



**City Council Workshop & Meeting
June 19, 2017
Agenda**

5:30 P.M. Joint Workshop

- A. Proposed Ordinance Amendment (Chapter 8 Animals)–Eric Cousens and Michael Chaine (45 minutes).
- B. Executive Session - Discussion regarding an Economic Development matter (proposed business expansion/relocation), pursuant to 1 M.R.S.A. §405(6)(C).

7:00 P.M. City Council Meeting

Roll call votes will begin with Councilor Stone

Pledge of Allegiance

- I. **Consent Items** – All items listed with an asterisk (*) are considered as routine and will be approved in one motion. There will be no separate discussion of these items unless a Councilor or citizen requests. If requested, the item will be removed from the consent agenda and considered in the order it appears on the agenda.
 - 1. **Order 48-06192017***
Moving the date of the first regular City Council meeting for the month of July from July 3, 2017 to July 10, 2017 due to the fourth of July holiday.
 - 2. **Order 49-06192017***
Approving the property tax abatement at 78 Beaver Road.
 - 3. **Order 50-06192017***
Confirming the City Manager’s appointment of Denise Clavette as Assistant City Manager.
- II. **Minutes**
 - June 5, 2017 Regular Council Meeting
- III. **Communications, Presentations and Recognitions - None**
- IV. **Open Session** - Members of the public are invited to speak to the Council about any issue directly related to City business which is *not on this agenda*.

V. Unfinished Business

1. Order 45-06052017

Authorizing the Finance Director to execute the issuance of general obligation bonds and a tax levy therefore. Proposed budget review by the City Manager, second reading. ***Passage requires an affirmative vote of 5 Councilors.***

2. Order 46-06052017

Reallocating Unspent Proceeds from the City's General Obligation Bonds. Second reading. ***Passage requires an affirmative vote of 5 Councilors.***

3. Resolve 03-06052017

Adopting the Appropriations Resolve for Fiscal Year 2018. Second reading.

Passage of the appropriations resolve requires an affirmative vote of 4 Councilors, however in order to waive the budget tax commitment cap provision (Sec. 2-485 (a) of the Code of Ordinances) that is included within this resolve, a super majority vote of 5 Councilors (Sec. 2-485 (B)) is required.

4. Ordinance 06-06052017

Adopting the AG text amendment for sales, service complimentary to outdoor recreation. Second reading. ***Passage requires an affirmative vote of 4 Councilors.***

VI. New Business

5. Order 51-06192017

Approving the request from Saint Dominic Academy to waive the \$100.00 business license fee for their 2017 Holiday Festival that is scheduled for November 4th, 2017. ***Passage requires an affirmative vote of 4 Councilors.***

6. Order 52-06192017

Approving the Mass Gathering Permit for the Liberty Festival to be held July 4, 2017 (rain date July 5, 2017). Public hearing. ***Passage requires an affirmative vote of 4 Councilors.***

7. Order 53-06192017

Approving the 477 Minot Avenue TIF request. Public hearing. ***Passage requires an affirmative vote of 4 Councilors.***

8. Order 54-06192017

Adopting the Creative Crosswalks Policy. ***Passage requires an affirmative vote of 4 Councilors.***

9. Order 55-06192017

Funding the New Auburn Village Improvement. ***Passage requires an affirmative vote of 4 Councilors.***

VII. Reports

a. Mayor's Report

b. City Councilors' Reports

c. City Manager Report

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

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

IX. Executive Session

X. Adjournment

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: 6-19-17

Order: Workshop

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

Subject: Chapter 8 Animals and Chapter 60 Zoning – Minimum land area per animal standards

Information

On November 28, 2016, I responded to an email from a resident, Audrey Tripp regarding the keeping of goats on a .39 acre lot in the Rural Residence Zone. I also discussed the request with her over the phone around that time. I reviewed the zoning ordinance and determined that the zoning ordinance could allow 2 animals of the size she described on a .39 acre lot. We discussed the fact that we receive complaints if animals create noise or odor concerns on small lots and we would need to revisit the issue if that occurs.

On March 28, 2017, I received an email from Audrey Tripp explaining that she had been visited by a police officer and that she was told the goats were not allowed on lots less than 1 acre. The visit by the officer was prompted by a noise and odor complaint from a neighbor. After speaking with the Officer, I was made aware of an additional minimum lot size requirement that is contained in the animal control section of the City Code (Chapter 8), which is more specific than that is stated in the zoning ordinance (Chapter 60). Prior to the Tripp family's experience, staff had not spotted this apparent inconsistency in our ordinances.

After much discussion regarding the possible relief to the Tripp family, and out of a desire to clarify our ordinances, the Animal Control Officer, City Attorney, and I recommend that the Council amend Chapter 8 to remove the separate 1- acre lot requirement for the keeping of livestock, add a reference to an "animal farm" as defined by our code, and simplify the remaining language in Section 8-264.

As a result of these proposed revisions, animal farms would continue to be permitted in the following zones (as they are now), without an additional 1 acre minimum: (1) Agricultural and Resource Protection District; (2) Low Density Country Residential; (3) Low Density Rural Residence; and (4) Suburban Residence (with staff approval). The minimum acreage requirements in the definition of an "animal farm (Sec. 60-2) would continue to apply. Minimum acreage requirements for cattle, horses, sheep, and swine, would remain. Staff would retain discretion to determine appropriate lot size for other animals. A copy of that definition is attached. No impact on commercial farming businesses or any other livestock or animal farm currently in operation and situated on more than 1 acre of land, is anticipated or intended.

By retaining and revising this section of Chapter 8, the City would preserve the ability to enforce violations of the zoning of livestock under the animal control ordinance. It would also preserve the City's ability to monitor animal nuisances, the humane treatment of livestock, and the adequacy of livestock fencing, through Chapter 8. This change maintains the zones in which livestock and similarly sized animals may be located, except for the 1-acre minimum which is removed. Staff would retain discretion to decide required lot sizes for some smaller animals.

Advantages: Reconciles inconsistent ordinances and allows the Tripps to keep their 2 goats if they can control noise and odors and otherwise comply with animal control and nuisance requirements. Noise and odor issues can still be addressed for abutting property owners.

Disadvantages: Animals on smaller lots may have a higher likelihood of creating noise and odor concerns than they do on larger lots. Abutters of lots less than 1 acre in the four zones in which animal farms and livestock are otherwise permitted, may now be located adjacent to a property with small animals. We believe this concern can be alleviated by the nuisance requirements and by staff's ability to set minimum lot sizes for small animals.

City Budgetary Impacts: None

Staff Recommended Action: Approve the proposed ordinance changes and schedule a public hearing.

Previous Meetings and History:

Attachments:

- (1) Definition of "Farm, animal." Code Section 60-2
- (2) Proposed ordinance changes.
- (3) Excerpt from Agricultural/Resource Protection Zone - Code Section 60-146(1)(b)
- (4) Excerpt from Low Density Country Residential Zone – Code Section 60-202(1)
- (5) Excerpt from Low Density Rural Residential Zone – Code Section 60-230(1)
- (6) Excerpt from Suburban Residential Zone – Code Section 60-255 (a)(8)

Sec. 60-146. - Dimensional regulations.

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

- (1) *Minimum lot area, width and depth.* No lot shall be created and/or no building shall be erected on a lot containing less than ten acres, exclusive of any bodies of water having a surface area of one-fourth of an acre or more, and measuring not less than 250 feet in width at the street frontage, and 200 feet in depth.
 - a. A building may be erected on a lot containing not less than 50,000 square feet and possessing the required minimum frontage width provided it is contiguous with other lots or parcels of land in the same ownership containing an aggregate of not less than ten acres; notwithstanding the separation of the said other lots or parcels of land by a road, stream, private right-of-way or other natural boundary from the lot on which the building is to be constructed. This section shall not be construed to prevent the construction of nonresidential accessory farm buildings on any such lot.
 - b. On legally nonconforming undersized lots, the keeping of horses, mules, cows, goats, sheep, hogs, and similar sized animals for domestic use of the residents of the lot is permitted provided that the land area required per animal unit conforms to the definition of animal farm contained in section 60-2.
- (2) *Density.* The density of yearround dwelling units shall not exceed an average of one dwelling per ten acres.
- (3) *Yard requirements.*
 - a. *Rear.* There shall be behind every building a rear yard having a minimum depth of 25 feet.
 - b. *Side.* There shall be a minimum distance of 15 feet between any building and the side property line.
 - c. *Front.* There shall be in front of every building a front yard having a minimum depth of 25 feet or 25 percent of the average depth of the lot whichever is less.
- (4) *Height.* The height of all dwelling structures shall be limited to two and one-half stories of 35 feet in height. Accessory buildings and structures may have a maximum height of 65 feet from grade, provided that the front yard, rear yard and each of the side yards shall be increased by one foot for each foot in height in excess of 35 feet.
- (5) *Off-street parking.* Off-street parking spaces shall be provided in accordance with the requirements for specific uses as set forth in articles V through XI of this chapter.

(Ord. of 9-21-2009, § 3.31C)

Sec. 60-202. - Dimensional requirements.

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

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

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

(Ord. of 9-21-2009, § 3.32C)

Sec. 60-230. - Dimensional regulations.

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

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

(Ord. of 9-21-2009, § 3.41C)

City Council Workshop June 19, 2017.

Proposed Changes to Auburn Code, Article 8, Section 8-264. Keeping of livestock generally.

Definition of an Animal Farm – Article I, Section 60-2 [No Changes Proposed]:

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

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

Existing Provision in Article 8

DIVISION 3. - LIVESTOCK

Sec. 8-264. - Keeping of livestock generally.

It shall be unlawful for any person to keep or permit the keeping of livestock on premises owned by him or under his control, except in compliance with the following regulations:

- (1) Livestock shall only be kept on lots or tracts of land zoned or designated for rural or agricultural purposes by the city.
- (2) Livestock shall not be kept on lots and tracts of land less than one acre in area.
- (3) The provisions of article III of this chapter, pertaining to animal care and control, relative to animal care in general, shall specifically apply to the keeping of livestock.

PROPOSED REVISION (with Changes Shown)

DIVISION 3. - LIVESTOCK

Sec. 8-264. - Keeping of livestock generally.

It shall be unlawful for any person to keep or permit the keeping of livestock, or to operate or permit the operation of an animal farm, on premises owned by him or under his control, except in accordance with Chapter 60 of the Auburn Code. ~~compliance with the following regulations:~~

- ~~(1) Livestock shall only be kept on lots or tracts of land zoned or designated for rural or agricultural purposes by the city.~~
- ~~(2) Livestock shall not be kept on lots and tracts of land less than one acre in area.~~

~~(3) Nothing in this Section shall be deemed to amend or supersede. The provisions of a~~ Article III of this Chapter, pertaining to animal care and control ~~shall specifically apply to the keeping of livestock.~~

PROPOSED REVISION (Clean Version)

DIVISION 3. - LIVESTOCK

Sec. 8-264. - Keeping of livestock generally.

It shall be unlawful for any person to keep or permit the keeping of livestock, or to operate or permit the operation of an animal farm, on premises owned by him or under his control, except in accordance with Chapter 60 of the Auburn Code. Nothing in this Section shall be deemed to amend or supersede the provisions of Article III of this Chapter, pertaining to animal care and control.



City of Auburn City Council Information Sheet

Council Workshop or Meeting Date: June 19, 2017

Subject: Executive Session

Information: Discussion regarding economic development (proposed business expansion/relocation), pursuant to 1 M.R.S.A. Section 405(6) (C).

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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 19, 2017

Order: 48-06192017

Author: Sue Clements-Dallaire, City Clerk

Subject: Request to move the date of the first regular City Council meeting for the month of July from July 3, 2017 to July 10, 2017.

Information: Due to the 4th of July holiday, staff is requesting that the Regular City Council meeting that is scheduled for July 3, 2017 be moved Monday, July 10, 2017.

Advantages: It will allow time for staff, Council members, and members of the public who like to attend City Council meetings to have the time to spend with family and friends and to participate in Fourth of July festivities. Many plan vacations for the Fourth of July week.

Disadvantages: It could cause some confusion for some members of the public who attend the meetings.

City Budgetary Impacts: None

Staff Recommended Action: Passage

Previous Meetings and History: N/A

Attachments: Order 48-06192017

James Pross, Ward One
Robert Stone, Ward Two
Andy Titus, Ward Three
Adam R. Lee, Ward Four



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 48-06192017

ORDERED, that the City Council hereby authorizes moving the date of the first regular City Council meeting for the month of July from July 3, 2017 to July 10, 2017.



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: 6-19-2017

Order: 49-06192017

Author: Karen Scammon, CMA Assessor, City of Auburn

Subject: Abatement Request, Jeremy Bennett, 78 Beaver Road

Information: A property tax abatement for the 2015 tax year (assessment as of April 1, 2015) is recommended by the Assessor for overvaluation in the amount of 10,500 due to an error in title. The nature of abatement requires approval by the City Council. The previous request for abatement of the 2014 tax for property at 50 Beaver Road has been withdrawn.

Advantages: Corrects parcel assessment.

Disadvantages: None.

City Budgetary Impacts: None. Recommended abatement equals \$223.13 tax dollars.

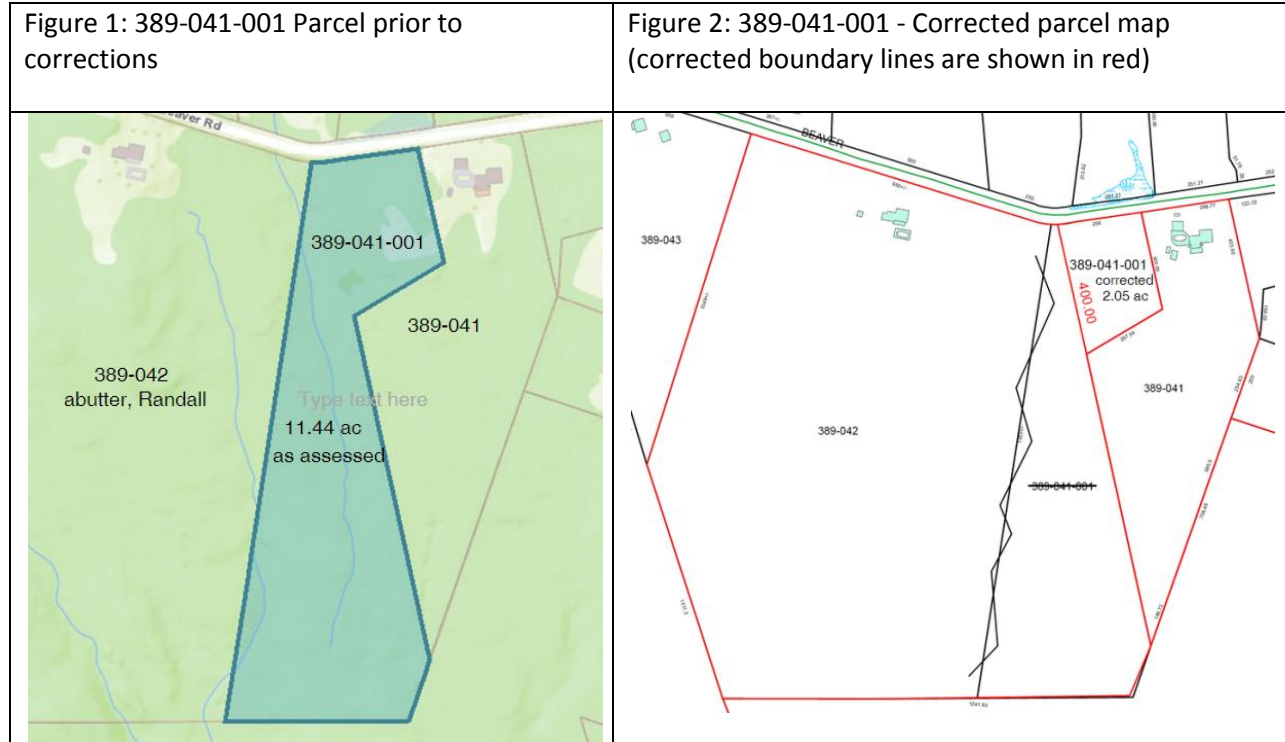
Staff Recommended Action: Grant abatement, see details in memo

Previous Meetings and History: Council workshop 6-5-2017.

Attachments: 1) memo and parcel map (as assessed in 2015 and as corrected). 2) Abatement application

Bennett-78 Beaver Road

Mr. Jeremy Bennett owns the vacant parcel situated at 78 Beaver Road in Auburn identified on Auburn tax maps as 389-041-001. The parcel is the result of a split which occurred when Mr. Bennett sold his property at 50 Beaver Road, tax map 389 lot 041, in August 2013. Map 389 lot 041 was assessed as a 19.83 acre parcel improved with a single family dwelling. Mr. Bennett sold the house with 8.39 acres and believed he retained an 11.44 acre vacant parcel. In March of 2017 he provided the Assessing Department with a recent survey of the vacant parcel, map 389 lot 041-001. Upon being presented the survey and doing further research, it was determined Mr. Bennett owned a 2.05 acre parcel and his neighbor, located at 128 Beaver Road, owned the remaining 9.39 acres. As such revisions to the tax map and assessment are warranted. Below are parcel sketches showing the parcel as assessed and corrected (Fig 1-2).



The parcel was split from Map 389 lot 041 after April 1, 2014 and was assessed as a separate parcel as of April 1, 2015.

The following is the reconciled assessment for the 2015 (April 1, 2015) tax year:

Map 389 Lot 041-001	Total Ac	Land Assessed
2015 assessment	11.44	58,100
Corrected assessment	2.05	47,600
Difference	9.39	10,500

2015 Tax Dollars \$223.13 *based on 2015mil rate 21.25*

Abatement Summary

In summary, we have concluded an abatement for error in title for the 9.39 acres assessed to Mr. Jeremy Bennett, actually owned by Janet and William Randall, is warranted and the Assessor supports the abatement request made by Mr. Bennett in the following amount;

- 2015 - \$223.13

The previous abatement request for the parcel located at 50 Beaver Road, tax map 389 lot 041 has been withdrawn. Mr. Bennett was not responsible for the 2014 tax and did not pay the taxes on that property.



Application for Abatement of Property Tax

City of Auburn

This form must be completed, signed, and filed with the Assessor the municipal assessor.
A separate application must be filed for each separately assessed parcel of real estate.

For Office Use:

Map/Lot

Account#

Date

6/15/17

Name of applicant

Jeremy J Bennett

Legal owner of property

Jeremy J Bennett

Address of Property for which Abatement is Requested

78 Beaver Road

Owner's mailing address

Telephone number

Name, address and telephone of attorney or authorized agent

Tax year for which abatement is requested

4/1/2015

For Real Estate Abatement Requests:

Assessed Value: Land

58,100

Building

n/a

Total

58,100

Owners' Opinion of Value

47,600

Requested Amount to be Abated

10,500

For Personal Property Abatement Requests:

Assessed Valuation of Personal Property

Requested Amount to be Abated

N/A

Maine State Statutes provide that a property owner who believes his local property valuation is excessive may seek relief through a written request to the Assessor within 185 days of the date of commitment. **High taxes are not a legitimate reason to file for an abatement.** By law, the property owner has the burden of proving the assessed value is manifestly wrong. In order to do so three things must be proven;

- 1) The judgment of the Assessor was irrational or unreasonable in the light of the circumstances or that the property is substantially overvalued and an injustice results;
- 2) There was unjust discrimination or;
- 3) The assessment was fraudulent, dishonest or illegal.

Please state the specific reason(s) for requesting abatement attaching additional pages as necessary.

Error in title

In accordance with the provisions of Title 36 M.R.S., Section 841, I hereby make application for abatement of property taxes to the assessing authority of the City of Auburn as noted above. The above statements are correct to the best of my knowledge and belief.

Print name

Jeremy Bennett

Signature

Jeremy Bennett

Mail Completed Application to: Assessing Department, 60 Court Street Suite 104, Auburn, ME 04210

James Pross, Ward One
Robert Stone, Ward Two
Andy Titus, Ward Three
Adam R. Lee, Ward Four



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 49-06192017

ORDERED, that the City Council hereby grant the abatement request by Mr. Jeremy Bennett for the 2015 tax year (assessment as of April 1, 2015) in the amount of \$223.13. The property is identified as 78 Beaver Road, tax map 389 lot 041-001.



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: June 19, 2017

Order: 50-06192017

Author: Sue Clements-Dallaire, City Clerk

Subject: Confirming the City Manager's appointment of Denise Clavette as the Assistant City Manager

Information: Sec. 6.1 of the Auburn City Charter states ***"The city manager shall appoint an assistant city manager who shall be confirmed by a majority vote of the city council"***.

Denise Clavette has been the Economic Development Director for the Town of Yarmouth the past two years and previously served as the Parks & Recreation Director for the City of Portland for several years, as well as the head of the Kennebunk area Chamber of Commerce.

Advantages:

Disadvantages:

City Budgetary Impacts: N/A

Staff Recommended Action: Recommend passage.

Previous Meetings and History: N/A

Attachments: Order 50-06192017

James Pross, Ward One
Robert Stone, Ward Two
Andy Titus, Ward Three
Adam R. Lee, Ward Four



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 50-06192017

ORDERED, that the City Council hereby confirms the City Manager's appointment of Denise Clavette as Assistant City Manager of Auburn.

IN COUNCIL REGULAR MEETING JUNE 5, 2017 VOL. 35 PAGE 40

Mayor LaBonté called the meeting to order at 7:03 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Councilor Young had an excused absence. All other Councilors were present.

- I. Consent Items** – All items listed with an asterisk (*) are considered as routine and will be approved in one motion. There will be no separate discussion of these items unless a Councilor or citizen so requests. If requested, the item will be removed from the consent agenda and considered in the order it appears on the agenda.

1. Order 41-06052017*

Appointing Wardens and Ward Clerks for the June 13, 2017 Election.

2. Order 42-06052017*

Approving the Omni Circle Property Sale.

3. Resolve 02-06052017*

Supporting staffs pursuit of the Northern Borders Regional Commission Grant.

4. Order 43-06052017*

Adopting the 911 Fund Balance Policy.

5. Order 44-06052017*

Approving the appointment of City Manager, Peter Crichton, as alternate to Councilor Titus on the AVCOG Executive Committee.

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

Passage 5-0.

II. Minutes

- May 15, 2017 Regular Council Meeting

Motion was made by Councilor Walker and seconded by Councilor Burns to approve the minutes of the May 15, 2017 Council Meeting. Passage 5-0.

III. Communications, Presentations and Recognitions

Communications – An application has been submitted for the 2017 Liberty Festival Mass Gathering. A public hearing and Council vote is scheduled for 6/19/2017.

IV. Open Session:

Larry Pelletier, New Auburn resident commented on the condition of the roads and thanked the Public Service crews for the work they are doing filling in the pot holes. He also commented on the water cooler at Auburn Hall noting that it is not working. He asked if someone could look into that.

IN COUNCIL REGULAR MEETING JUNE 5, 2017 VOL. 35 PAGE 41

Mamie Anthoine Ney, Director of the Auburn Public Library, announced that the Library's annual online auction is currently underway. Anyone interested can go to their website at WWW.32auctions.com/apl2017.

Mr. Earl Bickford, South Main St., accompanied by his grandchildren, Adele and Elijah, spoke about the issue he brought forth to the City Council several weeks ago regarding the pet dwarf goats purchased by his daughter, Audrey Tripp. He would like them to be able to keep the goats. He also submitted a petition signed by several Auburn residents as well as an online petition. The petitions have been placed on file in the Clerk's office.

Audrey Tripp, 40 Merrow Road, and owner of the dwarf goats asked Council to consider an exception, waiver or ordinance amendment which would allow them to keep their goats.

Mary Jo Bickford, mother of Audrey Tripp also commented on the goats.

Dan Herrick, 470 Hatch Road, feels the matter of the goats was handled improperly. He also talked about the workshop discussion on the AG study and spoke in opposition of the study. He also spoke in opposition of the proposed compensation study.

Joe Gray, Sopers Mill Road, thanked the Mayor for his comments on the Creative Crosswalks. He commented on the maintenance costs. He also commented on the proposed AG study, 477 Minot Avenue workshop item, and the New Auburn Village Plan.

Larry Pelletier, commented on the goat issue adding that he is hoping the Council will correct the situation and not force the family to send the goats away.

V. Unfinished Business - None

VI. New Business

1. Order 45-06052017

Authorizing the Finance Director to execute the issuance of general obligation bonds and a tax levy therefore. Proposed budget review by the City Manager, public hearing and first reading.

Motion was made by Councilor Burns and seconded by Councilor Pross for passage of the first reading.

Public hearing – Joe Gray, Sopers Mill Road – does not want to see the AG study funded.

Motion was made by Councilor Titus and seconded by Councilor Stone to strike the AG study from the CIP. Motion failed 2-3 (Councilors Pross, Burns, and Walker opposed).

Motion was made by Councilor Titus to strike \$81,000 from the Electrical Street Lights Upgrade. Motion failed for lack of a second.

Passage of the Order as presented 4-1. (Councilor Titus opposed). A roll call vote was taken.

The Mayor asked that item 5 be taken out of order, there were no objections and item 5 (Ordinance 06-06052017) was taken out of order.

Ordinance 06-06052017 - Adopting the AG text amendment for sales, service complimentary to outdoor recreation. Public hearing and first reading.

A motion was made by Councilor Burns and seconded by Councilor Walker for passage.

Public hearing – no one from the public spoke.

Passage 5-0. A roll call vote was taken.

2. Order 46-06052017

Reallocation of bonds. Public hearing and first reading.

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

Public hearing - no one from the public spoke.

Passage 5-0. A roll call vote was taken.

3. Order 47-06052017

Authorizing the use of other funds for the CIP.

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

Public comment – no one from the public spoke.

Passage 5-0.

4. Resolve 03-06052017

Adopting the Appropriations Resolve for Fiscal Year 2018. Public hearing and first reading.

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

Public hearing – no one from the public spoke.

Motion was made by Councilor Burns and seconded by Councilor Pross to amend by increasing funding to LATC (Lewiston Auburn Transit Committee) from \$189,949 to \$244,717. Motion failed 2-3 (Councilors Pross, Stone, and Titus opposed).

Motion was made by Councilor Walker and seconded by Councilor Stone to strike the 3 new EMS positions and the EMS Coordinator position.

Motion was made by Councilor Stone and seconded by Councilor Walker to amend the amendment by adding the EMS Coordinator position back in and only eliminating the 3 EMS positions. Passage 4-1 (Councilor Pross opposed).

The motion of the amendment as amended failed 3-2 (Councilors Pross and Burns opposed).

Motion of the Resolve as presented failed 2-3 (Councilors Stone, Titus, and Walker opposed).

VII. Reports

Mayor LaBonté – thanked Kiwanis Club for inviting him to the pancake breakfast. He reported on an event at Washburn School where each child received a free backpack and got to shop for 15 books to read over the summer. He challenged the Council to volunteer to read with local youth at Washburn for an hour or two. He reported on the Passenger Rail Study and noted that Saturday is the first Pride Festival in Lewiston and Auburn (Simard Payne Park).

Councilor Pross-reminded residents to vote on Tuesday, June 13, 2017.

Councilor Stone - no report.

Councilor Titus – reported that tomorrow at 6PM at Sam's on Court St. the Sunderland Drive neighborhood watch group will be meeting.

Councilor Walker - no report.

Councilor Burns - no report.

City Manager – Announced some events of the city that are coming up. August 1st is the Auburn Police Departments 14th Annual National Night out event, and the Summer Festival will be held in various locations throughout the community on August 11th, 12th, and 13th.

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

IX. Executive Session

- Discussion regarding economic development (New Auburn Project), pursuant to 1 M.R.S.A. §405(6)(C).

Motion was made by Councilor Pross and seconded by Councilor Burns to enter into executive session.

Passage 4-0-1 (Councilor Walker was not in the room for the vote).

Time in 8:43 PM.

Council was declared out of executive session at 9:12 PM.

X. Adjournment

Motion was made by Councilor Stone and seconded by Councilor Walker to adjourn. All were in favor, adjourned at 9:12 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: 06/19/2017 **Order:** 45-06052017

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 \$7,400,000 in General Obligation Bonds to finance the FY 17-18 Capital Improvement Projects. (list attached)

Advantages: These 7.4 million dollar bonds will provide funding for the FY 17-18 Capital Improvement projects and also help to begin reducing the total outstanding debt of the City, by issuing less debt than we are retiring.

Disadvantages: The total requests for Capital Improvements were over \$18 million (including the School Department), and by not funding a larger portion of the requests, infrastructure, facilities and equipment continue to deteriorate.

City Budgetary Impacts:

Staff Recommended Action: Staff recommends passage of second and final reading which requires an affirmative vote of 5 Councilors.

Previous Meetings and History: Joint Council and School Committee workshop on 3/06/17, various budget workshops through April and May 2017. Public hearing and failed the first reading on 6/5/2017.

Attachments:

List of projects
Bond Order
Public Hearing Notice

**CITY OF AUBURN
NOTICE OF PUBLIC HEARING**

Pursuant to Section 8.13 of the City Charter, notice is hereby given that the Auburn City Council will hold a public hearing on Monday, June 5, 2017, at 7:00 p.m. in the Council Chambers, Auburn Hall, 60 Court Street on a proposed order authorizing the City's general obligation bonds in the amount of \$7,400,000 to finance the City's FY18 Capital Improvement Program.

Following the public hearing, the City Council expects to conduct the second reading and take final action on the order at the June 19, 2017 meeting.

The order is available for inspection at the City Clerk's office during regular business hours.

**CITYWIDE
CAPITAL IMPROVEMENT PLAN FY 18 BONDS**

Description		
Airport	Landside Parking Lot	\$ 325,000
Econ Dev & Planning	New Auburn Village Revitalization	\$ 300,000
Econ Dev & Planning	Dangerous Building Demolition	\$ 75,000
Econ Dev & Planning	Minot Ave/South Goff St-Engineering	\$ 125,000
Econ Dev & Planning	AG Economy Study	\$ 40,000
Electrical	Main St Underground Electrical Replacement	\$ 60,000
Electrical	Upgrade Street Lights-LED	\$ 155,000
Electrical	Traffic Signal Upgrades/Replacement	\$ 35,000
Facilities	Auburn Hall Chiller Replacement	\$ 214,000
Facilities	Hasty Kitchen Hood & Suppression System	\$ 20,000
Facilities	Public Works Roof Replacement	\$ 100,000
Facilities	Code Compliance Surveys-PW Garage, Central Fire	\$ 80,000
Fire	Engine 5 Generator	\$ 32,000
IT	Upgrade Operating Systems	\$ 200,000
IT	GIS Flyover	\$ 40,000
LA911	Radio Replacement Project	\$ 535,000
Police	Vehicle Replacement	\$ 250,000
Engineering	Reconstruction	\$ 800,000
Engineering	Reclamation/Resurfacing	\$ 1,000,000
Engineering	Major Drainage	\$ 300,000
Engineering	MDOT Match	\$ 500,000
Engineering	Sidewalks	\$ 100,000
Public Works	7 Yard Plow Trucks	\$ 386,000
Public Works	One Ton Trucks	\$ 130,000
Public Works	Pickups	\$ 120,000
Public Works	Multi Use Tractor	\$ 150,000
School Department	School Department	\$ 1,300,000
Administration	Contingency	\$ 28,000
TOTAL CIP		\$ 7,400,000

James Pross, Ward One
Robert Stone, Ward Two
Andy Titus, Ward Three
Adam R. Lee, Ward Four



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 45-06052017

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 \$7,400,000, 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 FY18 Capital Improvement Program:

	Description	
Airport	Landside Parking Lot	\$ 325,000
Econ Dev & Planning	New Auburn Village Revitalization	\$ 300,000
Econ Dev & Planning	Dangerous Building Demolition	\$ 75,000
Econ Dev & Planning	Minot Ave/South Goff St-Engineering	\$ 125,000
Econ Dev & Planning	AG Economy Study	\$ 40,000
Electrical	Main St Underground Electrical Replacement	\$ 60,000
Electrical	Upgrade Street Lights-LED	\$ 155,000
Electrical	Traffic Signal Upgrades/Replacement	\$ 35,000
Facilities	Auburn Hall Chiller Replacement	\$ 214,000
Facilities	Hasty Kitchen Hood & Suppression System	\$ 20,000
Facilities	Public Works Roof Replacement	\$ 100,000
Facilities	Code Compliance Surveys-PW Garage, Central Fire	\$ 80,000
Fire	Engine 5 Generator	\$ 32,000
IT	Upgrade Operating Systems	\$ 200,000
IT	GIS Flyover	\$ 40,000
LA911	Radio Replacement Project	\$ 535,000
Police	Vehicle Replacement	\$ 250,000
Engineering	Reconstruction	\$ 800,000
Engineering	Reclamation/Resurfacing	\$ 1,000,000
Engineering	Major Drainage	\$ 300,000
Engineering	MDOT Match	\$ 500,000
Engineering	Sidewalks	\$ 100,000
Public Works	7 Yard Plow Trucks	\$ 386,000
Public Works	One Ton Trucks	\$ 130,000
Public Works	Pickups	\$ 120,000
Public Works	Multi Use Tractor	\$ 150,000
School Department	School Department	\$ 1,300,000
Administration	Contingency	\$ 28,000
TOTAL CIP		\$ 7,400,000

James Pross, Ward One
Robert Stone, Ward Two
Andy Titus, Ward Three
Adam R. Lee, Ward Four



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

Jonathan P. LaBonte, Mayor

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 \$7,500,000 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.

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 22, 2017, 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 5, 2017.



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: 06/19/2017 **Order:** 46-06052017

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 \$337,100 from previous General Obligation Bonds that were unspent to fund a portion of the City's FY 17-18 CIP. (list attached)

Advantages: These unused bond proceeds will provide funding for a portion of the FY 17-18 Capital Improvement projects.

Disadvantages: N/A

City Budgetary Impacts: N/A

Staff Recommended Action: Staff recommends passage of second reading.

Previous Meetings and History: Joint Council and School Committee workshop on 3/06/17, various budget workshops through April and May 2017. Public hearing and passage of first reading on 6/5/2017.

Attachments:

List of Projects
Bond Order
Public Hearing Notice

**CITY OF AUBURN
NOTICE OF PUBLIC HEARING**

Pursuant to Section 8.13 of the City Charter, notice is hereby given that the Auburn City Council will hold a public hearing on Monday, June 5, 2017, at 7:00 p.m. in the Council Chambers, Auburn Hall, 60 Court Street on a proposed order reallocating \$337,100 of unspent proceeds from various City General Obligation Bonds to a portion of the Capital Improvement Projects for FY 18.

Following the public hearing, the City Council expects to conduct the second reading and take final action on the order at the June 19, 2017, meeting.

The order is available for inspection at the City Clerk's office during regular business hours.

CITYWIDE
CAPITAL IMPROVEMENT PLAN FY 18 Unallocated

Description		Unallocated Bond Proceeds
Fire	Replace 4 Wheel Drive Pi ck Up	\$ 36,000
Fire	Engine 2 Generator	\$ 20,000
LATC	Bus Replacement	\$ 40,000
NSB Arena	Heating System for Rink #2	\$ 72,000
Police	TASERs	\$ 59,000
Police	Speed Signs	\$ 33,600
Parks	Utility Vehicle	\$ 10,000
Public Works	Tilt Trailer Replacements	\$ 11,500
Public Works	14' Dump Body Reaplacement	\$ 31,000
Recreation	Basketball Backboards	\$ 24,000
TOTAL CIP		\$ 337,100

James Pross, Ward One
Robert Stone, Ward Two
Andy Titus, Ward Three
Adam R. Lee, Ward Four



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 46-06052017

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, \$337,100 of which excess proceeds the City Council desires to reappropriate and reallocate to be used for the projects listed below;

CITYWIDE			
CAPITAL IMPROVEMENT PLAN FY 18 Unallocated			
	Description		Unallocated Bond Proceeds
Fire	Replace 4 Wheel Drive Pi ck Up		\$ 36,000
Fire	Engine 2 Generator		\$ 20,000
LATC	Bus Replacement		\$ 40,000
NSB Arena	Heating System for Rink #2		\$ 72,000
Police	TASERs		\$ 59,000
Police	Speed Signs		\$ 33,600
Parks	Utility Vehicle		\$ 10,000
Public Works	Tilt Trailer Replacements		\$ 11,500
Public Works	14' Dump Body Replacement		\$ 31,000
Recreation	Basketball Backboards		\$ 24,000
TOTAL CIP			\$ 337,100

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 \$337,100 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, 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 22, 2017, 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 5, 2017.



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: 06/19/2017

Resolve: 03-06052017

Author: Jill M Eastman, Finance Director

Subject: Resolve Adopting the 2017—2018 Annual Appropriation and Revenue Resolve

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. The second reading will be scheduled for the Council meeting on June 19, 2017.

Advantages: By Charter the annual appropriation resolve must be passed before the end of the current fiscal year. The public hearing allows public comment and the second reading will not take place for 2 weeks, which would allow enough time to make amendments if necessary.

Disadvantages: None

City Budgetary Impacts:

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

Previous Meetings and History: Budget presentation on April 24, 2017, various budget workshops in April and May. Public hearing and failed first reading on 6/5/2017.

Attachments:

Resolve for the 2017-2018 Annual Appropriation and Revenue

Summary of Proposed Budget

Summary of Estimated Non Property Tax Revenue

CITY OF AUBURN
FY 2018 EXPENDITURES
COMPARISON FY17 AND FY18 BUDGETS

	COUNCIL ADOPTED BUDGET FY 16-17	DEPARTMENT PROPOSED BUDGET FY 17-18	MANAGER PROPOSED BUDGET FY 17-18	COUNCIL ADOPTED BUDGET FY 17-18	\$ Change	% Change
City Expenses						
Operating Expenses	26,740,830	28,387,349	28,291,287	0	1,550,457	5.80%
Debt Service/TIF	9,231,648	9,151,336	9,416,336	0	184,688	2.00%
Intergovernmental	3,814,925	4,026,280	4,012,830	0	197,905	5.19%
Total City Expenses	39,787,403	41,564,965	41,720,453	0	1,933,050	4.86%
School Expenses						
Operating Expenses	37,864,537	39,528,124	39,430,081	0	1,565,544	4.13%
Debt Service	2,878,831	2,325,374	2,325,374	0	(553,457)	-19.23%
Total School Expenses	40,743,368	41,853,498	41,755,455	0	1,012,087	2.48%
Total Expenses	80,530,771	83,418,463	83,475,908	0	2,945,137	3.66%
Less: Non-Tax Revenues						
City	13,248,577	13,746,184	13,746,184	0	497,607	3.76%
School	23,094,759	22,664,508	22,664,508	0	(430,251)	-1.86%
Total Non-Tax Revenues	36,343,336	36,410,692	36,410,692	0	67,356	0.19%
Tax Levy						
City	24,845,276	25,522,557	25,678,045	0	832,769	3.35%
School	17,648,609	19,188,990	19,090,947	0	1,442,338	8.17%
County Overlay	2,167,824	2,296,224	2,296,224	0	128,400	5.92%
Total Tax Levy	44,661,709	47,007,771	47,065,216	0	2,403,507	5.38%
Total Assessed Value	1,998,286,739	1,998,286,739	1,998,286,739	1,998,286,769		
Tax Rate						
City	12.44	12.77	12.85	0.00	0.41	3.34%
School	8.83	9.60	9.55	0.00	0.72	8.20%
County Overlay	1.08	1.15	1.15	0.00	0.06	5.92%
Total	22.35	23.52	23.55	0.00	1.20	5.38%

CITY OF AUBURN
FY 2018 EXPENDITURES
COMPARISON FY17 AND FY18 BUDGETS

CLASSIFICATION	COUNCIL ADOPTED BUDGET FY 16-17	DEPARTMENT PROPOSED BUDGET FY 17-18	MANAGER PROPOSED BUDGET FY 17-18	COUNCIL ADOPTED BUDGET FY 17-18	Increase (Decrease) from Prior Year Budget	Percentage of Increase (Decrease)
<u>Administration</u>						
City Clerk	177,906	181,332	181,332		3,426	1.93%
City Manager	378,880	472,670	581,170		202,290	53.39%
Finance	637,754	675,239	675,239		37,485	5.88%
Human Resources	150,435	159,435	156,887		6,452	4.29%
IT	479,324	652,551	531,551		52,227	10.90%
Legal Services	45,650	50,000	0		(45,650)	-100.00%
Mayor & Council	78,464	80,300	80,300		1,836	2.34%
Total Administration	1,948,413	2,271,527	2,206,479	0	258,066	13.24%
<u>Community Services</u>						
Health & Social Services						
Administration	73,696	77,400	77,400		3,704	5.03%
Assistance	97,778	143,470	143,470		45,692	46.73%
Economic and Community Development	1,938,437	1,717,028	1,717,028		(221,409)	-11.42%
Recreation & Special Events	341,772	390,581	388,581		46,809	13.70%
Public Library	979,516	998,189	998,189		18,673	1.91%
Total Community Services	3,431,199	3,326,668	3,324,668	0	(106,531)	-3.10%
<u>Fiscal Services</u>						
Debt Service	6,406,845	6,326,533	6,366,533		(40,312)	-0.63%
Emergency Reserve	375,289	415,454	415,454		40,165	10.70%
Facilities	645,756	654,411	640,201		(5,555)	-0.86%
Transfer to TIF	2,824,803	2,824,803	3,049,803		225,000	7.97%
Fringe Benefits	5,274,528	5,980,970	5,960,970		686,442	13.01%
Workers' Compensation	522,088	555,164	555,164		33,076	6.34%
Total Fiscal Services	16,049,309	16,757,335	16,988,125	0	938,816	5.85%
<u>Public Safety</u>						
Fire	4,049,396	4,346,199	4,397,575		348,179	8.60%
Fire EMS Transport	590,997	578,828	538,828		(52,169)	-8.83%
Police	3,875,113	4,043,998	4,043,998		168,885	4.36%
Total Public Safety	8,515,506	8,969,025	8,980,401	0	464,895	5.46%
<u>Public Services</u>						
Public Services	4,496,349	4,617,296	4,611,116		114,767	2.55%
Solid Waste	932,689	964,118	964,118		31,429	3.37%
Water & Sewer	599,013	632,716	632,716		33,703	5.63%
Total Public Works	6,028,051	6,214,130	6,207,950	0	179,899	2.98%

CITY OF AUBURN
FY 2018 EXPENDITURES
COMPARISON FY17 AND FY18 BUDGETS

CLASSIFICATION	COUNCIL ADOPTED BUDGET FY 16-17	DEPARTMENT PROPOSED BUDGET FY 17-18	MANAGER PROPOSED BUDGET FY 17-18	COUNCIL ADOPTED BUDGET FY 17-18	Increase (Decrease) from Prior Year Budget	Percentage of Increase (Decrease)
Total Municipal	35,972,478	37,538,685	37,707,623	0	1,735,145	4.82%
<u>Intergovernmental Programs</u>						
County Taxes	2,167,824	2,296,224	2,296,224		128,400	5.92%
Tax Sharing	270,000	270,000	270,000		0	0.00%
Auburn-Lewiston Municipal Airport	106,000	181,250	167,800		61,800	58.30%
Lew-Aub Transit Committee	182,244	189,949	189,949		7,705	4.23%
Lew-Aub 911 Communications Center	1,088,857	1,088,857	1,088,857		0	0.00%
Total Intergovernmental Programs	3,814,925	4,026,280	4,012,830	0	197,905	5.19%
Grand Total Municipal	39,787,403	41,564,965	41,720,453	0	1,933,050	4.86%
Education Operation	37,864,537	39,528,124	39,430,081		1,565,544	4.13%
Education Debt Service	2,878,831	2,325,374	2,325,374		(553,457)	-19.23%
Total School	40,743,368	41,853,498	41,755,455	0	1,012,087	2.48%
Total Budget	80,530,771	83,418,463	83,475,908	0	2,945,137	3.66%

CITY OF AUBURN
FY 2018 EXPENDITURES
COMPARISON FY17 AND FY18 BUDGETS

CLASSIFICATION	COUNCIL ADOPTED BUDGET FY 16-17	DEPARTMENT PROPOSED BUDGET FY 17-18	MANAGER PROPOSED BUDGET FY 17-18	COUNCIL ADOPTED BUDGET FY 17-18	Increase (Decrease) from Prior Year Budget	Percentage of Increase (Decrease)
Non-Property Tax Revenue						
Municipal	13,248,577	13,746,184	13,746,184	0	497,607	3.76%
Education	23,094,759	22,664,508	22,664,508	0	(430,251)	-1.86%
Total	36,343,336	36,410,692	36,410,692	0	67,356	0.19%
Property Tax Dollars Needed						
Municipal	27,013,100	27,818,781	27,974,269	0	961,169	3.56%
Education	17,648,609	19,188,990	19,090,947	0	1,442,338	8.17%
Total	44,661,709	47,007,771	47,065,216	0	2,403,507	5.38%
Property Tax Rate Based on Assessed Values of :	22.35 1,998,286,739	23.52 1,998,286,739	23.55 1,998,286,739	0.00 1,998,286,739	1.20	5.38%
Property Tax Rate						
Municipal Tax Rate	\$13.52	\$13.92	\$14.00	\$0.00	0.48	3.54%
Education Tax Rate	\$8.83	\$9.60	\$9.55	\$0.00	0.72	8.20%
	<u>22.35</u>	<u>23.52</u>	<u>23.55</u>	<u>0.00</u>	<u>1.20</u>	<u>5.38%</u>

CITY OF AUBURN
FY 2018 REVENUES
COMPARISON FY17 AND FY18 BUDGETS

CLASSIFICATION	COUNCIL ADOPTED BUDGET FY 16-17	MANAGER PROPOSED BUDGET FY 17-18	COUNCIL ADOPTED BUDGET FY 17-18	Increase (Decrease) from Prior Year Budget	Percentage of Increase (Decrease)
<u>General Government</u>					
Homestead Exemption Reimbursement	750,000	1,015,000		265,000	35.33%
Personal Property Reimbursement	1,755,000	2,000,000		245,000	0.00%
Tree Growth Reimbursement	10,000	10,000		-	0.00%
Veterans Reimbursement	18,000	18,000		-	0.00%
CDBG Reimbursement				-	0.00%
In Lieu of Taxes	90,000	90,000		-	0.00%
Excise Tax-Vehicles	3,330,000	3,775,000		445,000	13.36%
Excise Tax-Boats	15,000	15,000		-	0.00%
Excise Tax-Aircraft	20,000	20,000		-	0.00%
State Revenue Sharing	1,468,313	1,509,117		40,804	2.78%
Other State Aid	4,000	4,000		-	0.00%
Penalties & Interest	150,000	150,000		-	0.00%
Investment Income	10,000	32,000		22,000	220.00%
Interest from Bonds	-	-		-	#DIV/0!
Transfer in from TIF	1,087,818	1,087,818		-	0.00%
Transfer in from TIF Workforce Development	450,000	200,000		(250,000)	-55.56%
Transfer in from Parking Program				-	0.00%
Transfer in from Police Drug Money				-	0.00%
Transfer in from Recreation Special Revenue	54,718	54,718		-	0.00%
Rental Income (Intermodal)	18,000	35,000		17,000	94.44%
Sale of Property	20,000	20,000		-	0.00%
Tax Sharing Revenue	160,000	165,000		5,000	3.13%
Cable Television Franchise	140,000	150,000		10,000	7.14%
Cable Television Franchise - City of Lewiston	63,384	63,384		-	0.00%
MMWAC Host Fees	210,000	215,000		5,000	2.38%
				-	0.00%
Reimbursement-Other	-	-		-	#DIV/0!
Utility Reimbursement	27,500	27,500		-	0.00%
Unclassified	10,000	10,000		-	0.00%
Fund Balance Contribution	825,000	412,500		(412,500)	-50.00%
Total General Government	10,686,733	11,079,037	-	392,304	3.67%

CITY OF AUBURN
FY 2018 REVENUES
COMPARISON FY17 AND FY18 BUDGETS

CLASSIFICATION	COUNCIL ADOPTED BUDGET FY 16-17	MANAGER PROPOSED BUDGET FY 17-18	COUNCIL ADOPTED BUDGET FY 17-18	Increase (Decrease) from Prior Year Budget	Percentage of Increase (Decrease)
<u>City Clerk</u>					
Hunting/Fishing/Dogs	2,000	2,000		-	0.00%
Neutered Animals	3,000	3,000		-	0.00%
Voter Reg List	100	100		-	0.00%
Clerk/Sale of Copies	100	100		-	0.00%
City Clerk Notary	1,500	1,500		-	0.00%
Banner Hanging Fee	3,000	3,000		-	0.00%
Garage Sale Permits	3,200	3,200		-	0.00%
Commercial License	40,000	50,000		10,000	25.00%
Taxi License	4,000	4,000		-	0.00%
Marriage License	5,000	5,000		-	0.00%
Birth/Death/Marriage Cert	25,000	25,000		-	0.00%
Permits - Burial	7,000	7,000		-	0.00%
Fines-Dog	3,000	3,000		-	0.00%
Total City Clerk	96,900	106,900	-	10,000	10.32%
<u>Finance</u>					
Reg - Vehicles	60,000	60,000		-	0.00%
Total Finance	60,000	60,000	-	-	0.00%
<u>Community Services-ICT</u>					
GIS/Data & Maps	20	20		-	0.00%
Total Community Services-ICT	20	20	-	-	0.00%
<u>Assessing</u>					
Maps & Copies	20	20		-	0.00%
Total Assessing	20	20	-	-	0.00%
<u>Health & Social Services</u>					
GA Reimbursement	59,000	95,000		36,000	61.02%
Total Health & Social Services	59,000	95,000	-	36,000	61.02%

CITY OF AUBURN
FY 2018 REVENUES
COMPARISON FY17 AND FY18 BUDGETS

CLASSIFICATION	COUNCIL ADOPTED BUDGET FY 16-17	MANAGER PROPOSED BUDGET FY 17-18	COUNCIL ADOPTED BUDGET FY 17-18	Increase (Decrease) from Prior Year Budget	Percentage of Increase (Decrease)
<u>Planning & Permitting</u>					
Maps & Copies	500	500		-	0.00%
Departmental Reviews	16,000	16,000		-	0.00%
Planning/Codes & Ordinance				-	0.00%
Fire Alarm Inspections	29,000	29,000		-	0.00%
Citation Ordinance	2,000	2,000		-	0.00%
Advertising Costs	5,000	5,000		-	0.00%
Lisbon Reimbursement for Services	-	-		-	0.00%
Permits - Building	100,000	100,000		-	0.00%
CDBG Reimbursement for Services	254,127	214,430		(39,697)	-15.62%
Permits - Electrical	18,000	18,000		-	0.00%
Permits - Plumbing	11,000	11,000		-	0.00%
Permits - Sign	5,000	5,000		-	0.00%
Total Planning & Permitting	440,627	400,930	-	(39,697)	-9.01%
<u>Parks & Recreation</u>					
Arena	-	-	-	-	0.00%
Recreation Program	-	-	-	-	0.00%
Total Parks & Recreation	-	-	-	-	0.00%
<u>Community Services-Engineering</u>					
Fees - Eng-Misc	-	-	-	-	0.00%
Fees - Inspection	6,000	6,000		-	0.00%
Fees - Drive Opening	200	200		-	0.00%
Fees - Bid Documents	1,000	1,000		-	0.00%
Permits - Fill	1,000	1,000		-	0.00%
Permits - Street Opening	40,000	40,000		-	0.00%
Total Community Services-Engineering	48,200	48,200	-	-	0.00%
<u>Fire Department</u>					
Copies of Reports	200	200		-	0.00%
Inspections	-			-	0.00%
EMS Transport	1,250,000	1,250,000		-	0.00%
EMS Agreement	-			-	0.00%
Salvage Calls	100	100		-	0.00%
Permits - Oil Burner	800	800		-	0.00%
Total Fire Department	1,251,100	1,251,100	-	-	0.00%

CITY OF AUBURN
FY 2018 REVENUES
COMPARISON FY17 AND FY18 BUDGETS

CLASSIFICATION	COUNCIL ADOPTED BUDGET FY 16-17	MANAGER PROPOSED BUDGET FY 17-18	COUNCIL ADOPTED BUDGET FY 17-18	Increase (Decrease) from Prior Year Budget	Percentage of Increase (Decrease)
<u>Police Department</u>					
Accident & Police	12,000	12,000		-	0.00%
Court	10,000	10,000		-	0.00%
Photos & Tapes	3,500	3,500		-	0.00%
False Alarms	12,000	12,000		-	0.00%
Animal Impound	1,000	1,000		-	0.00%
Veh Rel/Non Driver	2,000	2,000		-	0.00%
Veh Rel/Driver Licence	13,000	13,000		-	0.00%
ARRA Cops Grant	12,477	12,477		-	0.00%
MDEA Reimbursement	71,000	170,000		99,000	139.44%
School Resource Officers	-	-		-	0.00%
Computer Crimes	-	-		-	0.00%
Permits - Alarms				-	0.00%
Permits - Firearms	4,000	4,000		-	0.00%
Fines - Parking Violations	65,000	65,000		-	0.00%
Total Police Department	205,977	304,977	-	99,000	48.06%
<u>Public Works</u>					
Community Cords	-	-	-	-	
State/Local Road Assistance	400,000	400,000		-	0.00%
Total Public Works	400,000	400,000	-	-	0.00%
Total Municipal	13,248,577	13,746,184	-	497,607	3.76%

CITY OF AUBURN
FY 2018 REVENUES
COMPARISON FY17 AND FY18 BUDGETS

CLASSIFICATION	COUNCIL ADOPTED BUDGET FY 16-17	MANAGER PROPOSED BUDGET FY 17-18	COUNCIL ADOPTED BUDGET FY 17-18	Increase (Decrease) from Prior Year Budget	Percentage of Increase (Decrease)
School Department					
Reg Secondary Tuition	179,620	160,174		(19,446)	-10.83%
SOS Tuition	107,576	107,576		-	0.00%
Adult Ed Tuition	93,300	93,300		-	0.00%
State Subsidy for Education	20,330,362	20,304,092		(26,270)	-0.13%
Debt Service Reimbursement	1,042,975	641,790		(401,185)	-38.47%
PreK/CDS				-	#DIV/0!
Special Ed/Mainecare	135,000	135,000		-	0.00%
State Agency Clients	53,350	70,000		16,650	31.21%
State Aid for Adult Education	107,694	107,694		-	0.00%
Miscellaneous	88,000	88,000		-	0.00%
Daycare Rent	50,000	50,000		-	0.00%
Fund Balance	906,882	906,882		-	0.00%
Total School	23,094,759	22,664,508	-	(430,251)	-1.86%
Total Non-Property Tax Revenue - Municipal	13,248,577	13,746,184	-	(13,248,577)	-100.00%
Total Non-Property Tax Revenue - School	<u>23,094,759</u>	<u>22,664,508</u>	-	<u>(23,094,759)</u>	<u>-100.00%</u>
Total Non-Property Tax Revenue	36,343,336	36,410,692	-	(36,343,336)	-100.00%
Total Proposed Budget - Municipal	39,787,403	41,720,453	-	(39,787,403)	-100.00%
Total Proposed Budget - School	<u>40,743,368</u>	<u>41,755,455</u>	-	<u>(40,743,368)</u>	<u>-100.00%</u>
Total Proposed Budget	80,530,771	83,475,908	-	(80,530,771)	-100.00%
Total Property Tax Dollars Needed - Municipal	26,538,826	27,974,269	-	(26,538,826)	-100.00%
Total Property Tax Dollars Needed - School	<u>17,648,609</u>	<u>19,090,947</u>	-	<u>(17,648,609)</u>	<u>-100.00%</u>
Total Property Tax Dollars Needed	44,187,435	47,065,216	-	(44,187,435)	-100.00%

CITY OF AUBURN
FY 2018 EXPENDITURES
COMPARISON FY17 AND FY18 BUDGETS

CLASSIFICATION	COUNCIL ADOPTED BUDGET FY 16-17	DEPARTMENT PROPOSED BUDGET FY 17-18	MANAGER PROPOSED BUDGET FY 17-18	COUNCIL ADOPTED BUDGET FY 17-18	Increase (Decrease) from Prior Year Budget	Percentage of Increase (Decrease)
<u>Administration</u>						
City Clerk	177,906	181,332	181,332	181,332	3,426	1.93%
City Manager	378,880	472,670	581,170	581,170	202,290	53.39%
Finance	637,754	675,239	675,239	675,239	37,485	5.88%
Human Resources	150,435	159,435	156,887	156,887	6,452	4.29%
IT	479,324	652,551	531,551	531,551	52,227	10.90%
Legal Services	45,650	50,000	0	0	(45,650)	-100.00%
Mayor & Council	78,464	80,300	80,300	80,300	1,836	2.34%
Total Administration	1,948,413	2,271,527	2,206,479	2,206,479	258,066	13.24%
<u>Community Services</u>						
Health & Social Services						
Administration	73,696	77,400	77,400	77,400	3,704	5.03%
Assistance	97,778	143,470	143,470	143,470	45,692	46.73%
Economic and Community Development	1,938,437	1,717,028	1,717,028	1,717,028	(221,409)	-11.42%
Recreation & Special Events	341,772	390,581	388,581	388,581	46,809	13.70%
Public Library	979,516	998,189	998,189	998,189	18,673	1.91%
Total Community Services	3,431,199	3,326,668	3,324,668	3,324,668	(106,531)	-3.10%
<u>Fiscal Services</u>						
Debt Service	6,406,845	6,326,533	6,366,533	6,366,533	(40,312)	-0.63%
Emergency Reserve	375,289	415,454	415,454	415,454	40,165	10.70%
Facilities	645,756	654,411	640,201	640,201	(5,555)	-0.86%
Transfer to TIF	2,824,803	2,824,803	3,049,803	3,049,803	225,000	7.97%
Fringe Benefits	5,274,528	5,980,970	5,960,970	5,960,970	686,442	13.01%
Workers' Compensation	522,088	555,164	555,164	555,164	33,076	6.34%
Total Fiscal Services	16,049,309	16,757,335	16,988,125	16,988,125	938,816	5.85%
<u>Public Safety</u>						
Fire	4,049,396	4,346,199	4,397,575	4,227,575	178,179	4.40%
Fire EMS Transport	590,997	578,828	538,828	708,828	117,831	19.94%
Police	3,875,113	4,043,998	4,043,998	4,043,998	168,885	4.36%
Total Public Safety	8,515,506	8,969,025	8,980,401	8,980,401	464,895	5.46%
<u>Public Services</u>						
Public Services	4,496,349	4,617,296	4,611,116	4,611,116	114,767	2.55%
Solid Waste	932,689	964,118	964,118	964,118	31,429	3.37%
Water & Sewer	599,013	632,716	632,716	632,716	33,703	5.63%
Total Public Works	6,028,051	6,214,130	6,207,950	6,207,950	179,899	2.98%

CITY OF AUBURN
FY 2018 EXPENDITURES
COMPARISON FY17 AND FY18 BUDGETS

CLASSIFICATION	COUNCIL ADOPTED BUDGET FY 16-17	DEPARTMENT PROPOSED BUDGET FY 17-18	MANAGER PROPOSED BUDGET FY 17-18	COUNCIL ADOPTED BUDGET FY 17-18	Increase (Decrease) from Prior Year Budget	Percentage of Increase (Decrease)
Total Municipal	35,972,478	37,538,685	37,707,623	37,707,623	1,735,145	4.82%
<u>Intergovernmental Programs</u>						
County Taxes	2,167,824	2,296,224	2,296,224	2,296,224	128,400	5.92%
Tax Sharing	270,000	270,000	270,000	270,000	0	0.00%
Auburn-Lewiston Municipal Airport	106,000	181,250	167,800	167,800	61,800	58.30%
Lew-Aub Transit Committee	182,244	189,949	189,949	189,949	7,705	4.23%
Lew-Aub 911 Communications Center	1,088,857	1,088,857	1,088,857	1,088,857	0	0.00%
Total Intergovernmental Programs	3,814,925	4,026,280	4,012,830	4,012,830	197,905	5.19%
Grand Total Municipal	39,787,403	41,564,965	41,720,453	41,720,453	1,933,050	4.86%
Education Operation	37,864,537	39,528,124	39,430,081	39,430,081	1,565,544	4.13%
Education Debt Service	2,878,831	2,325,374	2,325,374	2,325,374	(553,457)	-19.23%
Total School	40,743,368	41,853,498	41,755,455	41,755,455	1,012,087	2.48%
Total Budget	80,530,771	83,418,463	83,475,908	83,475,908	2,945,137	3.66%

CITY OF AUBURN
FY 2018 EXPENDITURES
COMPARISON FY17 AND FY18 BUDGETS

CLASSIFICATION	COUNCIL ADOPTED BUDGET FY 16-17	DEPARTMENT PROPOSED BUDGET FY 17-18	MANAGER PROPOSED BUDGET FY 17-18	COUNCIL ADOPTED BUDGET FY 17-18	Increase (Decrease) from Prior Year Budget	Percentage of Increase (Decrease)
Non-Property Tax Revenue						
Municipal	13,248,577	13,746,184	13,746,184	13,746,184	497,607	3.76%
Education	23,094,759	22,664,508	22,664,508	22,664,508	(430,251)	-1.86%
Total	36,343,336	36,410,692	36,410,692	36,410,692	67,356	0.19%
Property Tax Dollars Needed						
Municipal	27,013,100	27,818,781	27,974,269	27,974,269	961,169	3.56%
Education	17,648,609	19,188,990	19,090,947	19,090,947	1,442,338	8.17%
Total	44,661,709	47,007,771	47,065,216	47,065,216	2,403,507	5.38%
Property Tax Rate Based on Assessed Values of :	22.35 1,998,286,739	23.52 1,998,286,739	23.55 1,998,286,739	23.55 1,998,286,739	1.20	5.38%
Property Tax Rate						
Municipal Tax Rate	\$13.52	\$13.92	\$14.00	\$14.00	0.48	3.54%
Education Tax Rate	\$8.83	\$9.60	\$9.55	\$9.55	0.72	8.20%
	<u>22.35</u>	<u>23.52</u>	<u>23.55</u>	<u>23.55</u>	<u>1.20</u>	<u>5.38%</u>

James Pross, Ward One
Robert Stone, Ward Two
Andy Titus, Ward Three
Adam R. Lee, Ward Four



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

RESOLVE 03-06052017

RESOLVED, that the following be, and hereby is the Annual Appropriation and Revenue Resolve of the City of Auburn for the fiscal year 2017-2018, which includes the amounts appropriated herein and revenues from all sources beginning July 1, 2017 and ending June 30, 2018.

The estimated aggregate amount of non-property tax revenue is \$36,370,692 with a municipal revenue budget of \$13,706,184 and a School Department revenue budget of \$22,664,508.

The aggregate appropriation for the City of Auburn is \$83,435,743, with a municipal budget of \$39,384,064 County budget of \$2,296,224 and a School Department budget of \$41,755,455 which received School Committee approval on May 3, 2017, and school budget approved at the May 15, 2017 Council Meeting pursuant to the School Budget Validation vote on June 13, 2017, in accordance with Maine Revised Statutes, Title 20-A § 1486 and based on the budget submitted to the Auburn City Council on April 24, 2017, by the City Manager, and notification was posted on the City of Auburn website on May 25, 2016 that a public hearing would be held on June 5, 2016 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 2017-2018 beginning July 1, 2017 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 2017-2018.

SCHOOL BUDGET ARTICLES

1. That \$16,591,502.00 be authorized to be expended for Regular Instruction;
2. That \$ 9,384,055.00 be authorized to be expended for Special Education;
3. That \$-0- be authorized to be expended for Career and Technical Education;
4. That \$ 1,006,460.00 be authorized to be expended for Other Instruction;
5. That \$ 4,368,718.00 be authorized to be expended for Student and Staff Support;

James Pross, Ward One
Robert Stone, Ward Two
Andy Titus, Ward Three
Adam R. Lee, Ward Four



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

Jonathan P. LaBonte, Mayor

6. That \$ 889,000.00 be authorized to be expended for System Administration;
7. That \$ 1,448,614.00 be authorized to be expended for School Administration;
8. That \$ 1,543,961.00 be authorized to be expended for Transportation and Buses;
9. That \$ 5,448,310.00 be authorized to be expended for Facilities Maintenance;
10. That \$ 641,791.00 be authorized to be expended for Debt Service and Other commitments;
11. That \$ 433,044.00- be authorized to be expended for All Other Expenditures;
12. That \$ 41,322,411.00 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 \$16,165,086.00 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 \$1,798,436.00 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 Statues, Title 20-a,secito 15690 (2) ;

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.*

James Pross, Ward One
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David C. Young, At Large

Jonathan P. LaBonte, Mayor

14. That \$898,691.00 be raised and appropriated in additional local funds for school purposes under the Maine Revised Statutes, Title 20-A, §15690 (3);

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 education programs.*

15. That the school committee be authorized to expend \$40,313,757.00 for the fiscal year beginning July 1, 2017 and ending June 30, 2018 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 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 \$394,714.00 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 the City of Auburn raise and appropriate \$38,330.00 for the services of Community Services-Crossing Guards.

18. 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;

19. In the event that Auburn School Department receives more state education subsidy than the amount included in its budget, the School Committee shall be authorized to use the additional state education subsidy to decrease the local cost share expectation, as defined in Title 20A, section 15671A(1)(B), for local property taxpayers for funding public education as approved by city.

Recommended: Tax relief 100%

James Pross, Ward One
Robert Stone, Ward Two
Andy Titus, Ward Three
Adam R. Lee, Ward Four



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

Jonathan P. LaBonte, Mayor

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 2017 – 2018, which includes the amounts budgeted herein beginning July 1, 2017 and ending June 30, 2018.

The Enterprise Fund-Norway Savings Bank Arena estimated amount of non-property tax revenue is \$1,137,750.

The Enterprise Fund-Norway Savings Bank Arena operating budget is \$1,234,906 and capital budget is \$53,500.

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 2017 – 2018, which includes the amounts budgeted herein beginning July 1, 2017 and ending June 30, 2018.

The Enterprise Fund-Ingersoll Turf Facility estimated amount of non-property tax revenue is \$212,170.

The Enterprise Fund- Ingersoll Turf Facility operating budget is \$191,385 and capital budget of \$42,490.

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, 2017 and ending June 30, 2018, 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 15, 2017 and the remaining fifty percent (50%) shall be due on March 15, 2018.

Except as may be provided by resolve regarding payments in accordance with an installment payment plan, any real estate taxes remaining uncollected on September 16, 2017 and March 16, 2018 respectively shall bear interest at a rate of 7% per annum from and after such dates.

James Pross, Ward One
Robert Stone, Ward Two
Andy Titus, Ward Three
Adam R. Lee, Ward Four



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

Jonathan P. LaBonte, Mayor

Personal property taxes shall be due and payable on or before September 15, 2017. Any personal property taxes remaining unpaid on September 16, 2017 shall bear an interest rate of 7% 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.

BE IT FURTHER RESOLVED that the City Council deems it necessary to adopt a budget which exceeds the percent increase of the Consumer Price Index Urban as of December 31, 2016, and hereby waives the provisions of Section 2-485 of the City Code of Ordinances.



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: June 19, 2017 **Ordinance:** 06-06052017

Author: Douglas Greene, Urban Development Specialist, Economic and Community Development

Subject: Text Amendment to allow training, sales and service of equipment related to outdoor recreation in the Agricultural and Resource Protection District

Information: The City Council reviewed a text amendment that would allow training, sales and service of equipment related to outdoor recreation in the Agricultural and Resource Protection (AGRP) district at a workshop at its May 15, 2017 meeting. A snow grooming equipment company would like to construct a large building, parking and sales area at Lost Valley and showcase their snow grooming equipment. The snow grooming equipment would be used for grooming the ski slopes and provide an opportunity for training, and displaying the equipment. Currently, training, sales and servicing of machinery and equipment related to agriculture is allowed as permitted uses in the Agricultural and Resource Protection (AGRP) District, however, this type of use does not apply to outdoor recreation and, hence, is the impetus for the text amendment.

During the May 15, 2017 workshop, the Council asked the staff to remove a condition that restricted the proposed use to properties over 100 acres.

Advantages: The text amendment would allow uses that are complementary to and that would enhance existing outdoor recreational uses but limit the new use(s) to properties and whose use has been in existence for at least 5 years.

Disadvantages: The Planning Board will have to protect surrounding properties thorough its special exception and site plan review process.

City Budgetary Impacts: If approved the text amendment would create additional land and property value.

Staff Recommended Action: Passage.

Previous Meetings and History: City Council initiation on 4/3/17 and PB recommendation on 5/9/17. The City Council discussed the text amendment at the 5/15/17 workshop. Public hearing and passage of first reading on 6/5/2017.

Attachments: 1.) Planning Board report from 5/9/11 PB meeting and associated background documents 2.) Revised draft text amendment based on City Council comments at the 5/15/17 workshop.



PLANNING BOARD REPORT to the CITY COUNCIL

To: Mayor Jonathan LaBonte and City Council Members

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

Re: Text Amendment to allow training, sales and service of equipment related to outdoor recreation in the Agricultural and Resource Protection and Low Density County Residential districts

Date: June 5, 2017

I. PROPOSAL-

The City Council initiated a text amendment at its April 3, 2017 meeting that would allow training, sales and service of equipment related to outdoor recreation in the Agricultural and Resource Protection (AGRP) district. The request for the text amendment came as a result of a project that would be part of the Lost Valley Ski Resort. The project is a large building, parking and sales area for a snow grooming company that would like to locate at the Lost Valley Ski Resort and use the ski area for training, grooming and displaying the equipment.

Currently, the sales and servicing of machinery and equipment related to agriculture are allowed as permitted uses in the Agricultural and Resource Protection (AGRP) District. This type of use does not apply to outdoor recreation and, hence, is the impetus for the text amendment.

- II. PLANNING BOARD ACTION –** The Planning Board held a public hearing and took action at its May 9, 2017 meeting. They reviewed a draft of the text amendment that presented an “option A” and “option B”. Option “A” was a permissive approach that would make the training, sales and servicing of both agricultural and outdoor recreation related equipment a permitted use. Option B would make the training, sales and servicing of both agricultural and outdoor recreation related equipment a special exception, which would require public notice and Planning Board approval. The Board also considered limiting the new use to properties over 100 acres, and that had been used for agriculture or outdoor recreation for over 5 years.

The Planning Board voted unanimously to send a recommendation of **APPROVAL** to the City Council for a text amendment making the training, service and sales of equipment for agricultural and outdoor recreation special exceptions in the Agricultural and Resource Protection district as shown in Option B of the staff report and with the following conditions.

(15) Assembly, sale, research and development, distribution, instruction, training, demonstration or maintenance of recreational or agricultural equipment, including buildings as accessory structures used in the assembly, sale, distribution, instruction, training, demonstration, or maintenance of recreational or agricultural equipment, subject to the following conditions:

- a. The proposed use is accessory, complementary, or otherwise related to a recreational or agricultural use;
- b. The recreational or agricultural use has been in existence for at least 5 years prior to the date of the application for the special exception; and
- c. The recreational or agricultural use is located on a parcel of at least 100 acres and is either the property for which the special exception is requested or is adjacent to the property for which the special exception is requested.


Douglas M. Greene, A.I.C.P., R.L.A.
Urban Development Specialist

C: File



PLANNING BOARD STAFF REPORT

To: Auburn Planning Board

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

Re: Text Amendment to allow training, sales and service of equipment related to outdoor recreation in the Agricultural and Resource Protection and Low Density Country Residential districts

Date: May 9, 2017

I. PROPOSAL-

The City Council initiated a text amendment at its April 3, 2017 meeting. The text amendment would allow training, sales and service of equipment related to outdoor recreation in the Agricultural and Resource Protection (AGRP) district. If approved, these uses would also be allowed in the Low Density Country Residential (LDCR) district.

The request for the text amendment came as a result of a project that would be part of the Lost Valley Ski Resort. The project is a large building, parking and sales area for a snow grooming company that would like to locate at the Lost Valley Ski Resort and use the ski area for training, grooming and displaying the equipment.

Currently, the sales and servicing of machinery and equipment related to agriculture are allowed as permitted uses in the Agricultural and Resource Protection (AGRP) District. This type of use does not apply to outdoor recreation and, hence, is the impetus for the text amendment.

II. DEPARTMENT REVIEW- The Plan Review Committee met and reviewed this proposal at its April 19, 2017 meeting. The group discussed the general impact of the text amendment and had little concerns about the text amendment itself. There was some discussion about the sketch plan for the Lost Valley project. It was acknowledged that the sketch plan was not an active application for development.

a. Police – No comments.


- b. Auburn Water and Sewer – No comments
- c. Fire Department – No Comments
- d. Engineering – No Comments.
- e. Public Services – No comments.
- f. Economic and Community Development- No comments.

III. **PLANNING BOARD ACTION** – A draft of the text amendment is presented to the Planning Board with an “option A” and “option B”. Option A is a permissive approach that would make the training, sales and servicing of both agricultural and outdoor recreation related equipment a permitted use. Option B relegates those uses as a special exception and would require Planning Board approval. The intent of the text amendment is to have it included in the Low Density Country Residential district as well.

IV. **STAFF RECOMMENDATION** – The staff considered the impact of allowing training, sales and servicing of equipment for outdoor recreation uses and came to the conclusion that there are limited outdoor recreational uses such as golf courses or park uses where those uses could apply. The golf courses could have golf cart sales or golf training schools for example.

With regards to Option A or Option B, the staff supports Option B in order to ensure that these new uses will be reviewed as a special exception, which would include public notice and Planning Board consideration

The Staff recommends the Planning Board send a recommendation of **APPROVAL** to the City Council for a text amendment making the training, service and sales of equipment for agricultural and outdoor recreation special exceptions in the Agricultural and Resource Protection district as shown in Option B of the staff report.


Douglas M. Greene, A.I.C.P., R.L.A.
Urban Development Specialist



**City of Auburn
City Council Information Sheet**

Council Meeting Date: April 3, 2017

Order: 31-04032017

Author: Michael Chammings, Director of Economic and Community Development

Subject: Agriculture and Resource Protection/Low Density Rural Residence Ordinance review for schools and equipment sales accessory to a recreational use.

Information: We have a unique opportunity to site a recreational equipment sales, assembly, service, testing and training facility adjacent to a recreational use in Auburn that would benefit an important community recreational asset.

Advantages: This would benefit an important community recreational asset, create taxable value, create “livable wage” jobs and attract international visitors to the city.

Disadvantages: None.

City Budgetary Impacts: None.

Staff Recommended Action: Approve the order.

Previous Meetings and History: March 20, 2017 Council Meeting Executive Session.

Attachments: Memo from Eric J. Cousens, Deputy Director of Economic and Community Development dated 03/29/17 and Order.



City of Auburn, Maine

Office of Economic & Community Development

www.auburnmaine.gov | 60 Court Street

Auburn, Maine 04210

207.333.6601

To: Michael Chammings, Director of Economic and Community Development

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

Re: Options for the Agriculture and Resource Protection/Low Density Rural Residence Ordinance to allow for schools and equipment sales associated with and complimentary to a recreational use

Date: March 29, 2017

A question has been raised regarding the following use group listed as a Special exception in the Agriculture and Resource Protection District:

- (3) Handling, storage and sale of agricultural services, equipment, and supplies accessory to the farming use.

We allow handling, storage and sale of agricultural services, equipment, and supplies accessory to a farming use with Planning Board review. We also allow recreational uses of land intended or designed for public use subject to Planning Board review and some conditions. The question raised is: Could we allow handling, storage and sale of agricultural services, equipment, and supplies accessory to or associated with a recreational use?

As written the allowance is very specific to farming uses, although the impacts of allowing the use accessory to farming or recreational uses in the Agriculture and Resource Protection District are likely identical. Special exception uses require individual proposals to be reviewed through a public process with the Planning Board to ensure that impacts are avoided.

The term "accessory" includes a determination that the use is subordinate to or under the control of another within a larger organization. That may be too restrictive to allow an associated business that is in separate ownership from the recreational use but still mutually beneficial to locate adjacent to a recreational use. We have an exciting opportunity to site a recreational equipment sales, assembly, service, testing and training facility adjacent to a recreational use in Auburn that would benefit an important community recreational asset and attract international investment and visitors to the city.

We have discussed this opportunity with a couple of Councilors and they have initiated the item for discussion. We are hopeful that the Council will direct staff to draft an amendment to the ordinance and to host a public review process with the Planning Board to recommend a change for Council consideration.

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 31-04032017

ORDERED, that the City Council hereby directs City Staff to consult with the Planning Board and develop recommendations to increase the flexibility of the uses allowed in the Agricultural and Resource Protection District, which would allow existing large recreational users to undertake complimentary uses such as the sale of services, equipment, and supplies related to existing recreational uses, and to develop recommendations from the Planning Board for Council consideration.

OPTION A**DIVISION 2. - AGRICULTURE AND RESOURCE PROTECTION DISTRICT****Sec. 60-144. - Purpose.**

The purposes of this district are to allow for conservation of natural resources and open space land, to retain vibrant recreational facilities within the City, and to encourage agricultural, forestry, and certain types of recreational uses as well as commercial uses that are reasonably related to agriculture or recreation. It is declared to be in the public interest that these areas should be protected and conserved because of their natural, aesthetic, historic, and scenic value, the need to retain and preserve open space lands, their economic contribution to the city, ~~and~~ primarily because these areas are so remote from existing centers of development that ~~any added~~ uncontrolled growth could result in an economic burden on the city and its inhabitants. This section shall be construed so as to effectuate the purposes outlined here and to prevent any attempt to establish uses which are inconsistent with these purposes or any attempt to evade the provisions of this division.

(Ord. of 9-21-2009, § 3.31A)

Sec. 60-145. - Use regulations.**(a) *Permitted uses.*** The following uses are permitted:

- (1) One-family detached dwellings, including manufactured housing subject to all the design standards, except the siting requirements of section 60-173, as set forth in article XII of this chapter, accessory to farming operations subject to the following restrictions:
 - a. No certificate of occupancy shall be issued for any such farm residence until the barns, livestock pens, silos, or other such buildings or structures which are to be erected in connection with the proposed agricultural use as shown on the plans and specifications presented to the municipal officer charged with enforcement are substantially completed.
 - b. In no case shall any farm residence constructed under the provisions of this section after the effective date of the amended ordinance from which this section is derived continue to be occupied as a residence if the principal agricultural use has been abandoned or reduced in scope below the minimum requirements as shown on the plans and specifications presented to the municipal officer charged with enforcement.
 - c. Any residence constructed under this article shall not be converted to nonfarm residential use except by permission of the planning board based upon a finding that the abandonment or reduction in such use resulted from causes beyond the control of the applicant and not from any intention to circumvent the requirements of this article.
- (2) Buildings, equipment and machinery accessory to the principal use including, but not limited to: barns, silos, storage buildings and farm automobile garages.
- (3) Forest products raised for harvest.
- (4) Field crop farms.
- (5) Row crop farms.
- (6) Orchard farms.
- (7) Truck gardens.
- (8) Plant and tree nurseries.
- (9) Greenhouses.

- (10) Handling, storage and sale of agriculture produce and processed agricultural products derived from produce grown on the premises.
- (11) Livestock operations including poultry farms, cattle farms, dairy farms, stud farms, hog farms, sheep ranches, other animal farms, including farms for raising fur-bearing animals.
- (12) Wayside stands.
- (13) Two-family dwellings which are created from the conversion of a one-family dwelling structure which was constructed prior to 1900.
- (14) Assembly, sale, research and development, distribution, instruction, training, demonstration or maintenance of recreational or agricultural equipment, including buildings and accessory structures used in the assembly, sale, distribution, instruction, training, demonstration, or maintenance of recreational or agricultural equipment.
- (b) *Special exception uses.* The following uses are permitted by special exception after approval by the planning board in accordance with the provisions of division 3 of article XVII of this chapter:
 - (1) Sawmills and their customary accessory land uses and buildings incidental to the harvesting of forest products, subject to the following conditions:
 - a. Sawmill and accessory activity shall not be detrimental to the neighborhood or the city by reason of special danger of fire or explosion, pollution of rivers or perennial streams or accumulation of refuse.
 - b. Wood processing operation shall be located no closer than 75 feet from any river or perennial stream, 250 feet from any zoning district boundary or residential dwelling and shall be limited to four persons employed.
 - c. Where natural vegetation is removed, it shall be replaced within six months with other vegetation which will be equally effective in retarding erosion and will preserve natural beauty.
 - (2) Veterinary hospitals, where operated by licensed veterinarians, including offices and facilities for temporarily boarding animals.
 - ~~(3) Handling, storage and sale of agricultural services, equipment, and supplies accessory to the farming use.~~
 - ~~(34)~~ Bona fide residences required for farm labor. Any residence constructed for farm labor shall not be converted to nonfarm residential use except by permission of the planning board based upon a finding that the abandonment or reduction in such use resulted from causes beyond the control of the applicant and not from any intention to circumvent the requirements of this division. The findings and the conditions upon which such altered use may be continued shall be made a part of the permanent records.
 - ~~(54)~~ Recreational uses of land intended or designed for public use subject to the following conditions:
 - a. No such recreational use shall be expanded or extended so as to occupy additional land area greater than 20 percent of the original area or one acre, whichever is less; or by the construction of a structure or an addition to an existing structure by more than 900 square feet of additional floor space unless the owner or occupant first obtains approval of the planning board in the manner and upon the same terms as approvals of initial recreational uses.
 - b. Any proposed new or expanded recreational use shall be completed on or before the estimated completion date except that the planning board may grant reasonable extension of time where good cause for the failure to complete is shown.
 - ~~(65)~~ Any legally nonconforming summer camp or cottage may be rebuilt if destroyed by fire or other casualty, subject to the following conditions:

- a. Such reconstruction shall comply with all ordinances applicable to new construction. Such reconstruction need not, however, comply with zoning provisions which would otherwise be applicable except for the provisions of article XII of this chapter.
 - b. In cases where no minimum setback is established by division 5 of article XII of this chapter an open yard space of at least ten feet between the building as reconstructed and each of the property lines shall be maintained.
- (76) Rifle, pistol, skeet or trap shooting ranges, public or private.
- (87) Cemeteries, subject to the following conditions:
- a. At least 20 acres in area.
 - b. Not located in any environmental overlay district or over any known aquifer.
- (89) Municipal sanitary landfills, subject to the following conditions:
- a. Not located in any environmental overlay district or over any known aquifer.
 - b. Provisions shall be made to avoid surface water and groundwater pollution.
 - c. Provisions shall be made for frequent covering of deposited wastes with earth to counteract vermin, insects, odors, and windblown debris.
- (940) Radio, radar, television and radio telephone transmitting or broadcasting towers, but not studios or offices for such transmitting or broadcasting, provided that:
- a. Every such tower shall be installed in a location and manner that ensures its safe operation and the safety of the surrounding residents, building occupants, land uses and properties.
 - b. In no case shall such tower be located less than one and one-half times its height from the nearest property line.
- (104) Wholesale nurseries, subject to the following conditions:
- a. At least one-half of the area of the lot (up to a maximum of three acres) is in active nursery production in a husband type manner.
 - b. The plants and trees propagated, grown and nurtured in the nursery are used as the primary products by the owner/operator of the landscape service.
- (112) Processing and storage of compost and bulking agents from the municipal wastewater sewerage sludge facilities provided that:
- a. All compost and amendments are to be stored undercover or screened from the public way and abutting property as determined by the planning board.
 - b. All federal, state and local ordinances and laws relating to the processing and storage of waste are complied with.
 - c. An end-use plan must be filed as part of the planning board process.
- (132) Licensed hospice care facility provided that it shall be licensed by the state as a Medicare certificate hospice.
- (143) Slaughterhouse, stockyard, abattoir, dressing plant in compliance with state and federal regulations subject to the following conditions:
- a. The facility shall not be located within the Lake Auburn Watershed Overlay District, the Watershed of Taylor Pond, the Shoreland Overlay District or the Floodplain Overlay District.
 - b. The proposed use shall not occupy more than 10,000 square feet of building area.
 - c. The number of employees shall be limited to not more than 15.

- d. Accessory retail sales shall be limited to 10 percent of building area or 1,000 square feet, whichever is smaller.
- e. Hours of operation shall limited to between 6 a.m. and 8 p.m.
- (145) Compost operations, excluding municipal and industrial waste, to process products such as manure, bedding, animal mortalities, waste feed, produce, forestry by-products, leaves and yard trimmings in compliance with state and federal regulations, subject to the following conditions:
 - a. All compost sites shall be evaluated for suitability by a properly qualified professional, including benchmark water testing prior to approval.
 - b. Provisions shall be made to avoid surface and groundwater pollution.
 - c. Provisions shall be made to counteract vermin, insects and odors.
 - d. Must comply with all applicable state department of environmental protection and state department of agriculture rules and regulations and best management practices.
 - e. Shall not be located within the Lake Auburn Watershed Overlay District.

(Ord. of 9-21-2009, § 3.31B; Ord. No. 32-02072011-07, 2-7-2011; Ord. No. 06-08012011-07, 8-1-2011)

Sec. 60-146. - Dimensional regulations.

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

- (1) *Minimum lot area, width and depth.* No lot shall be created and/or no building shall be erected on a lot containing less than ten acres, exclusive of any bodies of water having a surface area of one-fourth of an acre or more, and measuring not less than 250 feet in width at the street frontage, and 200 feet in depth.
 - a. A building may be erected on a lot containing not less than 50,000 square feet and possessing the required minimum frontage width provided it is contiguous with other lots or parcels of land in the same ownership containing an aggregate of not less than ten acres; notwithstanding the separation of the said other lots or parcels of land by a road, stream, private right-of-way or other natural boundary from the lot on which the building is to be constructed. This section shall not be construed to prevent the construction of nonresidential accessory farm buildings on any such lot.
 - b. On legally nonconforming undersized lots, the keeping of horses, mules, cows, goats, sheep, hogs, and similar sized animals for domestic use of the residents of the lot is permitted provided that the land area required per animal unit conforms to the definition of animal farm contained in section 60-2.
- (2) *Density.* The density of yearround dwelling units shall not exceed an average of one dwelling per ten acres.
- (3) *Yard requirements.*
 - a. *Rear.* There shall be behind every building a rear yard having a minimum depth of 25 feet.
 - b. *Side.* There shall be a minimum distance of 15 feet between any building and the side property line.
 - c. *Front.* There shall be in front of every building a front yard having a minimum depth of 25 feet or 25 percent of the average depth of the lot whichever is less.

- (4) *Height.* The height of all dwelling structures shall be limited to two and one-half stories of 35 feet in height. Accessory buildings and structures may have a maximum height of 65 feet from grade, provided that the front yard, rear yard and each of the side yards shall be increased by one foot for each foot in height in excess of 35 feet.
- (5) *Off-street parking.* Off-street parking spaces shall be provided in accordance with the requirements for specific uses as set forth in articles V through XI of this chapter.

(Ord. of 9-21-2009, § 3.31C)

Secs. 60-147—60-199. - Reserved.

OPTION B

DIVISION 2. - AGRICULTURE AND RESOURCE PROTECTION DISTRICT

Sec. 60-144. - Purpose.

The purposes of this district are to allow for conservation of natural resources and open space land, to retain vibrant recreational facilities within the City, and to encourage agricultural, forestry, and certain types of recreational uses as well as commercial uses that are reasonably related to agriculture or recreation. It is declared to be in the public interest that these areas should be protected and conserved because of their natural, aesthetic, historic, and scenic value, the need to retain and preserve open space lands, their economic contribution to the city, ~~and~~ primarily because these areas are so remote from existing centers of development that ~~any added~~ uncontrolled growth could result in an economic burden on the city and its inhabitants. This section shall be construed so as to effectuate the purposes outlined here and to prevent any attempt to establish uses which are inconsistent with these purposes or any attempt to evade the provisions of this division.

(Ord. of 9-21-2009, § 3.31A)

Sec. 60-145. - Use regulations.

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

- (1) One-family detached dwellings, including manufactured housing subject to all the design standards, except the siting requirements of section 60-173, as set forth in article XII of this chapter, accessory to farming operations subject to the following restrictions:
 - a. No certificate of occupancy shall be issued for any such farm residence until the barns, livestock pens, silos, or other such buildings or structures which are to be erected in connection with the proposed agricultural use as shown on the plans and specifications presented to the municipal officer charged with enforcement are substantially completed.
 - b. In no case shall any farm residence constructed under the provisions of this section after the effective date of the amended ordinance from which this section is derived continue to be occupied as a residence if the principal agricultural use has been abandoned or

reduced in scope below the minimum requirements as shown on the plans and specifications presented to the municipal officer charged with enforcement.

- c. Any residence constructed under this article shall not be converted to nonfarm residential use except by permission of the planning board based upon a finding that the abandonment or reduction in such use resulted from causes beyond the control of the applicant and not from any intention to circumvent the requirements of this article.
- (2) Buildings, equipment, and machinery accessory to the principal use including, but not limited to: barns, silos, storage buildings and farm automobile garages.
- (3) Forest products raised for harvest.
- (4) Field crop farms.
- (5) Row crop farms.
- (6) Orchard farms.
- (7) Truck gardens.
- (8) Plant and tree nurseries.
- (9) Greenhouses.
- (10) Handling, storage and sale of agriculture produce and processed agricultural products derived from produce grown on the premises.
- (11) Livestock operations including poultry farms, cattle farms, dairy farms, stud farms, hog farms, sheep ranches, other animal farms, including farms for raising fur-bearing animals.
- (12) Wayside stands.
- (13) Two-family dwellings which are created from the conversion of a one-family dwelling structure which was constructed prior to 1900.
- (14) Assembly, sale, research and development, distribution, instruction, training, demonstration or maintenance of recreational or agricultural equipment, including buildings and accessory structures used in the assembly, sale, distribution, instruction, training, demonstration, or maintenance of recreational or agricultural equipment.
- (b) *Special exception uses.* The following uses are permitted by special exception after approval by the planning board in accordance with the provisions of division 3 of article XVII of this chapter:
 - (1) Sawmills and their customary accessory land uses and buildings incidental to the harvesting of forest products, subject to the following conditions:
 - a. Sawmill and accessory activity shall not be detrimental to the neighborhood or the city by reason of special danger of fire or explosion, pollution of rivers or perennial streams or accumulation of refuse.
 - b. Wood processing operation shall be located no closer than 75 feet from any river or perennial stream, 250 feet from any zoning district boundary or residential dwelling and shall be limited to four persons employed.
 - c. Where natural vegetation is removed, it shall be replaced within six months with other vegetation which will be equally effective in retarding erosion and will preserve natural beauty.
 - (2) Veterinary hospitals, where operated by licensed veterinarians, including offices and facilities for temporarily boarding animals.
 - (3) ~~Handling, storage and sale of agricultural services, equipment, and supplies accessory to the farming use. (MM1)~~

- (34) Bona fide residences required for farm labor. Any residence constructed for farm labor shall not be converted to nonfarm residential use except by permission of the planning board based upon a finding that the abandonment or reduction in such use resulted from causes beyond the control of the applicant and not from any intention to circumvent the requirements of this division. The findings and the conditions upon which such altered use may be continued shall be made a part of the permanent records.
- (54) Recreational uses of land intended or designed for public use subject to the following conditions:
- a. No such recreational use shall be expanded or extended so as to occupy additional land area greater than 20 percent of the original area or one acre, whichever is less; or by the construction of a structure or an addition to an existing structure by more than 900 square feet of additional floor space unless the owner or occupant first obtains approval of the planning board in the manner and upon the same terms as approvals of initial recreational uses.
 - b. Any proposed new or expanded recreational use shall be completed on or before the estimated completion date except that the planning board may grant reasonable extension of time where good cause for the failure to complete is shown.
- (65) Any legally nonconforming summer camp or cottage may be rebuilt if destroyed by fire or other casualty, subject to the following conditions:
- a. Such reconstruction shall comply with all ordinances applicable to new construction. Such reconstruction need not, however, comply with zoning provisions which would otherwise be applicable except for the provisions of article XII of this chapter.
 - b. In cases where no minimum setback is established by division 5 of article XII of this chapter an open yard space of at least ten feet between the building as reconstructed and each of the property lines shall be maintained.
- (76) Rifle, pistol, skeet or trap shooting ranges, public or private.
- (87) Cemeteries, subject to the following conditions:
- a. At least 20 acres in area.
 - b. Not located in any environmental overlay district or over any known aquifer.
- (89) Municipal sanitary landfills, subject to the following conditions:
- a. Not located in any environmental overlay district or over any known aquifer.
 - b. Provisions shall be made to avoid surface water and groundwater pollution.
 - c. Provisions shall be made for frequent covering of deposited wastes with earth to counteract vermin, insects, odors, and windblown debris.
- (949) Radio, radar, television and radio telephone transmitting or broadcasting towers, but not studios or offices for such transmitting or broadcasting, provided that:
- a. Every such tower shall be installed in a location and manner that ensures its safe operation and the safety of the surrounding residents, building occupants, land uses and properties.
 - b. In no case shall such tower be located less than one and one-half times its height from the nearest property line.
- (104) Wholesale nurseries, subject to the following conditions:
- a. At least one-half of the area of the lot (up to a maximum of three acres) is in active nursery production in a husband type manner.
 - b. The plants and trees propagated, grown and nurtured in the nursery are used as the primary products by the owner/operator of the landscape service.

- (112) Processing and storage of compost and bulking agents from the municipal wastewater sewerage sludge facilities provided that:
- All compost and amendments are to be stored undercover or screened from the public way and abutting property as determined by the planning board.
 - All federal, state and local ordinances and laws relating to the processing and storage of waste are complied with.
 - An end-use plan must be filed as part of the planning board process.
- (132) Licensed hospice care facility provided that it shall be licensed by the state as a Medicare certificate hospice.
- (143) Slaughterhouse, stockyard, abattoir, dressing plant in compliance with state and federal regulations subject to the following conditions:
- The facility shall not be located within the Lake Auburn Watershed Overlay District, the Watershed of Taylor Pond, the Shoreland Overlay District or the Floodplain Overlay District.
 - The proposed use shall not occupy more than 10,000 square feet of building area.
 - The number of employees shall be limited to not more than 15.
 - Accessory retail sales shall be limited to 10 percent of building area or 1,000 square feet, whichever is smaller.
 - Hours of operation shall limited to between 6 a.m. and 8 p.m.
- (145) Compost operations, excluding municipal and industrial waste, to process products such as manure, bedding, animal mortalities, waste feed, produce, forestry by-products, leaves and yard trimmings in compliance with state and federal regulations, subject to the following conditions:
- All compost sites shall be evaluated for suitability by a properly qualified professional, including benchmark water testing prior to approval.
 - Provisions shall be made to avoid surface and groundwater pollution.
 - Provisions shall be made to counteract vermin, insects and odors.
 - Must comply with all applicable state department of environmental protection and state department of agriculture rules and regulations and best management practices.
 - Shall not be located within the Lake Auburn Watershed Overlay District.

(16) Assembly, sale, research and development, distribution, instruction, training, demonstration or maintenance of recreational or agricultural equipment, including buildings and accessory structures used in the assembly, sale, distribution, instruction, training, demonstration, or maintenance of recreational or agricultural equipment.

(Ord. of 9-21-2009, § 3.31B; Ord. No. 32-02072011-07, 2-7-2011; Ord. No. 06-08012011-07, 8-1-2011)

Sec. 60-146. - Dimensional regulations.

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

- (1) *Minimum lot area, width and depth.* No lot shall be created and/or no building shall be erected on a lot containing less than ten acres, exclusive of any bodies of water having a surface area of one-fourth of an acre or more, and measuring not less than 250 feet in width at the street frontage, and 200 feet in depth.

- a. A building may be erected on a lot containing not less than 50,000 square feet and possessing the required minimum frontage width provided it is contiguous with other lots or parcels of land in the same ownership containing an aggregate of not less than ten acres; notwithstanding the separation of the said other lots or parcels of land by a road, stream, private right-of-way or other natural boundary from the lot on which the building is to be constructed. This section shall not be construed to prevent the construction of nonresidential accessory farm buildings on any such lot.
 - b. On legally nonconforming undersized lots, the keeping of horses, mules, cows, goats, sheep, hogs, and similar sized animals for domestic use of the residents of the lot is permitted provided that the land area required per animal unit conforms to the definition of animal farm contained in section 60-2.
- (2) *Density.* The density of year round dwelling units shall not exceed an average of one dwelling per ten acres.
- (3) *Yard requirements.*
- a. *Rear.* There shall be behind every building a rear yard having a minimum depth of 25 feet.
 - b. *Side.* There shall be a minimum distance of 15 feet between any building and the side property line.
 - c. *Front.* There shall be in front of every building a front yard having a minimum depth of 25 feet or 25 percent of the average depth of the lot whichever is less.
- (4) *Height.* The height of all dwelling structures shall be limited to two and one-half stories of 35 feet in height. Accessory buildings and structures may have a maximum height of 65 feet from grade, provided that the front yard, rear yard and each of the side yards shall be increased by one foot for each foot in height in excess of 35 feet.
- (5) *Off-street parking.* Off-street parking spaces shall be provided in accordance with the requirements for specific uses as set forth in articles V through XI of this chapter.

(Ord. of 9-21-2009, § 3.31C)

Secs. 60-147—60-199. - Reserved.

DIVISION 2. - AGRICULTURE AND RESOURCE PROTECTION DISTRICT

Sec. 60-144. - Purpose.

The purposes of this district are to allow for conservation of natural resources and open space land, and to encourage agricultural, forestry, and certain types of recreational uses. It is declared to be in the public interest that these areas should be protected and conserved because of their natural, aesthetic and scenic value, the need to retain and preserve open space lands, their economic contribution to the city, and primarily because these areas are so remote from existing centers of development that any added uncontrolled growth could result in an economic burden on the city and its inhabitants. This section shall be construed so as to effectuate the purposes outline here and to prevent any attempt to establish uses which are inconsistent with these purposes or any attempt to evade the provisions of this division.

(Ord. of 9-21-2009, § 3.31A)

Sec. 60-145. - Use regulations.

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

- (1) One-family detached dwellings, including manufactured housing subject to all the design standards, except the siting requirements of section 60-173, as set forth in article XII of this chapter, accessory to farming operations subject to the following restrictions:
 - a. No certificate of occupancy shall be issued for any such farm residence until the barns, livestock pens, silos, or other such buildings or structures which are to be erected in connection with the proposed agricultural use as shown on the plans and specifications presented to the municipal officer charged with enforcement are substantially completed.
 - b. In no case shall any farm residence constructed under the provisions of this section after the effective date of the amended ordinance from which this section is derived continue to be occupied as a residence if the principal agricultural use has been abandoned or reduced in scope below the minimum requirements as shown on the plans and specifications presented to the municipal officer charged with enforcement.
 - c. Any residence constructed under this article shall not be converted to nonfarm residential use except by permission of the planning board based upon a finding that the abandonment or reduction in such use resulted from causes beyond the control of the applicant and not from any intention to circumvent the requirements of this article.
- (2) Buildings, equipment and machinery accessory to the principal use including, but not limited to: barns silos, storage buildings and farm automobile garages.
- (3) Forest products raised for harvest.
- (4) Field crop farms.
- (5) Row crop farms.
- (6) Orchard farms.
- (7) Truck gardens.
- (8) Plant and tree nurseries.
- (9) Greenhouses.
- (10) Handling, storage and sale of agriculture produce and processed agricultural products derived from produce grown on the premises.

- (11) Livestock operations including poultry farms, cattle farms, dairy farms, stud farms, hog farms, sheep ranches, other animal farms, including farms for raising fur-bearing animals.
 - (12) Wayside stands.
 - (13) Two-family dwellings which are created from the conversion of a one-family dwelling structure which was constructed prior to 1900.
- (b) *Special exception uses.* The following uses are permitted by special exception after approval by the planning board in accordance with the provisions of division 3 of article XVII of this chapter:
- (1) Sawmills and their customary accessory land uses and buildings incidental to the harvesting of forest products, subject to the following conditions:
 - a. Sawmill and accessory activity shall not be detrimental to the neighborhood or the city by reason of special danger of fire or explosion, pollution of rivers or perennial streams or accumulation of refuse.
 - b. Wood processing operation shall be located no closer than 75 feet from any river or perennial stream, 250 feet from any zoning district boundary or residential dwelling and shall be limited to four persons employed.
 - c. Where natural vegetation is removed, it shall be replaced within six months with other vegetation which will be equally effective in retarding erosion and will preserve natural beauty.
 - (2) Veterinary hospitals, where operated by licensed veterinarians, including offices and facilities for temporarily boarding animals.
 - (3) Handling, storage and sale of agricultural services, equipment, and supplies accessory to the farming use.
 - (4) Bona fide residences required for farm labor. Any residence constructed for farm labor shall not be converted to nonfarm residential use except by permission of the planning board based upon a finding that the abandonment or reduction in such use resulted from causes beyond the control of the applicant and not from any intention to circumvent the requirements of this division. The findings and the conditions upon which such altered use may be continued shall be made a part of the permanent records.
 - (5) Recreational uses of land intended or designed for public use subject to the following conditions:
 - a. No such recreational use shall be expanded or extended so as to occupy additional land area greater than 20 percent of the original area or one acre, whichever is less; or by the construction of a structure or an addition to an existing structure by more than 900 square feet of additional floor space unless the owner or occupant first obtains approval of the planning board in the manner and upon the same terms as approvals of initial recreational uses.
 - b. Any proposed new or expanded recreational use shall be completed on or before the estimated completion date except that the planning board may grant reasonable extension of time where good cause for the failure to complete is shown.
 - (6) Any legally nonconforming summer camp or cottage may be rebuilt if destroyed by fire or other casualty, subject to the following conditions:
 - a. Such reconstruction shall comply with all ordinances applicable to new construction. Such reconstruction need not, however, comply with zoning provisions which would otherwise be applicable except for the provisions of article XII of this chapter.
 - b. In cases where no minimum setback is established by division 5 of article XII of this chapter an open yard space of at least ten feet between the building as reconstructed and each of the property lines shall be maintained.

- (7) Rifle, pistol, skeet or trap shooting ranges, public or private.
- (8) Cemeteries, subject to the following conditions:
 - a. At least 20 acres in area.
 - b. Not located in any environmental overlay district or over any known aquifer.
- (9) Municipal sanitary landfills, subject to the following conditions:
 - a. Not located in any environmental overlay district or over any known aquifer.
 - b. Provisions shall be made to avoid surface water and groundwater pollution.
 - c. Provisions shall be made for frequent covering of deposited wastes with earth to counteract vermin, insects, odors, and windblown debris.
- (10) Radio, radar, television and radio telephone transmitting or broadcasting towers, but not studios or offices for such transmitting or broadcasting, provided that:
 - a. Every such tower shall be installed in a location and manner that ensures its safe operation and the safety of the surrounding residents, building occupants, land uses and properties.
 - b. In no case shall such tower be located less than one and one-half times its height from the nearest property line.
- (11) Wholesale nurseries, subject to the following conditions:
 - a. At least one-half of the area of the lot (up to a maximum of three acres) is in active nursery production in a husband type manner.
 - b. The plants and trees propagated, grown and nurtured in the nursery are used as the primary products by the owner/operator of the landscape service.
- (12) Processing and storage of compost and bulking agents from the municipal wastewater sewerage sludge facilities provided that:
 - a. All compost and amendments are to be stored undercover or screened from the public way and abutting property as determined by the planning board.
 - b. All federal, state and local ordinances and laws relating to the processing and storage of waste are complied with.
 - c. An end-use plan must be filed as part of the planning board process.
- (13) Licensed hospice care facility provided that it shall be licensed by the state as a Medicare certificate hospice.
- (14) Slaughterhouse, stockyard, abattoir, dressing plant in compliance with state and federal regulations subject to the following conditions:
 - a. The facility shall not be located within the Lake Auburn Watershed Overlay District, the Watershed of Taylor Pond, the Shoreland Overlay District or the Floodplain Overlay District.
 - b. The proposed use shall not occupy more than 10,000 square feet of building area.
 - c. The number of employees shall be limited to not more than 15.
 - d. Accessory retail sales shall be limited to 10 percent of building area or 1,000 square feet, whichever is smaller.
 - e. Hours of operation shall limited to between 6 a.m. and 8 p.m.
- (15) Compost operations, excluding municipal and industrial waste, to process products such as manure, bedding, animal mortalities, waste feed, produce, forestry by-products, leaves and yard trimmings in compliance with state and federal regulations, subject to the following conditions:

- a. All compost sites shall be evaluated for suitability by a properly qualified professional, including benchmark water testing prior to approval.
- b. Provisions shall be made to avoid surface and groundwater pollution.
- c. Provisions shall be made to counteract vermin, insects and odors.
- d. Must comply with all applicable state department of environmental protection and state department of agriculture rules and regulations and best management practices.
- e. Shall not be located within the Lake Auburn Watershed Overlay District.

(16) Assembly, sale, research and development, distribution, instruction, training, demonstration or maintenance of recreational or agricultural equipment, including buildings as accessory structures used in the assembly, sale, distribution, instruction, training, demonstration, or maintenance of recreational or agricultural equipment, subject to the following conditions:

- a. The proposed use is accessory, complementary, or otherwise related to a recreational or agricultural use;
- b. The recreational or agricultural use has been in existence for at least 5 years prior to the date of the application for the special exception; and
- c. The recreational or agricultural use is located on the parcel for which the special exception is requested or is adjacent to the property for which the special exception is requested.

(Ord. of 9-21-2009, § 3.31B; Ord. No. 32-02072011-07, 2-7-2011; Ord. No. 06-08012011-07, 8-1-2011)

Sec. 60-146. - Dimensional regulations.

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

- (1) *Minimum lot area, width and depth.* No lot shall be created and/or no building shall be erected on a lot containing less than ten acres, exclusive of any bodies of water having a surface area of one-fourth of an acre or more, and measuring not less than 250 feet in width at the street frontage, and 200 feet in depth.
 - a. A building may be erected on a lot containing not less than 50,000 square feet and possessing the required minimum frontage width provided it is contiguous with other lots or parcels of land in the same ownership containing an aggregate of not less than ten acres; notwithstanding the separation of the said other lots or parcels of land by a road, stream, private right-of-way or other natural boundary from the lot on which the building is to be constructed. This section shall not be construed to prevent the construction of nonresidential accessory farm buildings on any such lot.
 - b. On legally nonconforming undersized lots, the keeping of horses, mules, cows, goats, sheep, hogs, and similar sized animals for domestic use of the residents of the lot is permitted provided that the land area required per animal unit conforms to the definition of animal farm contained in section 60-2.
- (2) *Density.* The density of yearround dwelling units shall not exceed an average of one dwelling per ten acres.
- (3) *Yard requirements.*
 - a. *Rear.* There shall be behind every building a rear yard having a minimum depth of 25 feet.
 - b. *Side.* There shall be a minimum distance of 15 feet between any building and the side property line.

- c. *Front.* There shall be in front of every building a front yard having a minimum depth of 25 feet or 25 percent of the average depth of the lot whichever is less.
- (4) *Height.* The height of all dwelling structures shall be limited to two and one-half stories of 35 feet in height. Accessory buildings and structures may have a maximum height of 65 feet from grade, provided that the front yard, rear yard and each of the side yards shall be increased by one foot for each foot in height in excess of 35 feet.
- (5) *Off-street parking.* Off-street parking spaces shall be provided in accordance with the requirements for specific uses as set forth in articles V through XI of this chapter.

(Ord. of 9-21-2009, § 3.31C)

Secs. 60-147—60-199. - Reserved.

DRAFT

DIVISION 2. - AGRICULTURE AND RESOURCE PROTECTION DISTRICT

Sec. 60-144. - Purpose.

The purposes of this district are to allow for conservation of natural resources and open space land, and to encourage agricultural, forestry, and certain types of recreational uses. It is declared to be in the public interest that these areas should be protected and conserved because of their natural, aesthetic and scenic value, the need to retain and preserve open space lands, their economic contribution to the city, and primarily because these areas are so remote from existing centers of development that any added uncontrolled growth could result in an economic burden on the city and its inhabitants. This section shall be construed so as to effectuate the purposes outline here and to prevent any attempt to establish uses which are inconsistent with these purposes or any attempt to evade the provisions of this division.

(Ord. of 9-21-2009, § 3.31A)

Sec. 60-145. - Use regulations.

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

- (1) One-family detached dwellings, including manufactured housing subject to all the design standards, except the siting requirements of section 60-173, as set forth in article XII of this chapter, accessory to farming operations subject to the following restrictions:
 - a. No certificate of occupancy shall be issued for any such farm residence until the barns, livestock pens, silos, or other such buildings or structures which are to be erected in connection with the proposed agricultural use as shown on the plans and specifications presented to the municipal officer charged with enforcement are substantially completed.
 - b. In no case shall any farm residence constructed under the provisions of this section after the effective date of the amended ordinance from which this section is derived continue to be occupied as a residence if the principal agricultural use has been abandoned or reduced in scope below the minimum requirements as shown on the plans and specifications presented to the municipal officer charged with enforcement.
 - c. Any residence constructed under this article shall not be converted to nonfarm residential use except by permission of the planning board based upon a finding that the abandonment or reduction in such use resulted from causes beyond the control of the applicant and not from any intention to circumvent the requirements of this article.
- (2) Buildings, equipment and machinery accessory to the principal use including, but not limited to: barns silos, storage buildings and farm automobile garages.
- (3) Forest products raised for harvest.
- (4) Field crop farms.
- (5) Row crop farms.
- (6) Orchard farms.
- (7) Truck gardens.
- (8) Plant and tree nurseries.
- (9) Greenhouses.
- (10) Handling, storage and sale of agriculture produce and processed agricultural products derived from produce grown on the premises.

- (11) Livestock operations including poultry farms, cattle farms, dairy farms, stud farms, hog farms, sheep ranches, other animal farms, including farms for raising fur-bearing animals.
 - (12) Wayside stands.
 - (13) Two-family dwellings which are created from the conversion of a one-family dwelling structure which was constructed prior to 1900.
- (b) *Special exception uses.* The following uses are permitted by special exception after approval by the planning board in accordance with the provisions of division 3 of article XVII of this chapter:
- (1) Sawmills and their customary accessory land uses and buildings incidental to the harvesting of forest products, subject to the following conditions:
 - a. Sawmill and accessory activity shall not be detrimental to the neighborhood or the city by reason of special danger of fire or explosion, pollution of rivers or perennial streams or accumulation of refuse.
 - b. Wood processing operation shall be located no closer than 75 feet from any river or perennial stream, 250 feet from any zoning district boundary or residential dwelling and shall be limited to four persons employed.
 - c. Where natural vegetation is removed, it shall be replaced within six months with other vegetation which will be equally effective in retarding erosion and will preserve natural beauty.
 - (2) Veterinary hospitals, where operated by licensed veterinarians, including offices and facilities for temporarily boarding animals.
 - (3) Handling, storage and sale of agricultural services, equipment, and supplies accessory to the farming use.
 - (4) Bona fide residences required for farm labor. Any residence constructed for farm labor shall not be converted to nonfarm residential use except by permission of the planning board based upon a finding that the abandonment or reduction in such use resulted from causes beyond the control of the applicant and not from any intention to circumvent the requirements of this division. The findings and the conditions upon which such altered use may be continued shall be made a part of the permanent records.
 - (5) Recreational uses of land intended or designed for public use subject to the following conditions:
 - a. No such recreational use shall be expanded or extended so as to occupy additional land area greater than 20 percent of the original area or one acre, whichever is less; or by the construction of a structure or an addition to an existing structure by more than 900 square feet of additional floor space unless the owner or occupant first obtains approval of the planning board in the manner and upon the same terms as approvals of initial recreational uses.
 - b. Any proposed new or expanded recreational use shall be completed on or before the estimated completion date except that the planning board may grant reasonable extension of time where good cause for the failure to complete is shown.
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 - b. In cases where no minimum setback is established by division 5 of article XII of this chapter an open yard space of at least ten feet between the building as reconstructed and each of the property lines shall be maintained.

- (7) Rifle, pistol, skeet or trap shooting ranges, public or private.
- (8) Cemeteries, subject to the following conditions:
 - a. At least 20 acres in area.
 - b. Not located in any environmental overlay district or over any known aquifer.
- (9) Municipal sanitary landfills, subject to the following conditions:
 - a. Not located in any environmental overlay district or over any known aquifer.
 - b. Provisions shall be made to avoid surface water and groundwater pollution.
 - c. Provisions shall be made for frequent covering of deposited wastes with earth to counteract vermin, insects, odors, and windblown debris.
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 - a. Every such tower shall be installed in a location and manner that ensures its safe operation and the safety of the surrounding residents, building occupants, land uses and properties.
 - b. In no case shall such tower be located less than one and one-half times its height from the nearest property line.
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 - a. At least one-half of the area of the lot (up to a maximum of three acres) is in active nursery production in a husband type manner.
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 - a. The facility shall not be located within the Lake Auburn Watershed Overlay District, the Watershed of Taylor Pond, the Shoreland Overlay District or the Floodplain Overlay District.
 - b. The proposed use shall not occupy more than 10,000 square feet of building area.
 - c. The number of employees shall be limited to not more than 15.
 - d. Accessory retail sales shall be limited to 10 percent of building area or 1,000 square feet, whichever is smaller.
 - e. Hours of operation shall limited to between 6 a.m. and 8 p.m.
- (15) Compost operations, excluding municipal and industrial waste, to process products such as manure, bedding, animal mortalities, waste feed, produce, forestry by-products, leaves and yard trimmings in compliance with state and federal regulations, subject to the following conditions:

- a. All compost sites shall be evaluated for suitability by a properly qualified professional, including benchmark water testing prior to approval.
 - b. Provisions shall be made to avoid surface and groundwater pollution.
 - c. Provisions shall be made to counteract vermin, insects and odors.
 - d. Must comply with all applicable state department of environmental protection and state department of agriculture rules and regulations and best management practices.
 - e. Shall not be located within the Lake Auburn Watershed Overlay District.
- (16) Assembly, sale, research and development, distribution, instruction, training, demonstration or maintenance of recreational or agricultural equipment, including buildings as accessory structures used in the assembly, sale, distribution, instruction, training, demonstration, or maintenance of recreational or agricultural equipment, subject to the following conditions:
- a. The proposed use is accessory, complementary, or otherwise related to a recreational or agricultural use;
 - b. The recreational or agricultural use has been in existence for at least 5 years prior to the date of the application for the special exception; and
 - c. The recreational or agricultural use is located on the parcel for which the special exception is requested or is adjacent to the property for which the special exception is requested.

(Ord. of 9-21-2009, § 3.31B; Ord. No. 32-02072011-07, 2-7-2011; Ord. No. 06-08012011-07, 8-1-2011)

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 - a. A building may be erected on a lot containing not less than 50,000 square feet and possessing the required minimum frontage width provided it is contiguous with other lots or parcels of land in the same ownership containing an aggregate of not less than ten acres; notwithstanding the separation of the said other lots or parcels of land by a road, stream, private right-of-way or other natural boundary from the lot on which the building is to be constructed. This section shall not be construed to prevent the construction of nonresidential accessory farm buildings on any such lot.
 - b. On legally nonconforming undersized lots, the keeping of horses, mules, cows, goats, sheep, hogs, and similar sized animals for domestic use of the residents of the lot is permitted provided that the land area required per animal unit conforms to the definition of animal farm contained in section 60-2.
- (2) *Density.* The density of yearround dwelling units shall not exceed an average of one dwelling per ten acres.
- (3) *Yard requirements.*
 - a. *Rear.* There shall be behind every building a rear yard having a minimum depth of 25 feet.
 - b. *Side.* There shall be a minimum distance of 15 feet between any building and the side property line.

- c. *Front.* There shall be in front of every building a front yard having a minimum depth of 25 feet or 25 percent of the average depth of the lot whichever is less.
- (4) *Height.* The height of all dwelling structures shall be limited to two and one-half stories of 35 feet in height. Accessory buildings and structures may have a maximum height of 65 feet from grade, provided that the front yard, rear yard and each of the side yards shall be increased by one foot for each foot in height in excess of 35 feet.
- (5) *Off-street parking.* Off-street parking spaces shall be provided in accordance with the requirements for specific uses as set forth in articles V through XI of this chapter.

(Ord. of 9-21-2009, § 3.31C)

Secs. 60-147—60-199. - Reserved.

James Pross, Ward One
Robert Stone, Ward Two
Andy Titus, Ward Three
Adam R. Lee, Ward Four



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDINANCE 06-06052017

BE IT ORDAINED, that the City Council, that Chapter 60, Zoning be amended as follows:

ARTICLE IV, DISTRICT REGULATIONS, DIVISION 2 AGRICULTURE AND RESOURCE PROTECTION DISTRICT, Section 145, Use Regulations, (b) Special Exception Uses,

(16) Assembly, sale, research and development, distribution, instruction, training, demonstration or maintenance of recreational or agricultural equipment, including buildings as accessory structures used in the assembly, sale, distribution, instruction, training, demonstration, or maintenance of recreational or agricultural equipment, subject to the following conditions:

- a. The proposed use is accessory, complementary, or otherwise related to a recreational or agricultural use;
- b. The recreational or agricultural use has been in existence for at least 5 years prior to the date of the application for the special exception; and
- c. The recreational or agricultural use is located on the parcel for which the special exception is requested or is adjacent to the property for which the special exception is requested.



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: June 19, 2017

Order: 51-06192017

Author: Sue Clements-Dallaire, City Clerk

Subject: Request by St. Dominic Academy to waive the \$100.00 business license fee for their 2017 Holiday Festival that is scheduled for November 4th, 2017.

Information: A request has been submitted by Wayne Zimmerman, Advancement Director of St. Dominic Academy asking the City Council to waive the \$100.00 business license fee for their 2017 Holiday Festival that is scheduled for November 4th, 2017.

Sec. 14-31. Fees; waiver. The fees for business licenses shall be paid by the owner or his agent in accordance with the business fee schedule established by the City Council. The City Council is the only authority allowed to waive fees prescribed by ordinance. An application for waiver of any fees must be presented in writing to the city clerk to be brought to the City Council at its next available meeting.

Advantages: Supports a positive, family oriented community event that will potentially attract visitors from other communities. It will also help to support their fundraising efforts.

Disadvantages: Could potentially set a precedent for other non-profits requesting waiver of fees.

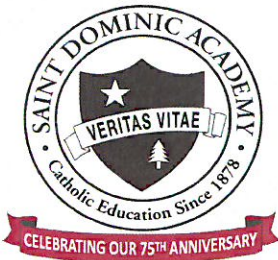
City Budgetary Impacts: \$100.00

Staff Recommended Action: Recommend passage.

Previous Meetings and History: Fees have occasionally been waived in the past for other non-profit organizations that have come forward.

Attachments:

- Letter of request
- Business license application
- Order 51-06192017



SAINT DOMINIC ACADEMY

Donald Fournier, President

Marianne Pelletier, Principal
Grades Pre K-6
17 Baird Avenue
Lewiston, Maine 04240
783-9323 fax: 783-9491

Shelly Wheeler, Principal
Grades 7-12
121 Gracelawn Road
Auburn, Maine 04210
782-6911 fax: 795-6439

City of Auburn
Attn: Susan Clements – Dallaire
60 Court Street
Auburn Maine 04210

6/1/2017

Dear Mayor Labonte and City Council Members,

Our 2017 St. Dom's Holiday Festival is scheduled for November 4th, 2017. This event does feature craft vendors but is not a traditional road side flea market. Instead, as the name implies, it is a festival to kick off the Holiday Season. In addition to the craft vendors, the Festival features games, Holiday music and even a visit from Santa Claus. Any funds raised go to Saint Dom's and back to our families in the community in the form of tuition assistance.

In the past you have generously agreed to waive the flea market fees and we greatly appreciate this. We respectfully ask that you waive them once again for the upcoming event. Thank you for considering this matter.

Sincerely

Wayne Zimmerman
Advancement Director
Saint Dominic Academy



CITY OF AUBURN, MAINE
Flea Market/Craft Fair/Swap Meet/Bazaars
License Application
One Day Event

Application date 6/1/2017 Date & Time of Event 11/4/2017 9:00 am to 3:00 pm

Event and/or Location 121 Gracelawn Road Auburn Maine Saint Dominic Academy Campus

- ☐ \$50.00 Up to 25 tables
☒ \$100.00 Over 25 tables

ALL QUESTIONS MUST BE ANSWERED IN FULL

BUSINESS

Business name Saint Dominic Academy
Business address 121 Gracelawn Road
City Auburn State ME Zip 04210
Mailing address 121 Gracelawn Road
City Auburn State ME Zip 04210
Business phone 207-782-6911 ext. 2111
Cell phone 207-513-2272

APPLICANT

Full name Wayne Zimmerman
Maiden name A/K/A _____
Date of birth 10/31/1957
Home address 24 Clover Lane
City Turner State ME Zip 04282
Home phone 207-225-2175
Driver's Lic.# & State 8500290 Maine

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

Name _____ Date of conviction _____

Offense _____ Location _____

Disposition _____

Does applicant(s) own the premises? Yes ☐ No ☒ (If "No", give name and address of owner)

Name Cathloic Diocese of Portland Address 510 Ocean Avenue Portland Maine 04103

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

Chapter 14-Business Licenses & Permits-Article II Sec.14-34 Certification from City Officials *Before a license is issued the City Clerk shall submit the application for certification to the Code Enforcement Officer, Fire Chief, Chief of Police and City Treasurer. Please allow at least 3 weeks for this process.*

CERTIFICATE OF APPLICANT AND WAIVER OF CONFIDENTIALITY

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

I hereby authorize the release of any criminal history record information to the City Clerk's Office or Licensing Authority. I understand that this information shall become public record, and I hereby waive any rights of privacy with respect hereto.

Wayne Zimmerman

Digitally signed by Wayne Zimmerman
Date: 2017.06.01 11:04:47 -04'00'

6/1/2017

Signature of Applicant

Date

**STAFF USE ONLY
DO NOT COMPLETE BELOW THIS LINE**

James Pross, Ward One
Robert Stone, Ward Two
Andy Titus, Ward Three
Adam R. Lee, Ward Four



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 51-06192017

ORDERED, that the City Council hereby approves the request from St. Dominic Academy to waive the \$100.00 business license fee for their 2017 Holiday Festival that is scheduled for November 4, 2017.



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: June 19, 2017

Order: 52-06192017

Author: Sue Clements-Dallaire, City Clerk

Subject: Approving the Mass Gathering Permit for the 2017 Liberty Festival. Public hearing.

Information: We received an application on 5/23/2017 for a Mass Gathering to be held July 4, 2017 (rain date July 5, 2017). Set up would begin on July 3rd and clean up would be completed on July 5th (rain date July 6th). The event will include fireworks, vendors, and entertainment.

The certificate of liability insurance (through Champoux Insurance Agency) will be provided approximately 10 days before the event as it has in past years.

Advantages: It is a nice community event that is fun for all ages. It may also attract visitors from other areas. Local businesses will likely benefit as well, particularly those within the Mass Gathering area.

Disadvantages: Potential complaints (traffic, noise, disruptive behavior).

City Budgetary Impacts: \$10,000 towards the cost of fireworks which have already been funded in the City budget.

Staff Recommended Action: Public hearing and recommend approval.

Previous Meetings and History: This is a yearly event. The Mass Gathering application for 2017 was presented to Council under Communications at the June 5, 2017 Council Meeting.

Attachments:

Application

Map

Public notice

Order 52-06192017

Date received: MAY 23 2017

Date approved: _____



CITY OF AUBURN SPECIAL EVENT/MASS GATHERING APPLICATION

For any Special Event on City property that will attract up to 1,000 people, or any outdoor event with continued attendance of 1,000 or more persons for 2 or more hours.

Applications must be submitted to the Clerk at least 45 days prior to the event if the gathering is expected to attract up to 5,000 people.

Application must be submitted at least 90 days prior to the event if the gathering is expected to attract more than 5,000 people.

SPONSOR INFORMATION

Name of Sponsoring Organization: Liberty Festival / Independence Day Committee

Name of Contact Person for Event: Cathy McDonald

Title of Contact Person: President

Mailing Address: PO Box 97, Lewiston, ME 04240

Daytime Telephone: 786-3088 Cell Phone: 212-8227

Email Address: liberty.festival@aol.com

Contact Name and Cell Phone Number DURING the Event: Cathy McDonald - 212-8227

Is your organization incorporated as a non-profit organization? Yes ☐ No ☒

Non-Profit Number: 04-3358113

EVENT INFORMATION

Name of Event: Liberty Festival

Type of Event (walk, festival, concert, etc.): festival

Date of Event: July 4th, 2017 Rain Date: July 5th, 2017

Times of Event: Start Time including set-up: 7am Ending time including clean up: 1am

Actual Event Start Time: 4pm Actual Event End Time: 11pm

Estimated Attendance: 2,000

Location of Event: Great Falls, Festival Plaza and surrounding areas

Have you held an event at this location within the last 12 months? Yes ☒ No ☐

If the location is a city park, have you applied for use of the property with the Parks & Recreation Department and has your request been approved?

Yes ☐ No ☒ Pending ☐ Date submitted to the Recreation Department: _____

TYPES OF PERMITS/PERMISSIONS NEEDED – PROVIDE AN ANSWER FOR EACH LINE:

Permit Fee	Permission/Permit Type	YES	NO	NOT SURE
Separate fee & application, conditions & restrictions may apply	Banner across Court Street Non-profit groups only, \$100 fee per week, 2 week maximum. First come first serve basis, proof of insurance required.		X	
Separate fee and permit possible	FOOD – Will food or beverages be sold? If yes, list what types of food or beverages: various vendor foods and beverages Note - A food service license may be required and must be submitted 14 days prior to the event.	X		
Separate fee and permit possible	NON-FOOD ITEMS – Will products be sold or given away (such as t-shirts, crafts, souvenirs, etc.)? If yes, list what items: t-shirts and novelties Note - A peddler permit may be required and must be submitted 14 days prior to the event.	X		
N/A	LIVE MUSIC – Will there be any outdoor musical performances? If yes, please describe: DJ in Great Falls plaza area	X		
N/A	SOUND AMPLIFICATION – Will there be a microphone or speaker system to project sound?	X		
N/A	ALCOHOLIC BEVERAGES ARE NOT ALLOWED		X	
Separate fee and permit required	CARNIVAL – Will carnival rides be offered? If yes, attach a copy of the state permit. A city permit is required as well.		X	
Separate fee and permit required	FIREWORKS – Will there be a fireworks display? If yes, a permit from the Fire Department is required.	X		
N/A	PARADE – Will there be a parade? If yes, describe route: Note – A permit from the Police Department is required.		X	
N/A	RUN/WALK/CYCLE – Will event involve participants doing a walk-a-thon, road race, etc? If yes, describe route:		X	
Separate permit required	BURN PERMIT – Will there be any open flame such as a bon fire? If yes, describe activity: Possible organized flag disposal ceremony Note - A permit from the Fire Department is required.			X

N/A	TENT/CANOPY – Will you be setting up a tent or canopy? If yes, list number and sizes: Small pop-up canopy tents around vendors and staging areas. Possible larger tent over stage area.	x		
Separate fee and permit required	ELECTRICAL POWER/EQUIPMENT – Will electrically powered equipment be utilized, if so, provide a brief description of the equipment and the entity responsible for the installation of the electrical equipment? vending booths, musical equipment and stage lighting.	x		
N/A	ROAD/INTERSECTION CLOSURE – Will any roads need to be closed to accommodate your event? If yes, please list: Main Street, Court Street, Longley Bridge and Great Falls Plaza.	x		
N/A	MAP/DIAGRAM – Is a map or diagram attached detailing this event and depicting the placement of such items as tables, tents, port-a-potties, stage, parking, food service areas, etc.? This is a mandatory requirement for this application and must be included.			
N/A	PARKING ACCOMODATIONS – What will be the anticipated need for parking and what is your parking plan? Great Falls plaza lots, Auburn City Hall parking garage. We will be manning donation requested lots.	x		
N/A	TOILETS – Please list amount at event and/or nearest location: 10 regular units and 2 handicap units between Lew & Auburn	x		
N/A	WASTE DISPOSAL – Please list process and location: City provided trash cans and liners	x		
N/A	HAND WASHING FACILITIES – Please list amount at event and/or nearest location: 1 at port-a-potties and 1 portable at each vending station.	x		
N/A	POTABLE WATER – Please list amount at event and location: 1 hook up from TD Bank	x		
N/A	FIRST AID FACILITIES – Please list location at event: United Ambulance and Auburn Fire at Great Falls Plaza	x		
\$	TOTAL FEE AMOUNT INCLUDED – Checks payable to the City of Auburn	0		

EVENT LIABILITY INSURANCE COVERAGE FOR EVENT

For an event such as a walk-a-thon, race, festival, concert, etc. the City requires insurance coverage – general liability. The City of Auburn is to be named as additionally insured in regards to the event activities on that date. Once the event is approved, the Certificate of Insurance will need to be received at least 30 days before the event and before permits can be issued. Please have the **City of Auburn** listed as additional insured on the Certificate of Insurance (minimum coverage \$1,000,000 Bodily Injury or Death, per occurrence, and \$300,000 Property Damage, per occurrence). It should contain a clause providing that the policy may not be cancelled by either party except upon not less than 30 days written notice to the City. Please have your insurance company fax a copy to: City Clerk 207-333-6623.

DESCRIPTION OF EVENT – Please describe what will occur during your event

We will begin with set-up on 7/3 for the festival. The festival will occur on 7/4th

(rain date July 5th) and include fireworks, vendors and a variety of entertainers.

Clean up will be completed on 7/5 (rain date 7/6).

Signature of Applicant:

Cathy McDonald

Printed Name:

Cathy McDonald

Date Submitted:

5/23/16

5/23/17

Please note that you will be contacted by City Staff if you require additional permitting.

Please return this completed application with diagram and any applicable fee to:

MAIL: City Clerk's Office
60 Court Street, Suite 150
Auburn, ME 04210
FAX: 207-333-6623
EMAIL: sdallaire@auburnmaine.gov
PHONE: 207-333-6600

******FOR STAFF USE******

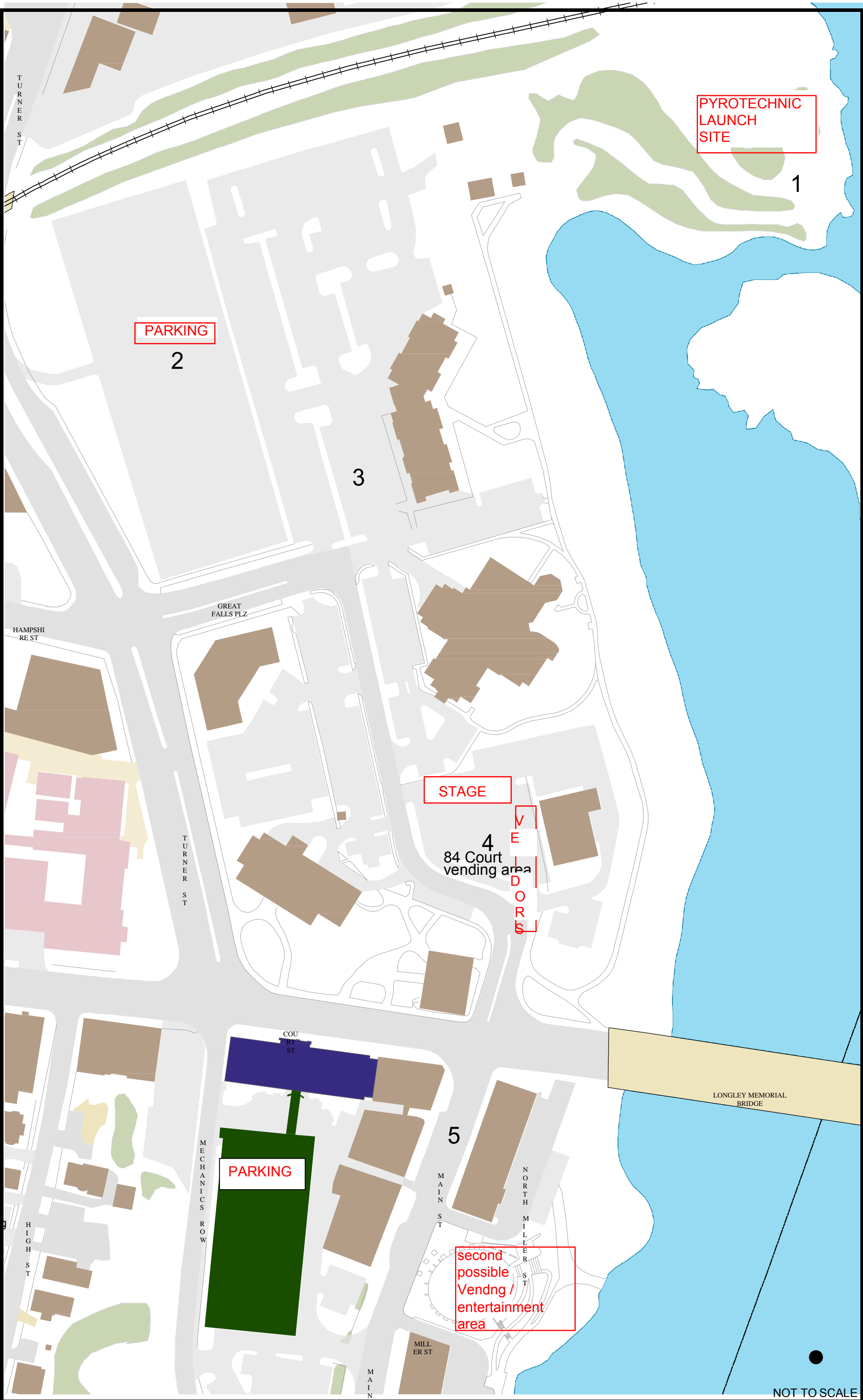
DEPARTMENT COMMENTS AND RECOMMENDATIONS:

DEPARTMENT	APPROVE	DENY	DATE	INITIALS
Sanitarian/Health Inspector				
Code Officer/Land Use & Zoning				
Fire Department				
Police Department				
Public Works Department				
Recreation Department				

COMMENTS/CONDITIONS from any of the above departments:

City Council Public Hearing date, if applicable: _____

License Approved/Denied: _____ Date applicant notified: _____



CITY OF AUBURN PUBLIC NOTICE

A public hearing will be held by the Auburn City Council on Monday, June 19, 2017 at 7:00 p.m. or as soon as possible thereafter, in the Council Chambers of Auburn Hall, 60 Court Street, to consider the Liberty Festival/Independence Day Committee application for:

**The Liberty Festival to be held at Great Falls, Festival Plaza and surrounding areas,
July 4, 2017 (rain date July 5, 2017).**

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

James Pross, Ward One
Robert Stone, Ward Two
Andy Titus, Ward Three
Adam R. Lee, Ward Four



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 52-06192017

ORDERED, that the Auburn City Council hereby approves the Special Event/Mass Gathering permit for the Liberty Festival to be held, July 4, 2017 (rain date July 5, 2017) at Great Falls, Festival Plaza, and surrounding areas pending the receipt of the Certificate of Liability Insurance.



City of Auburn City Council Information Sheet

Council Meeting Date: June 19, 2017

Order: 53-06192017

Author: Michael Chammings, Director of Economic and Community Development

Subject: 477 Minot Avenue TIF and Home Funds Request and Public Hearing

Information: The developers anticipate approximately 35 workforce housing units in a townhouse style configuration.

The developers are requesting a 50% credit enhancement for 30 years and \$110,000 in HOME funds.

Advantages: The project would create approximately 35 workforce housing units and according to the developer's projected assessed values, even after this TIF reimbursement, the City would net a significant increase in real estate taxes than are currently received from the property.

Disadvantages: The Council approved a budget that included a component for co-op housing, this would push any co-op housing project funding into fiscal year 2019.

City Budgetary Impacts: Minimal, Federal funds are already approved for moderate or low income housing assistance and the tax shift/general fund loss would be minimal.

Staff Recommended Action: The staff recommends passage.

Previous Meetings and History: Council Executive Session, May 15th, 2017
Council Workshop, June 5th, 2017

Attachments:

Affordable Housing Tax Increment Financing application and supporting documents.
Order 53-06192017

April 28, 2017

Michael Chammings, Economic & Community Development Director
City of Auburn
60 Court St
Auburn, ME 04210

Re: 477 Minot Ave. TIF and HOME funds request

Dear Michael:

I am writing this letter in documentation and support of our recent TIF request to the City of Auburn for property located at 477 Minot Avenue in Auburn. As you are aware, Developers Collaborative, in partnership with Joe Hogan and Continuum Health Care LLC has the property under agreement and is pursuing an affordable housing tax credit project this fall/winter with MaineHousing. We anticipate approximately 35 workforce housing units in a townhouse style configuration. We have designed the project to be responsive to the current scoring system contained with MSHA's QAP and are confident that it will be successful. To ensure the project scores the maximum available number of points, we are requesting a 50% credit enhancement for 30 years and \$110,000 in HOME funds.

Given current and projected assessed values, we are projecting that even after this TIF reimbursement, the City will net significantly more in real estate taxes than are currently received from the property. To achieve this, we would suggest that the City shelter 100% of the increment and dedicate 50% to the project and 50% to offset costs to local schools, which is permissible under the statute governing the Affordable Housing TIF program. According to our projections, 47% of all new unsheltered tax revenue in Auburn is lost to fiscal impacts of the county and state, so the credit enhancement we are requesting is essentially dollars which would be lost to the City regardless.

However, this project will not occur without a TIF – there would be no additional tax dollars to split. It is critical for two reasons – scoring and financial underwriting.

First, scoring. As you know the QAP is highly competitive and the program is typically 3x oversubscribed. It is possible for very worthwhile projects to sit on the waitlist for several years or even not get funded at all. Nearly all successful projects in recent years have had the benefit of a municipality working alongside the developer by contributing such a TIF. The TIF we propose will score 5 points, one less than the maximum of 6. We are not asking for a 6 point TIF because that would be a 75% CEA - and we would no longer be able to say that essentially the City is not losing any money even if you made the (false) assumption that the project could move forward without a TIF. Again, a 50% TIF is reasonable as it is essentially asking the municipality to assign money to the project that would have otherwise gone to the county and state. 5 points is still a very good number and will give us an advantage over many applications and hold us even with most or all others. Typically the difference between the winners and losers is only a point or two.

Second, financial underwriting. As we have discussed, Auburn assesses its tax credit projects at a very high ratio relative to many other communities around the state. This is perfectly defensible, and we take no issue with it whatsoever, but it creates a hardship for the project operating budget since rents can never be raised past 50% and 60% AMI regardless of the assessment. That, coupled with the basic fact of high taxes which affects all service centers statewide, means that the credit enhancement is actually pretty critical to the basic underwriting of the project. Today the market for sale of credits is very competitive, but it is still unclear that the project could meet basic underwriting standards of both investor and MSHA if a TIF is absent.

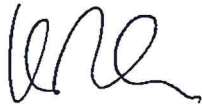
For these reasons, we will likely not proceed with the project if we are not able to negotiate a mutually beneficial TIF arrangement. The TIF would need to be approved and sent to the state by the first council meeting in September.

Finally, we are also requesting \$110,000 in HOME funds that will allow us to score 1 more point in our application, which seems to be a relatively low amount of commitment for adding at least 35 new units to Auburn's workforce housing stock.

While we intend to pursue a Planning Board application as soon as this year's scoring system is published, we do still have some time as we are informed it may be a month or two later than usual when the applications are due to MaineHousing.

I hope this letter has provided some baseline information as you evaluate this request and I will be happy to provide any other information you may require. I am hopeful that we will be able to appear before your Council on May 15 for workshop on our requests with a public hearing and final vote on the first meeting in June or July. This schedule will allow for all materials to be submitted to MaineHousing in time for the fall/winter application.

Thank you,

A handwritten signature in black ink, appearing to read 'KB', with a stylized, flowing script.

Kevin Bunker

DC Predevelopment LLC

MAINE STATE HOUSING AUTHORITY

APPLICATION

Affordable Housing Tax Increment Financing

The Municipal Affordable Housing Development Districts statute, 30-A M.R.S.A. §§5245 – 5250-G, referred to as the "TIF Statute" in this Application, applies to affordable housing tax increment financing in Maine. The TIF Statute provides that before a municipality's designation of an affordable housing development district and its adoption of the associated affordable housing development program for the district become effective, MaineHousing must review the proposed district and development program to ensure compliance with the TIF Statute.

All applications to MaineHousing for review of an affordable housing development district and its associated development program must be on this form and include all eight Attachments noted below.

Sections 1 and 2 below are in fillable PDF format and may be completed on-line. After you have completed Sections 1 and 2, please print the Application and sign where indicated in Section 1.

This Application, with Attachments 1 through 8, may be submitted to MaineHousing in one of two ways:

By e-mail to Anne Paré sent to apare@mainehousing.org, *or*

By mail to: Anne Paré, MaineHousing, 353 Water Street, Augusta, Maine 04330

In this Application "district" means an affordable housing development district and "development program" means an affordable housing development program.

SECTION 1 – APPLICANT INFORMATION

1-1 Name of applicant city or town: _____

1-2 Municipal official submitting this Application:

Printed name

Title

Mailing address

Phone number

E-mail address

The municipal official named above certifies that he/she has the authority to submit this Application to MaineHousing and further certifies that to the best of his/her knowledge, the information contained in this Application and its Attachments is true.

Signature

Date

1-3 Municipal official with authority to submit annual reports to MaineHousing on the status of the district:

Printed name

Title

Mailing address

Phone number

E-mail address

SECTION 2 – NOTICE AND HEARING

Before designating a district or adopting a development program, the municipal legislative body must

- (a) hold at least one public hearing,
- (b) publish notice of the hearing at least 10 days before the date of the hearing in a newspaper of general circulation in the municipality,
- (c) at the hearing, consider
 - (i) whether the district and development program will contribute to the expansion of affordable housing or the betterment of the health, welfare or safety of the residents,
 - (ii) any claim by a party that the district or development program will be detrimental to that party's property interests for which substantial evidence is produced, and whether any adverse economic effect is outweighed by the availability of affordable housing or the betterment of resident health, welfare or safety.

2-1 Date of public notice: _____

Attachment 1 – Newspaper Notice

*Include as **Attachment 1** a copy of the newspaper page showing the public notice and the newspaper name and date.*

2-2 Date of public hearing: _____

Attachment 2 – Public Hearing Record

Include as **Attachment 2** the record of the meeting at which the public hearing was held, certified by the municipal clerk.

Attachment 3 – Additional Documents

Include as **Attachment 3** all documentation submitted to, or prepared by, the municipality relating to items (c)(i) and (c)(ii) above.

SECTION 3 – MUNICIPAL APPROVAL

Conditions of municipal approval of district and development program

The TIF Statute sets out conditions for the designation of a district and adoption of a development program by a city or town. A municipality must designate a district and adopt a development program meeting these conditions.

To assist municipalities in ensuring that districts and development programs comply with the conditions of the TIF Statute, we have set out below a **Checklist in Appendix A** that can be used in designating a district and adopting a development program. The Checklist covers the conditions in the TIF Statute that need to be met in approving the district and development program. While MaineHousing does not require municipalities to fill in or follow the format of the Checklist, in reviewing a district and development program approved by a municipality, we will look for specific information in the Application materials (including the Attachments) the city or town submits to us showing compliance with all the conditions of the TIF Statute.

IMPORTANT NOTE: Because the TIF Statute defines a district as "a specified area within the corporate limits of a municipality that has been designated . . . to be developed" under a development program, a development program must, at a minimum, include new construction of affordable housing or rehabilitation of existing housing inside the district, or both. A municipality may not create a district for the sole purpose of capturing tax increment revenues that would result only from inflationary adjustments to property values with no development of new housing or rehabilitation of existing housing in the district.

Attachment 4 – Municipal Approval

Include as **Attachment 4** a copy of the order or resolution and vote of the municipal legislative body approving the district and development program, certified by the municipal clerk.

Attachment 5 – District Maps

Include as **Attachment 5** a municipal map and tax map showing the district boundaries.

Attachment 6 – Certification of Original Assessed Value of District

Include as **Attachment 6** a dated certification signed by the municipal assessor showing the original assessed value of the district. "Original assessed value" means the taxable assessed value of the district as of the March 31st before municipal approval of the district.

Attachment 7 – Development Program

*Include as **Attachment 7** a copy of the development program approved by the municipality's legislative body.*

Attachment 8 – Credit Enhancement or Other Agreement

*Include as **Attachment 8** a copy of the credit enhancement agreement or other tax increment revenue sharing agreement, whether or not executed.*

**See Appendix A below for
Checklist for Approval of District and Development Program**

Appendix A

Checklist for Approval of District and Development Program

The TIF Statute sets out conditions for the designation of a district and adoption of a development program by a city or town. A municipality must designate a district and adopt a development program meeting these conditions.

To assist municipalities in ensuring that districts and development programs comply with the conditions of the TIF Statute, we have set out below a **Checklist** that can be used in designating a district and adopting a development program. The Checklist covers the conditions in the TIF Statute that need to be met in approving the district and development program. While MaineHousing does not require municipalities to fill in or follow the format of the Checklist, in reviewing a district and development program approved by a municipality, we will look for specific information in the Application materials (including the Attachments) the city or town submits to us showing compliance with all the conditions of the TIF Statute.

- ☐ District description
 - _____ Physical description of district
 - _____ Municipal map showing district boundaries
 - _____ Tax map showing district boundaries

- ☐ At least 25% of district acreage is suitable for residential use, blighted, or in need of rehabilitation/redevelopment
 - _____ % acreage suitable for residential use
 - _____ % blighted
 - _____ % in need of rehabilitation/redevelopment
 - _____ Physical description of district to support above
 - _____ Zoning designation where district is located
 - _____ Allowed uses in that zone

- ☐ District acreage divided by total municipal acreage is not more than 2%
 - _____ Total district acreage
 - _____ Total municipal acreage
 - _____ District acreage as a percent of total acreage

- ☐ Total acreage of all existing and proposed development districts (affordable housing and DECD districts) in municipality divided by total municipal acreage is not more than 5%

_____ Total acreage of all development districts

_____ Total municipal acreage

_____ Total development district acreage as a percent of total acreage

- ☐ Original assessed value (OAV)* of district

_____ Dated certification signed by municipal assessor showing OAV amount and date

* OAV means the taxable assessed value of the district as of the March 31st before municipal approval of the district.

- ☐ OAV of all existing and proposed affordable housing development districts in the municipality divided by aggregate taxable property value as of the April 1st before MaineHousing approval is not more than 5%

_____ Aggregate OAV of existing and proposed districts

_____ Aggregate taxable property value as of the April 1st before MaineHousing approval

_____ Aggregate OAV as a percent of total taxable value

- ☐ Development program start and end dates

_____ First tax year (i.e., April 1 – March 31) of development program *

* May be any tax year specified in municipal approval. If none is specified, the development program will start during the tax year of approval.

_____ Last tax year of development program **

** Not more than 30 years after tax year of MaineHousing approval.

_____ Municipal fiscal year ***

*** Example: July 1 – June 30

- ☐ The development program meets an identified housing need in municipality

_____ Description of need

_____ Description of how development program meets need

_____ Number of new rental units to be constructed

- _____ Number of existing rental units to be rehabilitated
- _____ Number of new single-family homes, including condominiums, to be constructed
- _____ Number of existing single-family homes, including condominiums, to be rehabilitated

☐ District must be a primarily residential * development

- _____ Description of residential and non-residential uses in district and acreage of each
- _____ Description of accessory uses relating to residential use

* A district is primarily residential if the overall character of the uses in the district is residential. Residential uses include both housing and uses related to residential uses, such as recreational facilities and child care facilities available to the residents of the district and small-scale nonresidential uses that are intended to provide services primarily to the residents of the district.

☐ At least 33% of the housing units in the district must be affordable housing *

- _____ Number of affordable single-family owner-occupied homes, including condominiums, in district
- _____ Number of affordable rental units in district
- _____ Total number of housing units in district
- _____ Affordable housing units as a percent of total units

* Affordable housing is an owner-occupied single-family home or condominium or a rental unit for a household earning no more than 120% of area median income (AMI). The housing must be decent, safe and sanitary. Affordable housing does not include facilities such as emergency shelters, nursing homes, convalescent homes, hospitals, residential treatment facilities, correctional facilities, or student dormitories, regardless of income level. No purchase price limits on homes or rent restrictions on rental units are required to establish that a unit is affordable.

2015 AMI for counties and other designated areas in Maine can be found at http://www.huduser.org/portal/datasets/il/il15/Section8_IncomeLimits_Rev.pdf. After scrolling down to the Maine pages, use the information in the first column at "FY 2015 MFI: _____" for the county or other area of interest. Multiply that MFI figure by 120% to determine the maximum income level.

HUD updates AMI annually. 2015 AMI will remain in effect until HUD publishes AMI for 2016.

- ☐ Mechanism to ensure ongoing affordability of 33% of the housing units in district for required time

_____ Length of affordability period for owner-occupied single-family homes and condominiums *

* The minimum affordability period for single-family owner-occupied homes and condominiums is 10 years.

_____ Description of affordability mechanism for single-family owner-occupied homes and condominiums

_____ Length of affordability period for rental units **

** The minimum affordability period for rental units is 30 years.

_____ Description of affordability mechanism for rental units

A district may contain only homeownership units or only rental units or a combination of both, but a minimum of 33% of the total number of housing units in the district must be affordable for the required time, i.e., 10 or 30 years, depending on the housing type.

The affordable units can be fixed (particular units are subject to the affordability requirements and never change, i.e., those specific units must remain affordable during the applicable affordability period and other units cannot be substituted for them) or they can float (units initially designated as affordable may change over time and other affordable units can be substituted in their place) provided that at least 33% of the total number of housing units in the district are affordable housing at any given point in time.

Whether the units are rental or homeownership units, the affordability period begins to run when the units have been constructed or rehabilitated into decent, safe and sanitary housing and (i) are available for occupancy if the development is subject to a declaration of covenants and restrictions that requires the units to be affordable (i.e., restricted to households with income not exceeding 120% of AMI), or (ii) when the units are occupied by a household with income not exceeding 120% of AMI if the development is not subject to a declaration. The development program needs to include timing information on the development and availability for occupancy of the affordable units in the district. To comply with the TIF Statute's requirement that at least 33% of the housing units in the district be affordable housing, in a mixed-income development, the development program must provide for the construction/rehabilitation of the affordable units within a reasonable timeframe during the construction phase of the project and not leave them to the end of the project if the units will be made available for occupancy or sale as they are constructed or rehabilitated.

- ☐ Operation of housing and facilities in district

_____ Description of how housing and facilities in the district will be operated after completion

_____ Entity responsible for operation

_____ Source of operating funds

☐ Specific planned uses of tax increment revenues from the district *

* See §5249 of the TIF Statute for eligible uses of tax increment revenues from the district.

IMPORTANT NOTE: Municipalities are cautioned that a broad recitation in a development program of all or substantially all the authorized project costs listed in the TIF Statute will not be accepted by MaineHousing.

A non-residential use included in a development program may be funded with tax increment revenues from the district, provided that the non-residential use contributes to a specific, identified improvement of the health, welfare or safety of the residents of the municipality, including a specific, identified benefit to the residents of the district, or to the expansion of affordable housing within the municipality. The district and development program must otherwise comply with the requirements of the TIF Statute, including the requirement that the district be a primarily residential development. Tax increment revenues may not be used to construct new "pure" commercial facilities within a district or to rehabilitate those facilities.

_____ Description of each improvement, facility, program, or other activity included in the development program that may or will be funded in whole or in part with tax increment revenues *

* Include all intended uses and potential alternative uses.

_____ List which of these improvements, facilities, programs, or other activities are inside the district

_____ List which of these improvements, facilities, programs, or other activities are outside the district **

** To be funded with tax increment revenues, costs outside the district must be ***directly related to or made necessary*** by the creation or operation of the district. Include any supporting studies, research, estimates, and assumptions.

_____ Amount of tax increment revenues to be used for each improvement, facility, program or other activity inside and outside the district ***

*** Only the proportion of costs outside the district that are ***directly related to or made necessary*** by the creation or operation of the district may be paid with tax increment revenues.

- _____ Amount and source of other funding for the development program
- _____ Timing of each planned improvement, facility, program, or other activity

- ☐ A municipality may use tax increment revenues from a district to establish a permanent housing development revolving loan fund or investment fund. *

- _____ A description of the fund, including type, purpose, operation, and provisions for repayment or return of fund proceeds to the fund
- _____ The timing of the establishment and use of the fund
- _____ The property to be purchased with investment fund proceeds and the housing to be developed with revolving loan fund proceeds and timing
- _____ The location of the property and the housing

* A permanent housing development revolving loan fund or investment fund must be used solely for the development of affordable housing as defined above.

Loans made from a revolving loan fund must be repaid to the municipality, and all loan repayments must be deposited into that loan fund and used for additional loans for the development of affordable housing. Loans may be made from the revolving loan fund for both new construction of affordable housing and the rehabilitation of existing housing.

Funds in an investment fund may be used only for the purchase of property by the municipality for the development of affordable housing by the municipality itself or by a developer to which the municipality sells or leases the property. All sales proceeds or rental revenues must be placed in the investment fund and used for additional purchases of property by the municipality for that purpose.

Creating a district around an existing residential area for the purpose of funding a revolving loan fund or investment fund still requires that there be some development of affordable housing within the district, whether new construction or the rehabilitation of existing housing, or both.

Because revolving loan funds and investment funds are capitalized with tax increment revenues resulting from the development of affordable housing in a district and proceeds disbursed from a loan or investment fund are required to be returned to the fund, it is not necessary for a municipality to make any further showing that costs of establishing a permanent housing development revolving loan fund or investment fund are directly related to or made necessary by the district.

- ☐ A financial plan showing for each year the development program will be in effect

- _____ An estimate of increased assessed value * of the district (including assumptions)

* Increased assessed value is the amount, if any, by which the current assessed value as of the most recent April 1st exceeds OAV.

_____ Amount or percent or method or formula for determining amount or percent of increased assessed value to be retained as captured assessed value ** and applied to pay development program costs and resulting tax increment ***

** Captured assessed value is the portion of increased assessed value that is used from year to year to finance the project costs authorized under the development program.

*** Tax increment means the municipal real estate taxes assessed on the increased assessed value of the property in the district.

_____ Calculation of estimated tax shifts showing the effect on the municipality's state revenue sharing, education subsidies, and county taxes resulting from creation of district and the capture of increased assessed value. ****

**** Use the tax shift formulas in **Appendix B** to this Application to calculate tax shifts.

_____ Allocation of total tax increment revenues from the district

_____ Portion * to be allocated to project owner

_____ Portion * to be allocated to municipality

* May be stated as a percent or amount or by formula.

_____ Copy of credit enhancement or other tax increment revenue sharing agreement (whether or not executed)

☐ Relocation plan for persons temporarily or permanently displaced by development activities

_____ Relocation plan description, or

_____ Statement that no relocation is necessary

☐ Description of environmental controls to be applied

_____ Statement regarding environmental controls, such as permitting and licensing or use of environmental mitigation measures during development and operation of district

☐ Development program consistent with comprehensive planning

_____ Date of comprehensive plan final adoption

_____ Statement of no conflict with comprehensive plan

_____ Statement indicating how development program complies with Maine law limiting growth-related capital investments (see 30-A M.R.S.A. §4349-A)

☐ District not in conflict with municipal charter

_____ Statement of no conflict with municipal charter

☐ **For municipal debt financing only:** Amount of public debt with maximum 30-year maturity to be incurred to finance development program costs

_____ Principal amount, maturity and type of each municipal debt issuance

_____ List of improvements inside the district * to be financed with municipal debt

<p>* Under §5250-D of the TIF Statute, municipal debt may be issued to finance only development program costs <u>inside</u> the district.</p>

Appendix B

Tax Shift Formulas

To calculate the state education subsidy tax shift: For fiscal year 2015 – 2016 and each subsequent fiscal year, the state education subsidy formula is based on the average of the certified state valuations for the three (3) most recent years prior to the most recently certified state valuation. The education tax shift is computed by comparing Maine Department of Education Form ED 279 for the municipality with and without retained captured assessed value. The difference in the actual education subsidy and the adjusted education subsidy represents the projected state education subsidy tax shift for that year.

To calculate the state revenue sharing tax shift: The first step in determining the revenue sharing tax shift is to obtain the total municipal revenue sharing amount from the State Treasurer. The five steps outlined in the following formula are then applied ("CAV" below means projected captured assessed value):

$$\text{Step 1: } \frac{\text{Municipal Population} \times \text{Local Property Tax Levied}}{\text{State Local Valuation}} = \text{Current Factor}$$

$$\text{Step 2: } \frac{\text{Municipal Population} \times \text{Local Property Tax Levied}}{\text{State Local Valuation} + \text{CAV}} = \text{Adjusted Factor}$$

$$\text{Step 3: } \frac{\text{Current Factor} - 1.0}{\text{Adjusted Factor} - 1.0} = 1.X$$

$$\text{Step 4: } 1.X - 1.0 = .X$$

$$\text{Step 5: } .X (\text{total municipal revenue sharing amount}) = \text{Revenue sharing tax shift}$$

To calculate the county tax shift: The steps in determining the county tax shift are as follows ("CAV" below means projected captured assessed value):

Step 1: Obtain the most recent County State Valuation from Maine Revenue Services.

Step 2: Determine the average CAV for the District over the life of the District.

Step 3: Determine the municipality's current share of the county tax:

$$\frac{\text{Current State municipal valuation}}{\text{Current State county valuation}}$$

Step 4: Determine what the municipality's share of the county tax would be if the new value from the District were added to the municipal valuation without the creation of the District:

$$\frac{\text{Current State municipal valuation} + \text{average new value}}{\text{Current State county valuation} + \text{average new value}} = \% \text{ of county tax shift}$$

Step 5: Determine the estimated average annual county tax over the life of the District. To arrive at this number, determine the average change in county tax for the last five (5) years and the percentage increase projected to the middle of the District's life.

Step 6: Multiply the projected tax from Step 5 by the percent of county tax shift from Step 4 to determine the county tax shift.

A TRUE COPY ATTEST

Susan Clement Dallaire

CITY CLERK

SUN JOURNAL » FRIDAY, JUNE 9, 2017

c12 French Open

Ostapenko to face Halep for title

BY HOWARD FENDRICH
AP TENNIS WRITER

PARIS — Jelena Ostapenko is a young woman in a hurry.

At Roland Garros three years ago.

“I hope this time I can play better,” Halep said, and I can win it.”

There will be quite a contrast in styles Saturday at court Philippe Chatrier.

The 5-foot-6 (1.68-meter) Halep is a ball-chasing, defensive dynamo unfraid of lengthy exchanges who gets to nearly everything off an opponent's racket and is careful when she swings. She made 14 unforced errors against the No. 2-seeded Pliskova, whose total was 55. The 5-10 (1.77-meter) Ostapenko, meanwhile, is aggressive as can be, a go-for-the-lines-and-hit-them tour de force who likes to keep



tions.

Bacsinszky's scouting report on Ostapenko, a pal she played doubles with last year?

“She is young and reckless, in a sense. She's not afraid of anything. She's a big hitter,” said Bacsinszky, who also lost in the 2015 French Open semifinals. “She's a baby, but she's a beautiful baby.”

One who hits the ball as if she's angry at it.

Bacsinszky — whose birthday was also Thursday; she turned 28 — employed all manner of strategies in a bid to throw off her opponent. She tried

mistake. She tried mixing speeds and angles and target spots. She tried hitting shorter to draw Ostapenko forward. She tried hitting deeper.

None of it worked well enough to win, although here is precisely how close the match was: Ostapenko won 106 points, Bacsinszky 105.

Town of Durham Foreclosure Sale
The Town of Durham intends to sell the following Property Tax foreclosed property:
Map 8, Lot 44. Bids are due at the Town Office by June 26, 2017 at 2:00 pm.
Minimum Bid Price: \$6,620.00. For more info www.durhamme.com, or call 353-2561, ext. 10.

CITY OF AUBURN
PUBLIC NOTICE

A public hearing will be held by the Auburn City Council on Monday, June 19, 2017 at 7:00 p.m. or as soon as possible thereafter, in the Council Chambers of Auburn Hall, 60 Court Street, to consider the Liberty Festival/Independence Day Committee application for:

The Liberty Festival to be held at Great Falls, Festival Plaza and surrounding areas, July 4, 2017 (rain date July 5, 2017).

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

ky said when she was informed of that margin, her eyes filling with tears. “I cry now or later? It actually makes me cry now.”

It didn't help that she tweaked her right thigh in the first set. A trainer

PUBLIC MEETING

The Board of Directors of Community Concepts, Inc. will hold a board meeting on Tuesday, June 20, 2017 at 5:00 pm. Meeting will be held at 17 Market Sq., South Paris. The public is welcome to attend. For more information call 333-6431.

PUBLIC NOTICE

The Auburn School Department has determined that the special education records of individuals who were born between January 1, 1991 and December 31, 1991, are no longer needed to provide educational services or to demonstrate that we have provided the student with a free appropriate education. Persons who were born between the above dates and want their records pertaining to special education should contact the Auburn School Department, Special Services Office, 60 Court Street, PO Box 800, Auburn, Maine 04212-0800, or by calling (207) 784-6431, ext 1209 before July 15, 2017. Absence of notification by that date will be interpreted as a request to have the records destroyed. Records will be destroyed by August 30, 2017.

NOTICE OF PUBLIC SALE

Notice is hereby given that in accordance with the Judgment of Foreclosure and Sale

she was two points from

CITY OF AUBURN
PUBLIC NOTICE

Notice is hereby given that the City Council of the City of Auburn will hold a public hearing on June 19, 2017 at 7:00 p.m. or as soon as possible thereafter at the City Council Chambers in the Auburn Hall Building at 60 Court Street, Auburn Maine, for purposes of receiving public comments on the following: **Establishment of an Affordable Housing Development and Tax Increment Financing District #21** to designate 477 Minot Ave. (Municipal Tax Map 209 Parcel 058) pursuant to the provisions of Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended. The proposed 477 Minot Avenue Municipal Affordable Housing Development and Tax Increment Finance District consists of approximately 3.83 acres and is intended to offset operating costs in an affordable housing project proposed for the parcel. The proposed district consists of property within the Minot Avenue General Business II District also referenced in the City's Comprehensive Plan as General Business Development Growth Area.

A copy of the proposed development programs for the districts will be on file with the City Clerk and may be reviewed at the offices of the City Clerk during normal business hours. All interested persons are invited to attend the public hearing and will be given an opportunity to be heard at that time.

NOTICE OF PUBLIC SALE

Notice is hereby given that in accordance with the Judgment of Foreclosure and Sale entered March 02, 2017 in the action entitled Wells Fargo Bank, N.A. as Trustee for Option One Mortgage Loan Trust 2001-C,

While Ostapenko is assured of making

mortgagor(s), a public sale of the property described in the mortgage will be conducted on July 10, 2017 commencing at 10:30 AM at Office of Shechtman Halperin Savage LLP, 190 U.S. Route One, 2nd Floor-Rear, Falmouth, Maine. The property is located at 98 Main Street, Livermore Falls, Androscoggin County, Maine, reference as described in said mortgage.

The sale will be by public auction. All bidders for the property will be required to make a deposit of \$5,000.00 in cash, certified or bank check at the time of the public sale made payable to Shechtman Halperin Savage, LLP, which deposit is non-refundable as to the highest bidder. The balance of the purchase price shall be paid within thirty (30) days of the public sale. In the event a representative of Bank of America, N.A. is not present at the time and place stated in this notice, no sale shall be deemed to have occurred and all rights to reschedule a subsequent sale are reserved. Additional terms will be announced at the public sale.

Bank of America, N.A., by its attorneys, Shechtman Halperin Savage, LLP Jeffrey J. Hardiman, Esq. 1080 Main Street, Pawtucket, RI 02860 (401) 272-1400

MORTGAGEE'S SALE OF REAL ESTATE

By virtue of and in execution of the Power of Sale contained in a certain Mortgage Deed given by Greene Commons, LLC to John F. Streeter, Trustee of the John F. Streeter Revocable Trust, U/D/T 12/28/2000 and recorded in the Androscoggin County Registry of Deeds in Book 77492, Page 152, of which mortgage was Modified by Agreement dated June 4, 2009 to increase the debt to Two Hundred Thirteen Thousand

TOWN OF HARTFORD

There will be a meeting of the Hartford Planning Board on Friday, June 16, 2017 at 5:00 pm at 9 Jordan Way, Hartford, ME. This will be a working session.

Town of New Gloucester
PUBLIC HEARING NOTICE
Liquor License Application
Fraternal Order of Eagles #4131

The Town of New Gloucester will hold a Public Hearing for a Liquor License application for Fraternal Order of Eagles, at a Board of Selectmen's meeting at 7:00 p.m., Monday, June 19, 2017, at the New Gloucester Meetinghouse. The Board of Selectmen will consider approving the license at the same meeting after the Public Hearing.

IN CITY COUNCIL, JUNE 19, 2017

WHEREAS, there is a need for economic development and for the development of affordable, livable housing in the City of Auburn (the “City”), in the surrounding region, and in the State of Maine; and

WHEREAS, implementation of the development program for the new affordable housing municipal development and tax increment financing district will help improve and broaden the tax base in the City and improve the economy in the City and the region by attracting business development and creating affordable housing in the area of these districts; and

WHEREAS, pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, the City desires to designate a new affordable housing municipal development and tax increment financing district entitled the ***477 Minot Avenue Municipal Affordable Housing Development and Tax Increment Financing District*** (the “Minot Avenue District”) and adopt a development program for the Minot Avenue District; and

WHEREAS, it is expected that approval will be obtained from the Maine State Housing Authority approving the designation of the ***477 Minot Avenue Municipal Affordable Housing Development and Tax Increment Financing District Development Program***; and

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

Section 1 Pursuant to Chapter 206, Subchapter 3 of Title 30-A of the Maine Revised Statutes, as amended, the City hereby designates the ***477 Minot Avenue Municipal Affordable Housing Development and Tax Increment Financing District*** and hereby adopts the Minot Avenue District development program described as more particularly set forth in the documents presented to the City Council in conjunction with this Order.

Section 2 Pursuant to the provisions of 30-A M.R.S.A. § 5250-A, the percentage of captured assessed value to be retained in the Minot Avenue District is hereby established as set forth in the Minot Avenue District development program.

Section 3 The City Manager be, and hereby is, authorized, empowered and directed to submit the proposed designation of the Minot Avenue District and the proposed development program for the Minot Avenue District to the Maine State Housing Authority for review and approval pursuant to the requirements of 30-A M.R.S.A. Chapter 206, Subchapter 3; and further is authorized to execute a Credit Enhancement Agreement consistent with the provisions of the Minot Avenue District development program as presented and approved herein, and to create the accounts and take all the actions described in such agreements.

Section 4 The City Manager be and hereby is authorized and empowered at his direction from time to time to make such revisions to the Minot Avenue District development program for the Minot Avenue District as he deems reasonably necessary or convenient in order to facilitate the process of review and approval of the Minot Avenue District by the Maine State Housing Authority, or for any other reason, so long as such provisions are not inconsistent with

these resolutions or the basic structure and intent of the Minot Avenue District development program. The City Manager is also hereby authorized and directed to submit any reports to the Maine State Housing Authority regarding the Minot Avenue District and development program throughout the term of the District.

Section 5 The foregoing designation of the Minot Avenue District and the adoption of the development program for the Minot Avenue District shall automatically become final and shall take full force and effect upon receipt by the City of approval of the proposed Minot Avenue District by the Maine State Housing Authority without requirements of further action by the City, City Council or any other party.

Section 6 The City hereby finds and determines that:

a. At least twenty-five percent (25%), by area, of the real property within the Minot Avenue District, as hereinafter designated, is suitable for residential use, blighted area, or is in need of rehabilitation or redevelopment; and

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

c. The original assessed value of the Minot Avenue District plus the original assessed value of all existing affordable housing development districts within the City does not exceed five percent (5%) of the total value of taxable property in the City.

d. The Minot Avenue District and pursuit of the Minot Avenue District development program will contribute to the expansion of affordable housing opportunities within the municipality or to the betterment of the health, welfare or safety of the inhabitants of the City. The City has considered all evidence, if any, presented to it with regard to any substantial detriment to another party's existing property interests in the City and has found and determined that such interested party's property interests in the City are outweighed by the contribution made by the Minot Avenue District or its development program to the availability of affordable housing within the City or to the betterment of the health, welfare or safety of the inhabitants of the City.

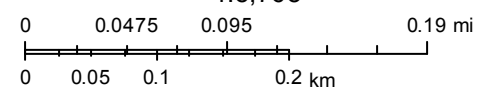


June 6, 2017

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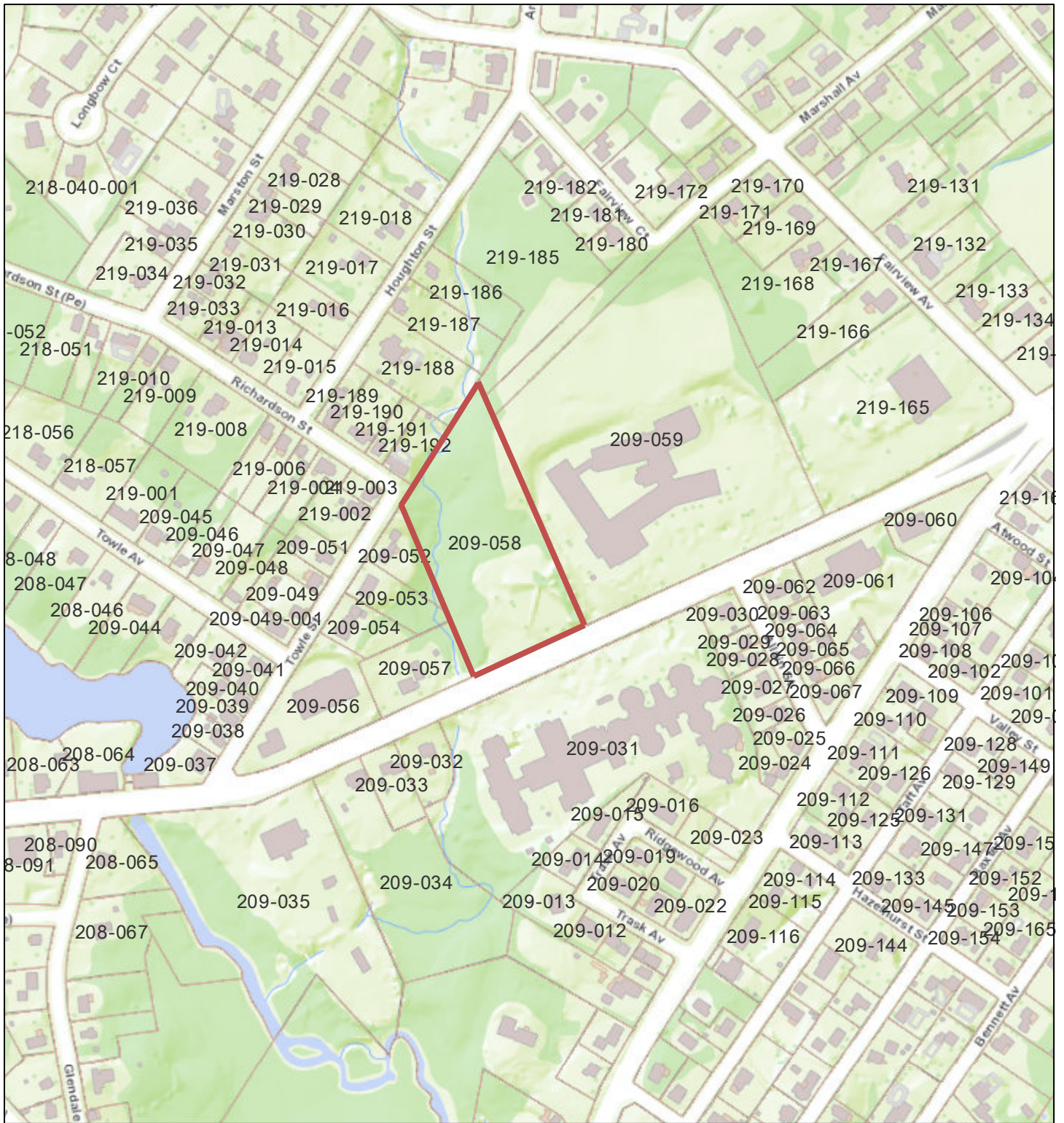
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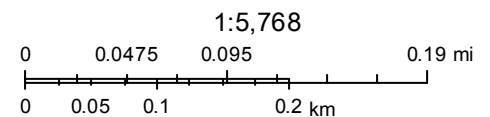


Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), MapmyIndia, NGCC, © OpenStreetMap contributors, and the GIS User Community

477 Minot Avenue, Auburn Parcel Map



June 6, 2017



Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), MapmyIndia, NGCC, © OpenStreetMap contributors, and the GIS User Community



City of Auburn, Maine

Office of the Assessor

www.auburnmaine.gov | 60 Court Street

Auburn, Maine 04210

207.333.6601

ASSESSOR'S CERTIFICATE OF ORIGINAL ASSESSED VALUE

CITY OF AUBURN

477 MINOT AVENUE AFFORDABLE HOUSING MUNICIPAL DEVELOPMENT DISTRICT AND TAX INCREMENT FINANCING DISTRICT

The undersigned Assessor for the City of Auburn, Maine, does hereby certify that the tax map showing the boundaries of the proposed 477 Minot Avenue Affordable Housing Development District and Tax Increment Financing District, as shown in Attachment 5, is an accurate depiction of the proposed District. The Original Assessed Value of the proposed District as of March 31, 2017 (April 1, 2016) was One Hundred Seventy Thousand One Hundred Dollars (\$170,100).

IN WITNESS WHEREOF, this Certificate has been executed as of this 6th day of June, 2017.

CITY OF AUBURN ASSESSOR

Karen V Scammon CMA

By: Karen V Scammon

Printed name:

477 MINOT AVENUE MUNICIPAL AFFORDABLE HOUSING DEVELOPMENT
AND TAX INCREMENT FINANCING DISTRICT DEVELOPMENT PROGRAM &
FINANCIAL PLAN MATERIALS

1. District 21 (the "District") is located at 475-477 Minot Avenue in Auburn (Tax Map 209, Lot 058). The District is approximately 3.83 acres of vacant land.

A municipal map and a tax map showing district boundaries are attached.

2. 100% of District acreage is suitable for residential use, and in need of rehabilitation/redevelopment. The District is well-located for housing as it is located off of Minot Avenue (Route 121), along which other housing and businesses are located. The District includes vacant land, which is in need of redevelopment. The District is serviced by municipal sewer and water services and will include only residential use. A portion of the District is located in the Urban Residence (UR) District, which is "intended to provide for, protect and stabilize medium density urban residential areas of single- and two-family detached dwellings and their adjunct public and institutional uses. It is designed to ensure a family living environment in an urban setting through lot size requirements that provide adequate yard space for family outdoor activity and play space for children." The other portion of the District is located in the General Business II (GBII) District, which allows residential dwelling uses permitted in the Multifamily Suburban District (MFS), which is intended to "stabilize and protect medium to high density residential areas by providing for a varied denser urban pattern made suitable to the needs of the population by encouraging a range of dwelling types." Multifamily dwellings are a permitted use in the GBII District and two-family dwellings are a permitted use in the UR District.

3. District acreage divided by total municipal acreage is not more than 2%. The district is 3.83 acres out of a total 42,073 acres in Auburn, representing 0.009%.

4. Total acreage of all existing and proposed development districts (affordable housing and DECD districts) in municipality divided by total municipal acreage is not more than 5%. Existing and proposed development districts are 511.82 acres (excluding the City's Downtown Municipal TIF District which is exempt from this calculation) out of a total 42,073 acres in Auburn, representing 1.22%.

5. The original assessed value (OAV) of the District as of March 31, 2017 is \$170,100 (Certificate of OAV is attached).

6. The OAV of all existing and proposed affordable housing development districts in Auburn ($\$170,100 + \$522,800$ for the Webster School AHTIF = $\$692,900$) divided by the aggregate taxable value of property in Auburn ($\$1,998,296,739$) as of April 1, 2016 is .03 percent. The total taxable municipal valuation as of April 1, 2017 will not be finalized until the commitment of taxes during the late summer of 2017.

7. The Development Program will begin as of April 1, 2018 and end March 31, 2047. The municipal fiscal year is July 1 to June 30.
 8. The Development Program meets an identified housing need in Auburn. The proposed 477 Minot Avenue Apartments will add approximately thirty-six units of affordable family rental housing ("477 Minot Avenue Apartments") to the Auburn housing stock. Eight 3 bedroom units, eighteen 2 bedroom units, and ten 1 bedroom units will all be targeted to households with incomes at or below 60% of area median income (AMI).
 9. The District will only include residential uses.
 10. 100% of housing units in the District will be affordable housing and will be occupied by households with income not exceeding 60% of AMI.
 11. 477 Minot Avenue Apartments will be developed with Low Income Housing Tax Credit equity and thus subject to an Extended Use Agreement with MaineHousing, which will be executed for the project at loan closing and a copy recorded at the registry of deeds. The Extended Use Agreement will restrict occupancy of the units in the 477 Minot Avenue Apartments to households with income not exceeding 60% of AMI. The length of the affordability period will be 45 years.
 12. When completed, 477 Minot Avenue Apartments will be managed by an experienced manager of subsidized housing properties with extensive LIHTC training, to be determined.
- The total annual cost of operations for the 477 Minot Avenue Apartments is budgeted at \$264,682. The breakdown by category is as follows: administrative 18.5%; utilities 19.7%; maintenance 22.5%; general expenses 33.1%; and reserves 6.1%. The financing for operating expenses is primarily through tenant rents (88.4%). TIF payments made to reimburse project operating costs (11.6%) make up the remainder. The project will have Resident Services available via an on site coordinator and will be managed as a smoke free building.
13. Table 1. Specific planned uses of tax increment revenues from the district. The City intends to capture 100% of the increased assessed value of the District as captured assessed value; however, if the portion of Tax Increment Revenues to be retained by the City cannot be fully expended on the education costs identified below in any particular fiscal year, then the remainder of the tax revenues paid on increased assessed value shall be deposited into the City's general fund. In such circumstance, the City shall ensure that it does not receive the tax shift benefit associated with any portion of tax increment deposited into the City's general fund.

Specific improvements or activities to be funded with tax increment revenues	Timing of each planned improvement	Amount (\$) to be funded with tax increment revenues	Amount to be funded by other sources		Location within or outside District?
			Amount	Source	
477 Minot Avenue Apartment Operating Costs (Administrative, Utilities, Maintenance, Insurance, Replacement Reserves)	Ongoing	Estimated \$1,015,774 (\$33,859 per year over 30 years)	Estimated \$11,102,333 (\$162,303 in year one, stabilized in year two at \$291,762 with 2-3% annual increase over 30 years)	Project Rents	Inside
Impact on school operating costs	Throughout school year	Up to estimated \$1,015,774 (\$33,859 per year over 30 years)	Estimated \$0 per year (based on projected 11.78 students (75% new to Auburn), \$3,700 cost per student per year minus TIF revenues of estimated \$33,859– see attached table for calculation of estimated impact on school operating costs)	Municipal funds	Outside

14. The Total Development Cost for 477 Minot Avenue Apartments is budgeted at \$6,299,842 (see attached detailed development budget). 477 Minot Avenue Apartments will be financed primarily through Low Income Housing Tax Credits. The project will seek Low Income Housing Tax Credits in the amount of \$545,539, which is projected to provide an equity yield to the project of \$4,745,718. In

addition, the project will seek a Rental Loan Program subsidy of \$1,554,124. An itemized development budget showing all sources and uses of funds is attached. No public indebtedness will be incurred.

A valuation table is attached showing estimates of increased assessed values of the district and showing 100% of the increased assessed values to be applied as captured assessed values and the resulting tax increments in each year of the program, and a tax shift table is attached showing a calculation of the tax shifts resulting from designation of the affordable housing development district.

15. No relocation is necessary.

16. The 477 Minot Avenue Apartments project is committed to following all local and state laws and regulations. Locally, full planning board site plan approval will be granted in Fall 2017. Any environmental issues will be fully remediated as part of the Project. A qualified general contractor will be chosen with the approval of MaineHousing.

17. The Development Program is consistent with Auburn's Comprehensive Plan, dated April 19, 2011, and complies with Maine law limiting growth-related capital investments (30-A M.R.S.A. §4349-A).

18. The District is not in conflict with Auburn's municipal charter.

19. The tables following this narrative include the Financial Plan required materials and information. No public indebtedness is intended to be used for approved project costs.

477 MINOT AVENUE APARTMENTS

Affordability Analysis & Rent Schedule					
Affordable Rents					
Unit Type	HHLd Size	Fed Home	LIHTC Rent	UA	Max. Net Rent
0 BR @ 50%	1		497	39	\$458
1 BR @ 50%	1.5		533	45	\$488
2 BR @ 50%	3		640	55	\$585
3BR @ 50%	4.5		738	68	\$670
0 BR @ 60%	1		597	39	\$558
1 BR @ 60%	1.5		639	45	\$594
2 BR @ 60%	3		768	55	\$713
3BR @ 60%	4.5		886	68	\$818
0 BR Market	1			39	(\$39)
1 BR Market	1.5			45	(\$45)
2 BR Market	3			55	(\$55)

Rent Schedule					
Unit Type	# Units	Net Rent	Utility Allow.	Gross Rent	Afford. @ % Med. Inc.
0 BR @ 50%	0	\$458	39	\$497	
1 BR @ 50%	6	\$488	45	\$533	
2 BR @ 50%	11	\$585	55	\$640	
3 BR @ 50%	5	\$670	68	\$738	
0 BR @ 60%	0	\$558	39	\$597	
1 BR @ 60%	4	\$594	45	\$639	
2 BR @ 60%	7	\$713	55	\$768	
3 BR @ 60%	3	\$818	68	\$886	
0 BR Market	0	-\$39	39	\$0	
1 BR Market		-\$45	45	\$0	
2 BR Market	0	-\$55	55	\$0	
TOTAL	36				
Bedroom Mix	0 BR	1 BR	2 BR	3 BR	Total
	0	10	18	8	36
Income Mix		50%AMI	60%AMI	Sec 8	Total
Number		22	14	0	36
Percent		61.1%	38.9%	0.0%	

Operating Income & Expense		
Effective Gross Income	Monthly	Annual
Gross Potential Rental Income	22,534	270,408
Less Vacancy & Collection Loss	5.0% (1,127)	(13,520)
TIF Income	2,822	33,859
Effective Gross Income	24,229	290,747

477 MINOT AVENUE APARTMENTS

Annual Expenses	Per Unit	Total
ADMINISTRATIVE EXPENSES		
Management Fee	500	17,982
Legal	42	1,500
Audit	153	5,500
Marketing	42	1,500
Site Manager	194	6,980
Resident Services	404	14,560
Telemed Phone/Internet	27	960
Other	-	
Subtotal Administrative	1,361	48,982
OPERATING EXPENSES		
Water/Sewer	550	19,800
Electric	300	10,800
Heat/HW	600	21,600
Subtotal Operating	1,450	52,200
MAINTENANCE		
Building Maintenance	600	21,600
Janitorial	200	7,200
Supplies/Exterminating	100	3,600
Painting/Decorating	75	2,700
Grounds	250	9,000
Snow Removal	350	12,600
Trash Removal	80	2,880
Subtotal Maintenance	1,655	59,580
GENERAL EXPENSES		
Property taxes	1,987	71,520
Insurance	450	16,200
Management Broadband	-	
Subtotal General	2,437	87,720
REPLACEMENT RESERVE		
Housing	450	16,200
TOTAL RESERVES		16,200
TOTAL EXPENSES PLUS RESERVES	7,352	264,682
Net Income Calculation		Annual
Net Operating Income		26,064
Debt Service		\$0
Cash Flow		26,064
Debt Service Coverage		#DIV/0!
Cash Flow as % of Expenses		9.8%
Cash Flow PUPA		724

Estimated Impact on School Operating Costs

	No. of Units	School-Age Children/Unit (5+ Units, Rent)	Estimated No.of Students
1 BR	10	0	0
2 BR	18	0.33	5.94
3 BR	8	0.73	5.84
Total	36		11.78
	City of Auburn Cost Per Student/Year		3,700.00
	Total Costs/Year for 11.78 Students		43,586.00
	75% of Total Costs based on % of students		
	that are new to Auburn		32,689.50
	30 years		980,685.00

Source: Residential Demographic Multipliers, Estimates of the Occupants of New Housing, June 2006, Center for Urban Policy Research, Rutgers University. (Massachusetts data used for 3 BR since data not available for Maine)

477 MINOT AVENUE APARTMENTS

DEVELOPMENT BUDGET AND LOW INCOME HOUSING TAX CREDITS				Office % 0.000%
Development Budget	Total	4% Basis	9% Basis	Historic
ACQUISITION/DEMOLITION		-		
Land	251,964			
Buildings	-	-	-	
Demolition	-	-	-	
Subtotal Acquisition/Demo	251,964	-	-	
CONSTRUCTION				
Site Work	300,000	-	300,000	
Gen'l Requirements		-	-	
Structures	4,096,875		4,096,875	
OH & P			-	
Construction Contingency	219,844		219,844	
Bond			-	-
Abatement			-	-
	-		-	-
Subtotal Construction	4,616,719	-	4,616,719	-
SOFT COSTS				
Permits & fees	25,000		25,000	
Engineer/Survey	40,000	-	40,000	
Architect	207,752	-	207,752	
Real Estate Attorney	45,000		45,000	
Title Insurance & Recording	12,000		12,000	
Accounting/ Cost Certification	7,500	-	7,500	
Soft Cost Contingency	-		-	
TIF Consultant	2,500		2,500	
Const. Taxes & Insurance	45,000		45,000	
Subtotal Soft Costs	384,752	-	384,752	-
FINANCING EXPENSES				
Constr. Loan Orig. Fee	2,500	-	2,500	
Construction Legal & Inspection	25,000		25,000	
Construction Interest	50,000	-	50,000	
Other Financing Expenses	-		-	
Perm. Loan Orig. Fee	-	-	-	
Subtotal Financing	77,500	-	77,500	-
OTHER SOFT COSTS				
Market Study	5,000		5,000	
Property Appraisals	7,500		7,500	
Environmental Report & Testing	12,500	-	12,500	
Construction Oversight	-		-	-
Historic Consultant			-	-
Tax Credit Fees	27,277		-	-
FFE	-		-	-
Organizational Legal	8,000		-	-
Subtotal Other	60,277		25,000	-
DEVELOPER'S FEES				
Developer's Ovhd. & Profit	590,000	-	590,000	
Consultant		-	-	
Subtotal development fees	590,000	-	590,000	-
PROJECT RESERVES				
Rent Up & Marketing Reserve	36,000	-	-	-
Operating Reserve	132,341	-	-	-
Replacement Reserve	40,969	-	-	-
Prepaid Taxes & Insurance	87,720	-	-	-
Prepaid Monitoring	21,600	-	-	-
Subtotal Reserves	318,630	-	-	-
TOTAL PROJECT COST	6,299,842	-	5,693,971	-
ELIGIBLE BASIS		-	5,693,971	
LESS FEDHOME			-	Fed Historic
LIHTC ELIGIBLE BASIS			5,693,971	-
APPLICABLE FRACTION	100.00%		less fed HTC	20%
QUALIFIED BASIS		-	5,693,971	-
QUALIFIED CT ADJUSTMENT	130%		7,402,162	-
CREDIT PERCENTAGE		3.23%	7.37%	
ANNUAL LIHTC ELIGIBLE		-	545,539	90.00%
			545,539	84.00%
ANNUAL LIHTC ALLOCATED			545,539	
NET PROCEEDS	87.00%	99.99%	4,745,718	-

Construction
GMP
4,396,875

Fed Historic	State Historic
-	-
20%	30%
-	-
90.00%	84.00%

Estimated Captured Assessed Values

		Projected Additional Assessed Value	Percent of Value Captured	Projected Mill Rate	Projected New Taxes Captured	City TIF Revenue	Project TIF Revenue
TIF Year	Tax Year						
	1	2018	\$3,029,900	100%	0.02235	\$67,718	\$33,859
	2	2019	\$3,029,900	100%	0.02235	\$67,718	\$33,859
	3	2020	\$3,029,900	100%	0.02235	\$67,718	\$33,859
	4	2021	\$3,029,900	100%	0.02235	\$67,718	\$33,859
	5	2022	\$3,029,900	100%	0.02235	\$67,718	\$33,859
	6	2023	\$3,029,900	100%	0.02235	\$67,718	\$33,859
	7	2024	\$3,029,900	100%	0.02235	\$67,718	\$33,859
	8	2025	\$3,029,900	100%	0.02235	\$67,718	\$33,859
	9	2026	\$3,029,900	100%	0.02235	\$67,718	\$33,859
	10	2027	\$3,029,900	100%	0.02235	\$67,718	\$33,859
	11	2028	\$3,029,900	100%	0.02235	\$67,718	\$33,859
	12	2029	\$3,029,900	100%	0.02235	\$67,718	\$33,859
	13	2030	\$3,029,900	100%	0.02235	\$67,718	\$33,859
	14	2031	\$3,029,900	100%	0.02235	\$67,718	\$33,859
	15	2032	\$3,029,900	100%	0.02235	\$67,718	\$33,859
	16	2033	\$3,029,900	100%	0.02235	\$67,718	\$33,859
	17	2034	\$3,029,900	100%	0.02235	\$67,718	\$33,859
	18	2035	\$3,029,900	100%	0.02235	\$67,718	\$33,859
	19	2036	\$3,029,900	100%	0.02235	\$67,718	\$33,859
	20	2037	\$3,029,900	100%	0.02235	\$67,718	\$33,859
	21	2038	\$3,029,900	100%	0.02235	\$67,718	\$33,859
	22	2039	\$3,029,900	100%	0.02235	\$67,718	\$33,859
	23	2040	\$3,029,900	100%	0.02235	\$67,718	\$33,859
	24	2041	\$3,029,900	100%	0.02235	\$67,718	\$33,859
	25	2042	\$3,029,900	100%	0.02235	\$67,718	\$33,859
	26	2043	\$3,029,900	100%	0.02235	\$67,718	\$33,859
	27	2044	\$3,029,900	100%	0.02235	\$67,718	\$33,859
	28	2045	\$3,029,900	100%	0.02235	\$67,718	\$33,859
	29	2046	\$3,029,900	100%	0.02235	\$67,718	\$33,859
						\$1,963,830	\$981,915
							\$981,915

This model is based on 100% of incremental valuation captured within the TIF District and 50% of captured revenues are for the municipal development fund and 50% the developer project fund.

477 Minot Avenue Tax Shift Benefits

		State Aid to	State		Total Tax	
		Education	County Tax	Revenue	Shift	
TIF Year	Tax Year	Benefit	Benefit	Sharing	Benefits	
		Benefit	Benefit	Benefit		
	1	2018	\$25,148	\$2,501	\$2,840	\$30,489
	2	2019	\$25,148	\$2,506	\$2,840	\$30,494
	3	2020	\$25,148	\$2,510	\$2,840	\$30,498
	4	2021	\$25,148	\$2,515	\$2,840	\$30,503
	5	2022	\$25,148	\$2,519	\$2,840	\$30,507
	6	2023	\$25,148	\$2,524	\$2,840	\$30,512
	7	2024	\$25,148	\$2,529	\$2,840	\$30,517
	8	2025	\$25,148	\$2,533	\$2,840	\$30,521
	9	2026	\$25,148	\$2,538	\$2,840	\$30,526
	10	2027	\$25,148	\$2,542	\$2,840	\$30,530
	11	2028	\$25,148	\$2,547	\$2,840	\$30,535
	12	2029	\$25,148	\$2,552	\$2,840	\$30,540
	13	2030	\$25,148	\$2,556	\$2,840	\$30,544
	14	2031	\$25,148	\$2,561	\$2,840	\$30,549
	15	2032	\$25,148	\$2,566	\$2,840	\$30,554
	16	2033	\$25,148	\$2,570	\$2,840	\$30,558
	17	2034	\$25,148	\$2,575	\$2,840	\$30,563
	18	2035	\$25,148	\$2,580	\$2,840	\$30,568
	19	2036	\$25,148	\$2,584	\$2,840	\$30,572
	20	2037	\$25,148	\$2,589	\$2,840	\$30,577
	21	2038	\$25,148	\$2,594	\$2,840	\$30,582
	22	2039	\$25,148	\$2,598	\$2,840	\$30,586
	23	2040	\$25,148	\$2,603	\$2,840	\$30,591
	24	2041	\$25,148	\$2,608	\$2,840	\$30,596
	25	2042	\$25,148	\$2,613	\$2,840	\$30,601
	26	2043	\$25,148	\$2,617	\$2,840	\$30,605
	27	2044	\$25,148	\$2,622	\$2,840	\$30,610
	28	2045	\$25,148	\$2,627	\$2,840	\$30,615
	29	2046	\$25,148	\$2,632	\$2,840	\$30,620
Total		\$729,292	\$74,411	\$82,360	\$886,063	

This model is based on 100% of incremental valuation captured within the TIF District and 50% of captured revenues are for the municipal development fund and 50% the developer project fund.

CREDIT ENHANCEMENT AGREEMENT

between

THE CITY OF AUBURN, MAINE

and

DEVELOPERS COLLABORATIVE PREDEVELOPMENT LLC

DATED: _____, 2017

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EXHIBITS

Exhibit 1 Copy of District Map

THIS CREDIT ENHANCEMENT AGREEMENT dated as of _____, 2017, between the City of Auburn, Maine (the “City”), a municipal corporation and political subdivision of the State of Maine, and DEVELOPERS COLLABORATIVE PREDEVELOPMENT LLC (“DCP” or the “Company”), a Maine limited liability company.

WITNESSETH THAT

WHEREAS, the City designated the 477 Minot Avenue Municipal Affordable Housing Development and Tax Increment Financing District (the “District”) pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, by action of the City Council at a meeting of the City Council held on June 19, 2017 (the “Vote”) and pursuant to the same Vote adopted an affordable housing development program, including a financial plan, for the District (the “Development Program”); and

WHEREAS, the City received approval of the District and the Development Program by the Maine State Housing Authority (“MSHA”) on _____, 2017; and

WHEREAS, the Vote of the City Council also authorized the execution of a credit enhancement agreement with the Company as contemplated by the Development Program in the name of and on behalf of the City; and

WHEREAS, the City and the Company desire and intend that this Agreement be and constitute the credit enhancement agreement contemplated by and described in the Development Program.

NOW, THEREFORE, in consideration of the foregoing and in consideration of the mutual promises and covenants set forth herein, the parties hereby agree as follows:

**ARTICLE I
DEFINITIONS**

Section 1.1. Definitions.

The terms defined in this Article I shall, for all purposes of this Agreement, have the meanings herein specified, unless the context clearly requires otherwise:

“Act” means chapter 206 of Title 30-A of the Maine Revised Statutes and regulations adopted thereunder, as amended from time to time.

“Agreement” shall mean this Credit Enhancement Agreement between the City and the Company dated as of the date set forth above, as such may be amended from time to time.

“Authority” means the Maine State Housing Authority.

“Captured Assessed Value” means the amount, stated as a percentage, of the Increased Assessed Value of the District that is retained in each Tax Year during the term of the District, as specified in Section 2.3 hereof, to fund Project costs authorized in the Development Program.

“City” shall have the meaning given such term in the first paragraph hereto.

“City Project Cost Subaccount” means that portion of the Project Cost Account of the Development Program Fund for the District set aside for the City established and maintained according to Article II hereof.

“Current Assessed Value” means the then-current assessed value of the District as determined by the City Tax Assessor as of April 1 of each Tax Year that the District remains in effect.

“Development Program” shall have the meaning given such term in the recitals hereto.

“Development Program Fund” means the Affordable Housing Development Program Fund described in the Development Program and established and maintained pursuant to Article II hereof and 30-A M.R.S.A. § 5250-A(3)(A) consisting of subaccounts further described herein.

“Director” means the Director of the Maine State Housing Authority.

“District” shall have the meaning given such term in the first recital hereto, which is more specifically comprised of approximately 3.9 acres of real property and identified in an attachment to the Development Program and any future improvements to such real property. A copy of the District map is attached hereto as Exhibit 1 for convenience.

“Effective Date of the Development Program” means the date provided in the District’s Certificate of Approval from the Authority.

“Fiscal Year” means July 1 to June 30 each year or such other fiscal year as the City may from time to time establish.

“Increased Assessed Value” means, for each Fiscal Year during the term of this Agreement, the amount by which the Current Assessed Value for such year exceeds the Original Assessed Value. If the Current Assessed Value is less than or equal to the Original Assessed Value in any given Tax Year, there is no Increased Assessed Value in that year.

“Original Assessed Value” means \$170,100 (One Hundred Seventy Thousand One Hundred dollars), the taxable assessed value of the District as of March 31, 2017 (April 1, 2016).

“Project” means the planned approximately 36-unit workforce affordable housing project to be named 477 Minot Avenue Apartments comprising the District and more particularly depicted on Exhibit 1 attached hereto.

“Project Cost Account” means the project cost account described in the Development Program and established and maintained pursuant to Title 30-A M.R.S.A. § 5250-A(3)(A)(1) and Article II hereof.

“Property Taxes” means any and all *ad valorem* property taxes levied, charged or assessed against all property located in the District by the City, or on its behalf.

“State” means the State of Maine.

“DCP Project Cost Subaccount” means that portion of the Project Cost Account of the Development Program Fund for the District set aside for DCP established and maintained according to Article II hereof.

“Tax Increment Revenues” means that portion of all real property taxes assessed and paid to the City in any Tax Year, in excess of any state, or special district tax, upon the Captured Assessed Value.

“Tax Payment Date” means the later of the date(s) on which property taxes levied by the City are due and payable from owners of property located within the City, or are actually paid to the City with respect to taxable property located within the District.

“Tax Year” shall have the meaning given such term in 30-A M.R.S.A. § 5246(16), as amended, to wit: April 1 to March 31.

Section 1.2. Interpretation and Construction.

In this Agreement, unless the context otherwise requires:

- (a) The terms “hereby,” “hereof,” “hereto,” “herein,” “hereunder” and any similar terms, as used in this Agreement, refer to this Agreement, and the term “hereafter” means after, and the term “heretofore” means before, the date of delivery of this Agreement.
- (b) Words importing a particular gender mean and include correlative words of every other gender and words importing the singular number mean and include the plural number and vice versa.
- (c) Words importing persons mean and include firms, associations, partnerships (including limited partnerships), trusts, corporations and other legal entities, including public or governmental bodies, as well as any natural persons.
- (d) Any headings preceding the texts of the several Articles and Sections of this Agreement, and any table of contents or marginal notes appended to copies hereof, shall be solely for convenience of reference and shall not constitute a part of this Agreement, nor shall they affect its meaning, construction or effect.
- (e) All approvals, consents and acceptances required to be given or made by any signatory hereto shall not be withheld unreasonably.
- (f) All notices to be given hereunder shall be given in writing and, unless a certain number of days is specified, within a reasonable time.
- (g) If any clause, provision or Section of this Agreement shall be ruled invalid by any court of competent jurisdiction, the invalidity of such clause, provision or Section shall not affect any of the remaining provisions hereof.

ARTICLE II

AFFORDABLE HOUSING DEVELOPMENT PROGRAM FUND AND FUNDING REQUIREMENTS

Section 2.1. Creation of Development Program Fund.

Within sixty (60) days after the Effective Date of the Development Program, the City shall create and establish a segregated fund in the name of the City designated as the “477 Minot Avenue Municipal Affordable Housing Development and Tax Increment Financing District Program Fund” (hereinafter the “Development Program Fund”) pursuant to, and in accordance with the terms and conditions of, the Development Program and 30-A M.R.S.A. § 5250-A(3). The Development Program Fund shall consist of the DCP Project Cost Subaccount and the City Project Cost Subaccount, both of which are pledged to and charged with the payment of Project costs described in the Development Program, as provided in 30-A M.R.S.A. § 5250-A(3)(A)(1). The Development Program Fund is pledged to and charged with the payment of costs in the manner and priority provided in Section 3.1(b) below.

Section 2.2. Liens.

The City shall not create any liens, encumbrances or other interests of any nature whatsoever, nor shall it hypothecate the DCP Project Cost Subaccount described in Section 2.1 hereof or any funds therein, other than the interest in favor of DCP hereunder; provided, however, that nothing herein shall prohibit the creation of property tax liens on property in the District in accordance with and entitled to priority pursuant to Maine law.

Section 2.3. Captured Assessed Value; Deposits into Development Program Fund.

(a) Each year during the term of this Agreement, commencing with the Tax Year following the Effective Date of the Development Program or the April 1, 2018 Tax Year, whichever is later, and continuing thereafter through the April 1, 2046 Tax Year (collectively the “CEA Years”), the City shall retain in the District one hundred percent (100%) of the Increased Assessed Value as Captured Assessed Value.

(b) For each of the CEA Years, the City shall deposit into the Development Program Fund contemporaneously with each payment of Property Taxes during the term of this Agreement an amount equal to one hundred percent (100%) of that portion of the property tax payment constituting Tax Increment Revenues. The City shall allocate fifty percent (50%) of the Tax Increment Revenues so deposited in the Development Program Fund to the DCP Project Cost Subaccount and fifty percent (50%) of the Tax Increment Revenues so deposited in the Development Program Fund to the City Project Cost Subaccount.

(c) Notwithstanding anything to the contrary contained herein, the City may, in its own discretion and without the approval or knowledge of the Company, reduce the percentage of assessed value to be captured in any Tax Year for purposes of deposit into the City Project Cost Subaccount. In addition, the deposit and payment obligations of the City contained in Article II and Article III hereof are subject to the termination provisions contained in Section 6.1 hereof.

Section 2.4. Use of Monies in Development Program Fund.

All monies in the Development Program Fund that are allocable to and/or deposited in DCP Project Cost Subaccount shall in all cases be used and applied to fund fully the City's payment obligations to DCP as described in Articles II and III hereof. DCP shall be obligated to use such payments for operating costs of the Project pursuant to the Development Program and Title 30-A M.R.S.A. § 5249.

Section 2.5. Monies Held for Benefit of DCP.

All monies required to be deposited with or paid into DCP Project Cost Subaccount under the provisions hereof and the provisions of the Development Program shall be held by the City for the benefit of DCP.

ARTICLE III PAYMENT OBLIGATIONS

Section 3.1. Company Payments.

(a) The City agrees to pay DCP, within thirty (30) days following the Tax Payment Date, all amounts then on deposit in the DCP Project Cost Subaccount.

(b) Notwithstanding anything to the contrary contained herein, if, with respect to any Tax Payment Date, any portion of the property taxes assessed against real or personal property located in the District remain unpaid, because of a bona fide valuation dispute or otherwise, the City shall be under no obligation to pay DCP's share of the Tax Increment Revenues. In such circumstance, the property taxes actually paid with respect to such Tax Payment Date shall, first, be applied to taxes due on account of Original Assessed Value; and second, shall constitute payment of Property Taxes with respect to Captured Assessed Value, to be applied to payment in full of the amount to be deposited in the City Project Cost Subaccount for the year concerned.

Section 3.2. Failure to Make Payment.

In the event the City should fail to, or be unable to, make any of the payments at the time and in the amount required under the foregoing provisions of this Article III including in the event that the amount deposited into DCP Project Cost Subaccount is insufficient to reimburse DCP for the full amount due to DCP under this Agreement, the amount or installment so unpaid shall continue as a limited obligation of the City, under the terms and conditions hereinafter set forth, until the amount unpaid shall have been fully paid.

Section 3.3. Manner of Payments.

The payments provided for in this Article III shall be paid directly to DCP at the address specified in Section 8.7 hereof.

Section 3.4. Obligations Unconditional.

Subject to compliance with the terms and conditions of this Agreement, the obligations of the City to make the payments described in this Agreement in accordance with the terms hereof shall be absolute and unconditional, and the City shall not suspend or discontinue any payment hereunder or terminate this Agreement for any cause, other than pursuant to this Agreement or by court order or by reason of a final judgment by a court of competent jurisdiction that the District is invalid or otherwise illegal.

Section 3.5. Limited Obligation.

The City's obligations of payment hereunder shall be limited obligations of the City payable solely from Tax Increment Revenues pledged therefor under this Agreement. The City's obligations hereunder shall not constitute a general debt or a general obligation or charge against or pledge of the faith and credit or taxing power of the City, the State of Maine, or of any municipality or political subdivision thereof, but shall be payable solely from that portion of Tax Increment Revenues payable to DCP hereunder, whether or not actually deposited into the DCP Project Cost Subaccount in the Development Program Fund. This Agreement shall not directly, indirectly or contingently obligate the City, the State of Maine, or any other City or political subdivision to levy or to pledge any form of taxation whatever therefor or to make any appropriation for their payment, excepting the pledge of the Tax Increment Revenues established under this Agreement.

ARTICLE IV PLEDGE AND SECURITY INTEREST

Section 4.1. Pledge of and Grant of Security Interest in DCP Project Cost Subaccount.

In consideration of this Agreement and other valuable consideration and for the purpose of securing payment of the amounts provided for hereunder to DCP by the City, according to the terms and conditions contained herein, and in order to secure the performance and observance of all of the City's covenants and agreements contained herein, the City does hereby grant a security interest in and pledge DCP Project Cost Subaccount described in Section 2.1 hereof and all sums of money and other securities and investments therein to DCP.

Section 4.2. Perfection of Interest.

(a) Upon written request by DCP, the City will establish the DCP Project Cost Subaccount described in Section 2.1 hereof as a segregated fund under the control of an escrow agent, trustee or other fiduciary selected by DCP so as to perfect DCP's interest therein. The cost of establishing and monitoring such a fund (including the cost of counsel to the City with respect thereto) shall be borne exclusively by DCP. In the event such a fund is established under the control of a trustee or fiduciary, the City shall cooperate with DCP in causing appropriate financing statements and continuation statements naming DCP, or its designee, as pledgee of all such amounts from time to time on deposit in the fund to be duly filed and recorded in the

appropriate state offices as required by and permitted under the provisions of the Maine Uniform Commercial Code or other similar law as adopted in the State of Maine and any other applicable jurisdiction, as from time to time amended, in order to perfect and maintain the security interests created hereunder. The costs of setting up such a segregated fund, including any and all fees to third parties such as agents, trustees and attorneys, shall be borne by DCP.

(b) In the event DCP requires the establishment of a segregated fund in accordance with this Section 4.2, the City's responsibility shall be expressly limited to delivering the amounts required by this Agreement to the escrow agent, trustee or other fiduciary designated by DCP. The City shall have no liability for payment over of the funds concerned to DCP by any such escrow agent, trustee or other fiduciary, or for any misappropriation, investment losses or other losses in the hands of such escrow agent, trustee or other fiduciary. Notwithstanding any change in the identity of DCP's designated escrow agent, trustee or other fiduciary, the City shall have no liability for misdelivery of funds if delivered in accordance with DCP's most recent written designation or instructions actually received by the City.

Section 4.3. Further Instruments.

The City shall, upon the reasonable request of DCP, from time to time execute and deliver such further instruments and take such further action as may be reasonable and as may be required to carry out the provisions of this Agreement; provided, however, that no such instruments or actions shall pledge the credit of the City; and provided further that the cost of executing and delivering such further instruments (including the reasonable and related costs of counsel to the City with respect thereto) shall be borne exclusively by DCP.

Section 4.4. No Disposition of DCP Project Cost Subaccount.

Except as permitted hereunder, the City shall not sell, lease, pledge, assign or otherwise dispose, encumber or hypothecate any interest in DCP Project Cost Subaccount and will promptly pay or cause to be discharged or make adequate provision to discharge any lien, charge or encumbrance on any part thereof not permitted hereby.

Section 4.5. Access to Books and Records.

All books, records and documents in the possession of either of the parties to this Agreement relating to the District, the Development Program, this Agreement and the monies, revenues and receipts on deposit or required to be deposited into the DCP Project Cost Subaccount shall at all reasonable times and upon reasonable notice be open to inspection by both parties to this Agreement, and the agents and employees of the parties to this Agreement.

ARTICLE V DEFAULTS AND REMEDIES

Section 5.1. Events of Default.

Each of the following events shall constitute and be referred to in this Agreement as an "Event of Default":

(a) Any failure by the City to pay any amounts due to DCP when the same shall become due and payable;

(b) Any failure by the City to make deposits into DCP Project Cost Subaccount as and when due;

(c) Any failure by the City or DCP to observe and perform in all material respects any covenant, condition, agreement or provision contained herein on the part of the City or DCP to be observed or performed, which failure is not cured within thirty (30) days following written notice thereof; and

(d) If a decree or order of a court or agency or supervisory authority having jurisdiction in the premises of the appointment of a conservator or receiver or liquidator of, any insolvency, readjustment of debt, marshaling of assets and liabilities or similar proceedings, or for the winding up or liquidation of DCP's affairs shall have been entered against DCP or DCP shall have consented to the appointment of a conservator or receiver or liquidator in any such proceedings of or relating to DCP or of or relating to all or substantially all of its property, including without limitation the filing of a voluntary petition in bankruptcy by the DCP or the failure by DCP to have an involuntary petition in bankruptcy dismissed within a period of ninety (90) consecutive days following its filing or in the event an order for release has been entered under the Bankruptcy Code with respect to DCP

(e) If any secured lender of DCP accelerates the indebtedness owed to it;

(f) If any written representation or warranty given to the City by DCP is knowingly incorrect or incomplete in any material respect, other than statements made about or in agreements with the City that were later changed by mutual consent;

(g) If DCP fails to maintain adequate surety bonding during construction at the levels and terms as may be required from time to time by DCP's secured lenders and/or DCP allows mechanics' liens to encumber the Project for a period of more than sixty (60) days.

(h) any discontinuance of the District property as "affordable housing," pursuant to the definition contained in Title 30-A M.R.S.A. Section 5246.

Section 5.2. Remedies on Default.

Subject to the provisions contained in Section 8.13, whenever any Event of Default described in Section 5.1 hereof shall have occurred and be continuing, the nondefaulting party, following the expiration of any applicable cure period, shall have all rights and remedies available to it at law or in equity, including the rights and remedies available to a secured party under the laws of the State of Maine, and may take whatever action as may be necessary or desirable to collect the amount then due and thereafter to become due, to specifically enforce the performance or observance of any obligations, agreements or covenants of the nondefaulting party under this Agreement and any documents, instruments and agreements contemplated hereby or to enforce any rights or remedies available hereunder. Further, the non-defaulting party may elect to terminate this Agreement upon 30 days' written notice to the defaulting party.

Section 5.3. Remedies Cumulative.

Subject to the provisions of Section 8.13 below concerning dispute resolution, no remedy herein conferred upon or reserved to any party is intended to be exclusive of any other available remedy or remedies but each and every such remedy shall be cumulative and shall be in addition to every other remedy given under this Agreement or now or hereafter existing at law, in equity or by statute. Delay or omission to exercise any right or power accruing upon any Events of Default to insist upon the strict performance of any of the covenants and agreements herein set forth or to exercise any rights or remedies upon the occurrence of an Event of Default shall not impair any such right or power or be considered or taken as a waiver or relinquishment for the future of the right to insist upon and to enforce, from time to time and as often as may be deemed expedient, by injunction or other appropriate legal or equitable remedy, strict compliance by the parties hereto with all of the covenants and conditions hereof, or of the rights to exercise any such rights or remedies, if such Events of Default be continued or repeated.

ARTICLE VI EFFECTIVE DATE, TERM AND TERMINATION

Section 6.1. Effective Date and Term.

Notwithstanding any other provision of this Agreement, this Agreement is conditioned upon receipt of the Director's unconditional approval of the City's designation of the District and adoption of the Development Program. Following execution and delivery of this Agreement, the Agreement shall not be or become binding and enforceable until receipt of such unconditional approval. Upon receipt of such approval, this Agreement shall remain in full force from the Effective Date of the Development Program and shall expire March 31, 2047 or sooner upon the payment of all amounts due to DCP hereunder and the performance of all obligations on the part of the City hereunder, unless even sooner terminated pursuant to Section 3.4 or any other applicable provision of this Agreement.

The City may terminate this Agreement by delivering written notice of such termination to DCP in the event that DCP does not receive a certificate of occupancy for the project by June 30, 2021.

Section 6.2. Cancellation and Expiration of Term.

At the acceleration, termination or other expiration of this Agreement in accordance with the provisions of this Agreement, the City and DCP shall each execute and deliver such documents and take or cause to be taken such actions as may be necessary to evidence the termination of this Agreement.

ARTICLE VII ASSIGNMENT AND PLEDGE OF DCP'S INTEREST

Section 7.1. Consent to Pledge, Collateral Assignment Or Grant of a Security Interest.

The City hereby acknowledges that DCP may pledge, assign and grant a security interest in its right, title and interest in, to and under this Agreement as collateral for financing by a bank, financial institution or the Maine State Housing Authority to DCP for the Project, although no obligation is hereby imposed on DCP to make such assignment or pledge. Recognizing this possibility, the City does hereby consent and agree to the pledge and assignment of and the grant of a security interest in all DCP's right, title and interest in, to and under this Agreement and in, and to the payments to be made to DCP hereunder, to third parties as collateral or security for indebtedness or otherwise, on one or more occasions during the term hereof. The City agrees upon request to execute and deliver any assignments, pledge agreements, consents or other confirmations required by the prospective pledgee or assignee or secured party, including without limitation recognition of the pledgee or assignee or secured party as the holder of all right, title and interest herein and as the payee of amounts due and payable hereunder and any and all such other documentation as shall confirm to such pledgee or assignee or secured party the position of such assignee or pledgee or secured party and the irrevocable and binding nature of this Agreement, and provide to the pledgee or assignee such rights and/or remedies as the parties may reasonably deem necessary for establishing, perfection and protection of its interest herein. DCP shall be responsible for the City's necessary and reasonable costs of counsel with respect to any such pledge or assignment.

Section 7.2. Transfer.

Except as specified in Section 7.1 hereof, DCP shall not transfer or assign any portion of its rights in, to and under this Agreement without the prior written consent of the City, which consent shall not be unreasonably withheld, conditioned or delayed.

ARTICLE VIII MISCELLANEOUS

Section 8.1. Successors.

In the event of the dissolution, merger or consolidation of the City or DCP, the covenants, stipulations, promises and agreements set forth herein, by or on behalf of or for the benefit of such party shall bind or inure to the benefit of the successors and assigns thereof from time to time and any entity, officer, board, commission, agency or instrumentality to whom or to which any power or duty of such party shall be transferred. Notwithstanding this Section 8.1, unless the City affirmatively approves such corporate action, the City shall have the unilateral right to terminate this Agreement upon the dissolution, merger or consolidation of DCP, and if it exercises such right shall not be obligated to comply with this Agreement thereafter.

Section 8.2. Parties-in-Interest.

Except as herein otherwise specifically provided, nothing in this Agreement expressed or implied is intended or shall be construed to confer upon any person, firm or corporation other than the City and DCP any right, remedy or claim under or by reason of this Agreement, it being intended that this Agreement shall be for the sole and exclusive benefit of the City and DCP.

Section 8.3. Severability.

In case any one or more of the provisions of this Agreement shall, for any reason, be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this Agreement and this Agreement shall be construed and enforced as if such illegal or invalid provision had not been contained herein.

Section 8.4. No Personal Liability of Officials of the City.

(a) No covenant, stipulation, obligation or agreement of the City contained herein shall be deemed to be a covenant, stipulation or obligation of any present or future elected or appointed official, officer, agent, servant or employee of the City in his or her individual capacity, and neither the City Council nor any official, officer, employee or agent of the City shall be liable personally with respect to this Agreement or be subject to any personal liability or accountability by reason hereof.

(b) No covenant, stipulation, obligation or agreement of DCP contained herein shall be deemed to be a covenant, stipulation or obligation of any present or future officer, agent, servant or employee of DCP in his or her individual capacity, and no official, officer, employee or agent of DCP shall be liable personally with respect to this Agreement or be subject to any personal liability or accountability by reason hereof.

Section 8.5. Counterparts.

This Agreement may be executed in any number of counterparts, each of which, when so executed and delivered, shall be an original, but such counterparts shall together constitute but one and the same Agreement.

Section 8.6. Governing Law.

The laws of the State of Maine shall govern the construction and enforcement of this Agreement.

Section 8.7. Notices.

All notices, certificates, requests, requisitions or other communications by the City or DCP pursuant to this Agreement shall be in writing and shall be sufficiently given and shall be deemed given when mailed by first class mail, postage prepaid, addressed as follows:

If to the City:

City of Auburn
60 Court Street
Auburn, ME 04210
Attn. City Manager

With a copy to:

Bernstein Shur
100 Middle Street
P.O. Box 9729
Portland, Maine 04104-5029
Attn: Shana Mueller, Esq.

If to DCP:

Developers Collaborative Predevelopment LLC
100 Commercial Street, Suite 414
Portland, Maine 04101

With a copy to:

Maurice A. Selinger, III, Esq.
Curtis Thaxter LLC
P.O. Box 7320
Portland, Maine 04112

Either of the parties may, by notice given to the other, designate any further or different addresses to which subsequent notices, certificates, requests or other communications shall be sent hereunder.

Section 8.8. Amendments.

This Agreement may be amended only with the concurring written consent of both of the parties hereto.

Section 8.9. Records.

The City shall maintain records which are adequate in all respects to make the calculation of Increased Assessed Value and Tax Increment Revenues required to calculate the deposits into the Development Program Fund hereunder, and shall provide to DCP, upon request by DCP, a summary of such calculations.

Section 8.10. Reserved.

Section 8.11. Integration.

This Agreement completely and fully supersedes all other prior or contemporaneous understandings or agreements, both written and oral, between the City and DCP relating to the specific subject matter of this Agreement and the transactions contemplated hereby.

Section 8.12. Reserved.***Section 8.13. Dispute Resolution.***

In the event of a dispute regarding this Agreement or the transactions contemplated by it, the parties hereto will use all reasonable efforts to resolve the dispute on an amicable basis. If the dispute is not resolved on that basis within sixty (60) days after one party first brings the dispute to the attention of the other party, then either party may refer the dispute for resolution by one arbitrator mutually agreed to by the parties, and judgment on the award rendered by the arbitrator may be entered in any Maine state court having jurisdiction. Any such arbitration will take place in Auburn, Maine or such other location as mutually agreed by the parties. The parties acknowledge that arbitration shall be the sole mechanism for dispute resolution under this Agreement. Provided however, that in the event the parties are unable to agree, within a reasonable period, on the selection of an arbitrator, either party may file suit to resolve the dispute in any court having jurisdiction within the State of Maine. This arbitration clause shall not bar the City's assessment or collection of property taxes in accord with law, including by judicial proceedings, including tax lien thereof.

Section 8.14. Tax Laws and Valuation Agreement.

The parties acknowledge that all laws of the State now in effect or hereafter enacted with respect to taxation of property shall be applicable and that the City, by entering into this Agreement, is not excusing any non-payment of taxes by DCP. Without limiting the foregoing, the City and DCP shall always be entitled to exercise all rights and remedies regarding assessment, collection and payment of taxes assessed on DCP's property. In addition, the Development Program makes certain assumptions and estimates regarding valuation, depreciation of assets, tax rates and estimated costs. The City and DCP hereby covenant and agree that the assumptions, estimates, analysis and results set forth in the Development Program shall in no way (a) prejudice the rights of any party or be used, in any way, by any party in either presenting evidence or making argument in any dispute which may arise in connection with valuation of or abatement proceedings relating to DCP's property for purposes of ad valorem property taxation or (b) vary the terms of this Agreement even if the actual results differ substantially from the estimates, assumptions or analysis.

IN WITNESS WHEREOF, the City and DCP have caused this Agreement to be executed in their respective corporate names and their respective corporate seals to be hereunto affixed and attested by the duly authorized officers, all as of the date first above written.

WITNESS:

CITY OF AUBURN

By: _____

Name:

Its City Manager, Duly Authorized by the City
Council at its meeting on June 19, 2017

WITNESS:

DEVELOPERS COLLABORATIVE
PREDEVELOPMENT LLC

By: _____

Name: Kevin Bunker, its Manager

EXHIBIT 1

Copy of District Map

DRAFT

James Pross, Ward One
Robert Stone, Ward Two
Andy Titus, Ward Three
Adam R. Lee, Ward Four



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

Jonathan P. LaBonté, Mayor

IN CITY COUNCIL

ORDER 53-06192017

WHEREAS, there is a need for economic development and for the development of affordable, livable housing in the City of Auburn (the "City"), in the surrounding region, and in the State of Maine; and

WHEREAS, implementation of the development program for the new affordable housing municipal development and tax increment financing district will help improve and broaden the tax base in the City and improve the economy in the City and the region by attracting business development and creating affordable housing in the area of these districts; and

WHEREAS, pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, the City desires to designate a new affordable housing municipal development and tax increment financing district entitled the ***Minot Avenue Affordable Housing Municipal Development and Tax Increment Financing District*** (the "Minot Avenue District") and adopt a development program for the Minot Avenue District; and

WHEREAS, it is expected that approval will be obtained from the Maine State Housing Authority approving the designation of the ***Minot Avenue Affordable Housing Municipal Development and Tax Increment Financing District Development Program***; and

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

Section 1 Pursuant to Chapter 206, Subchapter 3 of Title 30-A of the Maine Revised Statutes, as amended, the City hereby designates the ***Minot Avenue Affordable Housing Municipal Development and Tax Increment Financing District*** and hereby adopts the Minot Avenue District development program described as more particularly set forth in the documents presented to the City Council in conjunction with this Order.

Section 2 Pursuant to the provisions of 30-A M.R.S.A. § 5250-A, the percentage of captured assessed value to be retained in the Minot Avenue District is hereby established as set forth in the Minot Avenue District development program.

Section 3 The City Manager be, and hereby is, authorized, empowered and directed to submit the proposed designation of the Minot Avenue District and the proposed development program for the Minot Avenue District to the Maine State Housing Authority for review and approval pursuant to the requirements of 30-A M.R.S.A. Chapter 206, Subchapter 3; and further is authorized to execute a Credit Enhancement Agreement consistent with the provisions of the Minot Avenue District development program as presented and approved herein, and to create the accounts and take all the actions described in such agreements.

James Pross, Ward One
Robert Stone, Ward Two
Andy Titus, Ward Three
Adam R. Lee, Ward Four



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

Jonathan P. LaBonté, Mayor

Section 4 The City Manager be and hereby is authorized and empowered at his direction from time to time to make such revisions to the Minot Avenue District development program for the Minot Avenue District as he deems reasonably necessary or convenient in order to facilitate the process of review and approval of the Minot Avenue District by the Maine State Housing Authority, or for any other reason, so long as such provisions are not inconsistent with these resolutions or the basic structure and intent of the Minot Avenue District development program. The City Manager is also hereby authorized and directed to submit any reports to the Maine State Housing Authority regarding the Minot Avenue District and development program throughout the term of the District.

Section 5 The foregoing designation of the Minot Avenue District and the adoption of the development program for the Minot Avenue District shall automatically become final and shall take full force and effect upon receipt by the City of approval of the proposed Minot Avenue District by the Maine State Housing Authority without requirements of further action by the City, City Council or any other party.

Section 6 The City hereby finds and determines that:

- a. At least twenty-five percent (25%), by area, of the real property within the Minot Avenue District, as hereinafter designated, is suitable for residential use, blighted area, or is in need of rehabilitation or redevelopment; and
- b. The total area of the Minot Avenue District does not exceed two percent (2%) of the total acreage of the City, and the total area of all development districts within the City does not exceed five percent (5%) of the total acreage of the City; and
- c. The original assessed value of the Minot Avenue District plus the original assessed value of all existing affordable housing development districts within the City does not exceed five percent (5%) of the total value of taxable property in the City.
- d. The Minot Avenue District and pursuit of the Minot Avenue District development program will contribute to the expansion of affordable housing opportunities within the municipality or to the betterment of the health, welfare or safety of the inhabitants of the City. The City has considered all evidence, if any, presented to it with regard to any substantial detriment to another party's existing property interests in the City and has found and determined that such interested party's property interests in the City are outweighed by the contribution made by the Minot Avenue District or its development program to the availability of affordable housing within the City or to the betterment of the health, welfare or safety of the inhabitants of the City.



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: 6-5-2017

Order: 54-06192017

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

Subject: Creative Crosswalk Policy

Information: The Complete Streets Committee has recommended that the City adopt a policy regarding creative crosswalks. Creative crosswalks are used in downtown environments to create a unique sense of place, to express some local personality or highlight a local interest. Creating a unique sense of place for a given location is a component of revitalizing many successful downtowns. Creative crosswalks are unique and do not meet standard engineering designs which is the root of common opposition or reluctance to implement them. Many communities across the country have successfully installed creative crosswalks and they have been safely used. The proposed policy appears to be thoughtfully crafted and limits creative crosswalks to local streets which typically have less traffic and less risk for trying something unconventional. The policy also sets design standards that allow for creativity but still require standard elements to limit risk (see attached complete Streets Excerpt for High Visibility Crosswalks). If used on local streets they can still be visible from a higher traffic route and still help expose the sense of unique place that they intend to promote.

As noted in the policy, the review process includes consideration for increased maintenance costs to be paid for by the applicant or the crosswalks would be restriped conventionally the following year. The current Neighborhood Challenge Grant program could be used for infrastructure projects like this. Alternatively, if the Council wanted to fund a limited pilot for creative crosswalks, maintaining a reasonable creative crosswalk could be in the range of \$1,000 to \$3000 per year as opposed to a few hundred dollars for restriping a traditional crosswalk.

Advantages: Helps create a unique sense of place and allows citizens to express themselves.

Disadvantages: Potential Costs and limited risk of doing something that is not included in standard engineering design manuals.

City Budgetary Impacts: None, unless the Council chooses to fund a limited pilot project.

Staff Recommended Action: Discuss the policy and instruct staff to edit or schedule for adoption.

Previous Meetings and History: August 15, 2016 Mayors Report and Open Session Comments, Complete Streets Committee, Council workshop discussion on 6/5/2017.

Attachments: Draft Creative Crosswalk Guidelines (5/10/2017), Creative Crosswalk Memo from the Mayor (August 2016), Excerpt from Complete Streets BMPs: High Visibility Crosswalks, Images of creative crosswalks in other places.

Creative Crosswalk Guidelines

5/10/2017

Purpose and Goal

The Cities of Auburn and Lewiston support locally driven efforts to add beauty and creativity to our community. One of the ways to achieve this goal is through a process of thoughtfully located and appropriately designed creative crosswalks. The goal of this policy is to work with the community to install safe, cost effective and low maintenance creative crosswalks to enhance and enliven existing crosswalks.

Application Procedure and Guidelines

1. Requests for a creative crosswalk shall be considered on a case-by-case basis.
Creative crosswalks must conform to the following criteria:
 - Crosswalk location must be across a local street
 - Crosswalk must be controlled by a stop sign, traffic signal, or pedestrian signal
 - Crosswalk design must be applied with a stencil that can be held by the city
 - Crosswalk design should conform to high-visibility crosswalk guidelines provided in *Complete Streets: A Guide to Best Management and Design Practice*
 - Paint materials must meet appropriate standards for durability and slip-resistance
 - Crosswalk installation shall be paid for by the applicant
 - City will determine level of annual maintenance required to preserve the crosswalk
 - Crosswalks that require special maintenance costs will be covered by applicant
 - Crosswalks will return to standard design in the absence of funding for special maintenance
2. A written request for the creation of a creative crosswalk shall be submitted to the city's Community and Economic Development Department. The request should specify:
 - Applicant's Name, Contact Information, Organization Affiliation
 - Location for proposed crosswalk
 - Design for proposed crosswalk
 - Resources to implement the project, including design, production of stencil, and funding for materials and labor to create and maintain it
3. Economic and Community Development staff will share the proposal with the appropriate staff and committees, including the city engineer.
4. The city engineer shall review the proposal and respond to the applicant regarding the details of the request, including the projected cost to create and maintain crosswalk.
5. Upon the engineer's conclusion that the proposal meets the approved criteria for a creative high visibility crosswalk, the project may be implemented.
6. Proposals may be forwarded to the ***Complete Streets Committee** for input as needed.

*Pending the final creation and appointment of the Complete Streets Committee, the LA Bicycle Pedestrian Committee will perform this role.

James Pross, Ward One
Robert Stone, Ward Two
Andy Titus, Ward Three
Adam R. Lee, Ward Four



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 54-06192017

ORDERED, that the City Council hereby adopts the Creative Crosswalk Guidelines as presented at the June 5, 2017 City Council workshop.



**City of Auburn
City Council Information Sheet**

Council Meeting Date: June 5th, 2017

Order: 55-06192017

Author: Michael Chammings, Director of Economic and Community Development

Subject: Funding of the New Auburn Village Improvement

The current year's purchased services account budgeted for a workforce development program out of TIF funds. This program was not implemented (partially due to a roadblock at the State and staff turnover).

These funds could be transferred into the New Auburn Village Improvement account.

Advantages: This would expedite the completion of the New Auburn Village Improvement project.

Disadvantages: None known

City Budgetary Impacts: None, TIF funds are dedicated to specific programs and projects; the New Auburn Village Improvement is a TIF approved project.

Staff Recommended Action: Transfer the current years TIF funded Workforce Development funds into the New Auburn Village Improvement account.

Previous Meetings and History: Council workshop on 6/5/2017

Attachments:

Memo dated 6/5/2017

Order 55-06192017



City of Auburn, Maine

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

To: Mayor LaBonte and Auburn City Council Members

From: Doug Greene, AICP, RLA Urban Development Specialist

Date: June 5, 2017

RE: Funding of the New Auburn Village Improvements

The Staff would like to report on the New Auburn Village Center Plan broken down into annual construction activity and budgets and evaluate the potential impacts of re-allocating Workforce Development Funding to further the progress of the New Auburn Village Center project.

2017 (Phase 1) Construction -

- Acquisition and demolition of Broad St. property
- Construction of the initial 250' of the Riverway Road
- Construction a 40 space public parking lot including necessary utilities and infrastructure
- Construction of 10 parking lot for 15 Broad St. as per 2013 Land Swap agreement between owners and the City

2017 (Phase 1) Budget -

- Phase 1 has a budget of \$544,800
- Northern Borders Regional Commission Grant award of \$246,186
- Local match commitment of \$250,000
- \$150,000 Comp Plan Implementation FY 16-17
- \$25,000 carry over from FY 15-16 New Auburn project budget
- Phase 1 budget has a **shortfall of \$123,614**

2018 (Phase 2) Construction - Phase 2 currently is programmed to do the following:

- The acquisition of 1 key property in Greenway area
- Basic grading and filling of the Greenway trail area
- Partial grading and filling of the Riverway Road
- All utilities installed during grading and filling work
- Construction of the "Spine Trail" in the Greenway

2018 (Phase 2) Budget -

- The current Phase 2 budget is \$595,915
- FY 18 funding request of \$600,000 (\$300,000 in bonding and \$300,000 in TIF)
- Possible Northern Borders Regional Commission grant of \$250,000
- Grant award would increase available budget to \$850,000

2019 (Phase 3) Construction -

- Completed Greenway with accessory trails, handicapped water access, event plazas, landscaping, lighting, site amenities, a small amphitheater, playground and bell towers.
- Completed Riverway Road with curbing, storm drainage, all infrastructure completed
- New first floor commercial and upper floor space will be available for development

2019 (Phase 3) Budget-

- The Phase 3 budget is \$1,845,280.
- The FY 19 CIP request is \$1,845,280.

Project Funding Needs met using Workforce Development funds-

- Re-allocation of Workforce Development funds of \$450,000 would remove the \$123,614 shortfall and leave \$326,386 remaining
- If Northern Border Grant is successful, the local match of \$250,000 leaves \$76,386 remaining
- The additional funding above the current Phase 2 budget of \$600,000 could be used for additional greenway work in 2018

C: File

James Pross, Ward One
Robert Stone, Ward Two
Andy Titus, Ward Three
Adam R. Lee, Ward Four



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 55-06192017

ORDERED, that the City Council hereby authorizes the Finance Director to transfer \$450,000 from the TIF Workforce Development account into the New Auburn Village Improvement account.

City of Auburn, Maine

"Maine's City of Opportunity"

Financial Services



TO: Peter Crichton, City Manager

FROM: Jill Eastman, Finance Director

REF: May 2017 Financial Report

DATE: June 14, 2017

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

Revenues collected through May 31st, including the school department were \$71,495,334, or 88.78%, of the budget. The municipal revenues including property taxes were \$52,609,905, or 91.6% of the budget which is less than the same period last year by 3.93%. The accounts listed below are noteworthy.

- A. The current year tax revenue is at 94.27% as compared to 96.94% last year. The 30 day notice of liens were sent out in June this year instead of May as we did last year. Tax liens will be filed in the beginning of July on any properties that have unpaid taxes.
- B. Excise tax for the month of May is at 107.4%. This is a \$128,033 increase from FY 16. Our excise revenues for FY17 are 15.7% above projections as of May 31, 2016. As of May 31st we are \$248,976 over the anticipated revenue for the year of \$3,365,000.
- C. State Revenue Sharing for the month of May is 87.14% or \$1,279,435.

Expenditures

City expenditures through May 2015 were \$36,242,520 or 91.09%, of the budget. This is 0.74% lower than last year at this time.

Noteworthy variances are:

- A. There are three departmental accounts that are over budget at the end of May. These are Legal Services, Health and Social Services and Water and Sewer(hydrants). I have mentioned these accounts previously as they have been trending this way for a few months. The other operational departments are where they should be at this time.

Investments

This section contains an investment schedule as of May 31st. Currently the City's funds are earning an average interest rate of .72%.

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 2017, April 2017, and June 2016

	UNAUDITED May 31 2017	UNAUDITED April 30 2017	Increase (Decrease)	AUDITED JUNE 30 2016
ASSETS				
CASH	\$ 21,417,398	\$ 22,849,902	\$ (1,432,503)	\$ 10,809,594
RECEIVABLES			-	
ACCOUNTS RECEIVABLES	2,016,731	2,043,423	(26,692)	2,561,677
TAXES RECEIVABLE-CURRENT	1,224,826	2,009,885	(785,059)	1,015,068
DELINQUENT TAXES	622,456	624,012	(1,556)	613,248
TAX LIENS	603,553	638,523	(34,971)	473,362
NET DUE TO/FROM OTHER FUNDS	1,125,579	568,939	556,640	2,298,596
TOTAL ASSETS	\$ 27,010,543	\$ 28,734,684	\$ (1,724,141)	\$ 17,771,545
LIABILITIES & FUND BALANCES				
ACCOUNTS PAYABLE	\$ (20,062)	\$ (99,757)	\$ 79,696	\$ (643,393)
PAYROLL LIABILITIES	(67,342)	(384,750)	317,408	-
ACCRUED PAYROLL	-	-	-	(3,934,340)
STATE FEES PAYABLE	(70,821)	(64,659)	(6,162)	-
ESCROWED AMOUNTS	(8,283)	(7,292)	(990)	(12,981)
DEFERRED REVENUE	(2,362,611)	(3,182,974)	820,363	(1,970,197)
TOTAL LIABILITIES	\$ (2,529,119)	\$ (3,739,433)	\$ 1,210,315	\$ (6,560,911)
FUND BALANCE - Unassigned	\$ (22,614,455)	\$ (23,128,281)	\$ 513,826	\$ (6,158,083)
FUND BALANCE - Assigned	\$ (783,311)	\$ (783,311)	\$ -	\$ (2,084,993)
FUND BALANCE - Nonspendable-long term receivables				\$ (1,341,590)
FUND BALANCE - Restricted	(1,083,659)	(1,083,659)	-	(1,625,968)
TOTAL FUND BALANCE	\$ (24,481,424)	\$ (24,995,250)	\$ 513,826	\$ (11,210,634)
TOTAL LIABILITIES AND FUND BALANCE	\$ (27,010,543)	\$ (28,734,684)	\$ 1,724,141	\$ (17,771,545)

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

REVENUE SOURCE	FY 2017 BUDGET	ACTUAL REVENUES THRU MAY 2017	% OF BUDGET	FY 2016 BUDGET	ACTUAL REVENUES THRU MAY 2016	% OF BUDGET	VARIANCE
TAXES							
PROPERTY TAX REVENUE-	\$ 46,032,435	\$ 43,395,238	94.27%	\$ 44,021,283	\$ 42,673,420	96.94%	\$ 721,818
PRIOR YEAR TAX REVENUE	\$ -	\$ 836,708		\$ -	\$ 980,327		\$ (143,619)
HOMESTEAD EXEMPTION REIMBURSEMENT	\$ 750,000	\$ 569,088	75.88%	\$ 505,000	\$ 258,527	51.19%	\$ 310,561
ALLOWANCE FOR ABATEMENT	\$ -	\$ -		\$ -	\$ -		\$ -
ALLOWANCE FOR UNCOLLECTIBLE TAXES	\$ -	\$ -		\$ -	\$ -		\$ -
EXCISE	\$ 3,365,000	\$ 3,613,976	107.40%	\$ 3,350,000	\$ 3,485,943	104.06%	\$ 128,033
PENALTIES & INTEREST	\$ 150,000	\$ 139,031	92.69%	\$ 150,000	\$ 119,809	79.87%	\$ 19,222
TOTAL TAXES	\$ 50,297,435	\$ 48,554,040	96.53%	\$ 48,026,283	\$ 47,518,026	98.94%	\$ 1,036,014
LICENSES AND PERMITS							
BUSINESS	\$ 48,000	\$ 61,729	128.60%	\$ 48,300	\$ 64,601	133.75%	\$ (2,872)
NON-BUSINESS	\$ 427,384	\$ 424,693	99.37%	\$ 356,800	\$ 310,194	86.94%	\$ 114,499
TOTAL LICENSES	\$ 475,384	\$ 486,422	102.32%	\$ 405,100	\$ 374,795	92.52%	\$ 111,627
INTERGOVERNMENTAL ASSISTANCE							
STATE-LOCAL ROAD ASSISTANCE	\$ 400,000	\$ 399,292	99.82%	\$ 440,000	\$ 401,596	91.27%	\$ (2,304)
STATE REVENUE SHARING	\$ 1,468,313	\$ 1,279,435	87.14%	\$ 1,477,641	\$ 1,352,815	91.55%	\$ (73,380)
WELFARE REIMBURSEMENT	\$ 59,000	\$ 57,100	96.78%	\$ 70,000	\$ 41,638	59.48%	\$ 15,462
OTHER STATE AID	\$ 22,000	\$ 2,681	12.19%	\$ 22,000	\$ 3,555	16.16%	\$ (874)
CITY OF LEWISTON	\$ 160,000	\$ -	0.00%	\$ 155,000	\$ 5,040	3.25%	\$ (5,040)
TOTAL INTERGOVERNMENTAL ASSISTANCE	\$ 2,109,313	\$ 1,738,508	82.42%	\$ 2,164,641	\$ 1,804,644	83.37%	\$ (66,136)
CHARGE FOR SERVICES							
GENERAL GOVERNMENT	\$ 132,640	\$ 123,703	93.26%	\$ 133,040	\$ 119,506	89.83%	\$ 4,197
PUBLIC SAFETY	\$ 139,077	\$ 104,833	75.38%	\$ 239,138	\$ 91,451	38.24%	\$ 13,382
EMS TRANSPORT	\$ 1,250,000	\$ 952,614	76.21%	\$ 1,250,000	\$ 938,187	75.05%	\$ 14,427
TOTAL CHARGE FOR SERVICES	\$ 1,521,717	\$ 1,181,150	77.62%	\$ 1,622,178	\$ 1,149,144	70.84%	\$ 32,006
FINES							
PARKING TICKETS & MISC FINES	\$ 65,000	\$ 52,747	81.15%	\$ 60,000	\$ 60,257	100.43%	\$ (7,510)
MISCELLANEOUS							
INVESTMENT INCOME	\$ 10,000	\$ 52,034	520.34%	\$ 5,000	\$ 45,100	902.00%	\$ 6,934
INTEREST-BOND PROCEEDS	\$ -	\$ -		\$ 2,000	\$ -	0.00%	\$ -
RENTS	\$ 18,000	\$ 30,262	168.12%	\$ 18,000	\$ 164,260	912.56%	\$ (133,998)
UNCLASSIFIED	\$ 10,000	\$ 14,413	144.13%	\$ 20,000	\$ 39,827	199.14%	\$ (25,414)
COMMERCIAL SOLID WASTE FEES	\$ -	\$ 45,090		\$ -	\$ 45,190		\$ (100)
SALE OF PROPERTY	\$ 20,000	\$ 11,344	56.72%	\$ 20,000	\$ 503,063	2515.32%	\$ (491,719)
RECREATION PROGRAMS/ARENA	\$ -	\$ -		\$ -	\$ -		\$ -
MMWAC HOST FEES	\$ 210,000	\$ 302,278	143.94%	\$ 210,000	\$ 193,100	91.95%	\$ 109,178
TRANSFER IN: TIF	\$ 1,537,818	\$ -	0.00%	\$ 545,000	\$ 545,000	100.00%	\$ (545,000)
TRANSFER IN: POLICE	\$ -	\$ -		\$ 45,000	\$ -	0.00%	\$ -
TRANSFER IN: REC SPEC REVENUE	\$ 54,718	\$ -	0.00%	\$ 42,718	\$ -	0.00%	\$ -
TRANSFER IN: SPECIAL REVENUE	\$ -	\$ -		\$ -	\$ -		\$ -
ENERGY EFFICIENCY	\$ -	\$ 1,625		\$ -	\$ 3,600		\$ (1,975)
CDBG	\$ 254,127	\$ 127,598	50.21%	\$ 58,000	\$ 18,524	31.94%	\$ 109,074
UTILITY REIMBURSEMENT	\$ 27,500	\$ 12,394	45.07%	\$ 37,500	\$ 12,925	34.47%	\$ (531)
CITY FUND BALANCE CONTRIBUTION	\$ 825,000	\$ -	0.00%	\$ 1,650,000	\$ -	0.00%	\$ -
TOTAL MISCELLANEOUS	\$ 2,967,163	\$ 597,038	20.12%	\$ 2,653,218	\$ 1,570,589	59.20%	\$ (973,551)
TOTAL GENERAL FUND REVENUES	\$ 57,436,012	\$ 52,609,905	91.60%	\$ 54,931,420	\$ 52,477,455	95.53%	\$ 132,450
SCHOOL REVENUES							
EDUCATION SUBSIDY	\$ 21,373,337	\$ 18,273,152	85.50%	\$ 20,854,672	\$ 18,076,266	86.68%	\$ 196,886
EDUCATION	\$ 814,540	\$ 612,277	75.17%	\$ 856,607	\$ 596,223	69.60%	\$ 16,054
SCHOOL FUND BALANCE CONTRIBUTION	\$ 906,882	\$ -	0.00%	\$ 906,882	\$ -	0.00%	\$ -
TOTAL SCHOOL	\$ 23,094,759	\$ 18,885,429	81.77%	\$ 22,618,161	\$ 18,672,489	82.56%	\$ 212,940
GRAND TOTAL REVENUES	\$ 80,530,771	\$ 71,495,334	88.78%	\$ 77,549,581	\$ 71,149,944	91.75%	\$ 345,390

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

DEPARTMENT	FY 2017 BUDGET	Unaudited EXP THRU MAY 2017	% OF BUDGET	FY 2016 BUDGET	Unaudited EXP THRU MAY 2016	% OF BUDGET	VARIANCE
ADMINISTRATION							
MAYOR AND COUNCIL	\$ 78,464	\$ 71,011	90.50%	\$ 77,366	\$ 73,978	95.62%	\$ (2,967)
CITY MANAGER	\$ 378,880	\$ 210,850	55.65%	\$ 269,340	\$ 256,993	95.42%	\$ (46,143)
CITY CLERK	\$ 177,906	\$ 157,939	88.78%	\$ 165,053	\$ 150,580	91.23%	\$ 7,359
FINANCIAL SERVICES	\$ 637,754	\$ 568,847	89.20%	\$ 619,855	\$ 562,187	90.70%	\$ 6,660
HUMAN RESOURCES	\$ 150,435	\$ 80,042	53.21%	\$ 143,526	\$ 131,996	91.97%	\$ (51,954)
INFORMATION TECHNOLOGY	\$ 479,324	\$ 468,962	97.84%	\$ 390,190	\$ 361,067	92.54%	\$ 107,895
LEGAL SERVICES	\$ 45,650	\$ 110,453	241.96%	\$ 65,000	\$ 95,967	147.64%	\$ 14,486
TOTAL ADMINISTRATION	\$ 1,948,413	\$ 1,668,104	85.61%	\$ 1,730,330	\$ 1,632,768	94.36%	\$ 35,336
COMMUNITY SERVICES							
ECONOMIC & COMMUNITY DEVELOPMENT	\$ 1,938,437	\$ 1,152,993	59.48%	\$ 1,267,711	\$ 1,148,135	90.57%	\$ 4,858
HEALTH & SOCIAL SERVICES	\$ 171,474	\$ 215,779	125.84%	\$ 184,711	\$ 135,914	73.58%	\$ 79,865
RECREATION & SPECIAL EVENTS*	\$ 341,772	\$ 261,884	76.63%	\$ 338,871	\$ 264,380	78.02%	\$ (2,496)
PUBLIC LIBRARY	\$ 979,516	\$ 888,356	90.69%	\$ 979,516	\$ 880,015	89.84%	\$ 8,341
TOTAL COMMUNITY SERVICES	\$ 3,431,199	\$ 2,519,012	73.41%	\$ 2,770,809	\$ 2,428,444	87.64%	\$ 90,568
FISCAL SERVICES							
DEBT SERVICE	\$ 6,406,845	\$ 6,340,680	98.97%	\$ 6,324,864	\$ 6,247,014	98.77%	\$ 93,666
FACILITIES	\$ 645,756	\$ 565,163	87.52%	\$ 653,080	\$ 559,026	85.60%	\$ 6,137
WORKERS COMPENSATION	\$ 522,088	\$ 522,088	100.00%	\$ 496,536	\$ 496,536	100.00%	\$ 25,552
WAGES & BENEFITS	\$ 5,274,528	\$ 4,735,376	89.78%	\$ 5,171,309	\$ 4,524,519	87.49%	\$ 210,857
EMERGENCY RESERVE (10108062-670000)	\$ 375,289	\$ -	0.00%	\$ 375,289	\$ -	0.00%	\$ -
TOTAL FISCAL SERVICES	\$ 13,224,506	\$ 12,163,307	91.98%	\$ 13,021,078	\$ 11,827,095	90.83%	\$ 336,212
PUBLIC SAFETY							
FIRE DEPARTMENT	\$ 4,049,396	\$ 3,861,304	95.36%	\$ 4,099,634	\$ 3,975,024	96.96%	\$ (113,720)
FIRE EMS	\$ 590,997	\$ 393,028	66.50%	\$ 549,801	\$ 333,197	60.60%	\$ 59,831
POLICE DEPARTMENT	\$ 3,875,113	\$ 3,428,533	88.48%	\$ 3,870,995	\$ 3,424,589	88.47%	\$ 3,944
TOTAL PUBLIC SAFETY	\$ 8,515,506	\$ 7,682,865	90.22%	\$ 8,520,430	\$ 7,732,810	90.76%	\$ (49,945)
PUBLIC WORKS							
PUBLIC SERVICES DEPARTMENT	\$ 4,496,349	\$ 3,994,105	88.83%	\$ 4,525,898	\$ 3,812,847	84.25%	\$ 181,258
SOLID WASTE DISPOSAL	\$ 932,689	\$ 739,699	79.31%	\$ 927,278	\$ 730,195	78.75%	\$ 9,504
WATER AND SEWER	\$ 599,013	\$ 610,559	101.93%	\$ 599,013	\$ 599,013	100.00%	\$ 11,546
TOTAL PUBLIC WORKS	\$ 6,028,051	\$ 5,344,363	88.66%	\$ 6,052,189	\$ 5,142,055	84.96%	\$ 202,308
INTERGOVERNMENTAL PROGRAMS							
AUBURN-LEWISTON AIRPORT	\$ 106,000	\$ 106,000	100.00%	\$ 105,000	\$ 105,000	100.00%	\$ 1,000
E911 COMMUNICATION CENTER	\$ 1,088,857	\$ 1,073,212	98.56%	\$ 1,069,122	\$ 1,072,812	100.35%	\$ 400
LATC-PUBLIC TRANSIT	\$ 182,244	\$ 182,244	100.00%	\$ 209,244	\$ 209,244	100.00%	\$ (27,000)
LA ARTS	\$ -	\$ -		\$ -	\$ -		\$ -
TX SHARING	\$ 270,000	\$ 245,721	91.01%	\$ 270,000	\$ 228,985	84.81%	\$ 16,736
TOTAL INTERGOVERNMENTAL	\$ 1,647,101	\$ 1,607,177	97.58%	\$ 1,653,366	\$ 1,616,041	97.74%	\$ (8,864)
COUNTY TAX	\$ 2,167,824	\$ 2,167,824	100.00%	\$ 2,142,268	\$ 2,142,268	100.00%	\$ 25,556
TIF (10108058-580000)	\$ 2,824,803	\$ 2,977,134	105.39%	\$ 2,599,914	\$ 2,824,802	108.65%	\$ 152,332
OVERLAY	\$ -	\$ 112,734		\$ -	\$ -	0.00%	\$ 112,734
TOTAL CITY DEPARTMENTS	\$ 39,787,403	\$ 36,242,520	91.09%	\$ 38,490,384	\$ 35,346,283	91.83%	\$ 896,237
EDUCATION DEPARTMENT	\$ 40,743,368	\$ 29,893,043	73.37%	\$ 39,062,197	\$ 28,231,891	72.27%	\$ 1,661,152
TOTAL GENERAL FUND EXPENDITURES	\$ 80,530,771	\$ 66,135,563	82.12%	\$ 77,552,581	\$ 63,578,174	81.98%	\$ 2,557,389

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

INVESTMENT		FUND	BALANCE May 31, 2017	BALANCE April 30, 2017	INTEREST RATE
ANDROSCOGGIN BANK	449	CAPITAL PROJECTS	\$ 4,183,259.95	\$ 4,181,483.96	0.45%
ANDROSCOGGIN BANK	502	SR-TIF	\$ 1,008,023.93	\$ 1,007,596.01	0.45%
ANDROSCOGGIN BANK	836	GENERAL FUND	\$ 4,078,019.23	\$ 4,076,289.00	0.45%
ANDROSCOGGIN BANK	801	WORKERS COMP	\$ 50,357.46	\$ 50,336.09	0.45%
ANDROSCOGGIN BANK	748	UNEMPLOYMENT	\$ 50,357.42	\$ 50,336.06	0.45%
ANDROSCOGGIN BANK	684	EMS CAPITAL RESERVE	\$ 231,267.84	\$ 231,169.67	0.45%
NORTHERN CAPITAL	02155	CAPITAL PROJECTS	\$ 750,000.00	\$ 750,000.00	1.15%
NORTHERN CAPITAL	02155	GENERAL FUND	\$ 500,000.00	\$ 500,000.00	0.70%
NORTHERN CAPITAL	02155	GENERAL FUND	\$ 500,000.00	\$ 500,000.00	1.00%
NORTHERN CAPITAL	02155	GENERAL FUND	\$ 500,000.00	\$ 500,000.00	1.15%
NORTHERN CAPITAL	02155	GENERAL FUND	\$ 250,000.00	\$ 250,000.00	1.25%
GRAND TOTAL			\$ 12,101,285.83	\$ 12,097,210.79	0.72%

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

	Beginning Balance 05/01/17	New Charges	Payments	May 2017 Refunds	Adjustments	Write-Offs	Ending Balance 5/31/2017
Bluecross	\$ 38,857.67	\$ 12,799.20	\$ (4,676.86)	\$ -	\$ (6,224.45)		\$ 40,755.56
Intercept	\$ 134.80	\$ 100.00	\$ (200.00)	\$ -			\$ 34.80
Medicare	\$ 123,207.98	\$ 100,027.00	\$ (32,727.24)	\$ -	\$ (43,872.36)		\$ 146,635.38
Medicaid	\$ (49,607.15)	\$ 33,057.60	\$ (20,064.57)	\$ -	\$ (25,929.32)		\$ (62,543.44)
Other/Commercial	\$ 171,168.33	\$ 61,023.00	\$ (32,524.99)	\$ -	\$ (16,438.41)		\$ 183,227.93
Patient	\$ 519,604.77	\$ 7,483.80	\$ (5,945.86)	\$ -	\$ (20.00)	\$ (58,694.89)	\$ 462,427.82
Worker's Comp	\$ (1,356.00)						\$ (1,356.00)
TOTAL	\$ 802,010.40	\$ 214,490.60	\$ (96,139.52)	\$ -	\$ (92,484.54)		\$ 769,182.05

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

	July 2016	August 2016	Sept 2016	Oct 2016	Nov 2016	Dec 2016	Jan 2017	Feb 2017	Mar 2017	Apr 2017	May 2017	Adjustment	Totals	% of Total
No Insurance Information		\$ 4,649.80								\$ 6,824.40		\$ (11,474.20)	\$ -	0.00%
Bluecross	\$ 10,000.40	\$ 13,101.80	\$ 7,886.80	\$ 10,183.80	\$ 7,624.60	\$ 6,585.00	\$ 9,587.80	\$ 11,865.60	\$ 12,507.20	\$ 3,431.00	\$ 12,799.20	\$ 8,079.20	\$ 113,652.40	5.54%
Intercept	\$ 200.00	\$ 800.00	\$ 200.00	\$ 400.00	\$ 434.80	\$ 300.00	\$ 600.00	\$ 800.00	\$ 500.00	\$ 500.00	\$ 100.00	\$ 1,025.00	\$ 5,859.80	0.29%
Medicare	\$ 65,787.40	\$ 79,078.20	\$ 87,750.40	\$ 101,560.20	\$ 70,601.00	\$ 53,336.40	\$ 111,207.20	\$ 86,026.00	\$ 79,304.60	\$ 91,913.80	\$ 100,027.00	\$ 20,290.00	\$ 946,882.20	46.18%
Medicaid	\$ 34,317.20	\$ 36,679.60	\$ 25,523.80	\$ 34,320.80	\$ 35,292.20	\$ 24,267.60	\$ 29,678.80	\$ 24,905.20	\$ 28,541.20	\$ 32,648.40	\$ 33,057.60	\$ 10,959.20	\$ 350,191.60	17.08%
Other/Commercial	\$ 54,548.80	\$ 49,906.40	\$ 44,401.40	\$ 39,102.00	\$ 34,393.20	\$ 34,834.60	\$ 49,913.80	\$ 40,053.60	\$ 48,240.00	\$ 51,531.20	\$ 61,023.00	\$ (4,609.40)	\$ 503,338.60	24.55%
Patient	\$ 16,125.40	\$ 20,867.80	\$ 12,572.60	\$ 13,732.00	\$ 20,298.20	\$ 6,623.80	\$ 15,335.40	\$ 16,101.40	\$ 14,046.40	\$ 9,979.40	\$ 7,483.80	\$ (26,413.00)	\$ 126,753.20	6.18%
Worker's Comp	\$ 651.40				\$ 728.40							\$ 2,143.20	\$ 3,523.00	0.17%
TOTAL	\$ 181,630.60	\$ 205,083.60	\$ 178,335.00	\$ 199,298.80	\$ 169,372.40	\$ 125,947.40	\$ 216,323.00	\$ 179,751.80	\$ 183,139.40	\$ 196,828.20	\$ 214,490.60	\$ -	\$ 2,050,200.80	100.00%

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

	July 2016	August 2016	Sept 2016	Oct 2016	Nov 2016	Dec 2016	Jan 2017	Feb 2017	Mar 2017	Apr 2017	May 2017		Totals	% of Total
No Insurance Information		6								8			14	0.53%
Bluecross	12	15	9	12	10	8	12	14	15	4	16		127	4.80%
Intercept	2	10	2	4	8	3	6	8	5	5	1		54	2.04%
Medicare	80	99	105	126	87	69	138	111	98	111	123		1147	43.38%
Medicaid	45	50	33	44	45	35	38	31	35	41	43		440	16.64%
Other/Commercial	69	65	56	54	44	49	68	52	63	68	77		665	25.15%
Patient	20	25	16	17	25	15	19	20	17	12	9		195	7.38%
Worker's Comp	1				1								2	0.08%
TOTAL	229	270	221	257	220	179	281	236	233	249	269		2644	100.00%

TOTAL REVENUE COLLECTED AS OF 5/31/17 \$ 952,614.

TOTAL EXPENDITURES AS OF 5/31/17 \$ 393,028.

EMS BILLING AGING REPORT

Report as of May 31, 2017

	Current		31-60		61-90		91-120		121+ days		Totals							
Bluecross	\$	3,228.56	65%	\$	876.60	18%	\$	889.20	18%	\$	-	0%	\$	4,994.36	0.65%			
Intercept	\$	-	#####	\$	-	#DIV/0!	\$	-		\$	-	#####	\$	-	0.00%			
Medicare	\$	58,080.82	95%	\$	2,439.60	4%	\$	886.40	1%	\$	-	0%	\$	(385.51)	-1%	\$	61,021.31	7.93%
Medicaid	\$	19,422.40	71%	\$	4,214.54	15%	\$	(245.04)	-1%	\$	-	0%	\$	4,085.00	15%	\$	27,476.90	3.57%
Other/Commercial	\$	43,812.55	63%	\$	10,329.63	15%	\$	6,631.59	10%	\$	(688.51)	-1%	\$	9,431.36	14%	\$	69,516.62	9.04%
Patient	\$	37,008.26	6%	\$	17,242.02	3%	\$	22,972.14	4%	\$	26,364.92	4%	\$	502,585.52	83%	\$	606,172.86	78.81%
Worker's Comp	\$	-		\$	-		\$	-		\$	-		\$	-		\$	-	0.00%
TOTAL	\$	161,552.59		\$	35,102.39		\$	31,134.29		\$	25,676.41		\$	515,716.37		\$	769,182.05	
		21%			5%			4%			3%			67%			100%	100.00%

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

	1902	1905	1909	1910	1913	1914	1915	1917	1922	1926	1927	1928	1929	1930		
	Riverwatch	Winter Festival	Kittyhawk Park	Community Service	Police Fitness Equipment	Oak Hill Cemeteries	Fire Training Building	Wellness Grant	Walmart Risk/Homeless	Healthy Androscoggin	Insurance Reimbursement	Vending	Fire Prevention	211 Fairview		
Fund Balance 7/1/16	\$ 998,289.00	\$ 3,504.80	\$ 44,875.00	\$ 3,822.59	\$ 5,932.53	\$ 27,084.76	\$ 3,511.16	\$ 4,657.35	\$ 7,158.93	\$ (169.41)	\$ (42,276.05)	\$ 97.26	\$ 4,094.47	\$ (566,303.71)		
Revenues FY17	\$ 55,279.58	\$ 9,300.00		\$ 575.70				\$ 6,182.00	\$ 2,347.40	\$ 8,164.96	\$ 39,727.02	\$ 1,104.00	\$ 2,500.00			
Expenditures FY17	\$ 117,434.25	\$ 14,335.10		\$ 47.95			\$ 85,276.75	\$ 4,603.81	\$ 3,115.07	\$ 4,200.00	\$ 36,962.27	\$ 1,539.43				
Fund Balance 5/31/17	\$ 936,134.33	\$ (1,530.30)	\$ 44,875.00	\$ 4,350.34	\$ 5,932.53	\$ 27,084.76	\$ (81,765.59)	\$ 6,235.54	\$ 6,391.26	\$ 3,795.55	\$ (39,511.30)	\$ (338.17)	\$ 6,594.47	\$ (566,303.71)		
	1931	2003	2005	2006	2007	2008	2010	2013	2014	2019	2020	2025	2030	2032		
	Donations	Byrne JAG	MDOT	PEACE	Seatbelt Grant	Homeland Security	State Drug Money	OUI Grant	Speed Grant	Law Enforcement Training	CDBG	Community Cords	Parking	HEAPP		
Fund Balance 7/1/16	\$ 4,030.22	\$ 5,601.31	\$ (300,767.41)	\$ 5,113.91	\$ 3,838.00	\$ (79,902.47)	\$ 32,161.49	\$ 20,076.97	\$ 9,286.00	\$ (2,764.26)	\$ 4,390,795.83	\$ 29,363.56	\$ 7,326.18	\$ (4,994.50)		
Revenues FY17	\$ -	\$ (1,365.00)	\$ -	\$ 4,130.91		\$ 102,245.77	\$ 5,431.48	\$ 19,650.00	\$ 10,005.00	\$ 5,121.00	\$ 572,133.09	\$ 3,385.26	\$ 156,595.16			
Expenditures FY17	\$ 210.56	\$ 1,427.74		\$ 3,950.98		\$ 95,977.05	\$ 20,238.59	\$ 21,428.60	\$ 11,997.50	\$ 5,243.64	\$ 622,196.55	\$ 3,484.05	\$ 161,302.79			
Fund Balance 5/31/17	\$ 3,819.66	\$ 2,808.57	\$ (300,767.41)	\$ 5,293.84	\$ 3,838.00	\$ (73,633.75)	\$ 17,354.38	\$ 18,298.37	\$ 7,293.50	\$ (2,886.90)	\$ 4,340,732.37	\$ 29,264.77	\$ 2,618.55	\$ (4,994.50)		
	2033	2038	2037	2038	2040	2041	2042	2044	2045	2046	2048	2050	2051	2052		
	Safe School/ Health (COPS)	COPSAP Grant	Bulletproof Vests	Community Action Team	Great Falls TV	Blanche Stevens	High Visibility	Federal Drug Money	Forest Management	Joint Land Use Study	TD Tree Days Grant	Project Lifesaver	Project Canopy	Nature Conservancy		
Fund Balance 7/1/16	\$ (11,598.45)	\$ -	\$ 11,591.10	\$ 7,206.21	\$ 49,695.26	\$ 51,105.26	\$ 3,528.71	\$ 28,246.58	\$ 4,661.52	\$ 0.57	\$ -	\$ 100.00	\$ -	\$ 975.05		
Revenues FY17	\$ 6,893.21	\$ 11,349.00	\$ 5,323.50					\$ 8,810.35			\$ 12,500.00	\$ 50.00	\$ 12,970.00			
Expenditures FY17	\$ 92,499.06	\$ 11,349.00	\$ 4,926.39		\$ 4,375.38	\$ 3,992.53		\$ 20,068.39	\$ 225.00		\$ 12,500.00					
Fund Balance 5/31/17	\$ (97,204.30)	\$ -	\$ 11,988.21	\$ 7,206.21	\$ 45,319.88	\$ 47,112.73	\$ 3,528.71	\$ 16,988.54	\$ 4,436.52	\$ 0.57	\$ -	\$ 150.00	\$ 12,970.00	\$ 975.05		
	2053	2054	2055	2056	2057	2058	2059	2201	2500	2501						
	St Louis Bells	EMS Transport Capital Reserve	Work4ME-PAL	Lake Auburn Neighborhood	ASPCA Grant	Barker Mills Greenway	Distracted Driving	EDI Grant	Parks & Recreation	Recreation Donation						
Fund Balance 7/1/16	\$ 2,357.75	\$ 230,363.06	\$ (10,824.92)	\$ 125.00	\$ 800.00	\$ (36,787.03)	\$ (720.00)	\$ (1,336,528.99)	\$ 285,658.91	\$ 1,757.00						
Revenues FY17						\$ 34,189.60	\$ 20,231.00		\$ 192,998.55							
Expenditures FY17			\$ 18,566.42				\$ 18,066.00	\$ 875.00	\$ 305,861.67							
Fund Balance 5/31/17	\$ 2,357.75	\$ 230,363.06	\$ (29,391.34)	\$ 125.00	\$ 800.00	\$ (2,597.43)	\$ 1,445.00	\$ (1,337,403.99)	\$ 172,795.79	\$ 1,757.00						
	2600	2600	2600	2600	2600	2600	2600	2600	2600	2600	2600	2600	2600	2600	2600	Total
	Tambrands TIF 4	J Enterprises TIF 5	Tambrands II TIF 6	J & A Properties TIF 7	Formed Fiber TIF 8	Mall TIF 9	Downtown TIF 10	Safe Handling TIF 11	Auburn Industrial TIF 12	Auburn Plaza TIF 13	Auburn Plaza II TIF 14	Webster School TIF 16	Bedard Pharm TIF 17	Slapshot LLC TIF 18	Hartt Transport TIF 19	Special Revenues
Fund Balance 7/1/16	\$ (127,347.23)	\$ 14,500.44	\$ (471,229.88)	\$ 2,558.27	\$ 134,174.73	\$ 538,642.58	\$ 700,419.73	\$ 50,183.21	\$ (373,286.94)	\$ 112,923.51	\$ (90,278.95)	\$ 360.91	\$ 388.80	\$ (111,372.97)	\$ (5.40)	\$ 4,275,786.91
Revenues FY17	\$ 576,638.32		\$ 176,598.53		\$ 77,185.73	\$ 372,780.12	\$ 860,885.79		\$ 188,171.36	\$ 159,825.02	\$ 387,537.85	\$ 29,290.12	\$ 30,977.99	\$ 134,178.23	\$ 29,945.42	\$ 4,331,843.02
Expenditures FY17	\$ 347,737.66		\$ 70,639.41		\$ 30,874.29	\$ 611,830.76	\$ 895,595.53		\$ 165,536.34	\$ 159,824.92	\$ 287,536.52	\$ 29,290.12		\$ (24,359.99)	\$ 29,945.42	\$ 4,312,728.50
Fund Balance 5/31/17	\$ 101,553.43	\$ 14,500.44	\$ (365,270.76)	\$ 2,558.27	\$ 180,486.17	\$ 299,591.94	\$ 665,709.99	\$ 50,183.21	\$ (350,651.92)	\$ 112,923.61	\$ 9,722.38	\$ 360.91	\$ 31,366.79	\$ 47,165.25	\$ (5.40)	\$ 4,294,901.43

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, 2017



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

NORWAY SAVINGS BANK ARENA

Statement of Net Assets:

The Statement of Net Assets lists current assets, noncurrent assets, liabilities and net assets and shows a comparison to the previous month, in this case, April 30, 2017.

Current Assets:

As of the end of May 2017 the total current assets of Norway Savings Bank Arena were (\$649,490). These consisted of cash and cash equivalents of \$91,193, accounts receivable of \$13,799, and an interfund payable of \$754,482.

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, 2017 was \$318,203.

Liabilities:

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

Statement of Activities:

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

The operating revenues for Norway Arena through May 2017 are \$968,395. 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 2017 were \$1,161,541. These expenses include personnel costs, supplies, utilities, repairs, rent, capital purchases and maintenance.

As of May 2017 Norway Arena has an operating loss of \$193,146 compared to the April 2017 operating loss of \$108,947 an increase in the operating loss for the fiscal year of \$84,199.

As of May 31, 2017 Norway Arena has a decrease in net assets of \$193,146.

The budget to actual reports for revenue and expenditures, with comparison to the same period last year show that revenues were \$58,158 and expenditures were \$85,845 more than last year in May.

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

	May 31, 2017	April 30, 2017	Increase/ (Decrease)
ASSETS			
Current assets:			
Cash and cash equivalents	\$ 91,193	\$ 91,201	\$ (8)
Interfund receivables	\$ (754,482)	\$ (697,396)	\$ (57,086)
Prepaid Rent	\$ -	\$ -	\$ -
Accounts receivable	13,799	51,648	\$ (37,849)
Total current assets	(649,490)	(554,547)	(94,943)
Noncurrent assets:			
Capital assets:			
Buildings	35,905	35,905	-
Equipment	417,455	417,455	-
Land improvements	-	-	-
Less accumulated depreciation	(135,157)	(135,157)	-
Total noncurrent assets	318,203	318,203	-
Total assets	(331,287)	(236,344)	(94,943)
LIABILITIES			
Accounts payable	\$ -	\$ 10,744	\$ (10,744)
Net pension liability	77,298	77,298	-
Total liabilities	77,298	88,042	(10,744)
NET ASSETS			
Invested in capital assets	\$ 318,203	\$ 318,203	\$ -
Unrestricted	\$ (726,788)	\$ (642,589)	\$ (84,199)
Total net assets	\$ (408,585)	\$ (324,386)	\$ (84,199)

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, 2017

	Norway Savings Arena
Operating revenues:	
Charges for services	\$ 968,395
Operating expenses:	
Personnel	304,972
Supplies	63,738
Utilities	228,037
Repairs and maintenance	15,528
Rent	464,277
Depreciation	-
Capital expenses	46,542
Other expenses	38,447
Total operating expenses	1,161,541
Operating gain (loss)	(193,146)
Nonoperating revenue (expense):	
Interest income	-
Interest expense (debt service)	-
Total nonoperating expense	-
Gain (Loss) before transfer	(193,146)
Transfers out	-
Change in net assets	(193,146)
Total net assets, July 1	(215,439)
Total net assets, May 31, 2017	\$ (408,585)

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

REVENUE SOURCE	FY 2017 BUDGET	ACTUAL REVENUES THRU MAY 2017	% OF BUDGET	FY 2016 BUDGET	ACTUAL REVENUES THRU MAY 2016	% OF BUDGET	VARIANCE
CHARGE FOR SERVICES							
Concussions	\$ 18,000	\$ 4,870	27.06%	\$ 30,000	\$ 9,713	32.38%	\$ (4,843)
Sponsorships	\$ 230,000	\$ 229,391	99.74%	\$ 230,000	\$ 172,383	74.95%	\$ 57,008
Pro Shop	\$ 8,500	\$ 5,984	70.40%	\$ 8,500	\$ 6,394	75.22%	\$ (410)
Programs	\$ 31,000		0.00%	\$ 280,000	\$ 301,588	107.71%	\$ (301,588)
Rental Income	\$ 672,250	\$ 670,925	99.80%	\$ 398,500	\$ 381,648	95.77%	\$ 289,277
Camps/Clinics	\$ 50,000	\$ 57,225	114.45%				\$ 57,225
Tournaments	\$ 50,000		0.00%	\$ 50,000	\$ 38,511	77.02%	\$ (38,511)
TOTAL CHARGE FOR SERVICES	\$ 1,059,750	\$ 968,395	91.38%	\$ 997,000	\$ 910,237	91.30%	\$ 58,158
INTEREST ON INVESTMENTS	\$ -			\$ -			
GRAND TOTAL REVENUES	\$ 1,059,750	\$ 968,395	91.38%	\$ 997,000	\$ 910,237	91.30%	\$ 58,158

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

DESCRIPTION	ACTUAL				ACTUAL			
	FY 2016 BUDGET	EXPENDITURES THRU MAY 2017	% OF BUDGET	FY 2015 BUDGET	EXPENDITURES THRU MAY 2016	% OF BUDGET	VARIANCE	
Salaries & Benefits	\$ 311,000	\$ 304,972	98.06%	\$ 311,000	\$ 318,122	102.29%	\$ (13,150)	
Purchased Services	\$ 87,306	\$ 46,628	53.41%	\$ 96,150	\$ 65,841	68.48%	\$ (19,213)	
Supplies	\$ 37,150	\$ 71,086	191.35%	\$ 17,500	\$ 28,886	165.06%	\$ 42,200	
Utilities	\$ 199,800	\$ 228,037	114.13%	\$ 200,200	\$ 196,971	98.39%	\$ 31,066	
Capital Outlay	\$ 57,000	\$ 46,542	81.65%	\$ 57,000	\$ 1,600	2.81%	\$ 44,942	
Rent	\$ 507,000	\$ 464,277	91.57%	\$ 507,000	\$ 464,277	91.57%	\$ -	
	\$ 1,199,256	\$ 1,161,542	96.86%	\$ 1,188,850	\$ 1,075,697	90.48%	\$ 85,845	
GRAND TOTAL EXPENDITURES	\$ 1,199,256	\$ 1,161,542	96.86%	\$ 1,188,850	\$ 1,075,697	90.48%	\$ 85,845	

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, 2017

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

INGERSOLL TURF FACILITY

Statement of Net Assets:

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

Current Assets:

As of the end of May 2017 the total current assets of Ingersoll Turf Facility were \$47,998. This consisted of an interfund receivable of \$47,998 a decrease from April of \$1,093.

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, 2017 was \$195,659.

Liabilities:

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

Statement of Activities:

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

The operating revenues for Ingersoll Turf Facility through May 2017 are \$168,328. This revenue comes from the sponsorships, programs, rental income and batting cages.

The operating expenses for Ingersoll Turf Facility through May 2017 were \$119,890. These expenses include personnel costs, supplies, utilities, repairs, capital purchases and maintenance.

As of May 2017 Ingersoll has an operating gain of \$48,438 compared to March's of \$49,083.

As of May 31, 2017 Ingersoll has an increase in net assets of \$48,438.

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

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

	May 31 2017	April 30 2017	Increase/ (Decrease)
ASSETS			
Current assets:			
Cash and cash equivalents		\$ -	\$ -
Interfund receivables/payables	\$ 47,998	\$ 49,091	(1,093)
Accounts receivable	-	-	-
Total current assets	47,998	49,091	(1,093)
Noncurrent assets:			
Capital assets:			
Buildings	672,279	672,279	-
Equipment	86,625	86,625	-
Land improvements	18,584	18,584	-
Less accumulated depreciation	(581,829)	(581,829)	-
Total noncurrent assets	195,659	195,659	-
Total assets	243,657	244,750	(1,093)
LIABILITIES			
Accounts payable	\$ -	\$ 448	\$ (448)
Total liabilities	-	448	(448)
NET ASSETS			
Invested in capital assets	\$ 195,659	\$ 195,659	\$ -
Unrestricted	\$ 47,998	\$ 48,643	\$ (645)
Total net assets	\$ 243,657	\$ 244,302	\$ (645)

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, 2017

	Ingersoll Turf Facility
Operating revenues:	
Charges for services	\$ 168,328
Operating expenses:	
Personnel	86,095
Supplies	9,746
Utilities	17,791
Repairs and maintenance	3,389
Rent	-
Depreciation	-
Capital expenses	-
Other expenses	2,869
Total operating expenses	119,890
Operating gain (loss)	48,438
Nonoperating revenue (expense):	
Interest income	-
Interest expense (debt service)	-
Total nonoperating expense	-
Gain (Loss) before transfer	48,438
Transfers out	-
Change in net assets	48,438
Total net assets, July 1	195,219
Total net assets, May 31, 2017	\$ 243,657

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

REVENUE SOURCE	FY 2017 BUDGET	ACTUAL REVENUES THRU MAY 2017	% OF BUDGET	FY 2016 BUDGET	ACTUAL REVENUES THRU MAY 2016	% OF BUDGET
CHARGE FOR SERVICES						
Sponsorship	\$ 15,000	\$ 12,100	80.67%	\$ 15,000	\$ 7,135	47.57%
Batting Cages	\$ 9,940	\$ 11,785	118.56%	\$ -	\$ 9,685	
Programs	\$ 90,000	\$ 47,698	53.00%	\$ 8,640	\$ 46,559	538.88%
Rental Income	\$ 100,000	\$ 96,745	96.75%	\$ 191,300	\$ 78,127	40.84%
TOTAL CHARGE FOR SERVICES	\$ 214,940	\$ 168,328	78.31%	\$ 214,940	\$ 141,506	65.84%
INTEREST ON INVESTMENTS	\$ -			\$ -		
GRAND TOTAL REVENUES	\$ 214,940	\$ 168,328	78.31%	\$ 214,940	\$ 141,506	65.84%

CITY OF AUBURN, MAINE
EXPENDITURES - INGERSOLL TURF FACILITY
Through April 30, 2017

DESCRIPTION	ACTUAL			ACTUAL		
	FY 2017 BUDGET	EXPENDITURES THRU MAY 2017	% OF BUDGET	FY 2016 BUDGET	EXPENDITURES THRU MAY 2016	% OF BUDGET
Salaries & Benefits	\$ 101,899	\$ 86,095	84.49%	\$ 102,719	\$ 47,495	46.24%
Purchased Services	\$ 20,750	\$ 6,257	30.15%	\$ 20,250	\$ 3,371	16.65%
Programs	\$ 5,000	\$ 7,708	154.16%	\$ -	\$ 5,752	
Supplies	\$ 6,750	\$ 2,039	30.21%	\$ 6,750	\$ 1,181	17.50%
Utilities	\$ 41,320	\$ 17,791	43.06%	\$ 44,320	\$ 13,787	31.11%
Insurance Premiums	\$ 2,383	\$ -	0.00%	\$ 4,600	\$ -	0.00%
Capital Outlay	\$ -	\$ -		\$ -		
	\$ 178,102	\$ 119,890	67.32%	\$ 178,639	\$ 71,586	40.07%
GRAND TOTAL EXPENDITURES	\$ 178,102	\$ 119,890	67.32%	\$ 178,639	\$ 71,586	40.07%