



City Council Workshop & Meeting
June 24, 2019
Agenda

5:30 P.M. City Council Workshop

- A. Executive session, economic development (Proposed TIF 25: North River Road Apartments), pursuant to 1 M.R.S.A. 405(6)(C) – (20 minutes)
- B. Norway Savings Bank Arena Bond – Michael Chammings and Jill Eastman (15 minutes)
- C. Citizen Participation Plan – Zachary Lenhert (20 minutes)
- D. City Charter – Phil Crowell and Sue Clements-Dallaire (20 minutes)
- E. Executive session, personnel matter pursuant to 1 M.R.S.A. 405(6)(A) – (15 minutes)

If more time is needed during the workshop, the last executive session will be moved to the end of the meeting.

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

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.
- II. Minutes**
 - June 3, 2019 Regular Council Meeting
- III. Communications, Presentations and Recognitions**
 - **Recognition** – Spirit of America Award
 - **Communications** – Boys & Girls Club
- 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. Order 74-06032019**
Authorizing the Finance Director to execute the issuance of general obligation bonds and a tax levy therefore. Second reading. ***Passage requires an affirmative vote of 5 Councilors.***

2. **Order 75-06032019**
Reallocation of bonds. Second reading. *Passage requires an affirmative vote of 5 Councilor.*

3. **Resolve 08-06032019**
Adopting the Appropriations Resolve for Fiscal Year 2020. Second reading.
Passage requires an affirmative vote of 4 Councilors.

VI. New Business

4. **Order 76-06242019**
Authorizing Use of Other Funds to fund a portion of the FY 19 – 20 CIP.

5. **Order 77-06242019**
Adopting the purpose, composition, terms, and outcomes of a Recycling Ad-hoc Committee.

VII. Reports

- a. **Mayor's Report**
- b. **City Councilors' Reports**
- c. **City Manager Report**
- d. **Finance Director, Jill Eastman – May 2019 Monthly Finance Reports**

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

X. Adjournment



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: June 24, 2019

Subject: Executive Session

Information: Economic development (proposed TIF 25: North River Road Apartments), 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: June 24, 2019

Author: Jill M. Eastman, Finance Director

Subject: Order – Authorizing General Obligation Bonds and a Tax Levy Therefor (NSBA).

Information: This is the order authorizing the Finance Director to issue General Obligation Bonds not to exceed \$7,000,000, the sale proceeds of which, together with investment earnings, if any, are appropriated to finance the acquisition of Norway Savings Bank Arena (including costs of issuance and capitalized interest).

City Budgetary Impacts: This is a transfer from a lease expense to a debt requirement. This will reduce the terms by 5 years and save the City approximately \$2.5 million over the life of the bonds.

Staff Recommended Action: Staff recommends passage.

Previous Meetings and History: Workshop held on June 24, 2019.

City Manager Comments:

I concur with the recommendation. Signature:

Two handwritten signatures in blue ink. The first signature is "Phillip Crowell Jr." and the second is "Peter J. Carlton".

Attachments:

Order

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



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

Jason J. Levesque, Mayor

ORDER xx-07012019

ORDER – AUTHORIZING GENERAL OBLIGATION BONDS AND A TAX LEVY THEREFOR

Be It Ordered by the Auburn City Council, following a public hearing duly called and held as required by Article 8, Section 8.13 of the Auburn City Charter:

THAT there be and hereby is authorized issuance of the City's general obligation bonds, and notes in anticipation thereof, in the principal amount not to exceed \$7,000,000, the sale proceeds of which, together with investment earnings, if any, are appropriated to finance the acquisition of Norway Savings Bank Arena (including costs of issuance and capitalized interest).

Be It Further Ordered by the Auburn City Council:

THAT the bonds and notes authorized hereunder shall be signed by the City's Finance Director and its Treasurer, attested by the City Clerk under the seal of the City. A tax levy is hereby provided for each fiscal year that the bonds authorized hereunder remain outstanding to meet the annual installments of principal and interest as may accrue in each respective year. The bonds and notes may be issued at one time or from time to time, either singly or in series, and the authority and discretion to fix method of sale, issue date, maturities, denominations, interest rate, place of payment, form and other details of said bonds and notes, and to take all other actions and to sign and deliver all other documents, certificates and agreements in order to provide for the sale thereof is hereby delegated to the City's Finance Director.

THAT the bonds and notes authorized hereunder may be made subject to call for redemption, either with or without premium, on such terms as may be determined by the Finance Director.

THAT the City's Finance Director, Treasurer, Clerk, and other proper officials of the City be, and hereby are, authorized and empowered in its name and on its behalf to do or cause to be done all such acts and things, and to execute, deliver, file, approve, and record all financing documents, contracts, agreements, certificates, preliminary and final official statements, tax certificates and other documents as may be necessary or advisable, with the advice of counsel for the City, to carry out the provisions of this order and the issuance of the bonds as may be necessary or desirable.

THAT if the Finance Director, Treasurer, or Clerk are for any reason unavailable to approve and execute the bonds or any related financing documents, the person or persons then acting in any such capacity, whether as an assistant, a deputy, or otherwise, is authorized to act for such official with the same force and effect as if such official had himself or herself performed such act.

THAT this order is a declaration of official intent pursuant to Treas. Reg. § 1.150-2 and shall be kept available for public inspection during reasonable business hours at the office of the City Clerk.

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



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

Jason J. Levesque, Mayor

A Public Notice describing the general purpose of the borrowing and the terms thereof and the times and places where copies of the bond proposal were available for inspection by the public was published on or before June 17, 2019, in the Lewiston Sun-Journal, a daily newspaper published in the City of Auburn and in Androscoggin County.

A public hearing was held on July 1, 2019.



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: June 24, 2019

Author: Zachary Lenhert

Subject: Citizen Participation Plan

Information: Citizen participation is integral to the development of the CDBG/HOME Consolidated Plan. HUD requires that grantees adopt a Citizen Participation Plan that encourages citizens to participate in the development of program plans, any amendments, and the performance report with emphasis on involving low- to moderate income persons.

The Citizen Participation Plan draft being presented is very similar to the past plan. Major changes include reducing the Citizen Advisory Committee (CAC) membership from 20 to 11 members, as well as reducing the term length from 5 to 3 years.

City Budgetary Impacts: None

Staff Recommended Action: Review Citizen Participation Plan draft and offer comments

Previous Meetings and History: None

City Manager Comments:

I concur with the recommendation. Signature:

Two handwritten signatures in blue ink. The first signature is "Phillip Crowell Jr." and the second is "Peter J. Calkins".

Attachments: Citizen Participation Plan draft

CITY OF AUBURN CITIZEN PARTICIPATION PLAN 2020-2024

1. INTRODUCTION

The City of Auburn received an “entitlement” designation for Community Development Block Grant funds in 1974. These funds are used for a number of loan programs to promote housing and economic development. Funds are also used for public facilities and infrastructure, and for social services. In 2001, Auburn and Lewiston formed a consortium with Auburn as the lead agency to receive HOME Investment Partnerships Program funds. The consortium was formed to meet the funding threshold for HOME funds.

The Department of Housing and Urban Development (HUD) requires recipients of its grant funds to prepare formal plans as a condition of receiving federal funds. These plans are intended to encourage communities to allocate federal resources to address local needs and market conditions.

In the next few months the City will be developing a Consolidated Plan (ConPlan). The ConPlan is a fact-based analysis of local housing needs that reflects the incidence and severity of housing problems among different segments of the population. The ConPlan articulates priorities for addressing the needs that have been documented and defines strategies and activities linked to these priorities. Community representatives and housing practitioners will have opportunities to help shape the development of priorities and strategies. The process is intended to assist with coordination among relevant agencies in both planning and implementation. The City works closely with Auburn Housing Authority (AHA) on housing matters.

Section 104(a) of the Housing and Community Development Act of 1974 requires that the City of Auburn follow a Citizen Participation Plan. In order to comply with HUD regulations, the Community Development Department has prepared the following plan which outlines the process through which citizens will be informed of and involved in the Community Development Program. The Community Development Program involves funding of both the Community Development Block Grant and HOME Investment Partnerships (HOME) Program.

The Citizen’s Participation Plan is an effort to create a collaborative process whereby citizens assist in developing a vision for community development housing actions. The City Council will consider both public comments and recommendations of the Citizen’s Advisory Committee (CAC) in making decisions to allocate Community Development and HOME resources.

To affirmatively encourage citizen participation, the following plan elements shall be implemented in the execution of the Community Development Program.

2. GOAL

The goal of the Citizen Participation Plan is to provide Auburn citizens with an opportunity to participate in various processes of the Community Development Program. Citizen participation shall be conducted in an open manner with appropriate and timely dissemination of information pertinent to all plans and programs. The emphasis of this Citizen Participation Plan to involve persons who are most likely to be affected by and utilize the Community Development Program, especially persons of low income, persons with special needs, and persons living in target areas.

3. OBJECTIVES

The objectives of the Citizen Participation Plan are to:

- Encourage citizen participation with emphasis on participation by persons who are of low income, special needs, and persons who live in or own property in a target area;
- Provide citizens with reasonable and timely access to local meetings, information, and records relating to the City's proposed and actual use of funds;
- Provide technical assistance to groups or representative of persons of low income that request such assistance in developing proposals with the level and type of assistance to be determined by the City;
- Obtain citizen views and answer questions at all stages of the Community Development process including development of needs, review of proposed activities and review of program performance;
- Provide for a timely written answer to complaints and grievances; and
- Provide for meeting the needs of non-English speaking residents and persons with special needs for accessibility or communication assistance at public meetings where a significant number of people are expected to participate.

4. PUBLIC PARTICIPATION

A. NOTICES OF PUBLIC MEETINGS

Public meetings are held to obtain views of citizens and public agencies with respect to the Community Development Program. Meeting notices will be published on the City's website.

At least 30 days before adoption by the City Council, a summary of the proposed Consolidated Plan and Annual Action Plan will be published on the City's web site to give citizens an opportunity to review and comment on the plan. The summary will describe the general contents of the Consolidated Plan. The public notice will indicate the location where copies can be examined or how to find it on the web site.

At least 15 days before submission a public notice will be placed in a local newspaper announcing the availability of the Consolidated Annual Performance and Evaluation Report (CAPER). The CAPER provides a review of program progress and performance of the Community Development Block Grant Program.

B. AVAILABILITY OF PUBLIC DOCUMENTS

Documents will be available at the Community Development Department for perusal in an effort to provide readily accessible information to citizens. Historical records will be available for the previous five-year period. Documents that will be available are:

- Residential Anti-displacement;
- Relocation Assistance Plan and Affordable Rent Policy;
- Urban Conditions Study;
- Citizen Participation Plan;
- Community Development Block Grant Regulations;
- Environmental Review Records;
- Consolidated Annual Performance and Evaluation Report;
- Guidelines of various programs funded with Community Development and HOME Investment Partnerships Program funds; and
- Consolidated Plan and Annual Action Plans.

C. CITIZENS ADVISORY COMMITTEE

The purpose of the Citizen's Advisory Committee is to assist in developing the Consolidated Plan and to monitor progress on achieving the goals and objectives of the plan. The committee will be made of up to 11 Auburn residents. The Committee will meet on a regular basis to track progress in accomplishing the goals of the Consolidated Plan. From the City's website Community Development staff shall solicit members who will be representative of the following categories:

- At least one person of minority race or ethnic background;
- 2 representatives of community or faith-based organizations, one of which represents the interests of homeless persons;
- A City Councilor; and
- 7 persons from target areas including residents, landlords and small business owners. There will be a minimum of 1 each from the Downtown, Union Street and New Auburn Target Areas.

The City Councilor member shall be appointed by the Council and their term shall coincide with their term in office. The other committee members shall be appointed by the Mayor and their term shall be three years from the date they are sworn in. The CAC membership shall elect a person amongst them to act as liaison with Community Development staff and to serve as spokesperson for the CAC to the City Council.

1) CAC Meetings:

a) Consolidated Plan

In year 2019-20, the CAC will be involved in assisting with development of the 5-year Consolidated Plan by considering needs and resources, and prioritizing goals and objectives.

b) Annual Action Plan

In the subsequent four years, the CAC will review the annual Consolidated Annual Action Plan for conformance with the Consolidated Plan.

c) Consolidated Annual Performance and Evaluation Report (CAPER)

At the end of each program year, a performance report will be prepared. The CAC will meet after completion of the CAPER to consider progress in meeting the stated goals and objectives of the Consolidated Plan. The CAC will also review program performance, effectiveness, and evaluation.

d) The CAC may determine that other meetings are necessary to promote the goals of the Consolidated Plan. Establishing extra meetings will require a majority vote of the CAC.

2) Consolidated Plan Considerations:

During the study process, the CAC will consider data on housing needs and comments from focus groups to establish priorities. The CAC will consider the needs of extremely low-income, low-income, moderate-income, and middle income families; renters and owners; persons who are elderly, disabled, persons with HIV/AIDS and their families; single persons, large families, public housing residents, families on the public housing or section 8 tenant-based waiting list, and homeless; consider specific problems such as cost-burden, severe cost-burden, substandard housing and overcrowding.

D. COMMUNITY DEVELOPMENT LOAN COMMITTEE

Review of loans by the Community Development Loan Committee shall be another means of obtaining citizen participation, particularly by persons who are low income and persons who live in target areas. There shall be nine persons residing in Auburn appointed by the City Council to the Community Development Loan Committee, two of which are low-mod income persons, two who own property in target areas, and two who have a background in real-estate finance. Names of persons wishing to serve may be submitted to the City Council by soliciting involvement from a) clients who have participated in one of the Community Development

Programs, b) persons living in federally subsidized housing, or c) persons who live in one of the target areas.

E. OTHER PUBLIC PARTICIPATION

Community Development staff shall solicit input from citizens who may be affected by Community Development projects to give them an opportunity to express their views concerning problems, suggestions and alternatives to the proposed projects. A public notice will announce the availability of City documents and may include:

- amount of Community Development Block Grant funding to be received;
- eligible activities;
- general program requirements;
- previous years' use of funds;
- projected use of funds;
- time schedule for submitting the Consolidated Plan;
- amount of funds that will benefit very low, low, and low-moderate income persons; and plans to minimize displacement of persons and to assist persons.

F. CITY WEBSITE AND SOCIAL MEDIA NETWORKING

The City of Auburn's website will provide up-to-date information on the Community Development and HOME Investment Partnerships Programs. Meeting notices, the draft and adopted Consolidated Plan, Annual Action Plans, Consolidated Annual Performance and Evaluation Reports, various adopted guidelines and policies, and the Citizen Participation Plan will be available.

In order to reach a broader more diverse audience, during the 5-year planning process the Community Development Department will also utilize an internet social networking site to provide important information on the Consolidated Plan and funding resources.

G. PUBLIC HEARINGS

Public hearings shall be held by the City Council and shall serve as additional forums for citizens to convey their views on community development and housing needs, and to respond to proposed budget. At least 10 days prior to public hearings, a notice shall be placed in the newspaper announcing the public hearing. The City Council will consider comments or views of citizens received in writing or orally at the public hearing. Public hearing will be held at Auburn Hall, a location that accommodates persons with disabilities. Public hearing shall be held as follows:

1) Consolidated Plan - A public hearing will be held prior to adoption of the Consolidated Plan. A draft Consolidated Plan will be available to the public 30 days prior to adoption. Copies will be available free of charge.

2) Consolidated Annual Action Plan - A public hearing will be held prior to adoption of each Consolidated Annual Action Plan. A draft Annual Action Plan will be available 30 days prior to adoption. Copies will be available free of charge.

3) Amendments - A public hearing will be held prior to adoption of any substantial amendments to the Consolidated Plan and Annual Action Plans. A substantial program amendment description will be available 14 days prior to adoption. Copies will be available free of charge.

4) Consolidated Annual Performance and Evaluation Report - A public hearing will be held prior to submission of the Consolidated Annual Performance and Evaluation Report. The report will be available 30 days prior to submission. Copies will be available free of charge.

H. CONSIDERATION OF COMMENTS

A summary of comments will be attached to the appropriate document and submitted to the City Council before an action is taken. The City Council shall consider comments of the CAC or others prior to final adoption of the Consolidated Plan, Annual Action Plan, or Consolidated Annual Performance and Evaluation Report.

I. RESPONSE TO PROPOSALS/COMMENTS

A staff member of the Community Development Department will respond to citizen comments or proposals. For every written proposal or comment, there will be a written response with reasons stated for whatever action the City has taken on the proposal. Oral proposals will receive oral responses, though they may be in writing.

5. SPECIAL CONSIDERATIONS

A. ACCOMMODATIONS

Where French is the primary language of a significant number of persons living in Auburn, a French-speaking person will be available at Auburn Hall who will provide assistance to translate basic program information upon request. If non-English speaking persons are expected to attend a meeting, arrangements will be made to have a translator present.

Persons with special needs for mobility, hearing and visual impairments, or the homebound will be required to contact the Community Development Department in advance so that arrangements can be made to provide adequate communication assistance.

B. TECHNICAL ASSISTANCE

Staff will provide direct assistance to low-income persons or their representative when forming proposals for Community Development activities. The level and type of assistance will be determined by Community Development staff and may not necessarily include the provision of funds to any person, group, or agency.

Staff will provide direct assistance to low income persons in their effort to progress through the various program processes. For the Rehabilitation Program, assistance will include preparing a loan application, submitting financial information, providing advice for soliciting bids, or upon request securing bids for a property owner, comparing and evaluating bids for conformance to required work, assisting to schedule rehabilitation work, managing the escrow account, performing inspections to ensure quality work, acting as liaison between the contractor and property owner for complaints and resolving a variety of other problems. For the homebuyer programs, assistance will include preparing a loan application, submitting financial information, providing pre-qualification for housing affordability, credit counseling, and guiding the home purchase.

Staff will provide counseling to tenants who are in jeopardy of being displaced because of a federally funded project and provide relocation assistance to those who are being displaced. Tenants will be assisted when required to file relocation claim forms and to secure comparable housing that is decent, safe and sanitary.

Staff will make a credit counseling referral to low-income households to assist them become homeowners.

6. COMPLAINTS AND GRIEVANCES

Citizens who have objections or complaints about the Community Development or HOME Programs may submit a written complaint to:

Community Development Block Grant Program
City of Auburn
60 Court Street
Auburn, ME 04210
Attention: Community Development Director

The complaint should include the date, name, address, telephone number of the complainant, convenient hour to reach that person by telephone, nature of the complaint and

location. The complaint may also be given orally. The person initiating the complaint will schedule a meeting with the Community Development Director and a formal complaint will be formulated from the interview that will be signed by the complainant.

There will be a written response, within 15 days of receipt, to the complainant. The response will indicate the ultimate disposition of the complaint.

7. AMENDMENTS TO CONSOLIDATED PLAN

Auburn will amend its Consolidated Plan whenever it makes one of the following decisions

- to change a goal, priority, or activity of the Consolidated Plan;
- to carry out an activity using funds from any program covered by the Consolidated Plan (including program income) not previously covered in the Consolidated Annual Action Plan; or
- to change the purpose, scope, location, or beneficiaries of an activity included in the Consolidated Annual Action Plan.

a) Minor Amendment

A minor amendment will be approved by the City Manager.

b) Substantial Amendment

A substantial amendment must be authorized by the City Council and submitted to the U. S. Department of Housing and Urban Development. A substantial amendment is defined as a change that exceeds 10% of the amount of annual Community Development or HOME Program budget (which includes the annual allocation, reprogrammed funds and program income) for the year in which the amendment is being considered. A public notice of the change will be published 30 days before adoption of an amendment by the City Council. An additional public hearing for a program amendment will be held in advance of a City Council vote.



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: June 24, 2019

Author: Sue Clements-Dallaire, City Clerk

Subject: Establishing a Charter Commission for the purpose of reviewing the City Charter

Information: The current City Charter was adopted in 2005. Sec. 2.8. - Review of Charter and ordinances states: The city council shall provide for the review of the city's Charter and ordinances in their entirety at least once every 15 years.

30-A §2102 (1) Municipal Officers. The municipal officers may determine that the revision of the municipal charter be considered or that adoption of a new municipal charter be considered and, by order, provide for the establishment of a charter commission to carry out that purpose as provided in this chapter.

30-A §2102 (5) Election procedure. Within 30 days after the adoption of an order under subsection 1 the municipal officers shall by order submit the question for the establishment of a charter commission to the voters at the next regular or special municipal election held at least 90 days after this order.

A. The question to be submitted to the voters shall be in substance as follows:

“Shall a Charter Commission be established for the purpose of revising the Municipal Charter or establishing a New Municipal Charter?”

City Budgetary Impacts: N/A

Staff Recommended Action: Discussion with possible action at the July 1, 2019 Council meeting

Previous Meetings and History: The current Charter was adopted in 2005.

City Manager Comments:

I concur with the recommendation. Signature:

Two handwritten signatures in blue ink. The first signature is "Phillip Crowell Jr." and the second is "Peter J. Cusack".

Attachments:

30-A §2102, §2103, §2104, §2105

Legal Note – Charter Revision or Charter Amendment?

Maine Revised Statutes
Title 30-A: MUNICIPALITIES AND COUNTIES
Chapter 111: HOME RULE

§2102. CHARTER REVISIONS, ADOPTIONS, PROCEDURE

1. Municipal officers. The municipal officers may determine that the revision of the municipal charter be considered or that adoption of a new municipal charter be considered and, by order, provide for the establishment of a charter commission to carry out that purpose as provided in this chapter.

[1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD) .]

2. Petition by voters. On the written petition of a number of voters equal to at least 20% of the number of votes cast in the municipality at the last gubernatorial election, but in no case less than 10, the municipal officers, by order, shall provide for the establishment of a charter commission for the revision of the municipal charter or the preparation of a new municipal charter as provided in this chapter.

[1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD) .]

3. Petition procedure. The following procedure shall be used in the alternative method set out in subsection 2.

A. Any 5 voters of the municipality may file an affidavit with the municipal clerk stating:

- (1) That the 5 voters will constitute the petitioners' committee;
- (2) The names and addresses of the 5 voters;
- (3) The address to which all notices to the committee are to be sent; and
- (4) That the 5 voters will circulate the petition and file it in proper form.

The petitioners' committee may designate additional voters of the municipality, who are not members of the committee, to circulate the petition.

Promptly after the affidavit is filed, the clerk shall issue petition blanks to the committee. [1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD).]

B. The municipal clerk shall prepare the petition forms at the municipality's expense. The petition forms shall be printed on paper of uniform size and may consist of as many individual sheets as are reasonably necessary.

- (1) Petition forms shall carry the following legend in bold lettering at the top of the face of each form.

"Municipality of"

"Each of the undersigned voters respectfully requests the municipal officers to establish a Charter Commission for the purpose of revising the Municipal Charter or preparing a New Municipal Charter."

Each signature to a petition must be in ink or other indelible instrument and must be followed by the residence of the voter with street and number, if any. No petition may contain any party or political designation.

(2) The clerk shall note the date of each petition form issued. All petitions must be filed within 120 days of the date of issue or they are void.

(3) Each petition form shall have printed on its back an affidavit to be executed by the circulator, stating:

- (a) That the circulator personally circulated the form;
- (b) The number of signatures on the form;
- (c) That all the signatures were signed in the circulator's presence;
- (d) That the circulator believes them to be genuine signatures of the persons whose names they purport to be;
- (e) That each signer has signed no more than one petition; and
- (f) That each signer had an opportunity to read the petition before signing. [1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD).]

C. Petition forms shall be assembled as one instrument and filed at one time with the clerk. The clerk shall note the date of filing on the forms. [1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD).]

[1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD) .]

4. Procedure after filing. Within 20 days after the petition is filed, the clerk shall complete a certificate as to its sufficiency, specifying, if it is insufficient, the particulars which render it defective. The clerk shall promptly send a copy of the certificate to the petitioners' committee by mail and shall file a copy with the municipal officers.

A. A petition certified insufficient for lack of the required number of valid signatures may be amended once if the petitioners' committee files a notice of intention to amend it with the clerk within 2 days after receiving the copy of the clerk's certificate.

Within 10 days after this notice of intention is filed, the committee may file a supplementary petition to correct the deficiencies in the original. This supplementary petition, in form and content, must comply with the requirements for an original petition under subsection 3. [1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD).]

B. Within 5 days after a supplementary petition is filed, the clerk shall complete and file a certificate as to its sufficiency in the manner provided for an original petition. [1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD).]

C. When an original or supplementary petition has been certified insufficient, the committee, within 2 days after receiving the copy of the clerk's certificate, may file a request with the municipal officers for review.

The municipal officers shall inspect the petitions in substantially the same form and manner as a recount under section 2531-B and shall make due certificate of that inspection. The municipal officers shall file a copy of that certificate with the municipal clerk and mail a copy to the committee. The certificate of the municipal officers is a final determination of the sufficiency of the petitions. [2011, c. 255, §1 (AMD) .]

D. Any petition finally determined to be insufficient is void. The clerk shall stamp the petition void and seal and retain it in the manner required for secret ballots. [1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD).]

[2011, c. 255, §1 (AMD) .]

5. Election procedure. Within 30 days after the adoption of an order under subsection 1 or the receipt of a certificate or final determination of sufficiency under subsection 4, the municipal officers shall by order submit the question for the establishment of a charter commission to the voters at the next regular or special municipal election held at least 90 days after this order.

A. The question to be submitted to the voters shall be in substance as follows:

"Shall a Charter Commission be established for the purpose of revising the Municipal Charter or establishing a New Municipal Charter?"

[1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD).]

[1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD) .]

SECTION HISTORY

1987, c. 737, Pt. A, §2 (NEW). 1987, c. 737, Pt. C, §106 (NEW). 1989, c. 6, (AMD). 1989, c. 9, §2 (AMD). 1989, c. 104, Pt. C, §§8, 10 (AMD). 1993, c. 608, §4 (AMD). 2011, c. 255, §1 (AMD).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the Second Special Session of the 128th Maine Legislature and is current through November 1, 2018. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.

Maine Revised Statutes
Title 30-A: MUNICIPALITIES AND COUNTIES
Chapter 111: HOME RULE

§2103. CHARTER COMMISSION, MEMBERSHIP, PROCEDURE

1. Membership. The charter commission shall consist of several voters in the municipality, elected under paragraph A, and 3 members appointed by the municipal officers under paragraph B.

A. Voter members must be elected by one of the following methods:

- (1) Six voter members are elected in the same manner as the municipal officers, except that they must be elected at-large and without party designations;
- (2) One voter member is elected from each voting district or ward in the same manner as municipal officers, except that the voter member must be elected without party designation; or
- (3) Voter members are elected both at-large and by district or ward, as long as the number of voter members is the same as the number of municipal officers on the board or council of that municipality and the voter members are elected in the same manner as the municipal officers, except that they must be elected without party designation.

Election of voter members may be held either at the same municipal election as the referendum for the charter commission or at the next scheduled regular or special municipal or state election. The names of the candidates on the ballot must be arranged alphabetically by last name. If the elections are held at the same time, the names of the candidates must appear immediately below the question relating to the charter commission. [2009, c. 52, §1 (AMD); 2009, c. 52, §2 (AFF).]

B. Appointive members need not be residents of the municipality, but only one may be a municipal officer. The municipal officers shall make the appointments in accordance with municipal custom or bylaws within 30 days after the election approving the establishment of the charter commission. [1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD).]

[2007, c. 495, §1 (AMD); 2009, c. 52, §1 (AMD); 2009, c. 52, §2 (AFF) .]

2. Organization. Immediately after receiving notice of the appointment of the members by the municipal officers, the municipal clerk shall notify the appointed and elected members of the charter commission of the date, time and place of the charter commission's organizational meeting. The clerk shall set the date, time and place of the meeting and give at least 7 days' notice of the meeting.

The charter commission shall organize by electing from its members a chairman, vice-chairman and a secretary and shall file notice of these elections with the municipal clerk. Vacancies occurring on the commission shall be filled by vote of the commission from the voters of the municipality, except that a vacancy among appointive members shall be promptly filled by the municipal officers. Members shall serve without compensation, but shall be reimbursed from the commission's account for expenses lawfully incurred by them in the performance of their duties.

[1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD) .]

3. Regulations, staff. The charter commission may adopt regulations governing the conduct of its meetings and proceedings and may employ any necessary legal, research, clerical or other employees and consultants within the limits of its budget.

[1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD).]

4. Funding. A municipality shall provide its charter commission, free of charge, with suitable office space and with reasonable access to facilities for holding public hearings, may contribute clerical and other assistance to the commission and shall permit it to consult with and obtain advice and information from municipal officers, officials and employees during ordinary working hours. Within 20 days after the members of a charter commission are elected and appointed, the municipal officers shall credit \$100 to the charter commission account. A municipality, from time to time, may appropriate additional funds to the charter commission account. These funds may be raised by taxation, borrowed or transferred from surplus.

A. In addition to funds made available by a municipality, the charter commission account may receive funds from any other source, public or private, except that no contribution of more than \$5 may be accepted from any source other than the municipality, unless the name and address of the person or agency making the contribution and the amount of the contribution are disclosed in writing filed with the clerk. [1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD).]

B. Prior to its termination, the charter commission shall file with the clerk a complete account of all its receipts and expenditures for public inspection. Any balance remaining in its account shall be credited to the municipality's surplus account. [1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD).]

[1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD).]

5. Hearings, reports, time limits. The following requirements regarding hearings, reports and time limits apply to a charter commission.

A. Within 30 days after its organizational meeting, the charter commission shall hold a public meeting to receive information, views, comments and other material relating to its functions. [1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD).]

B. The charter commission shall hold its public hearings within the municipality at the times and places set by the commission. At least 10 days before a hearing, the charter commission shall publish the date, time and place of the hearing in a notice in a newspaper having general circulation in the municipality. Hearings may be adjourned from time to time without further published notice. [1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD).]

C. Within 9 months after its election, the charter commission shall:

- (1) Prepare a preliminary report including the text of the charter or charter revision which the commission intends to submit to the voters and any explanatory information the commission considers desirable;
- (2) Have the report printed and circulated throughout the municipality; and

(3) Provide sufficient copies of the preliminary report to the municipal clerk to permit its distribution to each voter requesting a copy. [1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD).]

D. Within 12 months after its election, the charter commission shall submit its final report to the municipal officers. This report must include:

- (1) The full text and an explanation of the proposed new charter or charter revision;
- (2) Any comments that the commission considers desirable;
- (3) An indication of the major differences between the current and proposed charters; and
- (4) A written opinion by an attorney admitted to the bar of this State that the proposed charter or charter revision does not contain any provision prohibited by the United States Constitution, the Constitution of Maine or the general laws.

Minority reports if filed may not exceed 1,000 words. [1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD).]

E. The municipal officers may extend the time limits for the preparation and submission of preliminary and final reports of the charter commission for up to 24 months after the election of the commission if the extension is necessary to:

- (1) Properly complete the reports;
- (2) Have them printed or circulated; or
- (3) Obtain the written opinion of an attorney. [1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD).]

[1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD) .]

6. Election. When the final report is filed, the municipal officers shall order the proposed new charter or charter revision to be submitted to the voters at the next regular or special municipal election held at least 35 days after the final report is filed.

[1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD) .]

7. Charter modification summaries. When a proposed charter revision is submitted to the voters in separate questions as charter modifications under section 2105, subsection 1, paragraph A, and the municipal officers, with the advice of an attorney, determine that it is not practical to print the proposed charter modification on the ballot and that a summary would not misrepresent the subject matter of the proposed modification, a summary of the modification may be substituted for the text of the proposed modification in the same manner as a summary is substituted for a proposed amendment under section 2104, subsection 6.

[1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD) .]

8. Termination. Except as provided in paragraph A, the charter commission shall continue in existence for 30 days after submitting its final report to the municipal officers for the purpose of winding up its affairs.

A. If judicial review is sought under section 2108, the charter commission shall continue in existence until that review and any appeals are finally completed for the purpose of intervening in those proceedings. [1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD).]

[1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD) .]

SECTION HISTORY

1987, c. 737, §§A2,C106 (NEW). 1989, c. 6, (AMD). 1989, c. 9, §2 (AMD). 1989, c. 104, §§C8,10 (AMD). 2007, c. 495, §1 (AMD). 2009, c. 52, §1 (AMD). 2009, c. 52, §2 (AFF).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the Second Special Session of the 128th Maine Legislature and is current through November 1, 2018. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.
--

Maine Revised Statutes
Title 30-A: MUNICIPALITIES AND COUNTIES
Chapter 111: HOME RULE

§2104. CHARTER AMENDMENTS; PROCEDURE

1. Municipal officers. The municipal officers may determine that amendments to the municipal charter should be considered and, by order, provide for notice and hearing on them in the same manner as provided in subsection 5, paragraph A. Within 7 days after the hearing, the municipal officers may order the proposed amendment to be placed on a ballot at the next regular municipal election held at least 30 days after the order is passed; or they may order a special election to be held at least 30 days from the date of the order for the purpose of voting on the proposed amendments.

A. Each amendment shall be limited to a single subject, but more than one section of the charter may be amended as long as it is germane to that subject. [1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD).]

B. Alternative statements of a single amendment are prohibited. [1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD).]

[1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD) .]

2. Petition by voters. On the written petition of a number of voters equal to at least 20% of the number of votes cast in a municipality at the last gubernatorial election, but in no case less than 10, the municipal officers, by order, shall provide that proposed amendments to the municipal charter be placed on a ballot in accordance with paragraphs A and B.

A. Each amendment shall be limited to a single subject, but more than one section of the charter may be amended as long as it is germane to that subject. [1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD).]

B. Alternative statements of a single amendment are prohibited. [1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD).]

[1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD) .]

3. Petition procedure. The petition forms shall carry the following legend in bold lettering at the top of the face of each form.

"Municipality of"

**"Each of the undersigned voters respectfully requests the municipal officers to provide
for the amendment of the municipal charter as set out below."**

No more than one subject may be included in a petition.

In all other respects, the form, content and procedures governing amendment petitions shall be the same as provided for charter revision and adoption petitions under section 2102, including procedures relating to filing, sufficiency and amendments.

[1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD) .]

4. Amendment constituting revision. At the request of the petitioners' committee, the petition form shall also contain the following language:

"Each of the undersigned voters further requests that if the municipal officers determine that the amendment set out below would, if adopted, constitute a revision of the charter, then this petition shall be treated as a request for a charter commission."

Upon receipt of a petition containing this language, the municipal officers, if they determine with the advice of an attorney that the proposed amendment would constitute a revision of the charter, shall treat the petition as a request for a charter commission and follow the procedures applicable to such a request.

[1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD) .]

5. Action on petition. The following procedures shall be followed upon receipt of a petition certified to be sufficient.

A. Within 10 days after a petition is determined to be sufficient, the municipal officers, by order, shall provide for a public hearing on the proposed amendment. At least 7 days before the hearing, they shall publish a notice of the hearing in a newspaper having general circulation in the municipality. The notice must contain the text of the proposed amendment and a brief explanation. The hearing shall be conducted by the municipal officers or a committee appointed by them. [1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD).]

B. Within 7 days after the public hearing, the municipal officers or the committee appointed by them shall file with the municipal clerk a report containing the final draft of the proposed amendment and a written opinion by an attorney admitted to the bar of this State that the proposed amendment does not contain any provision prohibited by the general laws, the United States Constitution or the Constitution of Maine. In the case of a committee report, a copy shall also be filed with the municipal officers. [1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD).]

C. On all petitions filed more than 120 days before the end of the current municipal year, the municipal officers shall order the proposed amendment to be submitted to the voters at the next regular or special municipal election held within that year after the final report is filed. If no such election will be held before the end of the current municipal year, the municipal officers shall order a special election to be held before the end of the current municipal year for the purpose of voting on the proposed amendment. Unrelated charter amendments shall be submitted to the voters as separate questions. [1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD).]

[1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD) .]

6. Summary of amendment. When the municipal officers determine that it is not practical to print the proposed amendment on the ballot and that a summary would not misrepresent the subject matter of the proposed amendment, the municipal officers shall include in their order a summary of the proposed amendment, prepared subject to the requirements of section 2105, subsection 3, paragraph C, and instruction to the clerk to include the summary on the ballot instead of the text of the proposed amendment.

[1991, c. 622, Pt. X, §10 (AMD) .]

SECTION HISTORY

1987, c. 737, §§A2,C106 (NEW). 1989, c. 6, (AMD). 1989, c. 9, §2 (AMD). 1989, c. 104, §§C8,10 (AMD). 1991, c. 622, §X10 (AMD).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the Second Special Session of the 128th Maine Legislature and is current through November 1, 2018. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.
--

Maine Revised Statutes
Title 30-A: MUNICIPALITIES AND COUNTIES
Chapter 111: HOME RULE

§2105. SUBMISSION TO VOTERS

The method of voting at municipal elections, when a question relating to a charter adoption, a charter revision, a charter modification or a charter amendment is involved, shall be in the manner prescribed for municipal elections under sections 2528 to 2532, even if the municipality has not accepted the provisions of section 2528. [1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD).]

1. Charter revision or adoption. Except as provided in paragraph A, in the case of a charter revision or a charter adoption, the question to be submitted to the voters shall be in substance as follows:

"Shall the municipality approve the (charter revision) (new charter) recommended by the charter commission?"

A. If the charter commission, in its final report under section 2103, subsection 5, recommends that the present charter continue in force with only minor modifications, those modifications may be submitted to the voters in as many separate questions as the commission finds practicable. The determination to submit the charter revision in separate questions under this paragraph and the number and content of these questions must be made by a majority of the charter commission.

(1) If a charter commission decides to submit the charter revision in separate questions under this paragraph, each question to be submitted to the voters shall be in substance as follows:

"Shall the municipality approve the charter modification recommended by the charter commission and reprinted (summarized) below?"

[1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD).]

[1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD) .]

2. Charter amendment. In the case of a charter amendment the question to be submitted to the voters shall be in substance as follows:

"Shall the municipality approve the charter amendment reprinted (summarized) below?"

[1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD) .]

3. Voter information. Reports shall be made available and summaries prepared and made available as follows.

A. In the case of a charter revision or charter adoption, at least 2 weeks before the election, the municipal officers shall:

- (1) Have the final report of the charter commission printed;
- (2) Make copies of the report available to the voters in the clerk's office; and

(3) Post the report in the same manner that proposed ordinances are posted. [1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD).]

B. In the case of a charter amendment, at least 2 weeks before the election, the municipal officers shall:

(1) Have the proposed amendment and any summary of the amendment prepared under this section printed;

(2) Make copies available to the voters in the clerk's office; and

(3) Post the amendment and any summary of that amendment in the same manner that proposed ordinances are posted. [1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD).]

C. Any summary must fairly describe the content of the proposed amendment and may not contain information designed to promote or oppose the amendment. [1991, c. 622, Pt. X, §11 (AMD).]

[1991, c. 622, Pt. X, §11 (AMD) .]

4. Effective date. If a majority of the ballots cast on any question under subsection 1 or 2 favor acceptance, the new charter, charter revision, charter modification or charter amendment becomes effective as provided in this subsection, provided the total number of votes cast for and against the question equals or exceeds 30% of the total votes cast in the municipality at the last gubernatorial election.

A. Except as provided in subparagraph (1), new charters, charter revisions or charter modifications adopted by the voters take effect on the first day of the next succeeding municipal year.

(1) New charters, charter revisions or charter modifications take effect immediately for the purpose of conducting any elections required by the new provisions. [1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD).]

B. Charter amendments adopted by the voters take effect on the date determined by the municipal officers, but not later than the first day of the next municipal year. [1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD).]

[1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD) .]

SECTION HISTORY

1987, c. 737, §§A2,C106 (NEW). 1989, c. 6, (AMD). 1989, c. 9, §2 (AMD). 1989, c. 104, §§C8,10 (AMD). 1991, c. 622, §X11 (AMD).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the Second Special Session of the 128th Maine Legislature and is current through November 1, 2018. The text is subject

to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.
--

from Legal Notes Archive Collection

Charter Revision or Charter Amendment?
(from *Maine Townsman*, "Legal Notes," May 1982)
by William Livengood, MMA's Director of Legal Services

Please Note: Despite this article's original publication date, it remains a valid resource on the relevant subject matter. Recent cases and statutory changes are footnoted to reflect current law. (9/03)

Question: What is the difference between a charter revision and a charter amendment?

Answer: The provisions of Title 30 MRSA Sections 1911-1920 (Home Rule)[Now found at 30-A M.R.S.A. § 2101-2109.], provide two separate and distinct procedures for change of a municipal charter. Section 1912[Now Section 2102.] relating to "charter revisions" requires the establishment of a charter commission, while Section 1914[Now Section 2104.] relating to "charter amendments" does not. Unfortunately, no distinction is made in the statute itself between these two concepts, nor are there any reported Maine cases which define these two terms. For these reasons, one must resort to the generally accepted meanings of these two terms and presumed legislative intent in order to determine which procedure is applicable to any given situation.

Obviously, both "revision" and "amendment" connote change; any distinction between the two must be based upon the degree of change contemplated. In the case of *Kelly v. Laing*, 242 N. W. 891 259 Mich 212, the Supreme Court of Michigan made the following comparison of the two terms:

"Revision" and "amendment" have the common characteristics of working changes in the charter, and are sometimes used in exactly the same sense but there is an essential difference between them.

"Revision" implies a reexamination of the whole law and a redraft without obligation to maintain the form, scheme, or structure of the old. As applied to fundamental law, such as a constitution or charter, it suggests a convention to examine the whole subject and to prepare and submit a new instrument whether the desired changes from the old are few or many. Amendment implies continuance of the general plan and purpose of the law, with corrections to better accomplish its purpose. Basically, revision suggests fundamental change, while amendment is a correction of detail.

Although there is some authority which indicates that a change in a city's form of government may be accomplished by a process of "amendment," the cases which so hold seem to involve statutes which only distinguish between amendment and totally new charters. *State v. Orange* [Tex. x. Civ. App.] 300 SW 2d 705, *People v. Perkins* 137 P. 55. However, as in Maine law, where the statute authorizing the changes distinguishes between "charter amendment" and "charter revision," it has been held that "(a) change in the form of government of a home rule city may be made only by revision of the city charter not by its amendment." *City of Midland v. Arbury* 38 Mich App. 771, 197 N.W. 2d 134.

City of Midland v. Arbury involved a situation in which the change sought consisted of the addition of the appointed city manager to the list of officers subject to removal by popular vote. When reviewing the vote which accepted this change as an "amendment" the court reasoned that:

. . . if the proposed change only amends, alters, or improves within the lines of the original charter, it is an amendment and the passage by the city electorate was valid. But, if the proposed change totally disrupts, cancels, abrogates, or makes inoperable the original charter, it is a revision and the amendment procedure and vote is subject to reversal.

Because the effect of the proposed "amendment" in the Arbury case was to change the fundamental professional administrator concept of the Commissioner-City Manager form of government, the court held that "revision" procedures should have been followed, and declared the vote void.

In summary, it would seem that any major change in governmental form and scheme would probably be interpreted as a charter revision and should be achieved through the more thorough process of deliberation afforded by establishment of a charter commission under 30 MRSA § 1912[30-A M.R.S.A. § 2102].

Since the process chosen (revision or amendment) may effect the legality of a charter change, the 110th Legislature recently enacted P.L. 1982 c. 687 to provide that persons petitioning for a charter "amendment" under 30 MRSA § 1914[30-A M.R.S.A. § 2104], may include language in the petition which requires that the petition be treated as a request for a charter commission if the municipal officers. . . "determine, with the advice of an attorney, that the proposed amendment would constitute a revision of the charter." The intent of this statute is to avoid the frustration which petitioners might experience if their requested change proves to be more fundamental than they had envisioned.



City of Auburn City Council Information Sheet

Council Workshop or Meeting Date: June 24, 2019

Subject: Executive Session

Information: Personnel matter, pursuant to 1 M.R.S.A. Section 405(6) (A).

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

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

(1) An executive session may be held only if public discussion could be reasonably expected to cause damage to the individual's reputation or the individual's right to privacy would be violated;

(2) Any person charged or investigated must be permitted to be present at an executive session if that person so desires;

(3) Any person charged or investigated may request in writing that the investigation or hearing of charges or complaints against that person be conducted in open session. A request, if made to the agency, must be honored; and

(4) Any person bringing charges, complaints or allegations of misconduct against the individual under discussion must be permitted to be present.

This paragraph does not apply to discussion of a budget or budget proposal;

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

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

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

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

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

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

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

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

IN COUNCIL REGULAR MEETING JUNE 3, 2019 VOL. 35 PAGE 56

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

Pledge of Allegiance

I. Consent Items

1. Order 72-06032019

Appointing Wardens and Ward Clerks for the June 11, 2019 Election.

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

Passage 7-0.

II. Minutes - May 20, 2019 Regular Council Meeting

Motion was made by Councilor Fournier and seconded by Councilor Walker to approve the minutes of the May 20, 2019 Regular Council Meeting. Passage 7-0.

III. Communications, Presentations and Recognitions

Recognition – Spirit of America Award - Larry Pelletier and the Danville Junction Grange #65 are the recipients of the 2019 Spirit of America Award. Larry Pelletier was unable to attend tonight's meeting. His award will be presented at a later date.

Recognition – Certificate of Excellence in Financial Reporting – Jill Eastman, Finance Director and her staff were recognized for receiving the Certificate of Excellence in Financial Reporting again this year. This is the 26th consecutive year that they have received this award.

IV. Open Session – Mamie Anthoine Ney, Auburn Public Library Director, reminded everyone of the Library's auction fundraiser that runs through Friday June 7th.

V. Unfinished Business

1. Ordinance 03-05202019

Adopting the proposed amendment to Chapter 14, Business Licenses and Permits for an *Adult Use and Medical Marijuana Businesses Ordinance*. ***Second reading.***

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

Public comment – no one from the public spoke.

Motion was made by Councilor Titus and seconded by Councilor Walker to amend page 13 under section 9 (e) by striking "*and bars*" from "*Deadbolt locks on all exterior doors and any other exterior access points, excepting windows which shall have locks and bars; and*"

Passage of amendment 7-0.

Passage of ordinance 03-05202019 as amended 7-0. A roll call vote was taken.

VI. Ordinance 04-05202019

Adopting the proposed amendment to Chapter 60, Section 60-145(a) Use regulations, permitted uses. *Second reading.*

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

Public comment – no one from the public spoke.

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

VII. Ordinance 05-05202019

Adopting the proposed amendment to Chapter 60, Section 60-499(a) Use regulations, permitted uses. *Second reading.*

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

Public comment – no one from the public spoke.

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

VIII. Ordinance 06-05202019

Adopting the proposed amendment to Chapter 60, Section 60-525(a) Use regulations, permitted uses. *Second reading.*

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

Public comment – no one from the public spoke.

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

IX. Ordinance 07-05202019

Adopting the proposed amendment to Chapter 60, Section 60-554 Form Base Code and Matrix. *Second reading.*

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

Public comment – no one from the public spoke.

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

X. Ordinance 08-05202019

Adopting the proposed amendment to Chapter 60, Section 60-578(a) Use regulations, permitted uses. *Second reading.*

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

Public comment – no one from the public spoke.

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

XI. New Business

1. Order 73-06032019

Approving the Mass Gathering Permit for the Liberty Festival to be held July 4, 2019 (rain date July 5, 2019). *Public hearing and vote.*

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

Public hearing – no one from the public spoke.

Passage 7-0.

2. Resolve 07-06032019

Supporting the restructuring of the Recreation, Ingersoll Turf Facility, and Norway Savings Bank Arena.

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

Public comment – no one from the public spoke.

Motion was made by Councilor Titus and seconded by Councilor Lasagna to amend to include language stating that the resolve will come before Council within one year for a vote for re-approval to continue the department organization structure for the next budget cycle.

Passage of amendment – 6-1 (Councilor Walker opposed).

Passage as amended 5-2 (Councilors Gerry and Walker opposed).

3. Order 74-06032019

Authorizing the Finance Director to execute the issuance of general obligation bonds and a tax levy therefore. Public hearing and first reading. *Passage requires an affirmative vote of 5 Councilors at the second and final reading.*

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

Public hearing – no one from the public spoke.

Motion was made by Councilor Lasagna and seconded by Councilor Hayes to amend by increasing the Fire Department's Apparatus Replacement (Reserve Truck, FY 21 CIP) line from \$200,000 to \$650,000 for the purpose of purchasing a new fire truck.

Amendment failed 3-4 (Councilors Gerry, Titus, Fournier, and Walker opposed).

IN COUNCIL REGULAR MEETING JUNE 3, 2019 VOL. 35 PAGE 59

Motion was made by Councilor Walker and seconded by Councilor Fournier to amend by increasing the Fire Department's Apparatus Replacement (Reserve Truck, FY 21 CIP) line from \$200,000 to \$550,000 for a new fire truck and if more is needed they can come back before the Council to request additional funds.

Passage of amendment 6-1 (Councilor Titus opposed).

Motion was made by Councilor Walker and seconded by Councilor Fournier to cut the Norway Savings Bank Arena Portable Stage line item from \$180,000 to \$50,000.

Passage of amendment 5-2 (Councilors Young and Titus opposed).

Motion was made by Councilor Walker and seconded by Councilor Fournier to cut from Economic & Community Development's Great Falls Redevelopment line item from \$200,000 to \$100,000.

Passage of amendment 6-1 (Councilor Young opposed).

Motion was made by Councilor Walker and seconded by Councilor Fournier to cut \$10,000 from the Recreation Department's Union St Park/Chestnut Park Upgrades line item reducing it from \$60,000 to \$50,000.

Passage of amendment 4-3 (Councilors Lasagna, Hayes, and Titus opposed).

Motion was made by Councilor Walker and seconded by Councilor Fournier to eliminate \$33,000 from Public Work's Slope Mower line item.

Amendment failed 2-5 (Councilors Lasagna, Hayes, Titus, Fournier, and Young opposed).

Motion was made by Councilor Walker and seconded by Councilor Fournier to eliminate \$440,000 from the Public Work's plow trucks line item.

Passage of amendment 4-3 (Councilors Lasagna, Hayes, and Young opposed).

Motion was made by Councilor Walker and seconded by Councilor Fournier to remove \$67,000 for the Public Work's One Ton Truck line item.

Amendment failed 3-4 (Councilors Lasagna, Hayes, Titus, and Young opposed).

Motion was made by Councilor Fournier and seconded by Councilor Walker to amend to increase the contingency line item from \$9,510 to \$39,510.

Passage of amendment 6-1 (Councilor Gerry opposed).

Motion was made by Councilor Walker and seconded by Councilor Titus to take \$350,000 of the \$500,000 from Engineering's Major Drainage line item and reallocate it to be used for the Warm Storage Building project.

Passage of amendment 7-0.

Passage of the order as amended 6-1 (Councilor Gerry opposed). A roll call vote was taken.

4. Order 75-06032019

Reallocation of bonds. Public hearing and first reading. *Passage requires an affirmative vote of 5 Councilors at the second and final reading.*

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

Public hearing – no one from the public spoke.

Motion was made by Councilor Titus and seconded by Councilor Gerry to amend by eliminating \$15,000 from the Recreation Department's Re-branding line item.

Passage of amendment 7-0.

Motion was made by Councilor Gerry and seconded by Councilor Fournier to amend by eliminating \$25,000 from Museum LA.

Amendment failed 3-4 (Councilors Lasagna, Hayes, Titus, and Young opposed).

Motion was made by Councilor Fournier and seconded by Councilor Walker to eliminate \$25,000 from the Recreation Department's Fitness Room Equipment line item.

Amendment failed 3-4 (Councilors Gerry, Hayes, Titus, and Young opposed).

Passage of the Order as amended 6-1 (Councilor Gerry opposed). A roll call vote was taken.

5. Resolve 08-06032019

Adopting the Appropriations Resolve for Fiscal Year 2020. Public hearing and first reading. *Passage requires an affirmative vote of 4 Councilors at the second and final reading.*

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

Public hearing – no one from the public spoke.

Motion was made by Councilor Titus and seconded by Councilor Fournier to add \$15,000 to the Recreation Department for the purpose of rebranding.

Passage on amendment 6-1 (Councilor Gerry opposed).

Motion was made by Councilor Titus and seconded by Councilor Gerry to amend by instructing the City Manager to get the tax levy to a zero percent increase by using any and all revenue sharing we receive from the State, and using any and all revenue generated from debt repositioning and if we need to, by using part of the fund balance to get us to a zero percent increase.

Passage 5-2 (Councilors Lasagna and Hayes opposed).

Motion on the resolve as amended failed 3-4 (Councilors Walker, Young, Lasagna, and Hayes opposed). A roll call vote was taken.

VII. Reports

Mayor Levesque – reported that there is a lot going on in the City and added that the ELHS graduation ceremony will take place this weekend.

Councilor Young – reported that the Androscoggin Historical Society will hold its third summit with the local historical societies. The annual meeting will be held tomorrow at the West Auburn School House. He also attended and took photos at the State (track) meet held in Lewiston.

Councilor Walker - no report

Councilor Fournier – reported that the ELHS graduation will be held on Saturday at 7:00 PM and the Adult Ed graduation will be held on Friday at 7:00 PM.

Councilor Titus – reported on the Water and Sewer District meetings, and tomorrow at 6:00 PM the Sunderland Drive Neighborhood Watch meeting will be held at Sam's on Court Street.

Councilor Hayes – reported on the Airport Board meeting.

Councilor Lasagna – reported that the Build Maine Conference is coming to Lewiston on June 5th and 6th. The committee that is working an Ag Committee Ordinance will be meeting on the 6th of June at 6:00 PM here at Auburn Hall. On Friday at 4:00 PM the 150th Anniversary Healthy September group will be meeting at Gritty's.

Councilor Gerry – reported that the Age Friendly group will be meeting tomorrow at 5:30 at the Hasty Community Center. This coming Wednesday, the first Auburn Seniors will be holding their monthly meeting.

Council Action to Reconsider

A motion was made by Councilor Walker and seconded by Councilor Fournier to reconsider the amendment made on the Appropriations Resolve 08-06032019 that passed 5-2 earlier in the meeting instructing the City Manager to get the tax levy to a zero percent increase.

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

Reconsideration of the Motion made by Councilor Titus and seconded by Councilor Gerry to amend by instructing the City Manager to get the tax levy to a zero percent increase by using any and all revenue sharing we receive from the State, and using any and all revenue

generated from debt repositioning and if we need to, use part of the fund balance to get us to a zero percent increase.

Amendment as reconsidered failed 2-5 (Councilors Lasagna, Hayes, Fournier, Walker, and Young opposed).

Motion was made by Councilor Young and seconded by Councilor Walker to reconsider the vote on the first reading of the Appropriation Resolve 08-06032019 that failed 3-4 earlier.

Passage 7-0.

Reconsideration of the Motion that was made by Councilor Lasagna and seconded by Councilor Walker adopting the Appropriations Resolve for fiscal year 2020 which would include the amendment to add \$15,000 to the Recreation Department for the purpose of rebranding that passed 6-1.

Motion was made by Councilor Fournier and seconded by Councilor Titus to amend by decreasing \$100,000 from the LATC operations budget.

Amendment failed 1-5-1 (Councilors Gerry, Lasagna, Hayes, Fournier, and Young opposed, Councilor Walker abstained).

Passage of the Appropriations Resolve, as reconsidered 5-2 (Councilors Titus and Gerry opposed).

City Manager's Report – reported that he would like to move the June 17th meeting to June 24th since a few Councilors will not be in attendance.

Motion was made by Councilor Titus and seconded by Councilor Fournier to postpone the second meeting in June from June 17th to June 24th.

Passage 7-0.

The City Manager went on to report that there will be discussion at the June 24th meeting on the July meeting schedule. He also noted that we would likely only have one meeting in August. He reported on the Memorial Day Parade, Spring Clean Up, the upcoming election on June 11th.

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

IX. Executive Session - None

X. Adjournment

IN COUNCIL REGULAR MEETING JUNE 3, 2019 VOL. 35 PAGE 63

Motion was made by Councilor Lasagna and seconded by Councilor Walker to adjourn. All were in favor, the meeting adjourned at 10:48 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: June 24, 2019

Author: Jill M. Eastman, Finance Director

Subject: Order – Authorizing Issuance of General Obligation Bonds and Tax Levy Therefor

Information: This is the order authorizing the sale of \$9,200,000 in General Obligation Bonds to finance the FY 19-20 Capital Improvement Projects. (list attached)

City Budgetary Impacts: There are no budgetary impacts at this time.

Staff Recommended Action: Staff recommends passage of 2nd reading.

Previous Meetings and History: Joint Council and School Committee workshop on 3/25/19, various budget workshops through April and May 2019. First reading and public hearing June 3, 2019.

City Manager Comments:

I concur with the recommendation. Signature:

Two handwritten signatures in blue ink. The first signature is "Phillip Crowell Jr." and the second is "Peter J. Cushman".

Attachments:

Amended Bond Order

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 74-06032019

ORDER - AUTHORIZING ISSUANCE OF GENERAL OBLIGATION BONDS AND A TAX LEVY THEREFOR

Be It Ordered by the Auburn City Council, following a public hearing duly called and held as required by Article 8, Section 8.13 of the Auburn City Charter, that there be and hereby is authorized the issuance and sale of the City's general obligation bonds and notes in anticipation thereof on either a taxable or a tax-exempt basis in the amount of \$9,200,000, the proceeds of which, including premium, if any, and investment earnings thereon, are hereby appropriated to finance the following capital equipment and capital improvements (including costs of issuance for the bonds), all constituting part of the City's FY20 Capital Improvement Program:

CAPITAL IMPROVEMENT FY 20 BONDS

Description		
Airport	Runway Maintenance - Runway 04/22 (FAA/MDOT 95% eligible)	\$ 200,000
Airport	Construct New Fuel Farm	\$ 400,000
Econ & Comm Develop	New Auburn Village Center Revitalization	\$ 200,000
Econ & Comm Develop	Dangerous Building Demolition	\$ 100,000
Econ & Comm Develop	Comprehensive Plan Property Acquisition Program	\$ 100,000
Econ & Comm Develop	Great Falls Redevelopment	\$ 100,000
Facilities	Public Works Roof Replacement Phase II	\$ 225,000
Facilities	Central Fire Boiler Replacement	\$ 50,000
Facilities	Auburn Hall-Police Station Improvements	\$ 150,000
Fire	Apparatus Replacement (Reserve Truck, FY 21 CIP)	\$ 550,000
LATC	Bus Replacement	\$ 50,000
LA911	Radio Replacement Project	\$ 1,598,553
LA911	Mobile & Portable Radios - Police and Fire	\$ 433,137
LA911	Station Alerting & Fire Alarm Box Control	\$ 37,500
LA911	Radio System Connectivity	\$ 22,500
NSB Arena	Portable Stage	\$ 50,000
Police	Vehicle Replacement (4)	\$ 192,000
Police	Firearms Replacement	\$ 70,800
Engineering	Reclamation/Resurfacing (Granite, Holly, Josslyn and Haskell)	\$ 1,000,000

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

Engineering	Reconstruction (Penley Corner Rd)	\$ 1,000,000
Engineering	Major Drainage	\$ 150,000
Engineering	MDOT Match (\$500,000-MPI, Rte 4 Match)	\$ 750,000
Engineering	Sidewalks	\$ 50,000
Public Works	One Ton Truck	\$ 67,000
Public Works	Hot Box Pavement Reclaimer	\$ 46,000
Public Works	Slope Mower	\$ 33,000
Public Works	Replace VacAll (Tank)	\$ 45,000
Public Works	Major Drainage - Warm Storage Building (MS4 Compliance)	\$ 350,000
Recreation	Union StPark/Chestnut Park Upgrades (Courts, Playground, Storage)	\$ 50,000
Recreation	Pettengill Baseball Field Renovation	\$ 90,000
School Department	School Department Projects (See School CIP Projects)	\$ 1,000,000
Administration	Contingency	\$ 39,510
TOTAL CIP		\$ 9,200,000

THAT the bonds and notes authorized hereunder shall be signed by the City's Finance Director and its Treasurer, attested by the City Clerk under the seal of the City. A tax levy is hereby provided for each fiscal year that the bonds authorized hereunder remain outstanding to meet the annual installments of principal and interest as may accrue in each respective year. The bonds and notes may be issued at one time or from time to time, either singly or in series, and the authority and discretion to fix method of sale, issue date, maturities, denominations, interest rate, place of payment, form and other details of said bonds and notes, and to take all other actions and to sign and deliver all other documents, certificates and agreements in order to provide for the sale thereof is hereby delegated to the City's Finance Director.

THAT in order to finance temporarily the projects described above, the Finance Director is authorized to expend up to \$9,200,000 either from available funds of the City or from the proceeds of bond anticipation notes which would be reimbursed or refinanced from bond proceeds.

THAT the bonds and notes authorized hereunder may be made subject to call for redemption, either with or without premium, on such terms as may be determined by the Finance Director.

THAT the authority and discretion to designate the bond or notes authorized hereunder, or a portion thereof, as qualified tax-exempt obligations under Section 265 of the Internal Revenue Code of 1986, as amended, is hereby delegated to the Finance Director.

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

THAT the City's Finance Director, Treasurer, Clerk, and other proper officials of the City be, and hereby are, authorized and empowered in its name and on its behalf to do or cause to be done all such acts and things, and to execute, deliver, file, approve, and record all financing documents, contracts, agreements, certificates, preliminary and final official statements, tax certificates and other documents as may be necessary or advisable, with the advice of counsel for the City, to carry out the provisions of this order, as may be necessary or desirable.

THAT if the Finance Director, Treasurer, or Clerk are for any reason unavailable to approve and execute the bonds or any related financing documents, the person or persons then acting in any such capacity, whether as an assistant, a deputy, or otherwise, is authorized to act for such official with the same force and effect as if such official had himself or herself performed such act.

THAT the authority to issue the bonds or notes authorized hereunder shall automatically expire 2 years from the approval of this Order.

THAT this order is a declaration of official intent pursuant to Treas. Reg. § 1.150-2 and shall be kept available for public inspection during reasonable business hours at the office of the City Clerk.

A Public Notice describing the general purpose of the borrowing and the terms thereof was published on or before May 20, 2019, in the Lewiston Sun-Journal, a daily newspaper published in the City of Auburn and in Androscoggin County.

A public hearing was held on June 3, 2019.

Motion by Councilor Lasagna, seconded by Councilor Hayes to amend order to increase Fire Apparatus Replacement to \$650,000. Motion failed 3-4.

Motion by Councilor Walker, seconded by Councilor Fournier to amend order to increase Fire Apparatus Replacement to \$550,000. Motion passed 6-0-1.

Motion by Councilor Walker, seconded by Councilor Fournier to amend order to reduce the funding for NSB Arena Portable Stage to \$50,000. Motion passed 5-2.

Motion by Councilor Walker, seconded by Councilor Fournier to amend order to reduce the funding for Great Falls Redevelopment to \$100,000. Motion passed 6-1.

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

Motion by Councilor Walker, seconded by Councilor Fournier to amend order to reduce the funding for Union St Park/Chestnut Park upgrades to \$50,000. Motion passed 4-3.

Motion by Councilor Walker, seconded by Councilor Fournier to amend order to remove the funding for the slope mower. Motion failed 2-5.

Motion by Councilor Walker, seconded by Councilor Fournier to amend order to remove the funding for Two Dump Trucks for \$440,000. Motion passed 4-3.

Motion by Councilor Walker, seconded by Councilor Fournier to amend order to remove the funding for One Ton Truck for \$67,000. Motion failed 3-4.

Motion by Councilor Fournier, seconded by Councilor Walker to amend order to increase the funding for contingency by \$30,000 to \$39,510. Motion passed 6-1.

Motion by Councilor Walker, seconded by Councilor Titus to move \$350,000 from Major Drainage to Warm Storage Building. Motion passed 7-0.

Passed as amended on first reading 6-1.



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: June 24, 2019

Order: 75-06032019

Author: Jill M. Eastman, Finance Director

Subject: Order – Reallocating Unspent Proceeds from the City’s General Obligation Bonds.

Information: This is the order authorizing the reallocation of \$230,500 from previous General Obligation Bonds that were unspent to fund a portion of the City’s FY 19-20 CIP. (list attached) This is the amended order after the first reading and public hearing.

City Budgetary Impacts: There are no budgetary impacts at this time.

Staff Recommended Action: Staff recommends passage of 2nd reading of the amended order.

Previous Meetings and History: Joint Council and School Committee workshop on 3/26/18, various budget workshops through April and May 2019. First reading and public hearing on June 3, 2019.

City Manager Comments:

I concur with the recommendation. Signature:

Two handwritten signatures in blue ink. The first signature is "Phillip Crowell Jr." and the second is "Peter J. Caudette".

Attachments:

Amended Bond Order with list.

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 75-06032019

ORDER - Reallocating Unspent Proceeds from the City's General Obligation Bonds

WHEREAS, the City of Auburn issued General Obligation Bonds in various amounts for various projects; and

WHEREAS, there remain unspent proceeds of the Bonds borrowed for multiple capital improvements, \$230,500 of which excess proceeds the City Council desires to reappropriate and reallocate to be used for the projects listed below;

CITY OF AUBURN CAPITAL IMPROVEMENT PLAN FY 20 Unallocated

Description		Unallocated Bond Proceeds
Airport	Small Tractor	\$ 30,500
City Clerk	Record Restoration	\$ 20,000
Facilities	PW Life Safety/Code Compliance Corrections	\$ 50,000
Finance	Vehicle for Assessing	\$ 5,000
Fire	Exhaust Management-South Auburn Station	\$ 25,000
Museum LA	Capital Campaign-Architectural Fees	\$ 25,000
Police	Radar/Message Sign Trailer	\$ 25,000
Recreation/Sports Facilities	Department Re-Brand	
Recreation/Sports Facilities	Fitness Room Equipment	\$ 25,000
Recreation/Sports Facilities	Senior Center Phase III	\$ 25,000
TOTAL CIP		\$ 230,500

NOW, THEREFORE, by the City Council of the City of Auburn, be it hereby ORDERED:

THAT the excess proceeds of the Bonds, in the amount of \$230,500 be and hereby are appropriated from the amount borrowed as part of various Bonds to finance the costs of the projects listed above.

THAT the City's Finance Director / Treasurer be, and hereby is, authorized and empowered in the name and on behalf of the City, to do or cause to be done all such acts and things, and to execute and deliver,

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

all such financing documents, certificates, and other documents as may be necessary or advisable, with the advice of counsel for the City, to carry out the provisions of this Order, as may be necessary or desirable.

A Public Notice describing the repurposing of these Bond proceeds borrowed for Various Projects to the list above was published on or before May 20, 2019, in the Lewiston Sun-Journal, a daily newspaper published in the City of Auburn and in Androscoggin County.

A public hearing was held on June 3, 2019.

Motion by Councilor Titus, seconded by Councilor Gerry to remove the funding for Recreation Department Re-Brand for \$15,000. Motion passed 7-0.

Motion by Councilor Gerry, seconded by Councilor Fournier to remove the funding for Museum LA for \$25,000. Motion failed 3-4.

Motion by Councilor Fournier, seconded by Councilor Walker to remove the funding for Recreation Department Fitness Equipment for \$25,000. Motion failed 3-4.

Passed on first reading 6-1.



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: June 24, 2019

Resolve: 08-06032019

Author: Jill M. Eastman, Finance Director

Subject: Resolve Adopting the 2019—2020 Annual Appropriation and Revenue Resolve (Second Reading)

Information: In accordance with the City Charter, Article 8, Section 8.6, prior to the fiscal year the City Council shall adopt an annual appropriation resolve making appropriations by department, fund, services, strategy or other organizational unit and authorizing an allocation for each program or activity.

The Council has been supplied with a resolve to adopt the annual appropriations for the City of Auburn, which includes final figures for revenue, total appropriation and municipal budget.

The school appropriation resolve has been incorporated into this annual appropriation resolve for the City of Auburn.

Two readings are required for passage of this resolve.

City Budgetary Impacts: With this F20 Proposed Budget the tax levy increase is 1.27%, which is below CPIU at 2.40%. At this time, the proposed mill rate increase is 1.27%.

Staff Recommended Action: Staff recommends passage of the resolve on the second reading.

Previous Meetings and History: Budget presentation on March 25, 2019, various budget workshops in April and May. First reading and public hearing June 3, 2019.

City Manager Comments:

Two handwritten signatures in blue ink. The first signature is "Phillip Crowell Jr." and the second is "Peter J. Cushman".

I concur with the recommendation. Signature:

Attachments:

Resolve for the 2019-2020 Annual Appropriation and Revenue
Updated Summary with amendments.

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 08-06032019

RESOLVED, that the following be, and hereby is the Annual Appropriation and Revenue Resolve of the City of Auburn for the fiscal year 2019-2020, which includes the amounts appropriated herein and revenues from all sources beginning July 1, 2019 and ending June 30, 2020.

The estimated aggregate amount of non-property tax revenue is \$43,087,150 with a municipal revenue budget of \$15,646,974 and a School Department revenue budget of \$27,440,176.

The aggregate appropriation for the City of Auburn is \$90,167,648, with a municipal budget of \$42,347,490 County budget of \$2,482,721 and a School Department budget of \$45,337,437 which received School Committee approval on May 1, 2019, and school budget approved at the May 13, 2019 Council Meeting pursuant to the School Budget Validation vote on June 11, 2019, in accordance with Maine Revised Statutes, Title 20-A § 1486 and based on the budget submitted to the Auburn City Council on April 15, 2019, by the City Manager, and notification was posted on the City of Auburn website on May 30, 2019 that a public hearing would be held on June 3, 2019 at 7:00 p.m. and said hearing having been held on that date, and as amended by the City Council, the same is hereby appropriated for the fiscal year 2019-2020 beginning July 1, 2019 for the lawful expenditures of the City of Auburn and the County of Androscoggin taxes, and said amounts are declared not to be in excess of the estimated revenue from taxation and sources other than taxation for the fiscal year of 2019-2020.

COUNCIL AMENDMENTS

On June 3, 2019, the Council passed the following amendment to the Annual Appropriation and Revenue Resolve:

Amendment 1 – We the Council of the City of Auburn adopt and approve the following item to the City Budget:

Add \$15,000 to the Recreation and Sports Facilities budget to fund re-branding of the department.

RESOLVE WITH ALL AMENDMENTS INCORPORATED

The estimated aggregate amount of non-property tax revenue is \$43,087,150 with a municipal revenue budget of \$15,646,974 and a School Department revenue budget of \$27,440,176.

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

The aggregate appropriation for the City of Auburn is \$90,182,648, with a municipal budget of \$42,362,490 County budget of \$2,482,721 and a School Department budget of \$45,337,437 which received School Committee approval on May 1, 2019, and school budget approved at the May 13, 2019 Council Meeting pursuant to the School Budget Validation vote on June 11, 2019, in accordance with Maine Revised Statutes, Title 20-A § 1486 and based on the budget submitted to the Auburn City Council on April 15, 2019, by the City Manager, and notification was posted on the City of Auburn website on May 30, 2019 that a public hearing would be held on June 3, 2019 at 7:00 p.m. and said hearing having been held on that date, and as amended by the City Council, the same is hereby appropriated for the fiscal year 2019-2020 beginning July 1, 2019 for the lawful expenditures of the City of Auburn and the County of Androscoggin taxes, and said amounts are declared not to be in excess of the estimated revenue from taxation and sources other than taxation for the fiscal year of 2019-2020.

SCHOOL BUDGET ARTICLES

Ordered that the Auburn City Council hereby adopts and approves the following School Budget articles for Fiscal Year 2019-2020

1. That \$18,399,387 be authorized to be expended for Regular Instruction;
2. That \$ 10,597,542 be authorized to be expended for Special Education;
3. That \$-0- be authorized to be expended for Career and Technical Education;
4. That \$ 834,264 be authorized to be expended for Other Instruction;
5. That \$ 4,894,395 be authorized to be expended for Student and Staff Support;
6. That \$ 965,499 be authorized to be expended for System Administration;
7. That \$ 1,525,475 be authorized to be expended for School Administration;
8. That \$ 1,822,093 be authorized to be expended for Transportation and Buses;
9. That \$ 5,134,574 be authorized to be expended for Facilities Maintenance;
10. That \$ 742,768 be authorized to be expended for Debt Service and Other Commitments;
11. That \$ 39,260 be authorized to be expended for All Other Expenditures;

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

12. That \$ 42,001,8775 be appropriated for the total cost of funding public education from Pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act and that \$16,355,070 be raised as the municipality's contribution to the total cost of funding public education from Pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act in accordance with the Maine Revised Statutes, Title 20-A, section 15688;

Explanation: *The city's contribution to the total cost of funding public education from Pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding*

Act is the amount of money determined by state law to be the minimum amount that a municipality must raise in order to receive the full amount of state dollars.

13. That \$140,835 be raised and appropriated for the annual payments on debt service previously approved by the city's legislative body for non-state-funded school construction projects or non-state-funded portions of school construction projects, in addition to the funds appropriated as the local share of the city's contribution to the total cost of funding public education from Pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act in accordance with Maine Revised Statutes, Title 20-A, Section 15690 (2A);

Explanation: *Non-state-funded debt service is the amount of money needed for the annual payments on the city's long-term debt for major capital school construction projects that are not approved for state subsidy. The bonding of this long-term debt was previously approved by the voters or other legislative body.*

14. That \$1,210,952 be raised and appropriated in additional local funds, which exceeds the State's Essential Programs and Services allocation model by \$1,210,952, as required to fund the budget recommended by the School Committee.

The School Committee recommends \$1,210,952, which exceeds the State's Essential Programs and Services allocation model by \$1,210,952. The School Committee gives the following reasons for exceeding the State's Essential Programs and Services funding model:

The Essential Programs and Services funding model does not recognize all of the costs of special education services, transportation services, instructional services, co-curricular services and other services that the School Department provides.

Explanation: *The additional local funds are those locally raised funds over and above the city's local contribution to the total cost of funding public education from Pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act and local amounts raised for the annual payment on non-state-funded debt service that will help achieve the school department budget for educational programs.*

15. That the school committee be authorized to expend \$44,955,256 for the fiscal year beginning July 1, 2019 and ending June 30, 2020 from the city's contribution to the total cost of funding public education from Pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act, non-state-funded school construction projects, additional local funds for school purposes under the

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

Maine Revised Statutes, Title 20-A, section 15690, unexpended balances, tuition receipts, fund balances, state subsidy and other receipts for the support of schools;

16. That the City of Auburn appropriate \$382,181 for Adult Education and raise \$190,404.00 as the local share, with authorization to expend any additional, incidental or miscellaneous receipts in the interest and for the well-being of the adult education program.

17. That in addition to amounts approved in the preceding articles, the School Committee be authorized to expend such other sums as may be received from federal or state grants or programs or other sources during the fiscal year for school purposes, provided that such grants, programs or other sources do not require the expenditure of other funds not previously appropriated.

We the Council of the City of Auburn adopt and approve the following items

RESOLVED, that the following be, and hereby is the Annual Budget and Revenue Estimate for the City of Auburn Enterprise Fund – Norway Savings Bank Arena for the fiscal year 2019 – 2020, which includes the amounts budgeted herein beginning July 1, 2019 and ending June 30, 2020.

The Enterprise Fund-Norway Savings Bank Arena estimated amount of non-property tax revenue is \$1,146,500.

The Enterprise Fund-Norway Savings Bank Arena operating budget is \$718,386.

If the Enterprise Fund-Norway Savings Bank Arena has a deficit at the end of the fiscal year, this deficit will be covered by the General Fund and will be considered a loan to the Arena to be paid back in subsequent years.

RESOLVED, that the following be, and hereby is the Annual Budget and Revenue Estimate for the City of Auburn Enterprise Fund – Ingersoll Turf Facility for the fiscal year 2019 – 2020, which includes the amounts budgeted herein beginning July 1, 2019 and ending June 30, 2020.

The Enterprise Fund-Ingersoll Turf Facility estimated amount of non-property tax revenue is \$230,000.

The Enterprise Fund- Ingersoll Turf Facility operating budget is \$214,491 and capital budget of \$11,000.

RESOLVED, The City is authorized to accept grants and forfeitures and to expend sums that may be received from grants and forfeitures for municipal purposes during the fiscal year beginning July 1, 2019 and ending June 30, 2020, provided that such grants and forfeitures do not require the expenditure of other funds not previously appropriated.

RESOLVED, that fifty percent (50%) of all real estate taxes assessed as in the annual commitment, committed to the Tax Collector, shall be due proportionately from each tax payer on September 16, 2019 and the remaining fifty percent (50%) shall be due on March 14, 2020.

Except as may be provided by resolve regarding payments in accordance with an installment payment plan, any real estate taxes remaining uncollected on September 17, 2019 and March 15, 2020 respectively shall bear interest at a rate of 8% per annum from and after such dates.

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

Personal property taxes shall be due and payable on or before September 16, 2019. Any personal property taxes remaining unpaid on September 18, 2018 shall bear an interest rate of 8% per annum from and after such date. Interest on all delinquent taxes shall be computed on a daily basis and shall be collected by the Tax Collector. The Tax Collector is authorized to accept tax prepayments.



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: June 24, 2019

Order: 76-06242019

Author: Jill M. Eastman, Finance Director

Subject: Order – Authorizing Use of Other Funds to fund a portion of the FY 19 – 20 CIP.

Information: This is the order authorizing the use of \$610,000 from Other Funds to fund a portion of the City's FY 19-20 CIP. The breakdown of these other funds are as follows: \$435,000-TIF Funds, \$135,000-CDBG Funds, and \$40,000-EMS Capital Reserve (List attached)

City Budgetary Impacts: These funds are available to fund these projects without having to use General Obligation Bonds.

Staff Recommended Action: Staff recommends passage of this order.

Previous Meetings and History: Joint Council and School Committee workshop on 3/25/19, various budget workshops through April and May 2019.

City Manager Comments:

I concur with the recommendation. Signature:

Two handwritten signatures in blue ink. The first signature reads "Phillip Crowell Jr." and the second signature reads "Peter J. Calkins".

Attachments:

Order including list of projects

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 76-06242019

ORDERED, that the Auburn City Council hereby authorizes the use of funds in the amount of \$610,000, from the funds listed below to be used to fund the Capital Improvements listed below:

CITYWIDE			
CAPITAL IMPROVEMENT PLAN FY 20 Other Funds			
	Description	Funds	
Economic Development	New Auburn Village Center Revitalization	TIF	\$ 300,000
Economic Development	Downtown Parking/Walkability	TIF	\$ 135,000
Economic Development	Downtown Parking/Walkability	CDBG	\$ 135,000
Fire/EMS	Video Tubation Equipment	EMS Capital Reserve	\$ 10,000
Fire/EMS	Cardiac Monitors	EMS Capital Reserve	\$ 30,000
TOTAL CIP			\$ 610,000



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: June 24, 2019

Order: 77-06242019

Author: Phil Crowell

Subject: Purpose, Composition, Term, and Outcomes of a Recycling Ad-hoc Committee

Information: The city council adopted a resolve to create a Recycling ad-hoc committee. Attached is the document which will outline the purpose, composition, term, and outcomes for the created ad-hoc committee. This was reviewed at the workshop on June 3, 2019 and recommended edits were made.

City Budgetary Impacts: N/A

Staff Recommended Action: Adopt the order to begin the ad-hoc recycling committee

Previous Meetings: 5/13/2019 Workshop discussion, 5/20/2019 Resolve to create the Recycling Ad-hoc Committee was approved, 6/3/19 purpose, composition, term, and outcomes were reviewed.

Recent History: In the past eight years, the following actions were taken by city council relating to recycling and formed committees –

- April 13, 2010 the city council voted to end curbside recycling
- April 20, 2010 the city council voted to reinstate curbside recycling but suggested a recycling committee be formed
- August 2010 the city council formed the Recycling and Energy Committee
- September 2010 a workshop was held with a presentation by the committee
- November 2013 a Solid Waste and Recycling Committee was formed and began reviewing various options for an improved solid waste and recycling program.
- December 18, 2014 a public information session was held proposing various options and public comment was given to be provided in the final report.
- January 21, 2014 the committee provided city council an analysis of various options and a recommendation to adopt an automated solid waste and recycling program. *no funding was allocated in the FY15 budget to support the recommendation. The committee met and updated their recommendation.
- 1/5/15 the city council requested a new plan on recycling.
- March 2015 the Solid Waste and Recycling Committee presented their updated recommendation to the city council at a workshop. *these recommendations were not adopted in the FY16 Budget.

City Manager Comments:

I concur with the recommendation. Signature:

Two handwritten signatures in blue ink. The first signature is "Philip Crowell Jr." and the second is "Peter J. Caulton".

Attachments: Recycling Ad-hoc Committee Purpose document

Recycling Ad-hoc Committee

The mission of the Recycling Committee is to study, recommend, and report on programs/models being implemented in response to the changing marketplace. Our goal is to have both the residential and commercial community conscious of recycling and related issues that affect the quality of life in Auburn.

Recycling in the broad sense is the reuse or extension of usable life of materials that have fulfilled the purpose of original manufacture or possession. Recycled materials may be remanufactured into new or different materials, renovated to their original purpose or reused in their current configuration via change in ownership. Recycling may parallel waste removal but is the opposite of waste disposal as recycled materials are removed from the waste stream to begin a new economic life.

For these reasons, the Auburn City Council has created a Recycling Ad-hoc Committee. This Committee, composed of six Auburn residents and one city councilor, appointed by the City Council for a six-month term with the option to expand the term an additional six-months, shall conduct a minimum of six scheduled public meetings and shall:

1. Identify the key impacts of the current recycling program;
2. Compare the current model with different models we could adopt;
3. Identify our current costs for recycling and compare with other municipalities which have adapted to the changing market; and
4. Create a public education and awareness campaign for the recommended changes.

The Recycling Committee is encouraged to include content experts to attend and participate in the meetings to ensure the most recent information pertaining to recycling is being considered. The Recycling Committee shall provide the City Council with one status report in September 2019 and a final report in December 2019 of the studies, reports, activities, and recommendations to the City Council.

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 77-06242019

ORDERED, that the Auburn City Council hereby adopts the purpose, composition, terms, and outcomes of a Recycling Ad-hoc Committee below.

Recycling Ad-hoc Committee

The mission of the Recycling Committee is to study, recommend, and report on programs/models being implemented in response to the changing marketplace. Our goal is to have both the residential and commercial community conscious of recycling and related issues that affect the quality of life in Auburn.

Recycling in the broad sense is the reuse or extension of usable life of materials that have fulfilled the purpose of original manufacture or possession. Recycled materials may be remanufactured into new or different materials, renovated to their original purpose or reused in their current configuration via change in ownership. Recycling may parallel waste removal but is the opposite of waste disposal as recycled materials are removed from the waste stream to begin a new economic life.

For these reasons, the Auburn City Council has created a Recycling Ad-hoc Committee. This Committee, composed of six Auburn residents and one city councilor, appointed by the City Council for a six-month term with the option to expand the term an additional six-months, shall conduct a minimum of six scheduled public meetings and shall:

1. Identify the key impacts of the current recycling program;
2. Compare the current model with different models we could adopt;
3. Identify our current costs for recycling and compare with other municipalities which have adapted to the changing market; and
4. Create a public education and awareness campaign for the recommended changes.

The Recycling Committee is encouraged to include content experts to attend and participate in the meetings to ensure the most recent information pertaining to recycling is being considered. The Recycling Committee shall provide the City Council with one status report in September 2019 and a final report in December 2019 of the studies, reports, activities, and recommendations to the City Council.

City of Auburn, Maine

"Maine's City of Opportunity"

Financial Services



TO: Peter Crichton, City Manager

FROM: Jill Eastman, Finance Director

REF: May 2019 Financial Report

DATE: June 17, 2019

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

The City has completed its eleventh month of the current fiscal year. As a guideline for tracking purposes, revenues and expenditures should amount to approximately 91.7% of the annual budget. However, not all costs and revenues are distributed evenly throughout the year; individual line items can vary based upon cyclical activity.

Revenues

- A. Revenues collected through May 31st, including the school department were \$81,355,040, or 93.81%, of the budget. The municipal revenues including property taxes were \$58,332,935 or 95.59% of the budget which is more than the same period last year by 2.35%. The accounts listed below are noteworthy.
- B. The current year tax revenue is at 98.24% as compared to 95.59% last year. The 30 day notice of liens were sent out in May and tax liens will be filed at the end of June on any properties that have unpaid taxes.
- C. Excise tax for the month of May is at 100.17%. This is a \$75,131 increase from FY 18. Our excise revenues for FY19 are 8.47% above projections as of May 31, 2019.
- D. State Revenue Sharing for the month of May is 89.67% or \$1,515,073.

Expenditures

City expenditures through May 2019 were \$38,879,692 or 90.36%, of the budget. This is 0.45% higher than last year at this time.

Noteworthy variances are:

- A. Recreation is over budget at the end of May primarily due to the Salaries account being other departments are right in line with the average at the end of May. The other operating departments are either right where they should be or below at the end of May.

Investments

This section contains an investment schedule as of May 31st. Currently the City's funds are earning an average interest rate of 1.92%.

Respectfully submitted,

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

Jill M. Eastman
Finance Director

CITY OF AUBURN, MAINE
BALANCE SHEET - CITY GENERAL FUND, WC AND UNEMPLOYMENT FUND
AS of May 2019, April 2019, and June 2018

	UNAUDITED May 31 2019	UNAUDITED April 30 2019	Increase (Decrease)	AUDITED JUNE 30 2018
ASSETS				
CASH	\$ 16,241,623	\$ 20,415,444	\$ (4,173,820)	\$ 11,450,641
RECEIVABLES			-	
ACCOUNTS RECEIVABLES	1,608,613	1,562,473	46,141	1,941,626
TAXES RECEIVABLE-CURRENT	1,237,694	1,788,028	(550,334)	1,822,799
DELINQUENT TAXES	754,630	755,027	(397)	664,795
TAX LIENS	632,262	643,449	(11,187)	724,636
NET DUE TO/FROM OTHER FUNDS	1,471,400	757,119	714,281	3,182,810
TOTAL ASSETS	\$ 21,946,223	\$ 25,921,539	\$ (3,975,316)	\$ 19,787,307
LIABILITIES & FUND BALANCES				
ACCOUNTS PAYABLE	\$ (44,603)	\$ 104,950	\$ (149,553)	\$ (1,073,230)
PAYROLL LIABILITIES	249,980	(450,255)	700,235	(709,471)
ACCRUED PAYROLL	(3,272)	(3,272)	-	(2,771,642)
STATE FEES PAYABLE	(44,613)	(91,140)	46,527	
ESCROWED AMOUNTS	(25,600)	-	(25,600)	(1,600)
DEFERRED REVENUE	(1,705,993)	(2,268,595)	562,602	(2,054,690)
TOTAL LIABILITIES	\$ (1,574,101)	\$ (2,708,312)	\$ 1,134,211	\$ (6,610,633)
FUND BALANCE - UNASSIGNED/ASSIGNED	\$ (16,839,724)	\$ (19,680,829)	\$ 2,841,105	\$ (9,644,275)
FUND BALANCE - RESTRICTED	(1,931,802)	(1,931,802)		(1,931,802)
FUND BALANCE - NON SPENDABLE	(1,600,597)	(1,600,597)	-	(1,600,597)
TOTAL FUND BALANCE	\$ (20,372,123)	\$ (23,213,228)	\$ 2,841,105	\$ (13,176,674)
TOTAL LIABILITIES AND FUND BALANCE	\$ (21,946,223)	\$ (25,921,539)	\$ 3,975,316	\$ (19,787,307)

CITY OF AUBURN, MAINE
REVENUES - GENERAL FUND COMPARATIVE
THROUGH May 31, 2019 VS May 31, 2018

DEPARTMENT	FY 2019 BUDGET	Unaudited EXP THRU MAY 2019	% OF BUDGET	FY 2018 BUDGET	Unaudited EXP THRU MAY 2018	% OF BUDGET	VARIANCE
TAXES							
PROPERTY TAX REVENUE-	\$ 48,772,945	\$ 47,912,450	98.24%	\$ 48,061,530	\$ 45,941,134	95.59%	\$ 1,971,316
PRIOR YEAR TAX REVENUE	\$ -	\$ 771,195		\$ -	\$ 923,311		\$ (152,117)
HOMESTEAD EXEMPTION REIMBURSEMENT	\$ 1,190,000	\$ 997,694	83.84%	\$ 1,015,000	\$ 821,845	80.97%	\$ 175,849
EXCISE	\$ 3,835,000	\$ 3,841,605	100.17%	\$ 3,810,000	\$ 3,766,474	98.86%	\$ 75,131
PENALTIES & INTEREST	\$ 150,000	\$ 130,733	87.16%	\$ 150,000	\$ 126,627	84.42%	\$ 4,106
TOTAL TAXES	\$ 53,947,945	\$ 53,653,676	99.45%	\$ 53,036,530	\$ 51,579,391	97.25%	\$ 2,074,285
LICENSES AND PERMITS							
BUSINESS	\$ 62,000	\$ 65,133	105.05%	\$ 62,000	\$ 63,779	102.87%	\$ 1,354
NON-BUSINESS	\$ 355,000	\$ 422,329	118.97%	\$ 345,000	\$ 418,747	121.38%	\$ 3,582
TOTAL LICENSES	\$ 417,000	\$ 487,461	116.90%	\$ 407,000	\$ 482,526	118.56%	\$ 4,935
INTERGOVERNMENTAL ASSISTANCE							
STATE-LOCAL ROAD ASSISTANCE	\$ 400,000	\$ 403,684	100.92%	\$ 400,000	\$ 406,860	101.72%	\$ (3,176)
STATE REVENUE SHARING	\$ 1,689,669	\$ 1,515,073	89.67%	\$ 1,509,117	\$ 1,331,410	88.22%	\$ 183,663
WELFARE REIMBURSEMENT	\$ 103,747	\$ 41,886	40.37%	\$ 95,000	\$ 139,996	147.36%	\$ (98,110)
OTHER STATE AID	\$ 32,000	\$ 14,944	46.70%	\$ 32,000	\$ 14,943	46.70%	\$ 1
CITY OF LEWISTON	\$ 228,384	\$ 258,517	113.19%	\$ 228,384	\$ 71,293	31.22%	\$ 187,224
TOTAL INTERGOVERNMENTAL ASSISTANCE	\$ 2,453,800	\$ 2,234,103	91.05%	\$ 2,264,501	\$ 1,964,502	86.75%	\$ 269,602
CHARGE FOR SERVICES							
GENERAL GOVERNMENT	\$ 144,440	\$ 145,057	100.43%	\$ 144,440	\$ 109,894	76.08%	\$ 35,163
PUBLIC SAFETY	\$ 236,277	\$ 180,180	76.26%	\$ 236,277	\$ 156,550	66.26%	\$ 23,630
EMS TRANSPORT	\$ 1,250,000	\$ 968,085	77.45%	\$ 1,250,000	\$ 871,426	69.71%	\$ 96,659
TOTAL CHARGE FOR SERVICES	\$ 1,630,717	\$ 1,293,322	79.31%	\$ 1,630,717	\$ 1,137,870	69.78%	\$ 155,452
FINES							
PARKING TICKETS & MISC FINES	\$ 70,000	\$ 67,023	95.75%	\$ 70,000	\$ 49,720	71.03%	\$ 17,303
MISCELLANEOUS							
INVESTMENT INCOME	\$ 32,000	\$ 147,910	462.22%	\$ 32,000	\$ 80,393	251.23%	\$ 67,517
RENTS	\$ 35,000	\$ 25,240	72.11%	\$ 35,000	\$ 33,744	96.41%	\$ (8,504)
UNCLASSIFIED	\$ 10,000	\$ 73,832	738.32%	\$ 10,000	\$ 68,031	680.31%	\$ 5,801
COMMERCIAL SOLID WASTE FEES	\$ -	\$ 44,117		\$ -	\$ 45,068		\$ (951)
SALE OF PROPERTY	\$ 20,000	\$ 70,061	350.30%	\$ 20,000	\$ 17,555	87.78%	\$ 52,506
RECREATION PROGRAMS/ARENA							\$ -
MMWAC HOST FEES	\$ 221,000	\$ 206,927	93.63%	\$ 215,000	\$ 200,186	93.11%	\$ 6,741
TRANSFER IN: TIF	\$ 1,317,818	\$ -	0.00%	\$ 1,287,818	\$ -	0.00%	\$ -
TRANSFER IN: Other Funds	\$ 97,718	\$ -	0.00%	\$ 54,718	\$ -	0.00%	\$ -
ENERGY EFFICIENCY							\$ -
CDBG	\$ 214,430	\$ 10,250	4.78%	\$ 214,430	\$ 20,321	9.48%	\$ (10,071)
UTILITY REIMBURSEMENT	\$ 27,500	\$ 19,011	69.13%	\$ 27,500	\$ -	0.00%	\$ 19,011
CITY FUND BALANCE CONTRIBUTION	\$ 527,500	\$ -	0.00%	\$ 412,500	\$ -	0.00%	\$ -
TOTAL MISCELLANEOUS	\$ 2,502,966	\$ 597,348	23.87%	\$ 2,308,966	\$ 465,298	20.15%	\$ 132,050
TOTAL GENERAL FUND REVENUES	\$ 61,022,428	\$ 58,332,935	95.59%	\$ 59,717,714	\$ 55,679,307	93.24%	\$ 2,653,628
SCHOOL REVENUES							
EDUCATION SUBSIDY	\$ 24,302,914	\$ 22,474,178	92.48%	\$ 22,039,568	\$ 18,501,907	83.95%	\$ 3,972,271
EDUCATION	\$ 674,191	\$ 547,927	81.27%	\$ 811,744	\$ 577,274	71.12%	\$ (29,347)
SCHOOL FUND BALANCE CONTRIBUTION	\$ 719,417	\$ -	0.00%	\$ 906,882	\$ -	0.00%	\$ -
TOTAL SCHOOL	\$ 25,696,522	\$ 23,022,105	89.59%	\$ 23,758,194	\$ 19,079,181	80.31%	\$ 3,942,924
GRAND TOTAL REVENUES	\$ 86,718,950	\$ 81,355,040	93.81%	\$ 83,475,908	\$ 74,758,488	89.56%	\$ 6,596,552

CITY OF AUBURN, MAINE
EXPENDITURES - GENERAL FUND COMPARATIVE
THROUGH May 31, 2019 VS May 31, 2018

DEPARTMENT	FY 2019 BUDGET	Unaudited EXP THRU MAY 2019	% OF BUDGET	FY 2018 BUDGET	Unaudited EXP THRU MAY 2018	% OF BUDGET	VARIANCE
ADMINISTRATION							
MAYOR AND COUNCIL	\$ 111,610	\$ 90,739	81.30%	\$ 80,300	\$ 68,958	85.88%	\$ 21,781
CITY MANAGER	\$ 474,086	\$ 436,131	91.99%	\$ 581,170	\$ 435,744	74.98%	\$ 387
CITY CLERK	\$ 185,898	\$ 156,320	84.09%	\$ 181,332	\$ 161,422	89.02%	\$ (5,102)
FINANCIAL SERVICES	\$ 694,109	\$ 639,069	92.07%	\$ 675,239	\$ 585,213	86.67%	\$ 53,856
HUMAN RESOURCES	\$ 149,953	\$ 129,934	86.65%	\$ 156,887	\$ 133,688	85.21%	\$ (3,754)
INFORMATION TECHNOLOGY	\$ 588,403	\$ 481,107	81.76%	\$ 531,551	\$ 483,337	90.93%	\$ (2,230)
TOTAL ADMINISTRATION	\$ 2,204,059	\$ 1,933,300	87.72%	\$ 2,206,479	\$ 1,868,362	84.68%	\$ 64,938
COMMUNITY SERVICES							
ECONOMIC & COMMUNITY DEVELOPMENT	\$ 1,471,918	\$ 981,722	66.70%	\$ 1,717,028	\$ 1,007,880	58.70%	\$ (26,158)
HEALTH & SOCIAL SERVICES	\$ 223,500	\$ 140,957	63.07%	\$ 220,870	\$ 209,618	94.91%	\$ (68,661)
RECREATION & SPECIAL EVENTS	\$ 384,630	\$ 401,293	104.33%	\$ 388,581	\$ 317,022	81.58%	\$ 84,271
PUBLIC LIBRARY	\$ 998,189	\$ 998,189	100.00%	\$ 998,189	\$ 915,007	91.67%	\$ 83,182
TOTAL COMMUNITY SERVICES	\$ 3,078,237	\$ 2,522,161	81.94%	\$ 3,324,668	\$ 2,449,527	73.68%	\$ 72,634
FISCAL SERVICES							
DEBT SERVICE	\$ 6,702,508	\$ 6,709,037	100.10%	\$ 6,366,533	\$ 6,213,645	97.60%	\$ 495,392
FACILITIES	\$ 650,641	\$ 528,334	81.20%	\$ 640,201	\$ 507,936	79.34%	\$ 20,398
WORKERS COMPENSATION	\$ 581,360	\$ 581,360	100.00%	\$ 555,164	\$ 555,164	100.00%	\$ 26,196
WAGES & BENEFITS	\$ 6,471,614	\$ 5,389,892	83.29%	\$ 5,960,970	\$ 5,415,203	90.84%	\$ (25,311)
EMERGENCY RESERVE (10108062-670000)	\$ 431,003	\$ -	0.00%	\$ 415,454	\$ -	0.00%	\$ -
TOTAL FISCAL SERVICES	\$ 14,837,126	\$ 13,208,623	89.02%	\$ 13,938,322	\$ 12,691,948	91.06%	\$ 516,675
PUBLIC SAFETY							
FIRE DEPARTMENT	\$ 4,422,256	\$ 3,930,658	88.88%	\$ 4,227,575	\$ 4,045,558	95.69%	\$ (114,900)
FIRE EMS	\$ 683,181	\$ 621,897	91.03%	\$ 708,828	\$ 436,657	61.60%	\$ 185,240
POLICE DEPARTMENT	\$ 4,166,631	\$ 3,685,935	88.46%	\$ 4,043,998	\$ 3,718,422	91.95%	\$ (32,487)
TOTAL PUBLIC SAFETY	\$ 9,272,068	\$ 8,238,490	88.85%	\$ 8,980,401	\$ 8,200,637	91.32%	\$ 37,853
PUBLIC WORKS							
PUBLIC WORKS DEPARTMENT	\$ 4,778,668	\$ 4,388,127	91.83%	\$ 4,611,116	\$ 4,060,319	88.06%	\$ 327,808
SOLID WASTE DISPOSAL*	\$ 988,013	\$ 792,348	80.20%	\$ 964,118	\$ 806,463	83.65%	\$ (14,115)
WATER AND SEWER	\$ 645,216	\$ 632,716	98.06%	\$ 632,716	\$ 645,215	101.98%	\$ (12,499)
TOTAL PUBLIC WORKS	\$ 6,411,897	\$ 5,813,191	90.66%	\$ 6,207,950	\$ 5,511,997	88.79%	\$ 301,194
INTERGOVERNMENTAL PROGRAMS							
AUBURN-LEWISTON AIRPORT	\$ 172,000	\$ 171,759	99.86%	\$ 167,800	\$ 167,112	99.59%	\$ 4,647
E911 COMMUNICATION CENTER	\$ 1,123,081	\$ 1,103,445	98.25%	\$ 1,088,857	\$ 1,069,122	98.19%	\$ 34,323
LATC-PUBLIC TRANSIT	\$ 199,130	\$ 199,130	100.00%	\$ 189,949	\$ 189,949	100.00%	\$ 9,181
TAX SHARING	\$ 270,000	\$ 232,025	85.94%	\$ 270,000	\$ 16,809	6.23%	\$ 215,216
TOTAL INTERGOVERNMENTAL	\$ 1,764,211	\$ 1,706,359	96.72%	\$ 1,716,606	\$ 1,442,992	84.06%	\$ 263,367
COUNTY TAX	\$ 2,407,766	\$ 2,407,765	100.00%	\$ 2,296,224	\$ 2,296,224	100.00%	\$ 111,541
TIF (10108058-580000)	\$ 3,049,803	\$ 3,049,803	100.00%	\$ 3,049,803	\$ 3,049,803	100.00%	\$ -
OVERLAY	\$ -	\$ -		\$ -	\$ -	0.00%	\$ -
TOTAL CITY DEPARTMENTS	\$ 43,025,167	\$ 38,879,692	90.36%	\$ 41,720,453	\$ 37,511,490	89.91%	\$ 1,368,202
EDUCATION DEPARTMENT	\$ 43,693,783	\$ 34,513,531	78.99%	\$ 41,755,455	\$ 30,300,634	72.57%	\$ 4,212,897
TOTAL GENERAL FUND EXPENDITURES	\$ 86,718,950	\$ 73,393,223	84.63%	\$ 83,475,908	\$ 67,812,124	81.24%	\$ 5,581,099

**CITY OF AUBURN, MAINE
INVESTMENT SCHEDULE
AS OF May 31, 2019**

INVESTMENT		FUND	BALANCE May 31, 2019	BALANCE April 30, 2019	INTEREST RATE
ANDROSCOGGIN BANK	449	CAPITAL PROJECTS	\$ 4,248,676.57	\$ 4,243,267.58	1.50%
ANDROSCOGGIN BANK	502	SR-TIF	\$ 1,027,937.62	\$ 1,026,628.99	1.50%
ANDROSCOGGIN BANK	836	GENERAL FUND	\$ 4,261,062.76	\$ 4,281,229.13	1.50%
ANDROSCOGGIN BANK	801	WORKERS COMP	\$ 51,352.05	\$ 51,286.69	1.50%
ANDROSCOGGIN BANK	684	EMS CAPITAL RESERVE	\$ 73,529.53	\$ 73,435.93	1.50%
ANDROSCOGGIN BANK	414	INGERSOLL TURF FACILITY	\$ 86,049.99	\$ 85,940.46	1.50%
ANDROSCOGGIN BANK	0888	ELHS FUNDRAISING	\$ 59,059.86	\$ 58,984.67	1.50%
NORTHERN CAPITAL	02155	CAPITAL PROJECTS	\$ 750,000.00	\$ 750,000.00	2.30%
NORTHERN CAPITAL	02155	GENERAL FUND	\$ 250,000.00	\$ 250,000.00	2.45%
NORTHERN CAPITAL	02155	GENERAL FUND	\$ 250,000.00	\$ 250,000.00	2.00%
NORTHERN CAPITAL	02155	GENERAL FUND	\$ 500,000.00	\$ 500,000.00	2.15%
NORTHERN CAPITAL	02155	GENERAL FUND	\$ 500,000.00	\$ 500,000.00	2.30%
NORTHERN CAPITAL	02155	GENERAL FUND	\$ 250,000.00	\$ 250,000.00	2.60%
NORTHERN CAPITAL	02155	GENERAL FUND	\$ 1,000,000.00	\$ 1,000,000.00	2.55%
GRAND TOTAL			\$ 13,307,668.38	\$ 13,320,773.45	1.92%

EMS BILLING
SUMMARY OF ACTIVITY
July 1, 2018 - June 30, 2019
Report as of May 31, 2019

	Beginning Balance 05/01/19	May 2019				Write-Offs	Ending Balance 5/31/2019
		New Charges	Payments	Refunds	Adjustments		
Bluecross	\$ 1,073.05	\$ 13,231.60	\$ (2,913.87)		\$ 4,094.12		\$ 15,484.90
Intercept	\$ 100.00	\$ 300.00	\$ (100.00)				\$ 300.00
Medicare	\$ 36,743.30	\$ 164,056.00	\$ (52,562.72)		\$ (106,814.50)		\$ 41,422.08
Medicaid	\$ 27,506.46	\$ 43,657.40	\$ (20,923.17)		\$ (16,571.26)		\$ 33,669.43
Other/Commercial	\$ 51,615.70	\$ 18,208.40	\$ (14,194.67)	\$ 1,537.40	\$ 15,596.35		\$ 72,763.18
Patient	\$ 147,949.69	\$ 16,463.40	\$ (8,078.65)		\$ 4,428.58	\$ (29,696.03)	\$ 131,066.99
Worker's Comp	\$ 2,442.59	\$ 1,796.60	\$ (1,817.60)				\$ 2,421.59
TOTAL	\$ 267,430.79	\$ 257,713.40	\$ (100,590.68)	\$ 1,537.40	\$ (99,266.71)	\$ (29,696.03)	\$ 297,128.17

EMS BILLING
BREAKDOWN -TOTAL CHARGES
July 1, 2018 - June 30, 2019
Report as of May 31, 2019

	July 2018	August 2018	Sept 2018	Oct 2018	Nov 2018	Dec 2018	Jan 2019	Feb 2019	Mar 2019	Apr 2019	May 2019	Adjustment	Totals	% of Total
No Insurance Information	\$ 10,977.40	\$ 2,518.00	\$ 1,550.40	\$ 3,166.60	\$ 4,538.40	\$ 1,371.40	\$ 934.00	\$ 6,586.40	\$ 5,522.20	\$ 6,163.20	\$ -	\$ (30,949.20)	\$ 12,378.80	0.57%
Bluecross	\$ 6,344.40	\$ 8,486.40	\$ 4,124.40	\$ 7,998.20	\$ 2,676.20	\$ 12,286.20	\$ 6,583.60	\$ 6,765.40	\$ 5,279.20	\$ 3,342.80	\$ 13,231.60	\$ 3,993.00	\$ 81,111.40	3.76%
Intercept	\$ 200.00	\$ 100.00		\$ 300.00	\$ 100.00		\$ 100.00	\$ -	\$ 400.00		\$ 300.00		\$ 1,500.00	0.07%
Medicare	\$ 103,152.60	\$ 132,913.20	\$ 118,842.80	\$ 122,609.60	\$ 97,778.80	\$ 94,531.40	\$ 118,093.60	\$ 129,081.40	\$ 129,994.20	\$ 83,305.00	\$ 164,056.00	\$ 34,715.80	\$ 1,329,074.40	61.64%
Medicaid	\$ 30,752.80	\$ 47,771.60	\$ 30,102.60	\$ 31,127.20	\$ 27,115.80	\$ 25,258.20	\$ 31,541.00	\$ 29,991.20	\$ 29,461.20	\$ 22,047.00	\$ 43,657.40	\$ 7,221.20	\$ 356,047.20	16.51%
Other/Commercial	\$ 24,030.40	\$ 19,494.00	\$ 13,526.00	\$ 21,522.60	\$ 25,029.40	\$ 19,307.80	\$ 25,738.40	\$ 33,013.60	\$ 17,484.20	\$ 9,112.80	\$ 18,208.40	\$ (6,764.60)	\$ 219,703.00	10.19%
Patient	\$ 19,183.20	\$ 17,841.80	\$ 12,560.00	\$ 15,276.60	\$ 17,126.80	\$ 8,533.60	\$ 15,658.20	\$ 11,075.60	\$ 9,013.40	\$ 10,633.40	\$ 16,463.40	\$ (13,071.80)	\$ 140,294.20	6.51%
Worker's Comp	\$ 2,425.60	\$ 901.80	\$ 1,591.00	\$ 908.80		\$ 1,880.60	\$ 1,784.00				\$ 1,796.60	\$ 4,855.60	\$ 16,144.00	0.75%
TOTAL	\$ 197,066.40	\$ 230,026.80	\$ 182,297.20	\$ 202,909.60	\$ 174,365.40	\$ 163,169.20	\$ 200,432.80	\$ 216,513.60	\$ 197,154.40	\$ 134,604.20	\$ 257,713.40	\$ -	\$ 2,156,253.00	100.00%

EMS BILLING
BREAKDOWN -TOTAL COUNT
July 1, 2018 - June 30, 2019
Report as of May 31, 2019

	July 2018	August 2018	Sept 2018	Oct 2018	Nov 2018	Dec 2018	Jan 2019	Feb 2019	Mar 2019	Apr 2019	May 2019		Totals	% of Total
No Insurance Information	14	3	2	4	5	2	1	8	7	7	0		53	1.94%
Bluecross	8	10	5	10	3	15	8	8	6	4	18		95	3.48%
Intercept	2	1	0	3	1	0	1	0	4	0	5		17	0.62%
Medicare	129	164	148	153	119	116	145	161	158	104	207		1604	58.73%
Medicaid	39	60	38	42	33	32	40	40	37	28	60		449	16.44%
Other/Commercial	35	27	17	28	34	25	32	42	24	11	30		305	11.17%
Patient	23	23	16	19	23	11	20	13	11	14	22		195	7.14%
Worker's Comp	3	1	2	1	0	2	2	0			2		13	0.48%
TOTAL	253	289	228	260	218	203	249	272	247	168	344		2731	100.00%

**EMS BILLING
AGING REPORT
July 1, 2018 to June 30, 2019
Report as of May 31, 2019**

	Current		31-60		61-90		91-120		121+ days		Totals	
Bluecross	\$ 14,967.23	97%	\$ 339.10	2%	\$ 91.65	1%	\$ -	0%	\$ 86.92	1%	\$ 15,484.90	5.21%
Intercept	\$ 100.00	100%	\$ 200.00		\$ -		\$ -		\$ -		\$ 300.00	0.10%
Medicare	\$ 41,181.61	99%	\$ -	0%	\$ -	0%	\$ -	0%	\$ 240.47	1%	\$ 41,422.08	13.94%
Medicaid	\$ 22,376.31	66%	\$ 6,185.83	18%	\$ 5,911.47	18%	\$ 490.30	1%	\$ (1,294.48)	-4%	\$ 33,669.43	11.33%
Other/Commercial	\$ 56,120.76	77%	\$ 8,422.35	12%	\$ 1,802.93	2%	\$ 2,012.99	3%	\$ 4,404.15	6%	\$ 72,763.18	24.49%
Patient	\$ 40,824.30	31%	\$ 16,218.76	12%	\$ 30,725.05	23%	\$ 16,064.14	12%	\$ 27,234.74	21%	\$ 131,066.99	44.11%
Worker's Comp	\$ -				\$ 2,421.59	100%	\$ -		\$ -		\$ 2,421.59	0.81%
TOTAL	\$ 175,570.21		\$ 31,366.04		\$ 40,952.69		\$ 18,567.43		\$ 30,671.80		\$ 297,128.17	
	59%		11%		14%		6%		10%		100%	100.00%

CITY OF AUBURN
SPECIAL REVENUE FUNDS
As of May 31, 2019

	1902	1905	1910	1913	1914	1915	1917	1922	1926	1927	1928	1929	1930	1931		
	Riverwatch	Winter Festival	Community Service	Police Fitness Equipment	Oak Hill Cemeteries	Fire Training Building	Wellness Grant	Walmart Risk/Homeless	Healthy Androscoggin	Insurance Reimbursement	Vending	Fire Prevention	211 Fairview	Donations		
Fund Balance 7/1/18	\$ 969,900.91	\$ (5,390.23)	\$ 5,008.52	\$ 5,112.53	\$ 30,205.71	\$ (488.84)	\$ 4,851.85	\$ 7,278.18	\$ 3,368.05	\$ 925.21	\$ -	\$ 4,791.12	\$ (566,303.71)	\$ 1,084.69		
Revenues FY19	\$ 72,300.26	\$ 3,159.11	\$ 790.00		\$ 1,600.00		\$ 7,442.61		\$ 1,836.00		\$ 812.00					
Expenditures FY19	\$ 161,865.00	\$ 12,868.07	\$ 408.81	\$ 343.00			\$ 7,362.19	\$ 7,278.18		\$ 925.31	\$ 1,312.59			\$ 432.54		
Fund Balance 5/31/19	\$ 880,336.17	\$ (15,099.19)	\$ 5,389.71	\$ 4,769.53	\$ 31,805.71	\$ (488.84)	\$ 4,932.27	\$ -	\$ 5,204.05	\$ (0.10)	\$ (500.59)	\$ 4,791.12	\$ (566,303.71)	\$ 652.15		
	2003 Byrne JAG	2005 MDOT	2006 PEACE	2007 Seatbelt Grant	2008 Homeland Security	2010 State Drug Money	2013 OUI Grant	2014 Speed Grant	2019 Law Enforcement Training	2020 CDBG	2025 Community Cords	2030 Parking	2032 HEAPP	2033 Safe School/ Health (COPS)		
Fund Balance 7/1/18	\$ 2,808.57	\$ (101,600.31)	\$ 2,099.08	\$ 4,322.93	\$ (110,031.67)	\$ 6,158.77	\$ 9,263.39	\$ 6,931.00	\$ (7,637.91)	\$ 4,261,266.85	\$ 30,846.63	\$ (47,430.39)	\$ (4,994.50)	\$ (15,906.07)		
Revenues FY19	\$ 995.00	\$ 699,304.74			\$ 86,573.34	\$ 17,006.14	\$ 6,292.49	\$ 10,783.27	\$ 2,490.00	\$ 308,151.73	\$ 6,086.36	\$ 163,271.00	\$ 4,994.50	\$ 15,906.07		
Expenditures FY19	\$ 995.00	\$ 341,302.10	\$ 514.88	\$ 4,322.93	\$ 124,143.37	\$ 17,759.82	\$ 11,893.49	\$ 14,300.89	\$ 6,665.00	\$ 915,467.10	\$ 1,893.40	\$ 156,721.48				
Fund Balance 5/31/19	\$ 2,808.57	\$ 256,402.33	\$ 1,584.20	\$ -	\$ (147,601.70)	\$ 5,405.09	\$ 3,662.39	\$ 3,413.38	\$ (11,812.91)	\$ 3,653,951.48	\$ 35,039.59	\$ (40,880.87)	\$ -	\$ -		
	2034 EDUL Underage Drink	2037 Bulletproof Vests	2038 Community Action Team	2040 Great Falls TV	2041 Blanche Stevens	2044 Federal Drug Money	2045 Forest Management	2046 Joint Land Use Study	2048 TD Tree Days Grant	2050 Project Lifesaver	2051 Project Canopy	2052 Nature Conservancy	2053 St Louis Bells	2054 EMS Transport Capital Reserve		
Fund Balance 7/1/18	\$ -	\$ 11,994.90	\$ 7,206.21	\$ 20,536.23	\$ 24,233.19	\$ 36,044.77	\$ 4,436.52	\$ 0.57	\$ -	\$ 89.35	\$ (420.71)	\$ 975.05	\$ 1,607.75	\$ 32,161.59		
Revenues FY19	\$ -	\$ 5,649.19			\$ 3,940.00	\$ 38,163.12			\$ 13,450.00		\$ 8,359.06			\$ 70,392.34		
Expenditures FY19	\$ 3,360.00	\$ 6,315.29	\$ 7,026.21		\$ 2,121.70	\$ 15,870.99	\$ 91.18	\$ 0.57			\$ 7,938.35		\$ 750.00	\$ 29,118.00		
Fund Balance 5/31/19	\$ (3,360.00)	\$ 11,328.80	\$ 180.00	\$ 20,536.23	\$ 26,051.49	\$ 58,336.90	\$ 4,345.34	\$ -	\$ 13,450.00	\$ 89.35	\$ -	\$ 975.05	\$ 857.75	\$ 73,435.93		
	2055 Work4ME-PAL	2056 Lake Auburn Neighborhood	2057 ASPCA Grant	2058 Barker Mills Greenway	2059 Distracted Driving	2060 My Life My Choice JJAG	2061 150th Celebration	2062 Employee Store	2201 EDI Grant	2500 Parks & Recreation						
Fund Balance 7/1/18	\$ (13,692.41)	\$ 125.00	\$ 800.00	\$ (2,597.43)	\$ (10,736.00)	\$ -	\$ (3,154.86)	\$ 36.73	\$ (1,484,407.18)	\$ 152,783.45						
Revenues FY19					\$ 33,893.00		\$ 94,515.00	\$ 852.64		\$ 270,289.27						
Expenditures FY19	\$ 17,683.44				\$ 19,828.00		\$ 70,596.65	\$ 756.68		\$ 299,545.36						
Fund Balance 5/31/19	\$ (31,375.85)	\$ 125.00	\$ 800.00	\$ (2,597.43)	\$ 3,329.00	\$ -	\$ 20,763.49	\$ 132.69	\$ (1,484,407.18)	\$ 123,527.36						
	2600 Tambrands TIF 4	2600 J Enterprises TIF 5	2600 Tambrands II TIF 6	2600 J & A Properties TIF 7	2600 Formed Fiber TIF 8	2600 Mall TIF 9	2600 Downtown TIF 10	2600 Safe Handling TIF 11	2600 Auburn Industrial TIF 12	2600 Auburn Plaza TIF 13	2600 Auburn Plaza II TIF 14	2600 Webster School TIF 16	2600 Bedard Pharm TIF 17	2600 Slapshot LLC TIF 18	2600 Hartt Transport TIF 19	Total Special Revenues
Fund Balance 7/1/18	\$ 1,841.15	\$ (6,499.56)	\$ (330,682.42)	\$ 2,558.27	\$ 486.17	\$ 2,083.99	\$ 257,728.49	\$ 183.21	\$ (338,049.92)	\$ 50,325.30	\$ 3,883.14	\$ 348.35	\$ 1,366.79	\$ (61.12)	\$ (18.32)	\$ 2,919,956.60
Revenues FY19	\$ 523,280.00		\$ 124,379.00			\$ 383,288.00	\$ 815,987.00		\$ 193,476.00	\$ 349,638.00	\$ 460,889.00	\$ 30,116.00		\$ 137,960.00	\$ 30,790.00	\$ 4,999,101.24
Expenditures FY19	\$ 419,589.55	\$ (6,499.56)	\$ 88,145.24	\$ 2,558.27	\$ 486.17	\$ 2,871.15	\$ 386,428.31	\$ 183.21	\$ 200,310.00	\$ 159,814.94	\$ 798,618.74	\$ 30,464.35	\$ 1,366.79	\$ 137,898.88	\$ 32,482.90	\$ 4,524,496.51
Fund Balance 5/31/19	\$ 105,531.60	\$ -	\$ (294,448.66)	\$ -	\$ -	\$ 382,500.84	\$ 687,287.18	\$ -	\$ (344,883.92)	\$ 240,148.36	\$ (333,846.60)	\$ -	\$ -	\$ -	\$ (1,711.22)	\$ 3,394,561.33

City of Auburn, Maine

"Maine's City of Opportunity"

Financial Services

To: Peter Crichton, City Manager
From: Jill Eastman, Finance Director
Re: Financial Reports for May 2019

Attached you will find a Statement of Net Assets and a Statement of Activities and budget to actual reports for Ingersoll Turf Facility for revenue and expenditures as of May 31, 2019.

INGERSOLL TURF FACILITY

Statement of Net Assets:

The Statement of Net Assets lists current assets, noncurrent assets, liabilities and net assets as of May 31, 2019.

Current Assets:

As of the end of May 2019 the total current assets of Ingersoll Turf Facility were \$184,036. This consisted of cash and cash equivalents of \$85,940, an interfund receivable of \$98,096 an increase from April of \$7,111.

Noncurrent Assets:

Ingersoll's noncurrent assets are the building and equipment that was purchased, less depreciation. The total value of the noncurrent assets as of May 31, 201 was \$172,719.

Liabilities:

Ingersoll had accounts payable of \$115 as of May 31, 2019.

Statement of Activities:

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

The operating revenues for Ingersoll Turf Facility through May 2019 are \$229,965. This revenue comes from the sponsorships, programs, rental income and batting cages.

The operating expenses for Ingersoll Turf Facility through May 2019 were \$126,947. These expenses include personnel costs, supplies, utilities, repairs, capital purchases and maintenance.

As of May 2019, Ingersoll has an operating gain of \$103,018 compared to April's of \$96,022.

As of May 31, 2019, Ingersoll has an increase in net assets of \$103,018.

The budget to actual reports for revenue and expenditures, show that the revenue for FY19 compared to FY 18.

Statement of Net Assets
Ingersoll Turf Facility
May 31, 2019
Business-type Activities - Enterprise Fund

	May 31, 2019	April 30, 2019	Increase/ (Decrease)
ASSETS			
Current assets:			
Cash and cash equivalents	\$ 85,940	\$ 85,940	\$ -
Interfund receivables/payables	\$ 98,096	\$ 90,985	7,111
Accounts receivable	-	-	-
Total current assets	184,036	176,925	7,111
Noncurrent assets:			
Capital assets:			
Buildings	672,279	672,279	-
Equipment	119,673	119,673	-
Land improvements	18,584	18,584	-
Less accumulated depreciation	(637,817)	(637,817)	-
Total noncurrent assets	172,719	172,719	-
Total assets	356,755	349,644	7,111
LIABILITIES			
Accounts payable	\$ 115	\$ -	\$ 115
Total liabilities	115	-	115
NET ASSETS			
Invested in capital assets	\$ 172,719	\$ 172,719	\$ -
Unrestricted	\$ 183,921	\$ 176,925	\$ 6,996
Total net assets	\$ 356,640	\$ 349,644	\$ 6,996

CITY OF AUBURN, MAINE
Statement of Revenues, Expenses and Changes in Net Assets
Ingersoll Turf Facility
Business-type Activities - Enterprise Funds
Statement of Activities
May 31, 2019

	Ingersoll Turf Facility
Operating revenues:	
Charges for services	\$ 229,965
Operating expenses:	
Personnel	79,870
Supplies	19,321
Utilities	19,933
Repairs and maintenance	5,374
Rent	-
Depreciation	-
Capital expenses	-
Other expenses	2,449
Total operating expenses	126,947
Operating gain (loss)	103,018
Nonoperating revenue (expense):	
Interest income	-
Interest expense (debt service)	-
Total nonoperating expense	-
Gain (Loss) before transfer	103,018
Transfers out	-
Change in net assets	103,018
Total net assets, July 1	253,622
Total net assets, May 31, 2019	\$ 356,640

CITY OF AUBURN, MAINE
REVENUES - INGERSOLL TURF FACILITY
Through May 31, 2019 compared to May 31, 2018

REVENUE SOURCE	FY 2019 BUDGET	ACTUAL REVENUES THRU MAY 2019	% OF BUDGET	FY 2018 BUDGET	ACTUAL REVENUES THRU MAY 2018	% OF BUDGET
CHARGE FOR SERVICES						
Sponsorship	\$ 20,500	\$ 15,375	75.00%	\$ 17,000	\$ 15,750	92.65%
Batting Cages	\$ 12,240	\$ 18,908	154.48%	\$ 11,520	\$ 13,742	119.29%
Programs	\$ 90,000	\$ 76,782	85.31%	\$ 80,000	\$ 76,260	95.33%
Rental Income	\$ 102,300	\$ 118,300	115.64%	\$ 103,650	\$ 91,222	88.01%
TOTAL CHARGE FOR SERVICES	\$ 225,040	\$ 229,365	101.92%	\$ 212,170	\$ 196,974	92.84%
INTEREST ON INVESTMENTS	\$ -	\$ 600		\$ -		
GRAND TOTAL REVENUES	\$ 225,040	\$ 229,965	102.19%	\$ 212,170	\$ 196,974	92.84%

CITY OF AUBURN, MAINE
EXPENDITURES - INGERSOLL TURF FACILITY
Through May 31, 2019 compared to May 31, 2018

DESCRIPTION	ACTUAL				ACTUAL			
	FY 2019 BUDGET	EXPENDITURES THRU MAY 2019	% OF BUDGET	FY 2018 BUDGET	EXPENDITURES THRU MAY 2018	% OF BUDGET	Difference	
Salaries & Benefits	\$ 120,000	\$ 79,870	66.56%	\$ 106,624	\$ 87,101	81.69%	\$	(7,231)
Purchased Services	\$ 19,460	\$ 7,823	40.20%	\$ 21,110	\$ 8,600	40.74%	\$	(777)
Programs	\$ 15,220	\$ 4,047	26.59%	\$ 7,000	\$ 4,047	57.81%	\$	-
Supplies	\$ 4,600	\$ 15,274	332.04%	\$ 5,000	\$ 13,646	272.92%	\$	1,628
Utilities	\$ 30,920	\$ 19,933	64.47%	\$ 39,720	\$ 19,368	48.76%	\$	565
Insurance Premiums	\$ 2,505	\$ -	0.00%	\$ 2,431	\$ -	0.00%	\$	-
Capital Outlay	\$ 30,000	\$ -	0.00%	\$ 42,490	\$ -	0.00%	\$	-
	\$ 222,705	\$ 126,947	57.00%	\$ 224,375	\$ 132,762	59.17%	\$	(5,815)
GRAND TOTAL EXPENDITURES	\$ 222,705	\$ 126,947	57.00%	\$ 224,375	\$ 132,762	59.17%	\$	(5,815)

City of Auburn, Maine

"Maine's City of Opportunity"

Financial Services

To: Peter Crichton, City Manager
From: Jill Eastman, Finance Director
Re: Arena Financial Reports for May 31, 2019



Attached you will find a Statement of Net Assets and a Statement of Activities and budget to actual reports for Norway Savings Bank Arena for revenue and expenditures as of May 31, 2019.

NORWAY SAVINGS BANK ARENA

Statement of Net Assets:

The Statement of Net Assets lists current assets, noncurrent assets, liabilities and net assets and shows a comparison to the previous month, in this case, April 30, 2019.

Current Assets:

As of the end of May 2019 the total current assets of Norway Savings Bank Arena were (\$1,426,984). These consisted of cash and cash equivalents of \$155,775, accounts receivable of \$77,326, and an interfund payable of \$1,660,085.

Noncurrent Assets:

Norway's noncurrent assets are equipment that was purchased, less depreciation (depreciation is posted at year end). The total value of the noncurrent assets as of May 31, 2019 was \$342,462.

Liabilities:

Norway Arena had accounts payable of \$2,286 as of May 31, 2019.

Statement of Activities:

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

The operating revenues for Norway Arena through May 2019 are \$942,359. This revenue comes from the concessions, sign advertisements, pro shop lease, youth programming, shinny hockey, public skating and ice rentals.

The operating expenses for Norway Arena through May 2019 were \$741,636. These expenses include personnel costs, supplies, utilities, repairs, rent, capital purchases and maintenance.

At the end of May 2019, there was an operating gain of \$200,723.

As of May 2019, Norway Arena has an overall loss of \$263,554, after the debt service (rent) was deducted from the operating gain, compared to the April 2019 operating loss of \$204,532 an increase in the net loss for the fiscal year of \$59,022.

As of May 31, 2019, Norway Arena has a decrease in net assets of \$263,554.

CITY OF AUBURN, MAINE
Statement of Net Assets
Norway Savings Bank Arena
May 31, 2019
Business-type Activities - Enterprise Fund

	May 310, 2019	April 30, 2019	Increase/ (Decrease)
ASSETS			
Current assets:			
Cash and cash equivalents	\$ 155,775	\$ 145,426	\$ 10,349
Interfund receivables	\$ (1,660,085)	\$ (1,575,015)	\$ (85,070)
Prepaid Rent	\$ -	\$ -	\$ -
Accounts receivable	77,326	61,264	16,062
Total current assets	(1,426,984)	(1,368,325)	(58,659)
Noncurrent assets:			
Capital assets:			
Buildings	58,223	58,223	-
Equipment	514,999	514,999	-
Land improvements	-	-	-
Less accumulated depreciation	(230,760)	(230,760)	-
Total noncurrent assets	342,462	342,462	-
Total assets	(1,084,522)	(1,025,863)	(58,659)
LIABILITIES			
Accounts payable	\$ 2,286	\$ 1,923	\$ 363
Net pension liability	170,806	170,806	-
Total liabilities	173,092	172,729	363
NET ASSETS			
Invested in capital assets	\$ 342,462	\$ 342,462	\$ -
Unrestricted	\$ (1,600,076)	\$ (1,541,054)	\$ (59,022)
Total net assets	\$ (1,257,614)	\$ (1,198,592)	\$ (59,022)

CITY OF AUBURN, MAINE
Statement of Revenues, Expenses and Changes in Net Assets
Norway Savings Bank Arena
Business-type Activities - Enterprise Funds
Statement of Activities
May 31, 2019

	Norway Savings Arena
Operating revenues:	
Charges for services	\$ 942,359
Operating expenses:	
Personnel	342,600
Supplies	70,946
Utilities	227,228
Repairs and maintenance	43,609
Depreciation	-
Capital expenses	19,156
Other expenses	38,097
Total operating expenses	741,636
Operating gain (loss)	200,723
Nonoperating revenue (expense):	
Interest income	-
Debt Service (Rent)	(464,277)
Interest expense (debt service)	-
Total nonoperating expense	(464,277)
Gain (Loss) before transfer	(263,554)
Transfers out	-
Change in net assets	(263,554)
Total net assets, July 1	(994,060)
Total net assets, May 31, 2019	\$ (1,257,614)

CITY OF AUBURN, MAINE
REVENUES - NORWAY SAVINGS BANK ARENA
Through May 31, 2019 compared to May 31, 2018

REVENUE SOURCE	FY 2018 BUDGET	ACTUAL REVENUES THRU MAY 2019	% OF BUDGET	FY 2018 BUDGET	ACTUAL REVENUES THRU MAY 2018	% OF BUDGET	VARIANCE
CHARGE FOR SERVICES							
Concussions	\$ 16,500	\$ 16,500	100.00%	\$ 18,000	\$ 7,985	44.36%	\$ 8,515
Vending Machines	\$ 9,000	\$ 7,092	78.80%	\$ -	\$ 8,295		\$ (1,203)
Skate Rentals	\$ 5,000	\$ 1,010	20.20%	\$ -	\$ 5,428		\$ (4,418)
Sponsorships	\$ 300,000	\$ 179,200	59.73%	\$ 275,000	\$ 190,068	69.12%	\$ (10,868)
Pro Shop	\$ 8,500	\$ 7,143	84.04%	\$ 8,500	\$ 4,745	55.82%	\$ 2,398
Programs	\$ 31,000	\$ -	0.00%	\$ 31,000	\$ 18,212	58.75%	\$ (18,212)
Rental Income	\$ 774,000	\$ 690,679	89.24%	\$ 705,250	\$ 556,771	78.95%	\$ 133,908
Camps/Clinics	\$ 50,000	\$ 19,060	38.12%	\$ 50,000	\$ 42,878		\$ (23,818)
Tournaments	\$ 50,000	\$ 21,675	43.35%	\$ 50,000	\$ 39,944	79.89%	\$ (18,269)
TOTAL CHARGE FOR SERVICES	\$ 1,244,000	\$ 942,359	75.75%	\$ 1,137,750	\$ 874,326	76.85%	\$ 68,033

CITY OF AUBURN, MAINE
EXPENDITURES - NORWAY SAVINGS BANK ARENA
Through May 31, 2019 compared to May 31, 2018

DESCRIPTION	ACTUAL			ACTUAL			VARIANCE
	FY 2019 BUDGET	EXPENDITURES THRU MAY 2019	% OF BUDGET	FY 2018 BUDGET	EXPENDITURES THRU MAY 2018	% OF BUDGET	
Salaries & Benefits	\$ 344,000	\$ 342,600	99.59%	\$ 344,000	\$ 286,962	83.42%	\$ 55,638
Purchased Services	\$ 71,656	\$ 81,706	114.03%	\$ 71,656	\$ 51,896	72.42%	\$ 29,810
Supplies	\$ 37,100	\$ 70,946	191.23%	\$ 37,100	\$ 50,788	136.89%	\$ 20,158
Utilities	\$ 225,150	\$ 227,228	100.92%	\$ 225,150	\$ 156,278	69.41%	\$ 70,950
Capital Outlay	\$ 103,500	\$ 19,156	18.51%	\$ 103,500	\$ 12,585	12.16%	\$ 6,571
Rent	\$ 507,000	\$ 464,277	91.57%	\$ 507,000	\$ 379,863	74.92%	\$ 84,414
	\$ 1,288,406	\$ 1,205,913	93.60%	\$ 1,288,406	\$ 938,372	72.83%	\$ 267,541
GRAND TOTAL EXPENDITURES	\$ 1,288,406	\$ 1,205,913	93.60%	\$ 1,288,406	\$ 938,372	72.83%	\$ 267,541



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: June 24, 2019

Subject: Executive Session

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

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

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

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

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

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

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

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

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

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

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

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