically important to the success of the project.

City staff supported, complimented and facilitated the process.

Strategic Planning Committee

Clifton Greim, Chair

Rick Malinowski, Growth Sub-Committee Chair

David Gonyea, Quality Sub-Committee Chair

Robert Stone, Invest Sub-Committee Chair

Mayor Jason Levesque

Councilor Holly

Lasagna

Councilor Leroy Walker

Peter Crichton

Phil Crowell

Katy Grondin

Michael Chamings

Fatuma Hussein

Emily Keys Innes

Adam Lee

Stephen Milks

Jan Phillips

Jodi Redmun

Mary Sylvester

Auburn City Council

Mayor | Jason J. Levesque

Ward 1 | Holly C. Lasagna

Ward 2 | Robert P. Hayes

Ward 3 | Andrew D. Titus

Ward 4 | Alfreda M. Fournier

Ward 5 | Leroy G. Walker, Sr.

At-Large | Belinda A. Gerry

At-Large | David C. Young

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Jeanette August
Darcie Beaudin
Sharon Benoit
Scott Berry
Katie Boss
Sam Boss
Robert Boyer
Brian Carrier
John Cleveland
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Christine Mumau
Holli Olivier
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Appendix 3

SCOPE OF WORK DOCUMENTS WITH PRIORITIZATION MATRIX RESULTS



GROWTH Goal 1

Goal Statement: Recreation/Natural Resources – Create, support and market an accessible, connected, and diverse network of recreation and natural resources that provides both destinations and pathways for residents and visitors

Solutions:

1. Protect and provide access to Lake Auburn & Bodies of Water
 - a. Natural Resources
 - i. Drinking Water: Develop a plan to implement a filtration system for drinkable water out of Lake Auburn **2**
 - ii. Inventory list of all bodies of water access points and develop baseline testing **1**
 - b. Recreational Opportunities
 - i. Swimming and access to water activities: Conduct a “swimability” assessment with recommendations on how to create swimming locations and safe standards in Auburn. **1**
 - ii. Events and Programs: Establish a year-round events/program guide for opportunities to do: Boating, Kayaking, Canoeing, Fishing, Ice Fishing, Snowmobile access in wintertime, swimming, etc. **3**
2. Identity, Map, & List Recreational Properties
 - a. Natural Resources
 - i. Compile an Inventory List and breakdown of uses for all recreational properties city and non-city owned. (Trails, Open Spaces, River, Mt. Apatite); Establish a GIS Map with the different layers of uses for this inventory list; and perform a needs assessment to Identify missing venues and access for natural recreational areas (Open spaces, trails, connectivity) **1**
 - b. Recreational Opportunities
 - i. Compile an inventory list and breakdown of uses for all rentable sports and organized recreational programs. (Gyms, Fields, Indoor Turf, Ice Rink, Gathering Areas, Age Friendly Centers) **2**
3. Community Partnerships
 - a. Natural Resources
 - i. Promote thru educational pamphlets, maps, and websites; agreements with already established organizations and businesses that provide public access to natural resource locations; YMCA Trails, ALT, Lake Auburn Watershed Protection. **3**
 - b. Recreational Opportunities
 - i. Develop and implement a Joint Use Agreement with the School dept. on the new fields, gyms, and auditorium to ensure public access outside of school related functions. **2**
4. Future Development and Funding
 - a. Natural Resources
 - i. Explore Grant opportunities with local partners for new trails and parks. **3**
 - ii. Update and Implement the Subdivision Ordinance that requires new developers to invest in open spaces, trails, and parks. **1**
 - iii. Develop incentives and other funding sources such as tax breaks and TIF’s to encourage local business and landowners to allow for public access and recreational opportunities. **4**
 - iv. Develop a plan and timeline for connecting all trails within Auburn while focusing on walkability. **1**

b. Recreation Opportunities

- i. Develop an Outdoor Recreational Complex that includes multiple fields that are multi-sport adaptable, trails, and open spaces. **2**
- ii. Develop and maintain an inventory list of unused open spaces and allow for neighborhood access.
- iii. Finish renovating the New Age Friendly Center and develop a comprehensive list of programs and events, working with community partners. **1**

GROWTH Goal 2

Goal Statement: Downtown and Business Park – Develop clear identities for Auburn’s downtown and industrial park that considers scale, connectivity, use (incl. mixed) and integrity to maximize their appeal.

Solutions:

Goals, purposes and solutions for the downtown and industrial areas need to be defined separately, because they serve distinctly different city functions:

- A. The Downtown should be the focal point for culture, arts, events and entertainment necessary to attract and retain millennials & professionals – without a great downtown all other economic development and millennial retention and attraction activities will be challenged.
- B. Promote our large Industrial areas as the space for creating large scale sustainable industry clusters (i.e. solar & wind energy, Agri-biz, hydroponics, hemp, marijuana - processing & distribution)

Downtown Solutions – Four Transformational Actions

1. A viable downtown is Walkable – Study & plan to increase “walkability.” While there are technically sidewalks in the downtown, it is not considered “walkable” due to the limited space provided, poor maintenance in winter, lack of lighting & ped space in Great Falls area, heavy volume and width of Court Street, and weak visual and spatial attention to cross walks. **2**
 - a. Expand sidewalk and crosswalk widths and remove sidewalk posts & signs that prohibit good winter maintenance
 - b. Narrow Court Street to two lanes with parking and sidewalks to slow traffic and reconnect the “center”
 - c. More outdoor seating and dining opportunities, with wider sidewalks (Main Street sidewalks are a great start) are needed throughout
2. Redevelop the Great Falls Area to achieve the critical mass needed for multiple destination, mixed-use activities. The adopted Form-based code allows up-to 8 stories in the Great Falls area, and up-to 6 in the city center areas, with 90 & 80% lot coverage, which calls for big redevelopment projects to create a shift in how the downtown functions **2**
 - a. Multi-use buildings that have higher-end housing, parking garages (instead of surface lots), ground floor food, retail, personal services & entertainment (2 screen theater) would provide new anchors, clean-up surface parking dead space, create higher income 24/7 residents & create destinations for city residents and visitors.
 - b. Needs a more diverse mixture of uses, “anchors” and more than one reason to be “downtown”
 - c. A mix of residential types, price-points and formats need to be part of the downtown composition
 - d. The current anchors, Gritty’s, the Hilton, the Court House, City Hall, Library, Hannaford & the YMCA, are single-purpose destinations and shopping & entertainment destinations are needed to keep people downtown
3. Establish a downtown management district and “coordinator” as a convener and manager to deconflict Great Falls, Library & Hotel event parking issues, program events, market space, mix of uses, and facilitate incentives. **1**
 - a. Manage mix of uses (like a Mall)- Shopping, ground floor retail, unique hh goods & furnishings need to be located in downtown (captive markets - professionals and hotel guests have nowhere to go for goods, browsing or entertainment)
 - b. Actively support (financial incentives to make pro-forma work) retail and housing entrepreneurs trying to bring uses downtown (don’t just support the big guys along Center, Minot and Hotel)
 - c. Create some meter parking to alert and constrain long-term parkers in turn-over locations like on-street near hotels, and library- funds to be dedicated to Downtown improvements and events programming
 - d. Install consistent lighting system in and around downtown that is easily maintained
4. Promote and create an identity for Downtown & New Auburn as the focal point for Arts and Entertainment **1**
 - a. Year-round event programming for the downtown (build on New Year’s Eve success) - Downtown should be **the** focal point for community events and a “place to go & spend a day or evening
 - b. Link with Quality Goal 5

Industrial Area(s)/Park Solutions – Four Transformational Actions

1. Promote and define industry clusters - Push Agricultural processing and distribution opportunities of Auburns' large ag & industrial land areas and policies – the growth of hemp, mushroom and other ag production and processing could create another “industry cluster” **1**
 - a. Take advantage of Governor Mills Clean Energy initiative and create an industry cluster for Wind & Solar manufacture and distribution using highway, rail and air and central state location as selling points.
 - b. Map and define existing industry types, patterns and possible existing industry clusters to identify agglomeration economies, vertical expansions and complimentary chain partners
 - c. Court the State House on the sustainable energy cluster idea & “revision energy” on our central location, rail, air & highway hub
 - d. Program and invest in infrastructure and services that support identified and targeted industry clusters
2. Re-examine (possibly rezone) zoning patterns to support cohesive, unified long-term investment for both industry and high-end housing - More clearly define and separate residential and industrially zoned land & define complimentary uses (ie. Ag and industry?) – conflicting land uses have been emerging with more housing (Millions of \$ in housing development are occurring near 95 and industrial zoned land) and more industry developing side-by-side, ala Merrow Road. **2**
3. Develop linkages and connectivity between industrial activity and other areas of the city to promote functionality and development. Encourage complimentary or co-locations between workers, supply chains, service needs and other goods and services. Cut down on VMT & increase sales, production and distribution. **3**
 - a. Create a Business Board at the interchange and/or at central airport & “park “locations to list/advertise our businesses to keep visitors/investors/businesses engaged and knowledgeable about our economic activity
 - b. Advertise/create “tours” of manufacturing operations such as Thomas Moser, Side-by-Each brewery, Good Shepherd, Tambrands, World Harbor, etc.
 - c. Incorporate/support ABDC work and studies into solution based “cluster” marketing & speculative building development for turn-key occupation
 - d. Utilize and/or program transit, shuttles or van pools to high employee destinations
4. Define the desired look, feel, function of corridors & gateways. Re-examine land use and zoning of major corridors/gateways zoned or in industrial use **2**
 - a. Identify industry clusters and long-term vision for each economic corridor (Washington Street, Minot, Center)

GROWTH Goal 3/QUALITY Goal 2

Goal Statement: Education – Develop education strategies for all stages of life that are dynamic, innovative, and collaborative to develop a foundation for economic and personal development.

Goal Statement: Education Opportunities – Continue to improve access to training programs designed to address workforce gaps and provide diverse and well-rounded education by partnering with available resources and businesses. Protect funding and support for educators, facilities, and accessibility.

Solutions:

1. Increase learning opportunities for all students.
2. Increase the community’s awareness and understanding of educational opportunities and programming.
3. Increase the community’s commitment to and value of education.
4. Improve the image of the school department.
5. Document the return on investment of school department programming.

Steps:

1. Solution: Increase Learning Opportunities for all students **2**
 - * Increase the number of elective offerings provided by community (at elementary, middle, or high school)
 - * Increase percent of children accessing early education (pre-K)
 - * Increase early (pre-high school) college and career experiences
2. Solution: Increase the community’s awareness and understanding of educational opportunities and programming. **1**
 - * Create a shared PR position (city/school) for the purpose of promoting city and school events and news via a wide variety of media outlets to target community members of a range of ages.
 - * Increase the frequency of positive stories that showcase success of students
3. Solution: Increase the community’s commitment to and value of education. **2**

- * Identify the barriers that families face in building aspirations
 - * Develop and implement a model with strategies to address identified barriers
 - * Connect youth with residents needing support/services
 - * Increase the number of volunteers in schools
4. Solution: Improve the image of our schools in our community and beyond. **1**
- * Monitor external “ratings” of school department and fight for corrected data when warranted.
 - * Create marketing materials (including print) to be distributed for use in promoting the School Department
 - * Create a plan for engaging with prospective residents, giving guided community tours (highlighting schools)
5. Document the return on investment of school department programming. **3**

GROWTH Goal 4

Goal Statement: Directed Public Infrastructure – Invest in and maintain the infrastructure necessary to provide a sustainable, safe and livable environment.

Solutions:

- Workshop which would include public input and council endorsement on existing long-range plans **1**
- New Public Safety Building **2**
- Sub Fire Station, South of Mellow Road for industrial growth needs, turnpike exit and airport **4**
- Define the desired pedestrian/trail network and future needs **3**
- Future space planning for City infrastructure, airport, housing **2**
- An efficient transit system that meets the needs of the public determined through ridership information and a survey of needs **4**
- Expand sewer/water service to accommodate future land use planning & space needs **4**
- Great Falls Masterplan Implementation **2**

Steps:

- Plans – should be marketed; public information sessions; social media, directed online polls, mailings
- Space needs analysis – engineering study, cost, publicize information
- Pedestrian/Trail networks – a prioritization of existing trail wants and needs
- Future space planning – Council/staff identify existing plans /future needs, publicize, Comp Plan needs to incorporate newly-identified items
- Transit - Increase funding so that more frequent predictable service hits the hot spots
- Water/Sewer - determine location based on the Comp. Plan and where future growth areas (ag zone changes) are anticipated

GROWTH Goal 5

Goal Statement: Housing – Efficiently utilize current housing stock and sustainable targeted residential development that supports and attracts [growth] residents and workforce.

Solutions:

1. Rehabilitate and improve curb appeal of downtown neighborhoods
2. Create more pride in neighborhoods
3. Continue to support development of market value housing by a secondary Turnpike exit

Steps:

1. Rehabilitate and improve curb appeal of residential neighborhoods **2**
 - a. Implement and enforce property maintenance codes to improve curb appeal of blighted areas by:
 - i. Creating policies that foster landlord associations and provide tax breaks for improvements that improve curb appeal
 - ii. Creating an assessment grace period to incentivize exterior property improvements (with a claw back policy in case a property owner does not follow through on approved changes) homeowners make to improve the aesthetic appearance & curb appeal of a property
 - iii. Amend refuse ordinance to remove debris from curb faster
 - iv. Hold landlords accountable who do not remove debris and/or do not comply with city ordinances.
 - iv. Budget for annual bulky waste removal for residents
 1. To offset cost, consider a curbside pickup program (such as Portland) where residents may request curbside pickup of up to 10 small bulky items at no charge, and large bulky items at a fee per item.

2. To offset cost and encourage recycling, consider a program requiring residents to purchase City of Auburn trash bags to dispose of waste. For households living in subsidized housing, provide bags free of charge and/or institute a waiver program.

3. To offset cost, consider creation of a drop off store/rummage sale location where donated, usable bulky/household items/furnishings can be resold at significant cost savings. For reference, Damariscotta has a program where they partner with a community organization and volunteers staff the rummage sale. This encourages reuse of usable quality items, keeping them out of landfills, provides low cost quality items to those in need, and creates a revenue stream that could be used to assist with neighborhood beautification, etc.

a. Goods not sold could be given to a community partner organization willing to provide these items for free to assist low income residents moving into housing without furniture or household goods.

b. Market available CDBG rehab programs by including specific program information/ relevant contact information for applying to eligible property owners when sending out tax bills. (What programs, who is eligible, how to apply)

2. Create more pride in neighborhoods **3**

a. Define the neighborhood geographically. City to facilitate by providing geographical boundaries (eg. Downtown, East Auburn, New Auburn, etc.)

b. Let residents name and brand their neighborhood. City to facilitate this process by coordinating neighborhood meetings and providing historical information, maps, and photos relevant to each neighborhood and/or properties within, for use in marketing and branding the neighborhood and highlighting the unique features.

c. Establish community/neighborhood watch groups for each neighborhood.

d. Hold neighborhood events. Include events targeted at increasing the number of young families participating. Use participation in community events, gatherings, and neighborhood watch groups as a measurement for pride in the neighborhood.

e. Establish groupings of adjoining neighborhoods to make up community associations that are either within a TIF district or can be established as a new TIF district if needed.

f. Use TIF funds to improve infrastructure in residential neighborhoods, such as sidewalks and lighting.

i. City employee to discuss with each community association that is eligible to receive TIF funds. City requests feedback from property owners within each association to best assess/prioritize the needs within the neighborhoods and prioritize TIF fund expenditure accordingly.

ii. Provide more incentives for residents to invest in their properties

3. Continue to support development of market value housing by a secondary Turnpike exit in Auburn **2**

a. As current zoning around the existing Turnpike exit is primarily industrial or agricultural, consider a secondary Turnpike exit in Auburn. Zoning around this new exit would be residential.

b. Increase stock of housing, especially in the \$200,000 - \$300,000 range, near the secondary turnpike exit, improving options for young professionals (and families) who may not have the time to revitalize older available housing stock and desire housing proximate to the turnpike.

c. Continue to work with developers to encourage new development of single-family homes in the \$200,000 - \$300,000 throughout Auburn

QUALITY Goal 1

Goal Statement: Employment Opportunities – Attract quality businesses by creating an environment where business can succeed. Collaborate with existing partners to ensure and foster a sustainable, satisfying lifestyle.

Solutions:

• Reduce the number of people who see transportation as an obstacle to working by 50% **4**

o People: Bus and passenger rail. Getting to and from work is an obstacle for some. If the public bus system is not meeting a large employers (ERs) needs, could they contribute for expanded service to avoid liabilities of transporting their own employees (EEs). Have the conversation.

• Create a metric to measure cost competitiveness to do business in Auburn over time, and in comparison with other Maine communities; provide concise information to the public and business community on strengths. **1**

o Freight connection strengths – Promote rail, air and highway connections in Auburn to increase their use. Utilities (Water, sewer, gas, electricity), high speed internet, taxes, FTZ, TIF, continue list and spread the word.

- o Predictable and Timely Permitting Environment – Delegated Reviews (Traffic, Stormwater, Site Law), Local site plan reviews and trades permits. Perception: Get the information out to people that may not currently know about the benefits of the local process and may not have considered a site in Auburn yet. Market strengths.
- Increase formal relationships with business and community partners. Collaboration and communication with stakeholders/shared interest groups is important. Raise awareness among City officials, staff and stakeholders so they can advocate to businesses about programs and resources available in the community. These programs support new business to include work by the chamber of commerce, workforce development programs, career center programs and transportation programs. **2**

Steps:

- Predictable Permitting Environment
 - o Compare Auburn to other communities including site plan review, delegated reviews, other permit wait times
 - o Establish process with single point advocate for permitting large projects – don’t send one project to various staff/ departments for individual specialized approvals. Continue one stop shopping approach and enhance by assigning lead person for larger projects that remain the contact from idea to completion.
- Transportation
 - o ERs are struggling to find and retain qualified EEs. Creative solutions and collaboration are needed. Ex: Bridges out of Poverty Program where ER hires person to contact EE with poor attendance and help them access services or assistance to overcome the cause and succeed. Could be transportation, childcare, temporary life event, auto breakdown, substance abuse, other. EE will not often approach ER with problem but will just stop going to work. ER assistance builds relationship, loyalty and retains EE if done carefully. Part of this belongs in another group.
 - o Identify large employers and explore improved bus availability and connectivity to large ERs. Consider customizing service to partner and meet specific needs identified.
 - o Turnpike Access -Collect existing data and reports; Designate responsible party/group to make the case for and request additional access to Maine Turnpike. Continued engagement until accomplished.
 - o Collect existing data and reports; Designate responsible party/group to make the case for and request commuter passenger rail connectivity to other employment centers. Continued engagement until accomplished.
- Use Metric to measure and improve cost competitiveness to do business in Auburn to attract investment and employers.
 - o Develop and measure baseline and track over time.
 - o Develop and distribute single guide & social media communication process promoting above metric and incentives to invest here.
 - o Extend water and sewer to future growth areas.
 - o Public Education on economic development programs, specifically TIF. There aren’t many other tools and they can be very advantageous to the community but suffer from a bad reputation as soon as you say the word. Use the tax shift value for infrastructure or needed incentives but don’t provide more incentive than needed. Develop simple to view metric with TIF specific costs and benefits displayed graphically that can be used to measure community benefits/costs of individual TIF proposals. Include tax shift, infrastructure, jobs, wages, need (to attract or lose investment), short- and long-term tax benefits or avoided costs (during and beyond TIF term), other TBD.
 - o Increase Legislative advocacy both in Augusta and at home by working more closely with elected representatives.

QUALITY Goal 3

Goal Statement: Community Connections – Support all residents by fostering a sense of unity while honoring diversity and coordinating community resources and assets to provide wraparound support to all residents.

Solutions:

- A. Neighborhoods
 - a. Identify and Define Neighborhoods
 - i. Define Neighborhoods by a combination between City Staff (GIS and Planning) and Neighborhood/ Community Members. Create a Map with the defined neighborhoods. (NextDoor App defined neighborhoods). **3**
 - ii. Signs (Hampshire Street Neighborhood Sign), using combination of CDBG, CIP, and grant funding. Focusing on the Major Corridor entry points. **2**

- iii. Community Watch Groups; continue with the APD program and look to develop the areas not being met. Look to support this program and initiatives thru staffing, funding projects or initiatives, and resources. Use this program to allow individual neighborhoods to have a voice on specific needs/projects in their neighborhood. **2**
- iv. How do you communicate (House Bound); Use resources such as Sun Journal, Facebook, Auburn Highlights, NextDoor App, and mailers (specific to hit the house bound individuals), Community Bulletin/message boards. Also utilize the City and Regional, Schools, Civic Groups, Meals on Wheels. **2**
- v. Neighborhood Events (BBQ, Block Party Trailer idea, what events do they want?) **1**
 - 1. What assets are in the neighborhood, landmarks, what are the recreational wants; infrastructure.
 - 2. CDBG Funding
 - 3. Include Businesses
- B. Communication
 - a. Auburn Community Survey on wants and needs in various methods (email, mail, in person, door to door) **1**
 - b. Event Calendar; we have so many different calendars can we create one central location for event calendar. Who would be responsible for the calendar, maintain, update, how would it be publicized? **4**
 - c. Events (City Wide)
- C. Diverse Offerings; Add a Cultural diversification type event that is offered annually, Food around the world Festival, Arts Workshop that teaches variety types of Art, Local Brewery event, Ultra Marathon event, Triathlon (Canoe instead of swim). Work off already established events such as the Triple Crown Races, Local Agriculture Fair. **2**
 - a. Volunteer Opportunities, work with not only individuals but with organizations and civic groups. **4**
- D. Organizations/Civic Groups
 - a. Creating a 'Match Making' Organization; Age Friendly connects seniors to the different programs and organizations within the community. Can the School Dept. cross promote local interest such as the City, YMCA, CLT? Or the Chamber or ABA. AKA cross promote? **2**
 - b. Identify umbrellas – Look to group similar organizations and civic groups under a generic 'umbrella' for collaboration, communication, cross marketing, events; all Arts are under one umbrella board, Arts and Culture LA. Ex. Chamber Non-Profit Concept
 - c. Host an Auburn Open House to allow for all groups to share their offerings and programs. An annual meeting with one rep from each group to talk about upcoming year programs, events, goals etc. **4**
- E. Public Spaces
 - a. Identify within each neighborhood and map the meeting/gathering spaces within neighborhoods or City (coffee shop, park, trail). See above about How to Identity wants for new infrastructure within the neighborhood ie. Dog Park (wish list) **1**
- F. Transportation
 - a. All major event and recreational locations should be a public transportation stop; Schools, Rec, Festival Plaza, Municipal Beach, Mt. Apatite, CLT, CMCC, Mall, All residential areas. AND they need to be operating at the time of the event and after the event so people can get home. **2/4**
 - b. Needs assessment and inventory of all-season walkability within neighborhoods and city. Ex. walking your dog in the summer is very different than walking your dog in the winter. **4**

QUALITY Goal 4

Goal Statement: Better Public Relations, Image, and Branding – Dedicate resources to define our image and identity to build a sense of community.

Solutions:

Three (3) parts to defining better public relations, image and branding:

- 1. Dedicating resources
 - a. Money
 - b. Website
 - c. Social Media Channels and voice
 - d. Local partnerships and businesses
 - e. Staff
 - f. Volunteers
 - g. Local Organizations and non-profits (Ex. Neighborhood groups)
 - h. Natural resources
 - i. Historic buildings

2. Defining our image
 - a. Auburn is a bedroom community
 - b. Our city is passionate about are citizens, businesses and educational opportunities
 - c. Recreation and Outdoor activities
 - d. Auburn is a perfect mix of urban and rural
 - e. Provides a quality of life that is healthy and safe
 - f. Vitality and access
 - g. Professional
3. Identify to build a sense of community
 - a. In order to build a sense of community the City of Auburn must be able to reach and engage the following populations: Families (traditional & non-traditional), Businesses, Youth and young professionals, Aging population

Steps:

- Improve communication through technology and different media channels, while keeping in mind the audience shared in building a sense of community
- LIVE HERE! (Find ways to “bait” and educate individuals and businesses about the city of Auburn)
- Prioritize are key/target demographics
- Build image around the “psychographics” of our demographic (what people want /are passionate about)
- Auburn Passport (hard copy and digital); Include interactive maps of the city
- Conduct studies and surveys; Segmentation surveys & Focus Groups
- Information packets that are targeted to specific demographics
 - o Families; Ex. Affordable housing, employment, living communities
 - o Businesses; Ex. Revitalization efforts, building incentives, unique business categories, incubator spaces
 - o Youth and Young Professionals; EX Information on open spaces, parks, activities, education, employment
 - o Aging and Age Friendly Population

Changes/Notes:

1. Establish a communication plan that integrates the city website, signage and social media voice keeping in mind designated demographics while building a sense of community. **2**
2. Create “Live Here” informational and event packets to educate visiting individuals/businesses about the City. **1**
3. Prioritize attracting key/target demographics by creating a digital and printed passport. Interactive mapping out 12 months of releases through e-blasts/newsletters with a “Local Passport” (addressing local residents) and a “Visitor Passport” (addressing visitors to the city of Auburn). **3**
4. Conduct segmentation surveys to understand population/census gaps to understand where people live and determine targeted groups. **2**
5. Create two (2) focus groups. One specific targeted population and a random sample population providing what are the five (5) best assets in the city **3**
6. Relocation packets that are specific to families, businesses, young professionals and age-friendly populations. **2**
7. Institute a city “ambassadors” program to provide personal touch points and tours for individuals/businesses looking to relocate to Auburn. **1**

QUALITY Goal 5

Goal Statement: Entertainment/Cultural Opportunities & Historic Preservation – Recognize the value of historic, cultural, and artistic assets and activities in enriching people’s lives and promoting community life. Support the development of future opportunities in culture and the arts.

Solutions:

The following solutions, steps, and tasks are extremely important and should be prioritized because it will build community, increase pride for citizens and enhance the image of Auburn to visitors. This in turn, will greatly contribute to economic development and tourism in the area.

- Recognize and support existing and new entertainment, cultural and historic preservation opportunities by making them a funding priority. **1**
- Make beautification and maintenance of public parks, downtown, Riverwalk, trails, downtown and any other areas where entertainment of historic, cultural, or artistic events and activities will take place. **2**
- Focus on the river as an asset by increasing activities and events along the Riverwalk and in the downtown area. **1**
- Enhance current activities by making them experiences and developing a marketing plan to attract tourism. **2**

Entertainment -

Arts & Culture

- o Build partnerships with local organizations who contribute to arts and culture in the Auburn/Lewiston Region. **1**
- o Diversify current events, activities and festivals by including art, cultural, and historical elements and making them “experiences”. **2**
- o Enhance and increase the number of events in festival plaza and on the Riverwalk. **2**
- o Increase the inclusion of arts/culture in new developments, projects, and activities especially in the downtown. **3**
- o Support funding the new school auditorium. Improve or move Community Little Theatre. **2**
- o Make sure events and venues are age- friendly and handicap accessible. **1**

Natural Resources

- Promote connectivity to the community and draw people to parks, Riverwalk, trails, and green spaces. Update and enhance Riverwalk, Mt. Apatite, trails, and city-owned parks. **2**
- Promote and advocate the use of our natural resources by using them for entertainment with art, cultural and historic activities. **1**

Historic Preservation

- Make City record preservation and storage a funding priority. **4**
- Make Auburns historic presence more prominent throughout the community. **1**
- Maintain and protect the cities historical buildings, monuments, and historical landmarks. **2**

Steps:

Entertainment -

Arts & Culture

- o Invite local partners Museum LA, Androscoggin Historical Society, Community Little Theatre, Women’s Literary Union, Auburn Public Library, Androscoggin Land Trust, Train Club, etc. to participate in the planning of events, activities and marketing strategies.
- o Diversify existing and new events, activities, and festivals by including areas for local artisans, crafters, historical exhibits, musicians, etc.
- o Hold more concerts, bring back Concerts in the Park in festival plaza including lunch hour and evening events and activities downtown. The concerts and events should contain cultural themes, drumming bands/acts, cultural dancing and local dance team performances, acapella groups, and local instrumentalists and singers and food trucks, local artisans, crafters, and any other event appropriate vendors.
- o Continue work on Museum in the Streets by extending the historical markers in the street up Main Street and add audio recordings to sites (some or all as part of tour- try to create a “Freedom Trail” type experience Auburn style.
- o Update art wall, it is recommended to use local artists for this project and to utilize the entire wall by painting the entire wall which will reduce graffiti on the wall. Art should encompass cultural diversity and Auburns rich history. Auburn should use this wall to help tell its story and enhance the “experiences” created through things like the Museum in the streets, Art walk, or the guided tours mentioned above.
- o Enhance Art Walk by expanding, soliciting additional local artisans including paintings, photos, pottery, sculptures, historical exhibits, etc. Include additional areas for crafters, local musicians, entertainers, art lessons, and food.
- o Where and when possible combine events into a larger more diverse event done well. In other words, doing one event well is better than having 10 separate smaller events that reach a smaller audience.
- o Incorporate accessibility into planning events and venues by making sure they are age-friendly, handicap accessible, and walkability and connectivity.
- o Support school auditorium and move Community Little Theatre there.
- o Promote and expand events at Community Little Theatre.

Natural Resources

- Add Wi-Fi downtown and other green spaces/parks.
- Complete Riverwalk loop by acquiring necessary properties, drawing up design plan, and looking for grant opportunities for the project.
- Light the Falls to enhance river and Riverwalk to add to the experience of the Riverwalk.
- Create a play area and splash park in Anniversary Park.
- Trim along the river to optimize views from the Riverwalk.
- Increase maintenance of the Riverwalk to return it to its original state by fixing worn or damaged surface area, fix any fencing, curbs, retaining walls, benches, gardens, mulching, etc.

- Create an Adopt-a-Spot garden program for beautification. Soliciting sponsors for garden spots can significantly reduce the amount of funds needed to enhance the Riverwalk and other public parks and or green spaces throughout the City but specifically along the Riverwalk and in the downtown area.
- Add lighting to tunnel and path that leads to Moulton Park, trim trees to allow for more natural light, fix and improve skate park to make the park a desirable location. The skate park will add enrichment and diversity to the city's existing parks and utilize it as an asset to promote community life.
- Maintain and beautify existing parks and trails throughout the city.
- Make sure the cities natural resources are age-friendly and handicap accessible.
- Create inventory list of natural resources and activities to enrich people's lives such as: Mt. Apatite, trail by Sherwood Heights, YMCA Outdoor Education Park, Riverwalk, bike trails, other trails, snowshoeing, cross-country skiing, golf, Lost Valley, Norway Savings Bank Arena, and other outdoor activities. Create and design a brochure to use in the City's marketing plan.

Historic Preservation


- Increase municipal funding for record preservation by increasing funding to \$25,000 per year for the next 4-5 years.
- Add history tab or link on city website – feature a highlight and update it regularly with new highlights.
- Take inventory of city-wide historical/cultural assets: historic buildings, monuments, landmarks, and organizations.
- Clearly identify historic buildings, monuments, and historic landmarks with plaques, signs etc.
- Plan historical plays, guided tours, and activities.
- Identify preservation projects in cemeteries for potential Eagle Scout projects, etc.
- Look for grant opportunities for preservation projects.
- Develop brochure to outline historical entertainment, cultural, and historic activities.
- Make sure historic events and/or activities are age-friendly and handicap accessible.

Tasks:

- Create a committee to develop inventory lists of historical sites, buildings, and monuments, organizations and local talent (Include representation from Auburn Public Library, Androscoggin Historical Society, Museum L/A, Community Little Theatre, Women's Literary Union, ELHS History teacher, Androscoggin Land Trust, L/A Arts, etc.).
 - o Develop list; Create brochure & Identify historical activities, events, etc. and send to committee developing inventory of events
- Create a committee to develop inventory of city-wide events, activities, festivals (Include representation from Recreation, Auburn Public Library, Androscoggin Historical Society, Museum L/A, Community Little Theatre, Women's Literary Union, Androscoggin Land Trust, L/A Arts, etc.).
 - o Develop list; Identify partnerships for events and activity planning to enhance and diversify; and Develop marketing plan, community calendar, other ways to publicize to our community and beyond
- Create a committee to develop inventory list of natural resources and activities to enrich people's lives such as: Mt. Apatite, trail by Sherwood Heights, YMCA Outdoor Education Park, Riverwalk, bike trails, other trails, snowshoeing, cross-country skiing, golf, Lost Valley, Norway Savings Bank Arena, and other outdoor activities. Create brochure/ map & marketing plan

Appendix 4

“DOTS” PRIORITIZATION EXERCISE RESULTS

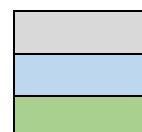
 Strategic Planning Committee and Sub-Committee members participated in exercises that asked members to prioritize goals established by the Sub-Committees. During the first round, members used “dots” - round stickers - to signify what they would prioritize “if money were no object,” then again based upon which goals would be easiest to achieve. A second round of prioritization allowed each member to rank their preferred goals by high, medium, or low importance. Once tallied and ranked, this provided the Strategic Planning Committee with a narrower group of high priority goals.

STRATEGY	TOTAL	BLUE	GREEN
Establish a city-wide communications plan.	50	14	36
Define the desired pedestrian/trail network and future needs/funding.	31	22	9
Enhance formal relationships with business and community partners.	31	5	26
Inspire neighborhood pride; rehabilitate and improve curb appeal.	29	13	16
Identity, Map, & List Recreational Properties.	28	8	20
Study & plan to increase “walkability.”	21	10	11
Arts & Culture.	16	9	7
Implement Great Falls Master Plan.	13	12	1
Strengthen community connections.	11	2	9
Improve the image of our schools in our community and beyond and increase the community’s awareness and understanding of educational opportunities and programming.	10	2	8
Protect and provide access to Lake Auburn & Bodies of Water.	10	9	1
Create secondary Turnpike exit in Auburn.	9	7	2
Document the return on investment of school department programming.	6	1	5
Focus on the river as an asset.	6	3	3
Increase the community’s commitment to and value of education.	6	0	6
Define the desired look, feel and function of corridors and gateways.	5	2	3
Future space planning for City infrastructure, airport, housing.	5	5	0
New Public Safety Building.	4	4	0
Promote and define industry clusters.	4	4	0
Establish a downtown management district.	3	2	1
Increase Learning Opportunities for all students.	3	3	0
Make historic and record preservation a funding priority.	3	2	1
Prioritize transportation as community connector that can also enhance employment opportunities.	1	1	0
Develop links and connectivity between industrial activity and other areas of the city to promote functionality and development.	0	0	0

Top 5 Highest Total Score - Most Dots Overall

Top 5 Highest Score - Blue Dots

Top 5 Highest Score - Green Dots



Appendix 5

STRATEGIES PRESENTED TO INVEST SUB-COMMITTEE

This table contains the 24 strategies identified by the Quality and Growth Sub-Committees which were presented to the Invest Committee. The work groups that created each item are referenced, as well as the section of Auburn’s Comprehensive Plan that connects with each strategy.

STRATEGY	Group	Comp Plan
<p>Establish a city-wide communications plan. Integrate city website, signage and social media voice to build a sense of community. Create and distribute “Live Here” informational packets to educate visitors and businesses. Create a digital and printed passport program: a “local passport” and a “visitor passport” to highlight events, attractions, programs, etc. Fund and conduct segmentation surveys to understand population/census gaps and determine targeted groups. Create focus groups - one specific targeted population and one random sample population - to identify the five best assets in Auburn. Produce relocation packets specific to families, businesses, young professionals and age-friendly populations. Institute a “city ambassador” program to provide personal outreach/tours for individuals/businesses looking to relocate to Auburn. Measure cost competitiveness of doing business in Auburn and provide concise information to the public and business community on our strengths. Promote rail, air and highway connections, as well as utilities, high speed internet, taxes, FTZ, TIF. Encourage predictable and timely permitting environment and promote/share the benefits of the local process and market strengths. Conduct community survey on wants and needs. Consider one city-wide events calendar; delegate responsibility for maintenance, updates and publicity. Enhance current entertainment, cultural, and historical preservation activities by making them a funding priority to attract tourism. Gather public input and council endorsement on existing long-range infrastructure plans through public information sessions; social media, directed online polls, mailings.</p>	Q4/Q1/Q3/ Q5/G4	Ch. 1 - F
<p>Define the desired pedestrian/trail network and future needs/funding. Explore grant opportunities for new trails and parks. Update and implement the subdivision ordinance that requires new developers to invest in open spaces, trails, and parks. Develop incentives and other funding sources to encourage local business and land owners to allow for public access and recreational opportunities. Develop a plan and timeline for connecting all trails within Auburn while focusing on walkability. Develop an outdoor recreational complex that includes multiple fields that are multi-sport adaptable, trails, and open spaces. Develop and maintain an inventory list of unused open spaces and allow for neighborhood access. Work with community partners to develop a comprehensive list of age-friendly programs and events at the newly-renovated Senior Community Center. Make beautification and maintenance of trails, public parks, downtown, Riverwalk and other areas where entertainment or historic, cultural, or artistic events and activities will take place.</p>	G1 G4	Ch. 1 - E
<p>Enhance formal relationships with business and community partners. Strong community partnerships are imperative to recreation/natural resources; employment; arts and culture; and overall success of the City and its residents. Solidify agreements with organizations and businesses that provide public access to natural resource locations. Develop and implement a Joint Use Agreement with the School Department for the new high school to ensure public access outside of school related functions. Advocate to businesses about programs and resources available in the community which support new business, including chamber of commerce, workforce development programs, career center programs and transportation programs. Host "partnership summit" to strengthen relationships and showcase partner resources, programming, and offerings. Facilitate 'match-making' to connect people with organizations.</p>	G1/Q1/Q3	Ch. 1 - I Ch. 3 - D

<p>Inspire neighborhood pride; rehabilitate and improve curb appeal. Implement and enforce property maintenance codes to improve curb appeal of blighted areas. Foster landlord associations and provide tax breaks for improvements. Create an assessment grace period to incentivize exterior property improvements. Amend ordinance to remove debris from curb faster and hold landlords accountable who do not comply. Budget for annual bulky waste removal for residents. Market available CDBG rehab programs. Define neighborhoods geographically. Let residents name and brand their neighborhood. Coordinate neighborhood meetings and provide historical information, maps, and photos relevant to each neighborhood. Establish community watch groups and hold neighborhood events. Use participation as a measurement for neighborhood pride. Establish groupings of adjoining neighborhoods to make up community associations and use TIF funds to improve infrastructure in residential neighborhoods, such as sidewalks and lighting.</p>	G5	Ch. 1 - H
<p>Identity, Map, & List Recreational Properties. Compile an inventory list for all recreational properties city and non-city owned. Establish a GIS Map with the different layers of uses. Perform a needs assessment to identify gaps and access for natural recreational areas. Promote connectivity to the community and draw people to parks, Riverwalk, trails, and green spaces. Update and enhance Riverwalk, Mt. Apatite, trails, and city-owned parks. Promote and advocate the use of our natural resources by using them for entertainment with art, cultural and historic activities.</p>	G1/Q5	Ch. 1 - E
<p>Study & plan to increase “walkability.” A viable downtown is Walkable. While there are technically sidewalks in the downtown, it is not considered “walkable” due to the limited space provided, poor maintenance in winter, lack of lighting & ped space in Great Falls area, heavy volume and width of Court Street, and weak visual and spatial attention to cross walks. Expand sidewalk and cross-walk widths and remove sidewalk posts & signs that prohibit good winter maintenance. Narrow Court Street to two lanes with parking and sidewalks to slow traffic and reconnect the “center.” More outdoor seating and dining opportunities, with wider sidewalks are needed throughout. Conduct city-wide needs assessment and inventory of all-season walkability.</p>	G2/Q3	Ch. 1 - G
<p>Arts & Culture. Build partnerships with local organizations who contribute to arts and culture in the region. Enhance current events, activities and festivals by including culturally diverse art, cultural, and historical elements and making them “experiences.” Enhance and increase the number of events at Festival Plaza/Riverwalk. Increase the inclusion of arts and culture in new developments, projects, and activities especially downtown. Partner with individuals as well as organizations and civic groups. Support funding the new school auditorium. Improve or move Community Little Theatre. Make sure events and venues are age-friendly and handicap accessible. Promote and create an identity for Downtown & New Auburn as the focal point for Arts and Entertainment. Year-round event programming for the downtown to make it the focal point for community events and a “place to go & spend a day/evening.” Look to group similar organizations and civic groups under an ‘umbrella’ for collaboration, communication, cross marketing, events.</p>	Q5/G2/Q3	Ch. 1 - E Ch. 3 - B
<p>Implement Great Falls Master Plan to allow for multiple destination, mixed-use activities. Form-based code allows for big redevelopment projects to create a shift in how the downtown functions. Multi-use buildings that have higher-end housing, parking garages, ground floor food, retail, personal services & entertainment would provide new anchors, clean-up surface parking dead space, create higher income 24/7 residents & create destinations for city residents and visitors. A more diverse mixture of uses, mixed residential types, price-points and formats, shopping & entertainment destinations are needed to keep people downtown.</p>	G2	Ch. 1 - I
<p>Strengthen community connections. Identify and define neighborhoods through a partnership between City staff (GIS/Planning) and community members. Create a map with the defined neighborhoods. Use a combination of funding to install neighborhood-specific signage. Focusing on the major corridor entry points. Support and enhance the Auburn PD’s Neighborhood Watch program and look for gaps. Support program and initiatives through staffing, funding and other resources and allow neighborhoods to voice specific needs and projects. Use Sun Journal, social media, small local newspapers, NextDoor App, direct mail, community bulletin boards or message boards and more to communicate with residents. Encourage Neighborhood Events (BBQ, Block Party Trailer idea, what events do they want). Identify and map public gathering spaces within each neighborhood.</p>	Q3	

<p>Improve the image of our schools in our community and beyond and increase the community’s awareness and understanding of educational opportunities and programming. Monitor external “ratings” of school department and fight for corrected data when warranted. Create marketing materials to promote the School Department. Create a plan for engaging with prospective new residents & giving them guided community tours. Create a shared PR position (city/school) to promote city/school events and news via a wide variety of media outlets to target community members of a range of ages. Increase the frequency of positive stories that showcase student success.</p>	G3/Q2	Ch. 1 - C, F
<p>Protect and provide access to Lake Auburn & Bodies of Water. Develop a plan on how to implement a filtration system for drinkable water out of Lake Auburn. Create inventory list of all bodies of water access points and develop baseline testing. Conduct a “Swimability” Assessment with recommendations on how to create swimming locations and safe standards in Auburn. Establish a year-round events/program guide for: boating, kayaking, canoeing, fishing, snowmobile access, etc.</p>	G1	Ch. 1 - A, E
<p>Create secondary Turnpike exit in Auburn. As current zoning around the existing Turnpike exit is primarily industrial or agricultural, zoning around this new exit would be residential. Increase housing stock near the secondary turnpike exit, improving options for young professionals (and families). Work with developers to encourage new development of single-family homes throughout Auburn. Re-examine (rezone?) zoning patterns to support cohesive, unified long-term investment for industry and high-end housing. Add Fire Sub-station south of Mellow Road to support anticipated growth.</p>	G2/G4/G5	Ch. 1 - G Ch. 3 - C
<p>Document the return on investment of school department programming.</p>	G3/Q2	
<p>Focus on the river as an asset. Increase activities & events along the Riverwalk & downtown.</p>	Q5	Ch. 1 - E Ch. 3 - B
<p>Increase the community’s commitment to and value of education. Identify the barriers that families face in building aspirations. Develop and implement a model with strategies to address identified barriers. Connect youth with residents needing support/services. Increase the number of volunteers in schools.</p>	G3/Q2	
<p>Define the desired look, feel and function of corridors and gateways. Re-examine land use and zoning of major corridors and gateways zoned or in industrial use. Identify industry clusters and long-term vision for each economic corridor.</p>	G2	
<p>Future space planning for City infrastructure, airport, housing. Space needs analysis – engineering study, cost, publicize information. Identify existing plans/future needs, publicize, and incorporate newly identified items in Comp. Plan. Expand sewer/water service to accommodate future land use planning & space needs. Determine location based on the Comp. Plan.</p>	G4	Ch. 1 - C Ch. 2 - FLUP
<p>New Public Safety Building</p>	G4	Ch. 1 - C & 3 - A
<p>Promote and define industry clusters. Push Agricultural processing and distribution opportunities of Auburn’s large ag & industrial land areas and policies. Take advantage of Clean Energy initiative and create an industry cluster for Wind & Solar manufacture and distribution highlighting highway, rail, air and central state location. Map and define existing industry types, patterns and possible existing industry clusters to identify agglomeration economies, vertical expansions and complimentary chain partners. Program and invest in infrastructure and services that support identified and targeted industry clusters.</p>	G2	
<p>Establish a downtown management district and coordinator as a convener and manager to deconflict parking issues, program events, market space and mix of uses, and facilitate incentives. Manage mix of uses - shopping, ground floor retail, unique goods and furnishings need to be downtown. Actively support retail & housing entrepreneurs trying to bring uses downtown. Create metered parking. Install consistent lighting system in and around downtown that is easily maintained.</p>	G2	Ch. 1 - I
<p>Increase Learning Opportunities for all students. Increase the number of elective offerings provided by community members (at elementary, middle, or high school). Increase percent of children accessing early education (pre-K). Increase early (pre-high school) college and career experiences.</p>	G3/Q2	Ch. 1 - C

<p>Make historic and record preservation a funding priority. Make Auburns historic presence more prominent throughout the community. Maintain and protect the cities historical buildings, monuments, and historical landmarks.</p>	Q5	Ch. 1 - D
<p>Prioritize transportation as community connector that can also enhance employment opportunities. Using bus and passenger rail, reduce obstacles for getting to and from work. Add all major event and recreational locations as public transportation stops. Expand operating hours to better align with events schedule. Support an efficient transit system that meets the needs of the public. Increase funding so that more frequent predictable service hits the hot spots.</p>	Q1/Q3/Q5	Ch. 1 - G
<p>Develop links and connectivity between industrial activity and other areas of the city to promote functionality and development. Encourage complimentary or co-locations between workers, supply chains, service needs and other goods and services. Create a Business Board at the interchange and/or at central airport & “park “locations to list and advertise our businesses to keep visitors, investors and other businesses engaged and knowledgeable about our economic activity. Advertise and/or create “Tours” of manufacturing operations. Incorporate and support ABDC work and studies into solution based “cluster” marketing and speculative building development for turn-key occupation. Utilize and/or program transit, shuttles or van pools to high employee destinations.</p>	G2	Ch. 1 - G



“A vision without a strategy remains an illusion.”

Lee Bolman

City of Auburn, Maine

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Holly C. Lasagna, Ward One
Robert P. Hayes, Ward Two
Andrew D. Titus, Ward Three
Alfreda M. Fournier, Ward Four



Leroy G. Walker, Ward Five
Belinda A. Gerry, At Large
David C. Young, At Large

Jason J. Levesque, Mayor

IN CITY COUNCIL

ORDER 105-09092019

ORDERED, that the Auburn City Council hereby accepts the Strategic Plan Report.



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: September 9, 2019

Order: 106-09092019

Author: Sue Clements-Dallaire, City Clerk

Subject: Appointment of Jonathan P. LaBonté to the Lewiston Auburn Railroad Corporation Board of Directors for the 2019-2022 term with authorization to vote the shares held by any Shareholder.

Information: Pursuant to Articles IV Sec. 2 and VI Sec. 4 of the Bylaws of the Lewiston and Auburn Railroad Company the Auburn Directors of the LARC shall be elected by the Auburn City Council and only the municipal official designated by the municipal legislative body shall be authorized to vote the shares held by any Shareholder.

Initially, these appointments did not follow the Appointment Process. This was not outlined in the Appointment Process as being a Board that was Council Appointed because Article V, Section 2 states that the ***directors shall be elected at the annual meeting of the Shareholders***, however Article IV, Section 2 states ***only the municipal official designated by the municipal legislative body, evidence of which designation has been placed on file with the Clerk, shall be authorized to vote the shares held by any shareholder***. Article VI, Section 4 goes on to state ***notwithstanding anything to the contrary in the Charter or Article V of these bylaws, the Lewiston Directors shall be elected by the Lewiston City Council and the Auburn Directors shall be elected by the Auburn City Council***.

City Budgetary Impacts: N/A

Staff Recommended Action: Consider passage of the order appointing Jonathan P. LaBonté to the Lewiston Auburn Railroad Corporation Board of Directors for the 2019-2022 term with authorization to vote the shares held by any Shareholder, **OR** make a motion to postpone this item until it goes through the Appointment Committee process first.

Previous Meetings and History: N/A

City Manager Comments:

I concur with the recommendation. Signature:

A handwritten signature in blue ink that reads "Peter J. Cusick".

Attachments: Bylaws of the Lewiston Auburn Railroad Company (LARC), and Order 106-09092019

**BYLAWS
OF THE
LEWISTON AND AUBURN RAILROAD COMPANY
WITH INCORPORATED SHAREHOLDERS AGREEMENT**

ARTICLE I

**CHARTER, PRINCIPAL OFFICE
REGISTERED OFFICE, CLERK AND SEAL**

Section 1. Charter. The name of this Corporation shall be the Lewiston and Auburn Railroad Company, as set forth in the Charter. References in these Bylaws to the Charter shall mean An Act to Update the Charter of the Lewiston and Auburn Railroad Company enacted by the 122nd Legislature of the State of Maine, as it may be amended from time to time by the Legislature or as provided therein. References to the Maine Business Corporation Act (the "Act") shall mean 13-C M.R.S.A. § 101 *et seq.*, as it may be amended from time to time.

Section 2. Principal Office. The location and principal office of the Corporation is and shall be in Lewiston, Androscoggin County, Maine, or at such other location as the Board of Directors may designate from time to time.

Section 3. Registered Office. The registered office shall be that office specified in the Charter or at such other address as the Clerk of the Corporation shall maintain.

Section 4. Clerk. The Clerk of the Corporation shall be a resident of the State of Maine. The Clerk need not be a Shareholder of the Corporation, and is not an Officer of the Corporation. The Clerk shall serve until his or her resignation from office or until a successor is elected by vote of the Board of Directors. The Clerk shall keep the stock transfer books and records of the meetings of the Shareholders and of the Board of Directors, and shall perform such other duties as are expressly prescribed by law. The Clerk may certify votes and actions of the Board of Directors and its committees, and may attest all documents executed on behalf of the Corporation.

The duties of the Clerk are ministerial only and the Clerk is not liable in that capacity for any liabilities of the Corporation, including, without limitation, debts, claims, taxes, fines or penalties.

Section 5. Seal. The Corporation may have a seal in such form as the Board may approve. Whenever it is inconvenient to use the corporate seal, if any, a facsimile thereof may be used. The Clerk and any Officer of the Corporation shall have authority to affix the corporate seal, if any, and it may be attested by his or her signature.

ARTICLE II

ANNUAL MEETING OF SHAREHOLDERS

Section 1. Place and Date. Annual meetings of Shareholders shall be held in the month of April at the principal office of the Corporation, unless the Board of Directors shall fix some other place within or without the State of Maine for such meetings, at such date and hour as may be fixed by the President or by the Board of Directors. At the annual meeting, the Shareholders shall elect Directors and shall transact such other business as may be brought before the meeting. If a quorum is not present, the meeting may be adjourned by the Shareholders present for a period not exceeding sixty (60) days. In case a meeting is not so held, then an election may be held at any subsequent meeting of the Shareholders at which a quorum shall be present.

Section 2. Notice of the Annual Meeting. Unless otherwise prescribed by the Act or waived in the manner prescribed by the Act, written notice of the annual meeting stating the place, day and hour thereof shall be delivered not less than ten (10) nor more than sixty (60) days before the date of the meeting, either in person, by mail or other method of delivery, including electronic transmission. Notice shall be given by or at the direction of the President, the Clerk, or other persons calling the meeting, to each Shareholder of record entitled to vote at the meeting. Notice shall be effective when deposited in the United States mail with required postage, correctly addressed to the Shareholder at his, her, or its address as it appears in the records of the Corporation, or if electronically transmitted to the Shareholder, when transmitted in a manner authorized by the Shareholder. Notice of any adjourned meeting of the Shareholders shall not be required to be given, except where expressly required by law, provided that the new date, time, and place for reconvening the adjourned meeting are announced at the meeting at which an adjournment is taken. Attendance of a Shareholder at a meeting shall constitute a waiver of defective notice and call unless the Shareholder, at the beginning of the meeting, objects to holding the meeting or to transacting business and shall constitute waiver of objection to any particular matter not described in the meeting notice unless the Shareholder objects to considering the matter when it is presented.

ARTICLE III

SPECIAL MEETINGS OF SHAREHOLDERS

Section 1. Place and Date. Special meetings of Shareholders for any purpose or purposes may be held at such time and place within the State of Maine as shall be stated in the notice of the meeting or in a duly executed waiver of notice thereof.

Section 2. Call. Special meetings of Shareholders, except as otherwise expressly provided, may be called by any Shareholder holding at least ten percent (10%)

of the issued capital stock of the Corporation, or by the Clerk upon written request by such a Shareholder, giving notice of the time and place of such meeting and the purpose for which it is called in the manner provided by these Bylaws.

Section 3. Notice of a Special Meeting. Unless otherwise prescribed by the Act or waived in the manner prescribed by the Act, written notice of a special meeting stating the place, day and hour thereof shall be delivered not less than three (3) nor more than sixty (60) days before the date of the meeting, either in person, by mail or other method of delivery, including electronic transmission.

Section 4. Record Date. For the purpose of determining Shareholders entitled to notice of and to vote at any meeting of Shareholders, the Board of Directors may fix in advance a "record date," which date shall not be more than sixty (60) days, nor less than ten (10) full days, prior to the date of the meeting of Shareholders. If the Board of Directors does not fix a record date for a meeting of Shareholders, the day next preceding the date on which notice of the meeting is first given to Shareholders shall be deemed to be the record date for such meeting.

ARTICLE IV

VOTING OF SHARES, PROXIES, QUORUM, AND ACTIONS BY CONSENT

Section 1. Voting Rights. Each outstanding share of stock shall be entitled to one vote on each matter submitted to a vote at a meeting of Shareholders. Except as provided by statute, the Charter, Article VI of these Bylaws or any other provision of these Bylaws, any corporate action may be authorized by a majority of the votes cast at any duly authorized meeting of the Shareholders.

Section 2. Shareholder Representation. Unless represented by proxy in accordance with Section 3 of this Article or as provided in Article VI of these Bylaws, only the municipal official designated by the municipal legislative body, evidence of which designation has been placed on file with the Clerk, shall be authorized to vote the shares held by any Shareholder.

Section 3. Proxies. At all meetings of Shareholders, a Shareholder may vote the Shareholder's shares in person or by proxy. Except as provided in Article VI of these Bylaws, such proxy shall be effective when a signed appointment form is received by the Clerk of the Corporation or the inspector of the election, if one has been appointed, either before or at the time of the meeting.

Section 4. Quorum. Eighty percent (80%) of the shares of stock entitled to be cast on any matter, represented in person or by proxy, shall constitute a quorum. Once a

share is represented for any purpose at a meeting, it shall be deemed present for quorum purposes for the remainder of the meeting and any adjournment of that meeting unless a new record date is set for the adjourned meeting.

Section 5. Action by Consent. Any action required or permitted by law to be taken at any meeting of Shareholders may be taken without a meeting if unanimous written consent, bearing the date of signature and describing the action taken, is delivered to the Corporation for inclusion in the minutes or filing with the corporate records.

ARTICLE V

DIRECTORS

Section 1. Powers. Subject to any limitations set forth in the laws of the Act, the Charter, these Bylaws, the management and control of the business, property and affairs of the Corporation is vested in the Board of Directors.

Section 2. Number, Qualification, and Term. The Board of Directors shall be comprised of nine (9) Directors, six (6) of whom shall be, and shall remain during their term in office, residents of the City of Lewiston and three (3) of whom shall be residents of the City of Auburn and may only be adjusted by amendment to these Bylaws. The Directors shall be elected at the annual meeting of the Shareholders and shall serve for a period of three (3) years and until the next succeeding annual meeting and until his or her successor shall have been elected and qualified or until his or her earlier resignation, removal from office, death or incapacity. The elected Directors from each City shall be divided into three equal classes, whose terms of office shall expire in alternating years.

Section 3. Ex Officio Directors. In addition to the Directors elected in accordance with Section 2 of this Article V, the Assistant City Administrator for Economic Development of the City of Lewiston and the Director of Community and Economic Development of the City of Auburn shall serve as *ex officio* non-voting members of the Board of Directors.

Section 4. Vacancies, Resignation, and Removal. Except otherwise provided in Article VI of these Bylaws, any vacancy in the Board of Directors may be filled for the remainder of the term by appointment by the remaining Directors from the City in which the resigning or removed Director resides or resided. Directors may be removed from office in the manner prescribed by the Act. Any Director may resign by giving written notice to the Clerk. Unless otherwise specified therein, a resignation shall take effect upon receipt of such notice, and the acceptance of such resignation shall not be necessary to make it effective.

Section 5. Reimbursement for Expenses; Compensation. Irrespective of any personal interest of any of its members, the Board of Directors, by the affirmative vote of a majority of the Directors then in office, may authorize the Corporation to reimburse any Director for his or her reasonable expenses, if any, incurred in the course of attending to the business of the Corporation and, by an affirmative vote of eighty percent (80%) of the Directors then in office, may authorize the Corporation to pay reasonable compensation to the Directors for their services on behalf of the Corporation.

ARTICLE VI

SHAREHOLDERS AGREEMENT REGARDING CORPORATE GOVERNANCE

Section 1. Shareholders Agreement. This Article VI of these Bylaws shall constitute a Shareholders' agreement in accordance with Section 743 of the Act between the Shareholders of the Corporation, the City of Auburn, a municipal corporation located in Androscoggin County, State of Maine, and the City of Lewiston, a body corporate and politic located in Androscoggin County, State of Maine.

Section 2. Classes of Directors. Notwithstanding anything to the contrary contained in the Charter or Article V of these Bylaws, the members of the Board of Directors shall be divided into two classes, one from each City, as follows: (a) the first class of Directors shall be hereinafter referred to as the "Lewiston Directors" and shall be composed of six (6) Directors, all of whom shall be and shall continue to be residents of the City of Lewiston during their term of office; and (b) the second class of Directors shall be hereinafter referred to as the "Auburn Directors" and shall be composed of three (3) Directors, all of whom shall be and shall continue to be residents of the City of Auburn during their term of office.

Section 3. Term of Office for Directors. Notwithstanding anything to the contrary in the Charter or Article V of these Bylaws, each Director shall serve for a term of three (3) years and until his or her successor shall be elected and qualified. The names of the current members of the Board of Directors, the class of Directors to which each belongs, and the dates on which their respective terms of office shall expire are stated on Exhibit A, attached hereto.

Section 4. Election of Directors by Class. Notwithstanding anything to the contrary in the Charter or Article V of these Bylaws, , the Lewiston Directors shall be elected by the Lewiston City Council and the Auburn Directors shall be elected by the Auburn City Council.

Section 5. Proxy Vested in the Directors. Notwithstanding anything to the contrary in Article IV, Section 3 of these Bylaws, this Agreement shall constitute an

irrevocable proxy vesting the power to vote the shares held by each City in the class of Directors representing each City during the term of this Agreement and any extension thereof. Each Shareholder's shares shall be voted in a single block as determined by the majority of the Directors comprising the class of Directors representing each Shareholder.

Section 6. Term of this Agreement. This initial term of this Agreement shall be ten (10) years, commencing on the date on which these Bylaws are adopted by the Shareholders, and shall be automatically renewed for four (4) additional terms of ten (10) years each, unless one Shareholder notifies the other Shareholders in writing not more than one (1) year or less than (6) months prior to the expiration of the then existing term of this Agreement that the City Council or other legislative body of the Shareholders has enacted a resolve requiring the termination of this Agreement. Upon the expiration or termination of this Agreement, this Article VI of these Bylaws shall become void and the Corporation shall be governed in accordance with the remaining provisions in these Bylaws.

Section 7. Notation on the Stock Certificates. The existence of this Agreement shall be noted on the stock certificates in accordance with Section 743(3) of the Act.

Section 8. Entire Agreement; Governing Law; Modification. The Agreement between the Shareholders contained in Article VI of these Bylaws constitutes the entire agreement of the parties with respect to its subject matter and supercedes all prior negotiations and agreements. This Agreement is governed by and shall be construed in accordance with Section 743 of the Act and the other statutory provisions referenced therein. Notwithstanding anything to the contrary in Article XVIII of these Bylaws, the Agreement contained in this Article VI may only be modified by written agreement of the Shareholders duly authorized by the City Councils or other legislative bodies of the Shareholders.

ARTICLE VII

MEETINGS OF THE BOARD OF DIRECTORS

Section 1. Annual Meeting. An annual meeting of the Board of Directors shall be held immediately following the annual meeting of the Shareholders unless another place and time shall be fixed by written notice to all Directors. Otherwise, no notice of such meeting shall be necessary.

Section 2. Regular Meetings. Regular meetings of the Board of Directors shall be held at such time and place within or without the State of Maine as shall be fixed from time to time by the Board. Unless otherwise specified by the Board, no notice of regular meetings shall be necessary, except as otherwise provided by the Act.

Section 3. Special Meetings, Notice. Special meetings of the Board of Directors may be called by the President or, if the President is absent or is unable to act, by any Vice President or by any Director. The person or persons calling the special meeting shall fix the time and place thereof. Notice of each special meeting of the Board of Directors shall be given by the Clerk or the person or persons calling the special meeting at least two days prior to the time fixed for the meeting and shall specify the date, time, and place thereof. Notice may be given by any usual means of communication. If mailed, such notice shall be deemed to be delivered on the third day following the date on which it was deposited in the United States mail, properly addressed, with postage prepaid. Notice given by any other means shall be deemed to be delivered when received. Neither the business to be transacted at, nor the purpose of, any regular or special meeting of the Board of Directors need be specified in the notice of meeting, except as otherwise required by the Act or these Bylaws. The giving of notice of a special meeting of the Board of Directors by the person or persons authorized to call the same shall constitute the call thereof. Any Director may waive notice of any meeting by signing a waiver of notice, either before or after the meeting.

Section 4. Attendance as Waiver of Notice. A Director's attendance at or participation in a meeting waives any required notice to that Director of the meeting unless the Director at the beginning of the meeting or promptly upon the Director's arrival objects to holding the meeting or transacting business at the meeting and thereafter does not vote for or assent to action taken at the meeting.

Section 5. Quorum and Vote Required. Except as otherwise specifically provided in the Charter, the Act, or these Bylaws, six (6) Directors, at least two (2) of whom shall be from each of the City of Auburn and the City of Lewiston, shall constitute a quorum for the transaction of business at any meeting of the Board of Directors. Except as otherwise provided in the Charter or these Bylaws, the affirmative vote of a two-thirds (2/3) majority of Directors present at a meeting at which a quorum is present shall be the act of the Board of Directors.

Section 6. Conduct of Meetings. The President, or, in his or her absence, the Vice President, shall preside at meetings of Directors and may otherwise adopt rules governing the conduct of such meetings. At each such meeting, the Secretary, or, in his or her absence, the person designated by the President, shall keep minutes of all actions taken by the Board of Directors. Such minutes shall be filed with the Clerk as part of the corporate records, and a copy thereof shall be provided promptly to each Director.

Section 7. Action by Unanimous Written Consent. Any action required or permitted to be taken at a meeting of the Board of Directors, or of a committee of the Board, may be taken without a meeting if each Director or committee member, as the case may be, signs a consent describing the action to be taken and delivers it to the Corporation. Such consents shall be filed with the minutes of Directors' meetings or

committee meetings, as the case may be, and shall have, and may be stated by any Officer of the Corporation to have the same effect as a unanimous vote or resolution of the Board of Directors at a legal meeting thereof.

Section 8. Participation in Meetings. The Board of Directors may permit any or all Directors to participate in a regular or special meeting by, or conduct the meeting through the use of, any means of communication by which all Directors participating may simultaneously speak to and hear each other during the meeting. A Director participating in a meeting by this means is deemed to be present in person at the meeting.

ARTICLE VIII

COMMITTEES

Section 1. Committees. The Board of Directors may designate from among its members one or more committees, each committee to consist of two or more Directors. A committee so created may include persons who are not Directors, provided that at least two thirds (2/3) of the committee members are Directors. The Board of Directors may designate one or more Directors as alternate members of any committee, who may replace any absent or disqualified member at any meeting of the committee. Committees shall keep regular minutes of their proceedings and report the same to the Board of Directors. Members of the committees may be removed from office, with or without cause, by resolution adopted by the Board of Directors then in office. So far as practicable, the provisions of these Bylaws relating to the calling, noticing, and conduct of meetings of the Board of Directors shall govern the calling, noticing, and conduct of meetings of the committees.

Section 2. Resignation. Any member of a Committee may resign by giving written notice to the Board of Directors. Unless otherwise specified therein, a resignation shall take effect upon receipt of such notice, and the acceptance of such resignation shall not be necessary to make it effective.

ARTICLE IX

OFFICERS

Section 1. Title and Number. The Officers shall be a President, Vice President, Treasurer, Secretary and such other Officers as may be elected by the Board of Directors. No two offices may be held by the same person.

Section 2. When Chosen. The Board of Directors shall elect the Officers at each annual meeting of the Board of Directors from amongst its members.

Section 3. Additional Officers. The Board of Directors may appoint other Officers and agents who shall exercise such powers and perform such duties as shall be determined from time to time by the Board.

Section 4. Vacancies, Term, and Removal. The Officers of the Corporation shall hold office for a term of one (1) year and until their successors have been chosen and qualified or until their earlier death, resignation, or lawful removal. Any Officer may be removed at any time, with or without cause, by the Board of Directors. Any vacancy occurring in any office of the Corporation may be filled by the Board of Directors.

Section 5. Resignation. Any Officer may resign by giving written notice to the President or Clerk. Unless otherwise specified therein, a resignation shall take effect upon receipt of such notice, and the acceptance of such resignation shall not be necessary to make it effective.

Section 6. Powers and Duties. Except as hereinafter provided and subject to the control of the Board of Directors, each Officer shall have such powers and duties as are customarily incident to his or her office or as the Board may otherwise prescribe.

(a) President. The President shall be the chief executive Officer of the Corporation and, in the absence of a Chairman of the Board of Directors, shall preside at all meetings of the Shareholders and of the Board of Directors. Subject to the control of the Board of Directors, the President shall be responsible for the general management of the business and affairs of the Corporation and shall see that all orders and resolutions of the Board of Directors are implemented. The President, together with the Treasurer or any other proper Officer of the Corporation authorized by the Board of Directors, may sign certificates for shares of the Corporation and may execute on behalf of the Corporation any notes, bills, checks, drafts, contracts, and other obligations of the Corporation. The President, in addition to the Treasurer, may sign any deeds, mortgages, bonds, or other instruments which the Board of Directors has authorized to be executed, except in cases where the signing and execution thereof shall be expressly delegated by the Board of Directors or by these Bylaws to some other Officer or agent of the Corporation or shall be required by law to be otherwise signed or executed.

(b) Vice President. The Vice President, in the absence of or in the case of the disability of the President, shall perform the duties and exercise the powers of the President and shall perform such other duties and have such other powers as the Board of Directors may from time to time prescribe.

(c) Treasurer. The Treasurer shall see that full and accurate accounts of receipts and disbursements are kept in books belonging to the Corporation and shall see that all moneys and other valuable effects are deposited in the name and to the credit of the Corporation in such depositories as may be designated by the Board of Directors. The Treasurer shall see that funds of the Corporation are disbursed as may be ordered by the

Board of Directors, and shall see that the President and the Board of Directors, at its regular meetings, or when the Board of Directors so requires, is rendered an accounting of all transactions and of the financial condition of the Corporation. The Treasurer may sign checks, drafts, or orders for the payment of money unless otherwise provided by resolution of the Board of Directors and, in general, shall perform all other duties incident to the office of Treasurer and such other duties as from time to time may be assigned to him or her by the President or the Board of Directors. In addition to the President, the Treasurer may sign deeds, leases, contracts, and agreements of the Corporation authorized by a vote of the Board of Directors, unless some other person is designated by vote of the Board of Directors.

(d) Secretary. The Secretary shall attend the meetings of the Board of Directors and record its proceedings. He or she may give, or cause to be given, notice of all meetings of Shareholders and Directors of the Corporation. The Secretary may certify all votes, resolutions, and actions of the Shareholders or the Board of Directors, and may attest all documents executed on behalf of the Corporation.

Section 9. Delegation of Authority. In the case of the absence of any Officer of the Corporation or for any reason that the Board of Directors may deem sufficient, the Board of Directors may delegate some or all of the powers or duties of an Officer to any other Officer or to any Director, employee, Shareholder, or agent for whatever period of time it deems desirable.

Section 10. Reimbursement for Expenses; Compensation. Irrespective of any personal interest of any of its members, the Board of Directors, by the affirmative vote of a majority of the Directors then in office may authorize the Corporation to reimburse any Officer for his or her reasonable expenses, if any, incurred in the course of attending to the business of the Corporation and, if authorized by the affirmative vote of eighty percent (80%) of the Directors then in office, authorize the Corporation to pay reasonable compensation to the Officers for their services on behalf of the Corporation.

Section 11. Certification by Officers. Each of the President, Vice President, the Treasurer, Secretary and the Clerk, if any, hereby is authorized to act as a second certifying Officer of the Corporation.

ARTICLE X

CONTRACTS, LOANS, CHECKS OR DEPOSITS

Section 1. Contracts. The Board of Directors may authorize any Officer or agent to enter into any contract or to execute and deliver any instrument in the name of and on behalf of the Corporation, and such authority may be general or confined to specific instances.

Section 2. Loans. No loans shall be contracted on behalf of the Corporation and no evidences of indebtedness shall be issued in its name unless authorized by resolution of the Board of Directors. Such authority may be general or confined to specific instances.

Section 3. Checks, Drafts, etc. All checks, drafts or other orders for the payment of money, notes or other evidences of indebtedness issued in the name of the Corporation shall be signed by the President, the Treasurer, or such Officer or Officers or agent or agents of the Corporation and in such manner as shall be determined from time to time by resolution of the Board of Directors.

Section 4. Deposits. All funds of the Corporation not otherwise employed shall be deposited from time to time to the credit of the Corporation in such banks, trust companies, or other depositories as the Board of Directors may select.

ARTICLE XI

CERTIFICATES FOR SHARES

Section 1. Certificates for Shares. The Corporation may issue certificates representing its shares in such form as may be determined by the Board of Directors. Each such certificate shall be signed by any two (2) of the President, Vice President, Treasurer, Secretary or Clerk. The signatures of such Officers upon the certificate may be facsimiles if the certificate is countersigned by the Clerk or a transfer agent or is registered by a registrar, other than the Corporation itself, or one of its employees. Each certificate for a share shall be consecutively numbered or otherwise identified, and shall bear such additional legends, if any, as the Clerk shall consider appropriate to reflect applicable restrictions on transfer or ownership. The name of the person to whom the shares are issued, the number of shares issued to such person and the date of issue shall be entered on the stock transfer books of the Corporation. All certificates surrendered to the Corporation for transfer shall be canceled. No new certificates shall be issued until the former certificates for a like number of shares shall have been surrendered and canceled, except as provided by Section 2 below. If the Corporation does not issue certificates representing its shares within a reasonable time after the issue or transfer of shares without certificates, it shall send the Shareholder a written statement of the information required on certificates by the Act and by these Bylaws.

Section 2. Lost Certificates. The Board of Directors may direct a replacement or duplicate certificate for shares of this Corporation to be issued in place of any certificate previously issued by the Corporation and alleged to have been lost, destroyed, or mutilated. When authorizing such issue of a new certificate, the Board of Directors, in its discretion and as a condition precedent to the issuance thereof, may prescribe such

terms and conditions as it deems expedient, and may require such indemnities as it deems adequate, to protect the Corporation and its Officers and agents from any claim that may be made against it with respect to any such certificate alleged to have been lost, destroyed, or mutilated. The powers and duties of the Board of Directors prescribed in this Article may be delegated in whole or in part to any registrar or transfer agent.

Section 3. Classes and Series of Classes of Stock. The Corporation shall issue only one (1) class of stock and shall not issue more than one (1) series of that class.

ARTICLE XII

OWNERSHIP RESTRICTIONS, TRANSFERS, AND REGISTRATION OF SHARES

Section 1. Restriction on Ownership. No person or entity, other than a person authorized under the Charter to hold shares of stock in the Corporation, may acquire any beneficial or record ownership of any stock of the Corporation. Any purported transfer to a person or entity not so authorized shall be deemed void *ab initio*.

Section 2. Transfer Procedures. Each transfer of shares of stock of the Corporation shall be made only on the stock transfer books of the Corporation and only by the record holder thereof, or by its duly authorized attorney-in-fact, upon surrender of the certificate or certificates of such shares, properly endorsed, and the payment of any taxes thereon. The person in whose name shares of stock stand on the stock transfer books of the Corporation shall be deemed the owner thereof for all purposes as regards the Corporation, and the Corporation shall not be bound to recognize any equitable or other claim to or interest in such shares on the part of any other person, whether or not it has notice thereof, except as required by law.

Section 3. Restrictions on Transfer. The shares of the Corporation, whether presently or hereafter authorized and issued, shall not be transferred to a person or entity not authorized to hold such stock under the Charter. For purposes of this section, the term "transfer" means any transfer, whether outright or as security, with or without consideration, voluntary or involuntary, of all or any part of any right, title, or interest (including without limitation voting rights and rights to dividends or liquidation proceeds) in or to any shares of stock, other than a transfer of voting rights by delivery of a revocable proxy. The provisions of this Section shall be applicable to any transfer of stock of the Corporation notwithstanding any prior transfer made in compliance with this Section or any prior transfer made pursuant to any waiver of the Corporation's rights hereunder. Such stock or any beneficial interest therein held by any person subsequent to such transfers shall be subject in every respect to these restrictions. If a transferring Shareholder fails to comply with the transfer procedures and restrictions contained in

these Bylaws, then so long as such failure continues, the shares in question will be deemed not to be voted.

Section 4. Transfer Restrictions to be Shown on Stock Certificates. Each stock certificate issued shall have plainly stamped or typewritten thereon the following legend:

THE STOCK REPRESENTED BY THIS CERTIFICATE MAY NOT BE TRANSFERRED TO ANY PERSON OR ENTITY OTHER THAN A MUNICIPALITY LOCATED IN THE STATE OF MAINE AND ANY PURPORTED TRANSFER OF ANY INTEREST IN THESE SHARES TO ANY PERSON OTHER THAN A MUNICIPALITY SHALL BE DEEMED TO BE VOID *AB INITIO*. The shares represented by this certificate are further subject to restrictions on transfer and the other terms and conditions of the Charter and the Bylaws of the Lewiston and Auburn Railroad Company, specifically including the Agreement between the Shareholders made pursuant to Section 743 of Title 13-C of the Maine Revised Statutes, which Agreement is contained in Article VI of the Bylaws.

Section 5. Other Rules Regarding Transfer, Etc. The Board of Directors, from time to time, may adopt by resolution such additional rules and regulations as it deems expedient, not inconsistent with these Bylaws or the Charter, concerning the issue, transfer, and registration of shares of the capital stock of the Corporation.

Section 6. Registered Shareholders. The Corporation shall be entitled to recognize the exclusive right of a person registered on its books as the owner of shares to receive dividends, if any, and to hold the person registered on its books as the owner of shares liable for calls and assessments, and shall not be bound to recognize any equitable or other claim to or interest in such shares on the part of any other person, whether or not it shall have express or other notice thereof, except as otherwise expressly required by law.

ARTICLE XIII

DIVIDENDS

Section 1. Dividends. Dividends upon the capital stock of the Corporation may be declared of the Board of Directors, acting in its absolute discretion, by an affirmative vote of no fewer than eighty percent (80%) of Directors then in office. Dividends may be paid in cash, in property, or in shares of the capital stock of the Corporation. Before payment of any dividend, there may be set aside out of any funds of the Corporation available for dividends such sum or sums as the Board of Directors, in its absolute discretion, determines to be proper as a reserve or reserves for meeting contingencies, for repairing or maintaining any property of the Corporation or for such other purposes as the

Board of Directors may determine to be in the best interests of the Corporation, and the Board may modify or abolish any such reserve in the manner in which it was created.

ARTICLE XIV

INSPECTION OF RECORDS

Section 1. Inspection of Records. As a condition to allowing inspection of financial records of the Corporation by a Shareholder or the provision to a Shareholder of a copy of the Corporation's financial statements, the Board of Directors, to the extent consistent with the laws of the State of Maine, may require that the Shareholder enter into a written confidentiality agreement with the Corporation pursuant to which the Shareholder agrees (i) to keep confidential all financial information provided by the Corporation; (ii) not to disclose any such information to third parties or the public without the express prior written consent of the Corporation; and (iii) not to use, directly or indirectly, any information provided in order to compete with the Corporation or for any other purpose not in the best interests of the Corporation. The Corporation may withhold disclosure of financial information from a Shareholder until such an agreement, if requested, has been executed and delivered.

ARTICLE XV

INDEMNIFICATION OF OFFICERS, DIRECTORS, EMPLOYEES AND AGENTS; INSURANCE

Section 1. General. Subject to Section 4 of this Article, the Corporation in all cases shall indemnify any person who was or is a party or is threatened to be made a party to any threatened, pending or completed action, suit or proceeding, whether civil, criminal, administrative, arbitrative, or investigative, by reason of the fact that he or she is or was a Director or Officer of the Corporation or is or was a non-Director Member of a Committee of the Board of Directors, or who, while a Director, Officer or Committee Member, is or was serving at the request of the Corporation as a Director, Officer or Committee Member, partner, trustee, employee or agent of another domestic or foreign corporation, limited liability company, partnership, joint venture, trust, employee benefit plan, or other enterprise, against expenses, including attorneys' fees, judgments, fines and amounts paid in settlement to the extent actually and reasonably incurred by that person in connection with such action, suit or proceeding; provided that the person to be indemnified acted in good faith and did not reasonably believe (i) in the case of conduct in the individual's capacity as a Director or Officer, that his or her conduct was not in the best interests of the Corporation; (ii) in all other cases, that his or her conduct was not opposed to the best interests of the Corporation; and (iii) in the case of any criminal action or proceeding, that his or her conduct was unlawful. The termination of a proceeding by judgment, order, settlement, or conviction, or upon a plea of nolo

contendere or its equivalent is not of itself determinative that the Director did not meet the relevant standard of conduct described in this section.

Section 2. Indemnification Prohibited. Unless ordered by a court of competent jurisdiction pursuant to § 855 of the Act, the Corporation may not indemnify one of its Directors (i) in connection with a proceeding by or in the right of the Corporation, except for reasonable expenses incurred in connection with the proceeding, if it is determined that the Director or Officer has not met the relevant standard of conduct under Section 1 of this Article; or (ii) in connection with any proceeding with respect to conduct for which the Director or Officer was adjudged liable on the basis that he or she received a financial benefit to which he or she was not entitled, whether or not involving action in the Director's official capacity.

Section 3. Mandatory Indemnification in Certain Cases. Any provisions of these Bylaws to the contrary notwithstanding, the Corporation shall indemnify a Director, Officer or Committee Member who was wholly successful, on the merits or otherwise, in the defense of any proceeding to which the Director, Officer or Committee Member was a party because he or she was a Director, Officer or Committee Member of the Corporation against reasonable expenses, including attorneys' fees, incurred by him or her in connection with the proceeding. The right to indemnification granted by this subsection may be enforced by a separate action against the Corporation, if an order for indemnification is not entered by a court in the action, suit, or proceeding wherein that Director, Officer or Committee Member was successful on the merits or otherwise.

Section 4. Determination in Specific Cases. Any indemnification under Section 1 shall be made by the Corporation only as authorized in the specific case upon a determination that Indemnification of the Director, Officer or Committee Member is consistent with the terms of this Article and the Act. Such determination shall be made as follows:

- A. if there are two or more disinterested Directors, the Board of Directors by a majority vote of all the disinterested Directors, a majority of whom for this purpose constitutes a quorum, or by a majority of the members of a committee of two or more disinterested Directors appointed by a majority vote of all the disinterested Directors;
- B. by special legal counsel:
 - (1) selected in the manner prescribed in Paragraph A; or
 - (2) if there are fewer than two disinterested Directors, selected by the Board of Directors in which selection Directors who did not qualify as disinterested Directors may participate; or

C. by the Shareholders, but shares owned by or voted under the control of a Director or Officer who at the time does not qualify as disinterested may not be voted with respect to the determination.

Section 5. Advancement of Expenses. The Corporation, before final disposition of a proceeding, may advance funds to pay for or reimburse the reasonable expenses incurred by a Director or Officer who is a party to a proceeding because the person is a Director, Officer or Committee Member of the Corporation if the Director, Officer or Committee Member delivers to the Corporation:

A. a written affirmation of the Director's, Officer's or Committee Member's good faith belief that he or she has met the relevant standard of conduct described in Section 1 of this Article or that the proceeding involves conduct for which liability has been eliminated under a provision of the Corporation's Charter as permitted under the Act;

and

B. a written undertaking by the Director, Officer or Committee Member to repay any funds advanced if the Director, Officer or Committee Member is not entitled to mandatory indemnification under Section 3 of this Article and it is ultimately determined that the Director or Officer has not met the relevant standard of conduct set forth in Section 1.

The undertaking required by Paragraph B shall be an unlimited general obligation of the person seeking the advance, but need not be secured and may be accepted without reference to financial ability to make the repayment.

Section 6. Bylaw Indemnification Rights Not Exclusive; Enforceable by Separate Action. The indemnification and entitlement to advances of expenses provided by this Article shall not be deemed exclusive of any other rights to which those indemnified may be entitled under the Act or pursuant to the provisions of the Charter, vote of Shareholders or Directors, or otherwise. Any right of indemnity or payment arising under this Article shall continue as to a person who has ceased to hold the office or position in which such right arose; shall inure to the benefit of his or her heirs, executors, and administrators; and shall survive any subsequent amendment of this Article. A right to indemnification required by this Article may be enforced by a separate action against the Corporation, if an order for indemnification has not been entered by a court in any action, suit or proceeding in respect to which indemnification is sought.

Section 7. Insurance. The Corporation may purchase and maintain insurance on behalf of any person who is or was a Director, Officer or Committee Member or is or was serving at the request of the Corporation as a Director, Officer or Committee Member, trustee, partner, fiduciary, employee, or agent of another corporation, partnership, joint venture, trust, pension, or other employee benefit plan or other enterprise against any liability asserted against that person and incurred by that person in any such capacity, or arising out of that person's status as such, whether or not the Corporation would have the power to indemnify that person against such liability under this section.

Section 8. Miscellaneous. For purposes of this Article, references to the "Corporation" shall include, in addition to the surviving corporation or new corporation, any participating corporation in a consolidation, merger, domestication, or conversion.

Section 9. Immunity Under Maine Tort Claims Act. Nothing herein is intended to constitute a voluntary waiver of any immunity provided to the Corporation, its Directors, Officers or Committee Members, or of any agent or employee of the Corporation under the terms of the Maine Tort Claims Act.

Section 10. Amendment. Any amendment, modification, or repeal of this Article shall not deny, diminish, or otherwise limit the rights of any person to indemnification or advance hereunder with respect to any action, suit, or proceeding arising out of any conduct, act or omission occurring or allegedly occurring at any time prior to the date of such amendment, modification, or repeal.

ARTICLE XVI

FISCAL YEAR, ANNUAL AUDIT

Section 1. Fiscal Year. The fiscal year of the Corporation shall commence on the first day of July of each year and end on the last day of June of the following year unless otherwise fixed by resolution of the Board of Directors.

Section 2. Annual Audit. The Directors shall cause the books of the Corporation to be audited by a certified public accounting firm each year, provided however, that the Board of Directors may waive this requirement by the affirmative vote of no fewer than eighty percent (80%) of the Directors then in office.

ARTICLE XVII

MISCELLANEOUS

Section 1. Section Headings. The headings of Articles and Sections set forth herein are for convenience only, and shall not be taken into account in construing these Bylaws.

Section 2. Facsimile Signatures. Facsimile signatures of any Officer or member of the Board of Directors of the Corporation may be used whenever authorized by the Board or the President. The Corporation may rely upon the facsimile signature of any person if delivered by or on behalf of such person in a manner evidencing an intention to permit such reliance.

Section 3. Interpretation. Headings and captions used herein are inserted for convenience only and shall not be used to construe the scope or content of any provision. Whenever used herein, the masculine gender shall include the feminine and neuter genders, as the context requires. In the case of any conflict between the provisions of the Charter and these Bylaws, the Charter shall control.

Section 4. Validity. If any portion of these Bylaws is determined to be invalid or unenforceable under law, it shall not affect the validity or enforceability of the remaining portions thereof.

ARTICLE XVIII

AMENDMENTS

Section 1. Amendments. Except as provided in Article VI of these Bylaws, these Bylaws may be amended or repealed, and new Bylaws may be adopted, only by vote of the Shareholders representing eighty percent (80%) of the issued and outstanding shares. For any meeting at which Bylaws are to be adopted, amended, or repealed, specific notice of such proposed action shall be given to the Shareholders no less than thirty (30) days prior to the meeting, setting out the text of the proposed new or amended Bylaw or Bylaw to be repealed.

Holly C. Lasagna, Ward One
Robert P. Hayes, Ward Two
Andrew D. Titus, Ward Three
Alfreda M. Fournier, Ward Four



Leroy G. Walker, Ward Five
Belinda A. Gerry, At Large
David C. Young, At Large

Jason J. Levesque, Mayor

IN CITY COUNCIL

ORDER 106-09092019

ORDERED, that the City Council hereby re-appoints Jonathan P. LaBonté to the Lewiston Auburn Railroad Company Board of Directors for a term of 3 years from April of 2019 – April of 2022 and he shall be authorized to vote the shares held by any shareholder.



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: September 9, 2019

Order: 107-09092019

Author: Kelsey Earle, License Specialist

Subject: Liquor License request for Pierrette's C'est Si Bon Café LLC, DBA Pierrette's C'est si Bon Cafe

Information: Pierrette's C'est Si Bon Café LLC DBA Pierrette's C'est si Bon Cafe, a new business, located at 550 Center Street, applied for a Liquor License. Police, Fire, and Code have completed the necessary inspections and have granted approval.

City Budgetary Impacts: None

Staff Recommended Action: Public hearing and recommend passage.

Previous Meetings and History: N/A

City Manager Comments:

A handwritten signature in blue ink that reads "Peter J. Cusick".

I concur with the recommendation. Signature:

Attachments:

- Applications
- Public Notice
- Order

**CITY OF AUBURN
PUBLIC NOTICE**

A public hearing will be held by the Auburn City Council on Monday, September 9, 2019 at 7:00 p.m. or as soon as possible thereafter, in the Council Chambers of Auburn Hall, 60 Court Street, to consider the Liquor License application for:

**Pierrette's C'est Si Bon Café LLC DBA Pierrette's C'est si Bon Café
550 Center Street, Auburn, Maine**

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



CITY OF AUBURN
BUSINESS LICENSE APPLICATION

Pierrette's C'est Si Bon Cafe

Office of the City Clerk
60 Court St, Auburn, ME 04210
207.333.6600

www.auburnmaine.gov

Kelsey Earle - License Specialist kearle@auburnmaine.gov

Please Note: All real estate and personal property taxes related to the business must be current before a license can be issued.

NEW RENEWAL Expires: _____

Please check the boxes for all licenses you are applying for:

There is a late fee of \$25.00 for renewals that are 30-45 days late, \$50.00 for more than 46 days late, and \$100.00 for reoccurring

Food Service Establishments:

Other Business Licenses Applying for:

- *FSE Mobile Food distribution Unit.....
Not to be located less than 200 ft from nearest food service establishment. Please include a letter from property owner authorizing use of location.
 - 3 Month \$100
 - 6 Month \$125
 - 12 Month \$150

- *Special Amusement \$125
Public hearing required for new license- \$100 fee
Please fill out supplemental questionnaire (pg 4).

- *FSE Serving Malt, Vinous & Spirituous Liquor (FSE Class I)..... Sq ft: Fee:
 - 1-2999 \$500
 - 3000-5999 \$600
 - 6000+ \$700

- *Pawnshop/Pawn Broker \$100
- *Secondhand Dealer \$85
- *Massage Establishment/Therapist..... \$150
State license #: _____

Public hearing required for new license- \$100 fee
Background check must also be included.

Massage: Please also include 2 copies of a passport size photograph taken within 30 days of application date (annually), copy of current State license and copy of government issued identification.

- *FSE Serving Malt and/or Vinous.....
Sq ft: Fee:
 - 1-2999 \$300
 - 3000-5999 \$400
 - 6000+ \$500

- *Tattoo Artist..... \$150

Public hearing required for new license- \$100 fee
Background check must also be included.

*Above licenses: Each applicant for a license shall provide a copy of a criminal background check (to include all present and former names) dated not more than 3 days prior to submission of application. You can do it yourself on-line here: <http://www5.informe.org/online/pcr/>

- *FSE with Sit Down, no Alcohol.....
Sq ft: Fee:
 - 1-2999 \$150
 - 3000-5999 \$200
 - 6000+ \$250

- Bowling Alley (fee per lane)..... \$85
of lanes: _____

- *Bottle Club/BYOB.....
Sq ft: Fee:
 - 1-2999 \$150
 - 3000-5999 \$200
 - 6000+ \$250

- Roller Skating Rink.....
 - Partial Kitchen: \$60
 - Full kitchen: \$120

Public hearing required for new license- \$100 fee
Background check must also be included.

- Coin-Op Devices (fee per device).....
\$50 per device up to 10 devices/\$30 per device 10 or more
of devices: _____
(Please provide list of devices)

- *Temp FSE (Per event max 7days) \$60

- Motion Picture Theater (fee per screen)..... \$50
of screens: _____

*All above licenses: include copy of floor plan, menu/draft menu, certified food handler certificate and a copy of all State licenses applicable.

- FSE Off Premise/Retailer-Malt Liquor/Table Wine.....
Sq ft: Fee:
 - 1-2999 \$150
 - 3000-5999 \$200
 - 6000+ \$250

- Juke Box (each)..... \$30
of boxes: _____

- Lodging House..... # of rooms: _____
10 rms or less: \$75
More than 10: \$150

- FSE Prepackaged Only
Sq ft: Fee:
 - 1-2999 \$150
 - 3000-5999 \$200
 - 6000+ \$250

- Pool Hall (fee per table)..... \$50
of tables: _____

Seating: _____ Occupancy load: 99

LICENSEING FEE(S) TOTAL DUE: \$ 625

NAME OF BUSINESS: Pierrette's, C'est si Bon Cafe BUSINESS ADDRESS: 550 Center St., Auburn, ME
 BUSINESS MAILING ADDRESS: 550 Center St, #9063, Auburn, ME 04210
 OWNER'S NAME (LOCAL/ONSITE): FRANCIS GAGNON DOB: 1/2/1973 PHONE: 202-783-3354
 OWNER'S ADDRESS: 18 College St, #2, Lewiston MAILING ADDRESS: SAME 240-3259 (C)
 PREFERRED EMAIL: Francis@CestSiBonCafe.com

MANAGER'S NAME: John Pulsifer PHONE #: _____ DOB: 10/12/1952

PREFERRED CONTACT NAME: _____ PHONE #: _____

EMAIL ADDRESS: John@CestSiBonCafe.com

DESCRIPTION OF BUSINESS: Franco-American, Quebecois, New England Cuisine

TYPE OF PREVIOUS BUSINESS AT ADDRESS (IF KNOWN): Papa Gino's Pizzeria

FORM OF BUSINESS ORGANIZATION: Corporation Partnership Sole Proprietorship LLC Other

(If a corporation, must include a copy of corporate papers for new licenses)

If a Corporation, Partnership or LLC, complete the following information of each owner (additional names may be listed on an attached sheet):

Name	Print Clearly Address Previous 5 years	Birth Date	% of Stock	Title
FRANCIS GAGNON	18 College St, #2, Lewiston	1-2-73	51	Member
JOHN PULSIFER	127 Evergreen Dr, Poland	10-12-52	49	Member

OWNER OF BUILDING/UNIT: Auburn Mall PHONE # _____

OWNER'S ADDRESS: 550 Center Street, Auburn, ME 04210

HOURS OF OPERATION: Mon: 8-8pm Tues: 8-8pm Wed: 8-8pm Thurs: 8-8pm
 Fri: 8-9pm Sat: 8-9pm Sun: 8-5pm

Has applicant(s) and/or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States, within the past 5 years? Yes No (If yes, complete the following)

Name: _____ Date of conviction: _____

Offense: _____ Location: _____

Disposition: _____

Include additional pages if needed.

THE OMISSION OF FACTS OR ANY MISREPRESENTATION OF ANY OF THE INFORMATION ON THIS APPLICATION SHALL BE SUFFICIENT GROUNDS FOR THE REFUSAL OF SUCH LICENSE.

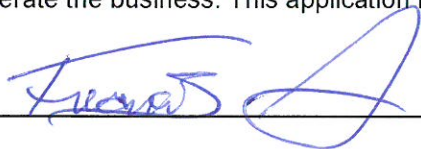
Chapter 14-Business Licenses & Permits-Article II Sec.14-34 Certification from City Officials
Before a license is issued the City Clerk shall submit the application for certification to the Code Enforcement Officer, Fire Chief, Chief of Police and City Treasurer.

There is a 14 day review period after receipt of a **completed** application. Incomplete applications will not be reviewed for approval and will be returned for completion. A business must not operate until approved by the required departments. Final approval and issuance of license will be from the City Clerk's Office.

CERTIFICATE OF APPLICANT AND WAIVER OF CONFIDENTIALITY

****READ CAREFULLY BEFORE SIGNING****

I, FRANCIS GAGNON, Owner/Operator of the business, hereby authorize the release of any
(Print name)
 criminal history record information to the City Clerk's Office or Licensing Authority. I understand that this information shall become public record, and I hereby waive any rights of privacy with respect hereto. I further stipulate that I am aware that deliberate falsification of the information herein shall be sufficient cause for denial of a license to operate the business. This application is accurate and true to the best of my knowledge.

Applicant Signature: 

Date: 7/23/2019

FOR OFFICE USE ONLY

REPORT OF INSPECTING OFFICERS:

<input checked="" type="checkbox"/> Approved	<input type="checkbox"/> Denied	FIRE INSPECTOR <u>ok 9/3 pending permit inspection</u>
<input checked="" type="checkbox"/> Approved	<input type="checkbox"/> Denied	CODE ENFORCEMENT OFFICER <u>ok 9/3 pending permit inspection</u>
<input checked="" type="checkbox"/> Approved	<input type="checkbox"/> Denied	POLICE <u>ok 8/12</u>
<input checked="" type="checkbox"/> Approved	<input type="checkbox"/> Denied	FINANCE <u>ok-no tax acct yet-new business</u>

Comments:

Application date: <u>JUL 29 2019</u>	License issued on: _____
Fees paid: License fee(s) <u>525</u>	Public hearing fee <u>100</u> Background fee _____ Late fee _____
Total amount paid = \$ <u>625</u> <u>cx #1236</u>	

Special Amusement Questionnaire:

Exact entertainment to be provided at establishment:

Franco-American, Fiddlers, Accordeonist, Singers, etc., Inside cafe or mall area.

(Specify hours of entertainment) Mon: 10-8pm Tues: 10-8pm Wed: 10-8pm Thurs: 10-8pm
 Fri: 10-9pm Sat: 10-9pm Sun: 8-5pm

Describe in detail the room(s) to be used under the permit:

Inside cafe or inside of mall, during special occasions (center of mall)

Include a diagram or floor plan of your business. On the diagram please list the following:

Main Entrance, Secondary Entrances, Fire Escapes, Fire Extinguishers, Location of Stationary Security Personnel, Food Serving or preparation areas, the direction of any speakers, Dancing Area, Locations where alcohol will be sold.

Have any of the applicants, including the corporation ever had a special amusement license denied or revoked?

Yes No If yes, Please explain (Including location and timeframe):

PLEASE PROVIDE THE FOLLOWING, IF APPLICABLE:

CURRENT LIQUOR LICENSE # _____ EXPIRATION DATE: _____

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

Applicant agrees to have two counters or clickers at each entrance. One will be used to document the patrons that have entered the establishment. The second will be used to document the patrons that have exited the establishment. This will give the staff and public safety personnel an accurate count of patrons in the establishment.

Applicant agrees to have the maximum seating and or occupancy capacity clearly listed in each room that is open to the public, and to have security and or staff stationed at all times at all entrances and exits used by the public.

Applicant agrees to, if so ordered by the Chief of Police, to hire sworn members of the Auburn Police Department for security. The rate will be at the current City of Auburn detail rate. These officers will supplement the existing staff or security.

The below chart will be used as a guide in determining the numbers of officers required.

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

All requests for modification(s) of the approved Special Amusement license must be submitted in writing to the City of Auburn. Any changes made without approval from the City of Auburn may result in an immediate suspension of the license. Signature on application releases the Auburn Police Department, its agents and representatives from any and all liability of every nature and kind arising out of the furnishing, inspection or collection of such documents, records and other information or the investigation made by the Auburn Police Department.

I do hereby authorize Auburn Police Department and its agents to receive copies of records and/or any information concerning my background, character, bank accounts, businesses, places of employment, schools and any other source necessary for the purpose of obtaining a Special Amusement License.

I have read and understand section 14-600 to 14-609, Special Amusement Permits, of the City of Auburn's business license ordinance. (Signature) (Initial)



City of Auburn, Maine

"Maine's City of Opportunity"

Office of the City Clerk

SUPPLEMENTARY QUESTIONNAIRE FOR CORPORATE APPLICANTS, LIMITED LIABILITY

COMPANIES, AND LIMITED PARTNERSHIPS

- Exact Corporate Name: Pierrette's C'est si Bon Cafe
Business D/B/A Name: _____
- Date of Incorporation: May, 2019
- State in which you are incorporated: MAINE
- If not a Maine Corporation, date corporation was authorized to transact business within the State of Maine: _____
- List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list the percent of stock owned:

Name	<i>Print Clearly</i> Address Previous 5 years	Birth Date	% of Stock	Title
FRANCIS GAGNON	18 College St, # 2, Lewiston, ME 04240	1/2/1973	51	Director
John Pulsifer	127 Evergreen dr. Poland, ME 04274	10/17/1952	49	Chef / Director

- What is the amount of authorized stock? 100% Outstanding Stock? 0
- Is any principal officer of the corporation a law enforcement official? Yes No
- Has applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of the United States? Yes No
- If YES, please complete the following: Name: _____

Date of Conviction: _____ Offense: _____

Location: _____ Disposition: _____

Dated at: _____ On: _____
City/Town Date

[Signature]

Signature of Duly Authorized Officer

Date

FRANCIS GAGNON

Print Name of Duly Authorized Officer

RV 4/2011

Holly C. Lasagna, Ward One
Robert P. Hayes, Ward Two
Andrew D. Titus, Ward Three
Alfreda M. Fournier, Ward Four



Leroy G. Walker, Ward Five
Belinda A. Gerry, At Large
David C. Young, At Large

Jason J. Levesque, Mayor

IN CITY COUNCIL

ORDER 107-09092019

ORDERED, that the City Council hereby approves the Liquor License for Pierrette's C'est Si Bon Café LLC, DBA Pierrette's C'est si Bon Café, located at 550 Center Street, Auburn, Maine.