



**City Council Workshop & Meeting
September 7, 2021
Agenda**

5:30 P.M. City Council Workshop

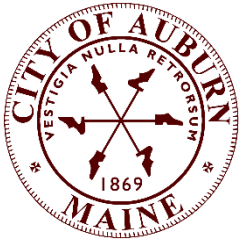
- A. ARPA Fund Discussion – City Council (60 minutes)
- B. Barker Mills & Lewiston Falls Projects – Eric Cousens (10 minutes)
- C. Charter Amendments – Phil Crowell/Sue Clements-Dallaire (10 minutes)

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

Pledge of Allegiance

- I. **Consent Items** - All items with an asterisk (*) are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council member or a citizen so requests, in which event, the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda.
 - 1. **Order 94-09072021***
Approving the renewal of the Auto Graveyard/Junkyard permit for Don's No Preference Towing, dba Morris Auto Parts located at 940 Washington St. N.
 - 2. **Order 95-09072021***
Approving the renewal of the Auto Graveyard/Junkyard permit for Randy's Auto Parts located at 899 Broad Street.
 - 3. **Order 96-09072021***
Approving the renewal of the Auto Graveyard/Junkyard permit for M & P Auto located at 227 Merrow Road.
 - 4. **Order 97-09072021***
Approving the revision of Order 36-04052021 previously adopted by the City Council regarding authorization to sign on behalf of Auburn Lewiston Airport.
- II. **Minutes** – August 16, 2021 Regular Council Meeting
- III. **Communications, Presentations and Recognitions**
 - Proclamation - World Refugee Day September 16, 2021

- Council Communications (about and to the community)
- IV. Open Session** – *Members of the public are invited to speak to the Council about any issue directly related to City business or any item that does not appear on the agenda.*
- V. Unfinished Business - None**
- VI. New Business**
- 1. Resolve 02-09072021**
Supporting the creation of the ad hoc Public Safety Buildings Committee.
 - 2. Resolve 03-09072021**
Supporting the naming of the Lewiston Auburn footbridge as the John Jenkins Memorial Footbridge.
 - 3. Order 98-09072021**
Directing staff, at the request of Councilor Gerry, to hold another Planning Board public hearing on the residential strip zones at the Auburn Senior Community Center.
 - 4. Order 99-09072021**
Authorizing the appropriation of \$10,000 from the Comprehensive Plan fund for the last phase of the MDOT feasibility analysis.
- VII. Open Session -** *Members of the public are invited to speak to the Council about any issue directly related to City business or any item that does not appear on the agenda*
- VIII. Reports (from sub-committees to Council)**
- a. Mayor’s Report
 - b. City Councilors’ Reports
 - c. City Manager Report
- IX. Executive Session** – None
- X. Adjournment**



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: Workshop 9/7/2021

Author: Phil Crowell, City Manager

Subject: American Rescue Plan Act

Information: The city manager provided the city council with the U.S. Treasury Expenditure Categories for the City Council to review. This workshop is designed for the council to discuss potential projects that meet the requirements of the U.S. Treasury. Staff will be available to give direction on eligibility and which are aligned with the City of Auburn Strategic Plan.

City Budgetary Impacts:

N/A

Staff Recommended Action:

Discussion only

Previous Meetings and History:

6/22/21 Council Workshop

City Manager Comments:



I concur with the recommendation. Signature:

Attachments:

U.S. Treasury Expenditure Categories



Appendix 1: Expenditure Categories

The Expenditure Categories (EC) listed below must be used to categorize each project as noted in Part 2 above. The term "Expenditure Category" refers to the detailed level (e.g., 1.1 COVID-10 Vaccination). When referred to as a category (e.g., EC 1) it includes all Expenditure Categories within that level.

1: Public Health	
1.1	COVID-19 Vaccination ^
1.2	COVID-19 Testing ^
1.3	COVID-19 Contact Tracing
1.4	Prevention in Congregate Settings (Nursing Homes, Prisons/Jails, Dense Work Sites, Schools, etc.)*
1.5	Personal Protective Equipment
1.6	Medical Expenses (including Alternative Care Facilities)
1.7	Capital Investments or Physical Plant Changes to Public Facilities that respond to the COVID-19 public health emergency
1.8	Other COVID-19 Public Health Expenses (including Communications, Enforcement, Isolation/Quarantine)
1.9	Payroll Costs for Public Health, Safety, and Other Public Sector Staff Responding to COVID-19
1.10	Mental Health Services*
1.11	Substance Use Services*
1.12	Other Public Health Services
2: Negative Economic Impacts	
2.1	Household Assistance: Food Programs* ^
2.2	Household Assistance: Rent, Mortgage, and Utility Aid* ^
2.3	Household Assistance: Cash Transfers* ^
2.4	Household Assistance: Internet Access Programs* ^
2.5	Household Assistance: Eviction Prevention* ^
2.6	Unemployment Benefits or Cash Assistance to Unemployed Workers*
2.7	Job Training Assistance (e.g., Sectoral job-training, Subsidized Employment, Employment Supports or Incentives)* ^
2.8	Contributions to UI Trust Funds
2.9	Small Business Economic Assistance (General)* ^
2.10	Aid to Nonprofit Organizations*
2.11	Aid to Tourism, Travel, or Hospitality
2.12	Aid to Other Impacted Industries
2.13	Other Economic Support* ^
2.14	Rehiring Public Sector Staff
3: Services to Disproportionately Impacted Communities	
3.1	Education Assistance: Early Learning* ^
3.2	Education Assistance: Aid to High-Poverty Districts ^
3.3	Education Assistance: Academic Services* ^
3.4	Education Assistance: Social, Emotional, and Mental Health Services* ^
3.5	Education Assistance: Other* ^
3.6	Healthy Childhood Environments: Child Care* ^
3.7	Healthy Childhood Environments: Home Visiting* ^
3.8	Healthy Childhood Environments: Services to Foster Youth or Families Involved in Child Welfare System* ^



3.9	Healthy Childhood Environments: Other* ^
3.10	Housing Support: Affordable Housing* ^
3.11	Housing Support: Services for Unhoused Persons* ^
3.12	Housing Support: Other Housing Assistance* ^
3.13	Social Determinants of Health: Other* ^
3.14	Social Determinants of Health: Community Health Workers or Benefits Navigators* ^
3.15	Social Determinants of Health: Lead Remediation ^
3.16	Social Determinants of Health: Community Violence Interventions* ^
4: Premium Pay	
4.1	Public Sector Employees
4.2	Private Sector: Grants to Other Employers
5: Infrastructure²⁷	
5.1	Clean Water: Centralized Wastewater Treatment
5.2	Clean Water: Centralized Wastewater Collection and Conveyance
5.3	Clean Water: Decentralized Wastewater
5.4	Clean Water: Combined Sewer Overflows
5.5	Clean Water: Other Sewer Infrastructure
5.6	Clean Water: Stormwater
5.7	Clean Water: Energy Conservation
5.8	Clean Water: Water Conservation
5.9	Clean Water: Nonpoint Source
5.10	Drinking water: Treatment
5.11	Drinking water: Transmission & Distribution
5.12	Drinking water: Transmission & Distribution: Lead Remediation
5.13	Drinking water: Source
5.14	Drinking water: Storage
5.15	Drinking water: Other water infrastructure
5.16	Broadband: "Last Mile" projects
5.17	Broadband: Other projects
6: Revenue Replacement	
6.1	Provision of Government Services
7: Administrative	
7.1	Administrative Expenses
7.2	Evaluation and Data Analysis
7.3	Transfers to Other Units of Government
7.4	Transfers to Non-entitlement Units (States and territories only)

*Denotes areas where recipients must identify the amount of the total funds that are allocated to evidence-based interventions (see Use of Evidence section above for details)

^Denotes areas where recipients must report on whether projects are primarily serving disadvantaged communities (see Project Demographic Distribution section above for details)

²⁷ Definitions for water and sewer Expenditure Categories can be found in the EPA's handbooks. For "clean water" expenditure category definitions, please see:

<https://www.epa.gov/sites/production/files/2018-03/documents/cwdefinitions.pdf>. For "drinking water" expenditure category definitions, please see: <https://www.epa.gov/dwsrf/drinking-water-state-revolving-fund-national-information-management-system-reports>.



Maine Municipal Association

Summary of the American Rescue Plan Act (ARPA) Priorities Survey

Maine Municipal Association

State and Federal Relations

August 2021

Prepared by Neal Goldberg
ngolderg@memun.org

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About the Survey

American Rescue Plan Act (ARPA) funds are a once in a generation injection of capital into all levels of government. In an effort to align local, regional, and state spending priorities, Maine Municipal Association administered a survey to gauge current sentiment among municipal and county officials. The survey was conducted from July 1 to August 15, 2021, via SurveyMonkey.

The ARPA Priorities Survey assessed priorities on a macro and micro level. Participants were asked to rank high-level categories of issues from most important to least important, and subsequently, to offer interest in sub-level priorities within each category. In order to capture the wants and needs of a wide range of municipal officials, numerous priorities were provided as options in the survey even though they may not be eligible ARPA expenditures.

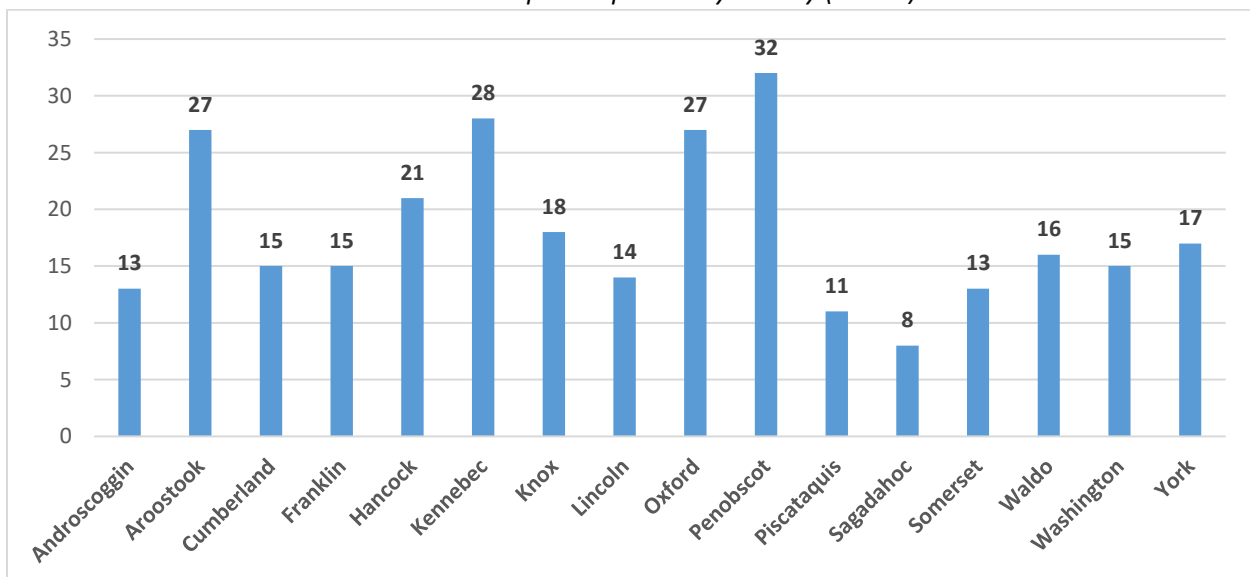
The priorities assayed were primarily generated from three sources: (1) eligible uses of ARPA funds as described in the U.S. Treasury’s Interim Final Rule, (2) expected policies from Governor Janet Mills’ bill, LD 1733, *An Act to Provide Allocations for the Distribution of State Fiscal Recovery Funds*, sponsored by Sen. Cathy Breen of Cumberland County, and (3) general municipal priorities as identified by municipal and county officials and MMA staff.

Data

Sample Size: The survey generated 335 complete responses. The majority of responses, 290, were submitted by municipal officials. County officials submitted 14 responses and partner organizations or agencies tallied 31 responses.

Municipal Responses: About half of all municipalities (237) were represented in this survey. A list of municipalities represented is provided in Appendix A. Of the 290 municipal officials that responded, 48% (138) were elected while 52% (152) were non-elected officials. *Chart 1* below displays the breakdown of municipal responses by county.

Chart 1: Municipal Responses by County (n=290)



County Responses: The survey generated 14 responses from county officials representing eleven counties. Of those that responded, eight were county administrators or managers, three were county commissioners, and the remaining held various county-level positions. A list of counties represented is provided in Appendix A

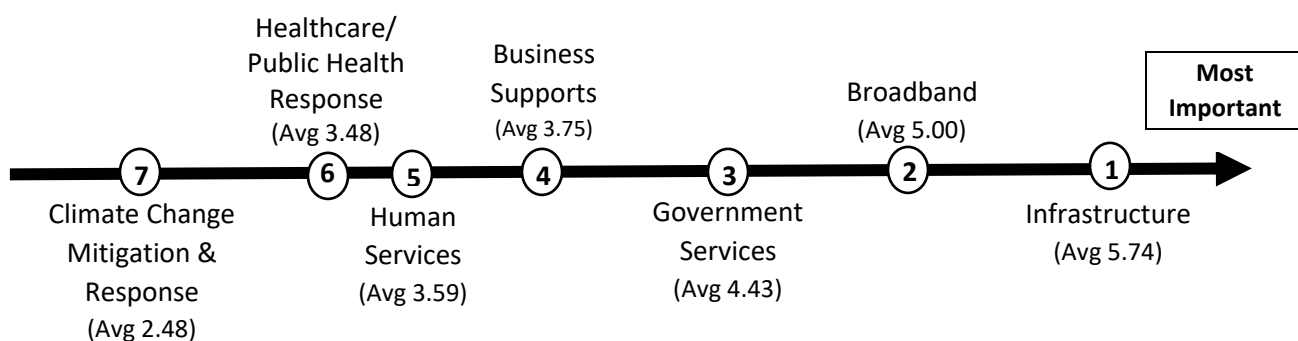
Partner Responses: The survey generated 23 qualified responses from state, regional, and local partners. Partner organizations included 15 non-profits, 6 state agencies, 2 council of governments or regional planning commissions, 1 business chamber and 1 education or research institute.

Municipal Results

High-Level Priorities

Municipal officials were asked to rank seven high-level priorities from most important to least important, with 1 being most important. The weighted averages showed strong sentiment at the extremes. Across hundreds of municipal officials, infrastructure, particularly transportation and utilities, was the top priority by a sizable margin. Broadband related policies were second most important among all municipal responses. One explanation for the notable gap between the top two priorities is that infrastructure needs exist in every municipality while broadband needs are met in some communities.

Compared to all ranked issues, survey respondents demonstrated a strong disinterest in climate change mitigation and response. According to the results, climate change measures are last in municipal priority. A possible justification for this strong sentiment is survey respondents might presently be more concerned about fiscal and public health recovery from the COVID-19 pandemic, rather than focused on the hard to enumerate policies of climate change mitigation and response.



Government services, ranked third, displayed some separation from the other issues, but did not receive the overall approval of infrastructure or broadband. There are two ways to view this outcome. First, broadband and infrastructure needs have existed for long-periods of time and are essentially universal priorities within all communities while government services have been, to some degree, stable and consistent during the pandemic.

Alternatively, the relative high ranking of government services could indicate there are significant needs within local governments.

Generally speaking, the three interior ranking issues showed little variance in importance to municipal officials. Business supports, human services, and healthcare/ public health response were clustered together in ranks 4 through 6.

Through the remainder of this ARPA Priorities Survey report, the high-level rankings described above should be recalled as the responses to sub-level priorities are examined. This is due to the nature of the survey design and analysis. Under each high-level issue are numerous sub-priorities, yet the rankings of those sub-priorities cannot be directly compared. Take infrastructure and climate change as an illustration. If two sub-priorities, one from infrastructure and one from climate change, receive the same weighted average, it should be assumed that in reality municipal officials place higher importance on the infrastructure sub-priority.

Sub-Level Priorities with County Comparisons

Under each high-level issue, numerous sub-priorities were examined. As an addendum to the survey, county-level sub-priorities were assessed separate from the high-level ranking discussed earlier.

A few notes to the reader: the weighted averages range from 0 to 3, where 3 indicates the highest interest in the sub-priority and 0 indicates no interest. A key for the results is provided below.

Key to rankings:

- Below 1 indicates no or little interest.
- Between 1 and 2 indicates low to moderate interest.
- Above 2 indicates high interest.

The presence of an asterisk (*) denotes that the associated sub-priority may not be an eligible use of ARPA funds.

The two rightmost columns in the charts below juxtapose the ranking and average of municipal officials with the sentiment of county officials. To make effective comparisons, make sure to consider both ranking and average. For instance, within infrastructure priorities, “*Culvert and storm water infrastructure” is ranked first by municipal and county officials, but comparison of the averages show there is a notable margin in the level of interest the priority elicits from municipal and county officials.

Finally, a complete list of all sub-priorities ranked is provided at the end of this report. Refer to Appendix B for more information.

(1) INFRASTRUCUTRE; TRANSPORTATION & UTILITIES

Ranking	Sub-Priority	Weighted Average	County Ranking	County Average
1	*Culvert and storm water infrastructure	2.29	1	1.69
2	*Clean energy and energy efficiency grants	1.84	4	1.62
3	*Bridges or dams construction and repair	1.81	7	1.46

4	*Clean energy infrastructure	1.73	5	1.54
5	*Infrastructure resiliency adaption improvements	1.63	4	1.62
6	Drinking water infrastructure	1.21	7	1.46
7	*Electric vehicle charging infrastructure	1.16	8	1.15
8	*Multimodal or public transportation grants	1.12	4	1.62

(2) BROADBAND

Ranking	Sub-Priority	Weighted Average	County Ranking	County Average
1	Physical network build-out	2.23	1	2.38
2	*Expanding education and student leaning capacity	2.17	6	1.92
3	*Public WiFi expansion	2.06	2	2.33
4	*Expanding telehealth capacity	1.92	4	2.23
5	Planning or consulting costs	1.80	4	2.23
6	Subscription rate assistance	1.76	7	1.75
7	Speed testing or mapping	1.68	5	2.15
8	*Installation in government buildings	1.66	8	1.54

(3) GOVERNMENT SERVICES

Ranking	Sub-Priority	Weighted Average	County Ranking	County Average
1	*Road construction or repair	2.62	4	1.62
2	*Government building improvements or construction	2.13	1	1.85
3	*Expanding online services	1.77	4	1.62
4	Regionalized EMS	1.71	6	1.46
5	Filling budget shortfalls	1.67	8	1.38
6	Short-term property tax relief	1.66	9	1.25
7	Municipal workforce development	1.65	2	1.69
8	*Municipal utilities	1.57	8	1.38
9	*Modernizing licensing and permitting processes with state agencies	1.55	10	1.00
10	Rehire staff and build public sector capacity	1.11	5	1.50

(4) BUSINESS SUPPORTS

Ranking	Sub-Priority	Weighted Average	<i>County Ranking</i>	<i>County Average</i>
1	Support local farms and food production	1.99	7	1.69
2	*Promotion of Maine products and businesses	1.87	3	1.92
3	New businesses and entrepreneurs support	1.71	5	1.77
4	Talent/workforce attraction and retention system	1.69	1	2.31
5	*Youth career development and pre-apprenticeship programs	1.67	7	1.69
6	Technology assistance to businesses	1.66	11	1.54
7	Economic recovery grants for businesses	1.66	3	1.92
8	*Remote workforce development	1.59	12	1.46
9	*Small business health insurance relief	1.48	13	0.92
10	Loan or loan guarantees for businesses	1.48	10	1.62
11	*Career and technical (CTE) grants	1.47	10	1.62
12	*Targeted sector workforce development (i.e. clean energy, healthcare)	1.33	10	1.62
13	Entrepreneurial training for underrepresented populations	1.22	4	1.85

(5) HUMAN SERVICES; HOUSING & CHILDCARE

Ranking	Sub-Priority	Weighted Average	<i>County Ranking</i>	<i>County Average</i>
1	Home weatherization and efficiency upgrades	1.97	9	1.62
2	Development/renovation of senior housing	1.88	5	1.92
3	Development/renovation of affordable housing	1.84	2	2.15
4	*Childcare assistance and expansion	1.65	1	2.23
5	Premium pay to essential workers	1.62	8	1.69
6	Aid to households	1.56	10	1.54
8	Development/renovation of workforce housing	1.55	3	2.00
8	Payroll and covered benefits for frontline workers	1.55	8	1.69
9	Help underserved populations with basic needs and employment	1.51	6	1.77
10	Benefits to families of COVID-19 victims	1.21	12	1.15

11	Homelessness programs and resources	1.18	5	1.92
12	Support for unemployed workers	1.04	11	1.38

(6) HEALTHCARE/PUBLIC HEALTH RESPONSE

Ranking	Sub-Priority	Weighted Average	County Ranking	County Average
2	Contain and mitigate the spread of COVID-19	1.78	3	1.92
2	General mental health or behavioral services	1.78	1	2.54
3	Addiction treatment	1.69	2	2.46
4	COVID-19 mental health services	1.50	4	1.85
5	*Offering telehealth services to public sector employees	1.46	5	1.54
6	*Nursing home and hospital healthcare recruitment	1.45	6	1.31

(7) CLIMATE CHANGE MITIGATION & RESPONSE

Ranking	Sub-Priority	Weighted Average	County Ranking	County Average
1	*Government building energy efficiency improvement	2.00	4	1.69
2	Recycling programs	1.96	7	1.46
3	*Infrastructure resiliency adaptations	1.70	2	1.77
4	*Clean or renewable energy generation projects	1.62	5	1.62
5	*Promoting redevelopment	1.51	8	1.42
6	*Creating green spaces	1.39	11	1.23
7	Equity considerations for most vulnerable populations	1.32	1	1.92
8	Planning or expert consultation	1.32	4	1.69
9	*Public transportation or ride sharing programs	1.20	9	1.38
10	*Investment or fundraising activities	1.16	6	1.54
11	*Air-quality studies	1.05	11	1.23
13	*Electrification of municipal vehicle fleets	0.92	13	0.85
13	Sea-level rise preparations	0.90	12	1.15

(Addendum) COUNTY-LEVEL PRIORITIES

Ranking	Sub-Priority	Weighted Average	County Ranking	County Average
1	*Increasing rural patrol coverage	2.05	4	2.15
2	*Regional economic development	2.02	2	2.23
3	*Regional EMS services	1.98	6	2.00
4	*Regional code enforcement or assessing services	1.86	4	2.15
5	*Expanding mental health and substances abuse services in county jails	1.58	1	2.69
6	*Addressing backlog in court system	1.56	6	2.00

Elected versus Non-elected Priorities

Of all municipal responses, approximately 48% were from elected officials and 52% were from non-elected officials. MMA staff are interested in whether a difference in prioritization exists between these two groups.

As a whole, no identifiable variance exists. Using a paired t-test, it has been determined there is no statistically significant difference between the overall priorities of elected and non-elected municipal officials.

Individual sub-level priorities however, displayed numerous statistically significant differences.¹ This difference is determined by examining the composition of responses by officials to each sub-level priority. A summary of those sub-level priorities is displayed below.

Difference in opinion at the sub-level is expected yet a few generalizations can be taken from these statistical differences. To begin, elected officials are far more interested in climate change response and mitigation policies. Oppositely, non-elected officials are more predisposed to show interest in prioritizing government services and facilities.

Table 1: Comparison of Elected and Non-elected Priorities

Sub-Priority	Elected Average	Non-elected Average	Difference
*Government building improvements or construction	1.89	2.34	0.45
Development/renovation of workforce housing	1.35	1.73	0.38
*Electrification of municipal vehicle fleets	0.75	1.06	0.31
*Government building energy efficiency improvement	1.83	2.13	0.30

¹ Significant at the 95% confidence level, p=0.05.

*Public transportation or ride sharing programs	1.05	1.36	0.30
*Promoting redevelopment	1.38	1.66	0.28
*Multimodal or public transportation grants	0.98	1.26	0.27
Recycling programs	2.08	1.84	0.25
Loan or loan guarantees for businesses	1.35	1.58	0.23
Short-term property tax relief	1.78	1.55	0.22
*Expanding education and student leaning capacity	2.28	2.08	0.20
Drinking water infrastructure	1.10	1.30	0.19
Talent/workforce attraction and retention system	1.62	1.79	0.17
Aid to households	1.64	1.47	0.17
*Youth career development and pre-apprenticeship programs	1.76	1.60	0.16
*Investment or fundraising activities	1.08	1.23	0.15
*Creating green spaces	1.31	1.45	0.14
Regionalized EMS	1.78	1.64	0.14
Help underserved populations with basic needs and employment	1.57	1.44	0.14
*Small business health insurance relief	1.55	1.42	0.13
*Electric vehicle charging infrastructure	1.11	1.23	0.12
*Clean energy and energy efficiency grants	1.89	1.79	0.10
*Clean energy infrastructure	1.77	1.68	0.10
Homelessness programs and resources	1.15	1.22	0.07
*Promotion of Maine products and businesses	1.91	1.84	0.07
*Targeted sector workforce development	1.38	1.31	0.07
Benefits to families of COVID-19 victims	1.17	1.24	0.06
Premium pay to essential workers	1.59	1.64	0.06
Support for unemployed workers	1.03	1.04	0.01

County by County Comparison

County level examination reveals if regional differences exist within the state. For the purpose of this statewide report, only high-level categories were analyzed and compared. From this high-level analysis, one can determine if a county's indicated priorities align with the state or surrounding counties. Sub-level priorities, which have not been compared county by county, are likely to show dramatic differences that are relatively insignificant because variance is expected when surveying on numerous sub-priorities.

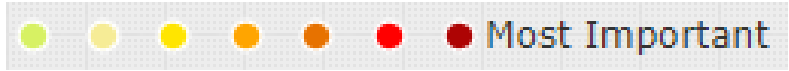
The table below details the high-level priorities of each county compared against the overall statewide priority.

Table 2: County Comparison of High-Level Priorities

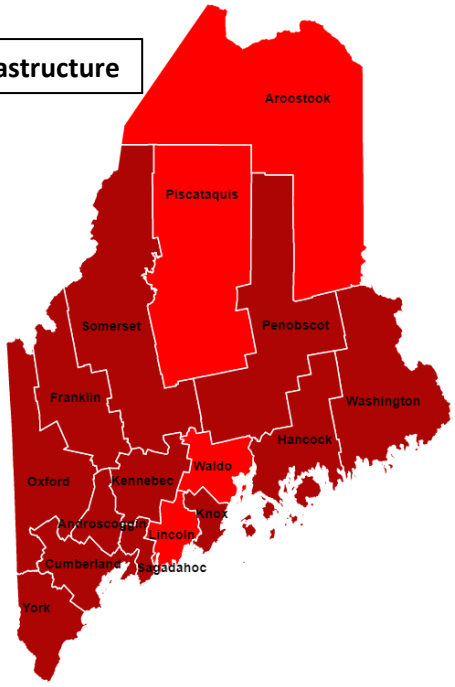
	Infrastructure	Broadband	Government Services	Business Supports	Human Services	Healthcare/ Public Health	Climate Change
Statewide	1	2	3	4	5	6	7
Androscoggin	1	2	3	4	7	5	6
Aroostook	2	1	3	4	6	5	7
Cumberland	1	4	2	6	3	7	5
Franklin	1	4	2	6	5	3	7
Hancock	1	2	3	4	6	5	7
Kennebec	1	2	4	3	6	5	7
Knox	1	2	3	7	4	6	5
Lincoln	2	1	5	7	4	3	6
Oxford	1	2	3	5	4	6	7
Penobscot	1	2	3	4	6	5	7
Piscataquis	2	1	4	3	6	5	7
Sagadahoc	1	2	4	6	7	5	3
Somerset	1	3	4	2	5	6	7
Waldo	2	1	5	3	6	4	7
Washington	1	2	3	4	5	6	7
York	1	5	2	4	3	6	7

On the following pages are heatmaps to demonstrate the variance and relationship between counties in regard to each high-level priority. The heatmaps are a graphical representation of the data from *Table 2* using color-coding to represent different values. Darker (red) colors indicate higher priority and lighter (green) colors indicate lower priority.

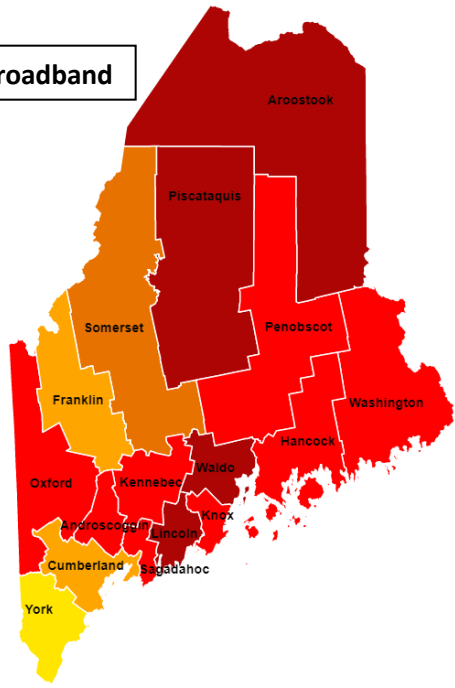




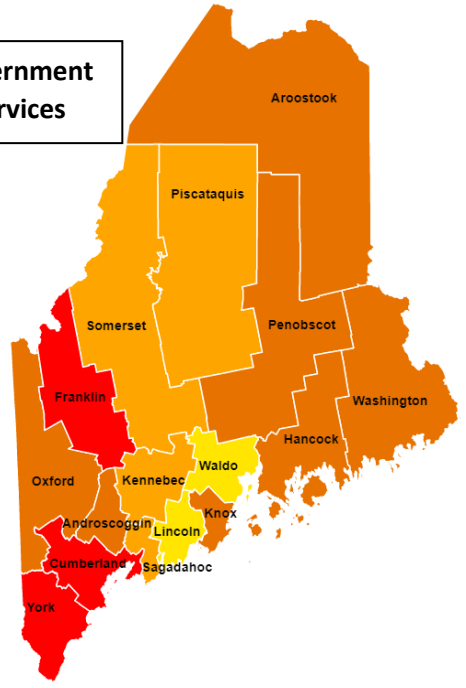
Infrastructure



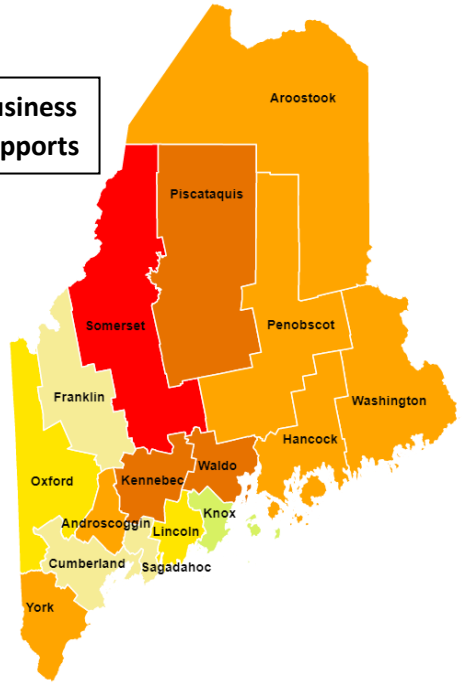
Broadband



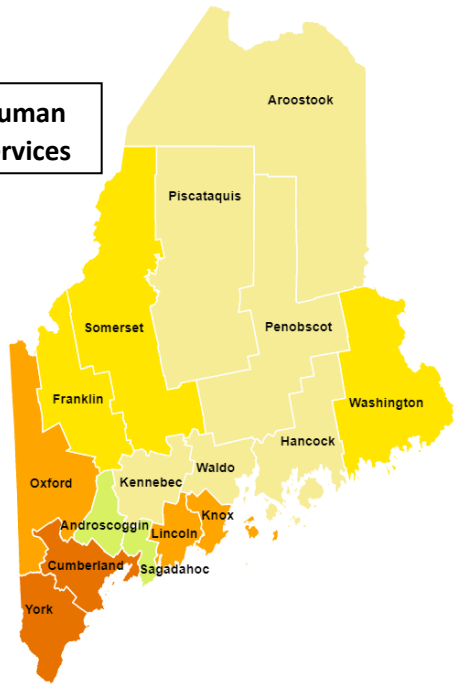
Government Services



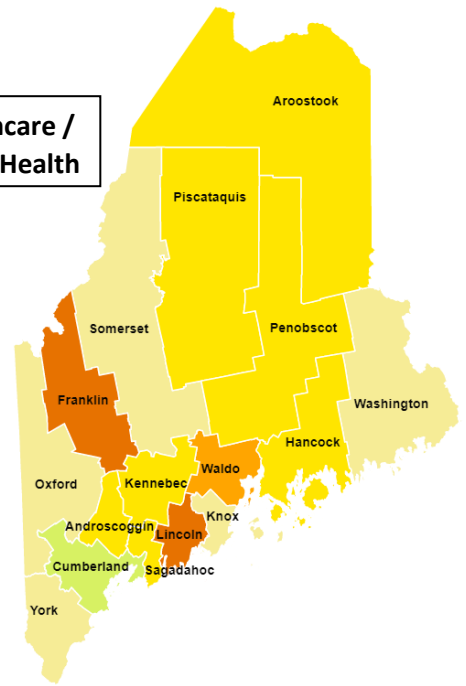
Business Supports

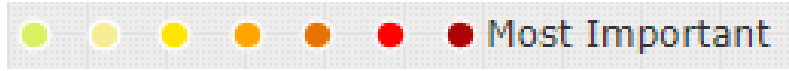


Human Services

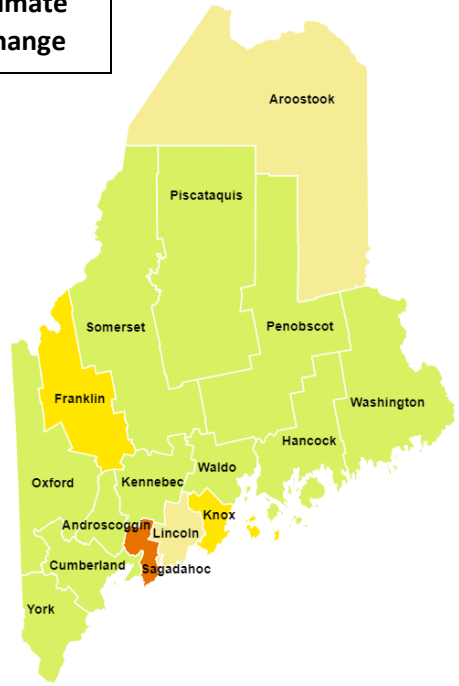


Healthcare / Public Health





Climate Change



Appendix A: Survey Participants

<u>Municipalities Represented (n=237)</u>				
Albion	China	Hiram	Newport	Sorrento
Alexander	Clinton	Holden	Newry	Southwest Harbor
Alton	Columbia	Hollis	Nobleboro	St. Albans
Appleton	Corinna	Hope	North Haven	St. George
Arrowsic	Corinth	Houlton	Northport	Stacyville
Arundel	Cyr Plantation	Howland	Norway	Standish
Ashland	Dallas Plantation	Hudson	Oakland	Steuben
Auburn	Damariscotta	Island Falls	Old Orchard Beach	Stoneham
Augusta	Deer Isle	Islesboro	Old Town	Stonington
Baldwin	Denmark	Jackman	Orono	Sullivan
Bar Harbor	Dennysville	Jay	Orrington	Surry
Bath	Detroit	Jonesport	Otisfield	Sweden
Beals	Dexter	Kennebunkport	Owls Head	Temple
Belfast	Dixmont	Kingfield	Palermo	Thomaston
Belgrade	Dover-Foxcroft	Kittery	Paris	Topsham
Berwick	Dresden	Knox	Parkman	Tremont
Bethel	Eagle Lake	Lake View Plantation	Pembroke	Trenton
Biddeford	East Millinocket	Lamoine	Penobscot	Union
Blue Hill	Easton	Lebanon	Perry	Unity
Boothbay Harbor	Eastport	Leeds	Phillips	Vassalboro
Bowdoinham	Eddington	Lewiston	Pittston	Vinalhaven
Bradford	Ellsworth	Liberty	Poland	Waldoboro
Bradley	Embden	Limestone	Portage Lake	Wales
Bremen	Enfield	Lincoln	Porter	Warren
Bridgewater	Eustis	Lincoln Plantation	Presque Isle	Washington
Bristol	Fairfield	Lisbon	Princeton	Waterboro
Brooklin	Farmington	Littleton	Randolph	Waterville
Brooks	Fayette	Livermore	Rangeley	Wayne
Brownville	Fort Fairfield	Lowell	Raymond	Weld
Brunswick	Fort Kent	Machiasport	Readfield	Wellington
Buckfield	Franklin	Madawaska	Robbinston	West Bath
Burlington	Freedom	Madison	Rockland	West Gardiner
Calais	Frenchville	Manchester	Rumford	West Paris
Cambridge	Fryeburg	Mapleton	Sabattus	Westbrook
Camden	Gardiner	Mechanic Falls	Saco	Westmanland
Canaan	Garland	Milbridge	Sandy River Plantation	Weston
Cape Elizabeth	Georgetown	Milo	Sanford	Windham
Caribou	Gouldsboro	Minot	Scarborough	Winslow
Carrabassett Valley	Grand Isle	Monmouth	Searsmont	Winterport
Carthage	Grand Lake Stream Plt.	Monson	Searsport	Winterville Plantation
Casco	Gray	Montville	Sebago	Winthrop
Castle Hill	Great Pond	Morrill	Sebec	Wiscasset
Chapman	Greene	Mount Vernon	Sedgwick	Woodland
Charleston	Greenville	New Portland	Shapleigh	Woodstock
Chebeague Island	Greenwood	New Sweden	Skowhegan	Woolwich
Chelsea	Guilford	New Vineyard	Smithfield	
Chester	Hampden	Newburgh	Solon	
Chesterville	Harpwell	Newcastle	Somerville	

<u>Counties Represented (n=11)</u>				
Aroostook	Kennebec	Lincoln	Penobscot	Somerset
Cumberland	Knox	Oxford	Piscataquis	Waldo
Hancock				

Appendix B: All Sub-priorities with Relative Grade

Below is the complete list of all sub-priorities with their respective score and number of standard deviations away from the norm. The rightmost column, “Std. From Average” indicates which sub-priorities generated extreme sentiments from the survey participants. If the number of standard deviations away from the mean is beyond +/- 2, then survey respondents are either extremely interested or disinterested in that sub-priority. Values between +/- 1 and 2 indicate strong interest or disinterest. Finally, values between +/- 0 and 2 suggest survey participants have no deep sentiment one way or another.

Key to Category Abbreviations

BB - Broadband	GOV – Government services
BUSI – Business supports	HEALTH – Healthcare/public health response
CC – Climate change response & mitigation	HHS – Human services; housing & childcare
COUNT – County-level	INFRA – Infrastructure; transportation & utilities

Category	Priority	Score	Std. From Average
GOV	*Road construction or repair	2.62	3.04
INFRA	*Culvert and storm water infrastructure	2.29	2.03
BB	Physical network build-out	2.23	1.83
BB	*Expanding education and student leaning capacity	2.17	1.65
GOV	*Government building improvements or construction	2.13	1.55
BB	*Public WiFi expansion	2.06	1.31
COUNT	*Increasing rural patrol coverage	2.05	1.31
COUNT	*Regional economic development	2.02	1.21
CC	*Government building energy efficiency improvement	2.00	1.13
BUSI	Support local farms and food production	1.99	1.10
COUNT	*Regional EMS services	1.98	1.09
HHS	Home weatherization and efficiency upgrades	1.97	1.06
CC	Recycling programs	1.96	1.02
BB	*Expanding telehealth capacity	1.92	0.90
HHS	Development/renovation of senior housing	1.88	0.77
BUSI	*Promotion of Maine products and businesses	1.87	0.73
COUNT	*Regional code enforcement or assessing services	1.86	0.73
HHS	Development/renovation of affordable housing	1.84	0.66
INFRA	*Clean energy and energy efficiency grants	1.84	0.65
INFRA	*Bridges or dams construction and repair	1.81	0.55
BB	Planning or consulting costs	1.80	0.52
HEALTH	Contain and mitigate the spread of COVID-19	1.78	0.48
HEALTH	General mental health or behavioral services	1.78	0.47
GOV	*Expanding online services	1.77	0.43
BB	Subscription rate assistance	1.76	0.42
INFRA	*Clean energy infrastructure	1.73	0.30
BUSI	New businesses and entrepreneurs support	1.71	0.26

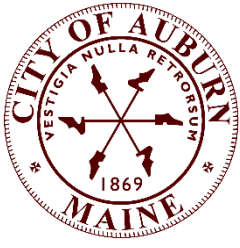
GOV	Regionalized EMS	1.71	0.25
CC	*Infrastructure resiliency adaptations	1.70	0.22
HEALTH	Addiction treatment	1.69	0.21
BUSI	Talent/workforce attraction and retention system	1.69	0.19
BB	Speed testing or mapping	1.68	0.15
BUSI	*Youth career development and pre-apprenticeship programs	1.67	0.14
GOV	Filling budget shortfalls	1.67	0.14
BUSI	Technology assistance to businesses	1.66	0.10
GOV	Short-term property tax relief	1.66	0.09
BB	*Installation in government buildings	1.66	0.09
BUSI	Economic recovery grants for businesses	1.66	0.09
HHS	*Childcare assistance and expansion	1.65	0.08
GOV	Municipal workforce development	1.65	0.06
INFRA	*Infrastructure resiliency adaption improvements	1.63	0.00
HHS	Premium pay to essential workers	1.62	-0.01
CC	*Clean or renewable energy generation projects	1.62	-0.02
BUSI	*Remote workforce development	1.59	-0.10
	*Expanding mental health and substances abuse services in		
COUNT	county jails	1.58	-0.13
GOV	*Municipal utilities	1.57	-0.17
COUNT	*Addressing backlog in court system	1.56	-0.21
HHS	Aid to households	1.56	-0.22
HHS	Payroll and covered benefits for frontline workers	1.55	-0.22
	*Modernizing licensing and permitting processes with state		
GOV	agencies	1.55	-0.23
HHS	Development/renovation of workforce housing	1.54	-0.26
CC	*Promoting redevelopment	1.51	-0.35
	Help underserved populations with basic needs and		
HHS	employment	1.51	-0.36
HEALTH	COVID-19 mental health services	1.50	-0.39
BUSI	*Small business health insurance relief	1.48	-0.45
BUSI	Loan or loan guarantees for businesses	1.48	-0.46
BUSI	*Career and technical (CTE) grants	1.47	-0.48
HEALTH	*Offering telehealth services to public sector employees	1.46	-0.51
HEALTH	*Nursing home and hospital healthcare recruitment	1.45	-0.54
CC	*Creating green spaces	1.39	-0.71
	*Targeted sector workforce development (i.e. clean energy,		
BUSI	healthcare)	1.33	-0.91
CC	Equity considerations for most vulnerable populations	1.32	-0.95
CC	Planning or expert consultation	1.32	-0.95
BUSI	Entrepreneurial training for underrepresented populations	1.22	-1.23
INFRA	Drinking water infrastructure	1.21	-1.26
HHS	Benefits to families of COVID-19 victims	1.21	-1.27
CC	*Public transportation or ride sharing programs	1.20	-1.31

HHS	Homelessness programs and resources	1.18	-1.36
INFRA	*Electric vehicle charging infrastructure	1.16	-1.43
CC	*Investment or fundraising activities	1.16	-1.44
INFRA	*Multimodal or public transportation grants	1.12	-1.54
GOV	Rehire staff and build public sector capacity	1.11	-1.58
CC	*Air-quality studies	1.05	-1.78
HHS	Support for unemployed workers	1.04	-1.81
CC	*Electrification of municipal vehicle fleets	0.92	-2.16
CC	Sea-level rise preparations	0.90	-2.21

Appendix C: Open-Ended Responses

Below is a summary of open-ended responses to the question, “In what other ways would your community like to allocate ARPA funds?” (n=158).

- 21 - Road or bridge repair
- 19 - Fire, EMS, or public safety
- 13 - Broadband
- 11 - Economic development; business supports, sidewalks, business promotion
- 10 - Sewer, septic, or drinking water
- 10 - Government buildings
- 8 - Tax relief
- 7 - Government services
- 7 - Climate change mitigation, environmental action
- 7 - Arts & Recreation
- 6 - School or education
- 4 - Infrastructure resiliency adaptations, storm water management
- 4 - Housing
- 3 - Advisory, consulting or legal costs
- 3 - Miscellaneous capital improvements
- 2 - Emergency preparedness
- 2 - Municipal or community solar
- 2 - Fishing industry supports
- 2 - Childcare
- 1 - Transportation
- 1 - Harbor investments
- 1 - Municipal capacity to use technology
- 1 - Bicycle infrastructure
- 1 - Senior citizen transportation
- 1 - Redevelop workforce for remote positions
- 1 - Social workers assigned to EMS calls
- 1 - Regional animal control services
- 1 - Reduce county activities and budget
- 1 - Comprehensive plan



City of Auburn City Council Information Sheet

Council Workshop or Meeting Date: September 7, 2021

Author: Eric J Cousens, Director of Planning and Permitting

Subject: Hydropower Licensing Update – Upper Barker Mill Dam (FERC P-3562) and Lewiston Falls/Monty Hydro (FERC P-2302)

Information: The relicensing process is beginning for the Lewiston Falls/Monty Hydro Facility on the main stem of the Androscoggin in anticipation of the expiration of the existing license in 2026. Our Comprehensive Plan, Strategic Plan, New Auburn Master Plan, the Androscoggin Greenway Plan and ATRC Bridging the Gaps Bicycle and Pedestrian Plans give staff substantive direction and support to advocate for needs, improvements and studies to identify the best way to meet identified needs to mitigate impacts of the facility on the community. The first step is working with FERC and the Licensee to choose a licensing process. The Pre-Application Document (PAD) and request for Traditional Licensing Process has been filed and is available here: https://elibrary.ferc.gov/eLibrary/filelist?accession_num=20210804-5115. The applicant indicates on page 2 of the PAD in bullet 4 that most projects use the Integrated Licensing Process (ILP) but they are requesting that they be allowed to use the Traditional Licensing Process (TLP) as it is less resource intensive and the project is likely to be less complicated than average. Staff has consulted with other communities and stakeholders. The TLP is generally used for non-controversial, smaller projects without known or anticipated issues and delays FERC involvement until later in the process (see attached advantages and challenges and comparison of licensing processes). Staff has requested that the FERC require the ILP to allow for earlier involvement by FERC staff, more coordination with resource agencies and greater stakeholder involvement than we believe the TLP would provide (Attached letter dated 9/2/2021). We are discussing options with stakeholders, including the City of Lewiston, to best advocate for Auburn's needs in this upcoming process. There will be public meetings and feedback needed from City Council, Committees and potentially legal Counsel in the coming few years as we work with Brookfield and FERC on the important relicensing.

UPPER BARKER UPDATE: In 2019 the Licensing process for Upper Barker began as we finished the process for Lower Barker. In the Lower Barker process we successfully advocated for studies and then recreational benefits to address issues identified in the studies, specifically increased minimum flows for fishing in the bypassed reach, recreational access improvements and flow releases for future river events. Attached are the comments filed June 7th 2019 for the Upper Barker project. Recently we received final notice of FERC soliciting any additional study request (Attached Tendering Notice) prior to establishing a schedule for the remainder of the relicensing. Although it might be redundant, staff plans to file comments that reiterate the needs identified in 2019 by the deadline of September 27, 2021 to make sure they stay visible in the reviews by FERC and the Licensee.

City Budgetary Impacts: None Currently but some legal costs and substantial recreational benefits are likely.

Staff Recommended Action: Discuss update and provide any feedback.

Previous Meetings and History: Last related workshop on the outcome of the Lower Barker Relicensing on May 4, 2020 and Upper Barker discussion in May of 2019.

City Manager Comments:



I concur with the recommendation. Signature:

Attachments: September 2, 2021 FERC ILP vs TLP Letter, Advantages and Challenges of each Licensing Process, Licensing Process Comparison Matrix, City Comments on the Upper Parker Proposed Study Plan 2019, FERC Tendering Notice-Final Study Request and Process Setting



City of Auburn, Maine

Office of Planning & Permitting

Eric Cousens, Director

60 Court Street | Auburn, Maine 04210

www.auburnmaine.gov | 207.333.6601

September 2, 2021

VIA E-FILING

Kimberly D. Bose, Secretary

Federal Energy Regulatory Commission

888 First Street, N.E.

Washington, DC 20426

RE: Lewiston Falls Hydroelectric Project (FERC No. 2302) City of Auburn Maine Objection to TLP Request

Dear Secretary Bose:

Pursuant to Section 15(b)(1) of the Federal Power Act, 16 U.S.C. § 808(b)(1), Brookfield White Pine Hydro LLC (BWPH) has electronically filed with the Commission the Notice of Intent to File a License Application (NOI) on August 4, 2021. The filing was not forwarded to listed stakeholders on that date but was later sent to stakeholders via email on August 10, 2021. The filing includes a request for the use of the FERC's Traditional Licensing Process (TLP) for the relicensing of the Project.

The City of Auburn respectfully requests that FERC deny the request to use the TLP and require the Integrated Licensing Process (ILP) for the relicensing of this project of Statewide significance.

The project is located on the Androscoggin River in the cities of Auburn and Lewiston in Androscoggin County, Maine. The Project's existing license was issued on September 29, 1986 and expires on August 31, 2026. The project is located on Maine's third largest river, has had a licensed generating capacity of up to 35.6 MW and is at the center of the Cities of Auburn and Lewiston's Downtowns in Maine's second largest metropolitan area. The license has recently been modified to reduce project area, generating capacity and transfer canal ownership to the City of Lewiston.

Past recreation plans are inadequate to meet the needs of the adjacent communities and will require significant study and public involvement to mitigate project impacts. During the term of the current license the positive impacts of Senator Muskie's Clean Water Act have significantly changed the recreation potential and demand for access to the resources affected by the project. More recently, in the last 2 years, we have seen a significant increase of in migration to the State of Maine and Auburn/Lewiston in particular for the first time in decades. The Androscoggin River, within the project area, can provide recreational access to residents in adjacent low-income census tracts without access to vehicles for transportation and has become a significant attraction for Maine residents and out of State visitors alike.

The TLP will not be adequate for a project of Statewide significance located in the second most populous region of the State with many unknown project impacts and early involvement of FERC staff in the ILP will help ensure an appropriate outcome. The City of Auburn urges FERC to require the ILP for the relicensing process.

Sincerely,

Eric J. Cousens

Director of Planning and Permitting

Potential Advantages and Challenges of Each Licensing Process

Integrated Licensing Process (ILP)

Potential advantages to using the ILP may include the following:

- Coordination of multiple resource agency permitting processes
- Establishment of a formal timeframe for all stakeholders to complete the steps necessary for FERC licensing
- Assurance that all interested stakeholders will have an opportunity to participate in the FERC licensing process at clearly specified times over the course of the licensing process
- Early scoping, which helps reduce the number of study and information requests made later in the FERC licensing process, after the license applicant has filed a FERC license application, which may lead to additional time and resources expenditures.

Potential challenges to using the ILP may include the following:

- Although strict deadlines imposed by the ILP may be helpful to keep participating stakeholders on task, these deadlines may also prove unworkable under some circumstances
- The ILP may require more time
- The ILP may be more expensive.

Traditional Licensing Process (TLP)

Potential advantages to using the TLP may include the following:

- The TLP provides more flexibility for the license applicant and interested stakeholders to complete various steps in the licensing process because it does not have a strict timeline
- The TLP may be more efficient than the ILP for non-controversial projects without significant environmental concerns
- The TLP may be less costly than the ILP.

Potential challenges to using the TLP may include the following:

- Interested parties may find it difficult to know when they can participate in FERC's decision-making process without a formal licensing schedule
- FERC staff generally does not assist the license applicant in completing the FERC license application or coordinating pre-filing meetings, scoping, and study requests
- Important issues identified during FERC's NEPA scoping process may not be adequately studied under the license applicant's study plan
- Without a strict timeframe, resource agencies and other participating stakeholders may request additional studies or information requests later on in the FERC licensing process.

Alternative Licensing Process (ALP)

Potential advantages to using the ALP may include the following:

- Without a strict timeline, the license applicant and other interested stakeholders have greater flexibility to complete various steps in the licensing process
- Allows the license applicant and stakeholders to combine the consultation, study, and environmental review processes
- Earlier scoping and the development of a collaborative preliminary draft NEPA document (applicant-prepared EA or EIS) may help interested parties to clarify and resolve issues relating to controversial projects

- FERC staff are available to advise the license applicant and other interested stakeholders as they work together to complete pre-application activities.

Potential challenges to using the ALP may include the following:

- Interested parties may find it difficult to know when they can participate in the decision-making process
- Generally, requires the license applicant and stakeholders to reach a consensus on required studies
- Without a strict timeframe, resource agencies and other participating stakeholders may request additional studies later on in the FERC licensing process
- Important issues identified during FERC's NEPA scoping process may not be adequately addressed in the license applicants preliminary draft EA or EIS
- The process generally requires all major stakeholders to agree to a comprehensive settlement agreement and is highly dependent on consensus-building between stakeholders prior to submitting the NOI and PAD.

Licensing Processes - Matrix Comparing Three Licensing Processes

Matrix Comparing Three Licensing Processes

	Integrated Licensing Process (ILP)	Traditional Licensing Process (TLP)	Alternative Licensing Process (ALP)
Consultation w/ Resource Agencies and Indian Tribes	- Integrated	- Paper-driven	- Collaborative
FERC Staff Involvement	- Pre-filing [beginning at filing of Notice of Intent (NOI)] - Early and throughout process	- Post filing (after the application has been filed) - Available for education and guidance	- Pre-filing (beginning at filing the NOI) - Early involvement for National Environmental Policy Act (NEPA) scoping as requested
Deadlines	- Defined deadlines for all participants (including FERC) throughout the process	- Pre-filing: some deadlines for participants - Post-filing: defined deadlines for participants	- Pre-filing: deadlines defined by collaborative group - Post-filing: defined deadlines for participants
Study Plan Development	- Developed through study plan meetings with all	- Developed by applicant based	- Developed by collaborative group -

	<p>stakeholders</p> <ul style="list-style-type: none"> - Plan approved by FERC 	<p>on early stakeholder recommendations</p> <ul style="list-style-type: none"> - No FERC involvement 	<p>FERC staff assist as resources allow</p>
<p>Study Dispute Resolution</p>	<ul style="list-style-type: none"> - Informal dispute resolution available to all participants - Formal dispute resolution available to agencies with mandatory conditioning authority - Three-member panel provides technical recommendation on study dispute - OEP Director opinion binding on applicant 	<ul style="list-style-type: none"> - FERC study dispute resolution available upon request to agencies and affected tribes - Office of Energy Projects (OEP) Director issues advisory opinion 	<ul style="list-style-type: none"> - FERC study dispute resolution available upon request to agencies and affected tribes - OEP Director issues advisory opinion
<p>Application</p>	<ul style="list-style-type: none"> - Preliminary licensing proposal or draft application and final application include Exhibit E (environmental report) with form and contents of an EA 	<ul style="list-style-type: none"> - Draft and final application include Exhibit E 	<ul style="list-style-type: none"> - Draft and final application with applicant-prepared environmental assessment or third-party environmental impact statement
<p>Additional Information Requests</p>	<ul style="list-style-type: none"> - Available to participants before application filing - No additional information requests after application filing 	<ul style="list-style-type: none"> - Available to participants after filing of application 	<ul style="list-style-type: none"> - Available to participants primarily before application filing - Post-filing requests available but should

			be limited due to collaborative approach
Timing of Resource Agency Terms and Conditions	<ul style="list-style-type: none"> - Preliminary terms and conditions filed 60 days after Ready for Environmental Analysis (REA) notice - Modified terms and conditions filed 60 days after comments on draft NEPA document 	<ul style="list-style-type: none"> - Preliminary terms and conditions filed 60 days after REA notice - Schedule for final terms and conditions 	<ul style="list-style-type: none"> - Preliminary terms and conditions filed 60 days after REA notice - Schedule for final terms and conditions

This page was last updated on July 07, 2020



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UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

KEI (Maine) Power Management (III) LLC

Lower Barker Hydroelectric Project
(FERC No.3562)

CITY OF AUBURN MAINE'S COMMENTS IN RESPONSE TO THE PROPOSED STUDY PLAN FOR THE
UPPER BARKER HYDROELECTRIC PROJECT, FERC PROJECT NO. 3562

The City of Auburn, Maine submits these comments to FERC in response to the Proposed Study Plan for the Upper Barker Hydroelectric Project operated by KEI (Maine) Power Management LLC ("KEI"). The City has previously submitted comments in the ongoing relicensing of the Lower Barker Mill Dam (FERC No. 2808) asking the licensee to study the impact of its hydroelectric operations on the recreational opportunities available to boaters and shoreline pedestrians in the project areas.

We submit these comments to address the deficiencies in the Licensee's Proposed Study Plan and respectfully request that the Licensee revise its study plan to adequately address the concerns raised by the City and other stakeholders expressing an interest in recreational access within the project boundary and on waters impacted by project operations.

General Comments

FERC is required by Section 4(e) of the Federal Power Act to give "equal consideration to the purposes of energy conservation, the protection, mitigation of damage to, and enhancement of, fish and wildlife (including related spawning grounds and habitat), the protection of recreational opportunities, and the preservation of other aspects of environmental quality." The Act requires FERC to balance the Licensee's interest in generating power through the use of a public resource with the public interest in protecting natural resources, providing recreational opportunities, aesthetics, and other factors. Absent any background information or proposed study of these impacts by the Licensee, FERC will be unable to conduct an adequate NEPA review, calling into question its ability to relicense the project.

During the term of the current license, the Androscoggin and Little Androscoggin Rivers have reaped the benefits for the Clean Water Act and the water quality has improved. Public

perception of the rivers as a recreational resource has strengthened and more people are trying to access the Little Androscoggin River in the project area. The City is focused on providing recreational opportunities and access to the River for residents and visitors within the Upper Barker Hydro project area. The proposed study plan lacks any significant mention of recreation, access or any recreational studies. The City wishes to submit the New Auburn Master Plan (NAMP) as part on the record in the FERC Relicensing Process for the Upper Barker Dam to demonstrate the local policy commitment to providing access to the Little Androscoggin River and the portion of the proposed greenbelt within and adjacent to the project area. Below are some of the recreation and greenbelt related references from the NAMP:

1. Page 6, New Auburn Vision – Greenbelt reference.
2. Page 11, New Auburn Business District Strategy E.
3. Page 16, Improve Intown Neighborhoods, Strategy iv, invest in recreational facilities.
4. Page 20, Map 2, shows possible Barker Mill Trail extension in project area.
5. **Page 23-24, Recreational Goal #1 is to Establish a Greenbelt and increase riverfront access.**

KEI (Maine) requested via email that any proposed modifications to the PSP must address the criteria in 18 CFR § 4.38(b) and 18 CFR 16.8(b)(4). To that end, we provide the following:

1. The agency/stakeholder's determination of necessary studies to be performed or information to be provided by the potential applicant; It is necessary to understand usage patterns and current informal access to the project area, user demand and to determine how access can be improved for a variety of users, including motorized and non-motorized boating, pass through canoe/kayak portages, bank fishing access and greenbelt/Barker Mill Trail extensions within the project area.

2. The basis for the agency/stakeholder's determination; The City of Auburn Comprehensive Plan and the New Auburn Master Plan outline the City's ongoing policy to establish a greenbelt and increase riverfront access within and adjacent to the project area. KEI and the City currently lack any detailed information to understand access demand and appropriate locations within the project area for portages and improved access. Demand is expected to increase over the term of the next license, and we must understand anticipated demand and opportunities to meet it. KEI has not proposed any recreation related studies.

3. The agency/stakeholder's understanding of the resource issues involved, and the agency/stakeholder's goals and objectives for these resources; The Project area is located within the second largest metropolitan area of the state and directly adjacent to New Auburn. Recreational access to waterways is a key quality of life component for many Maine Residents. The City is committed to providing access to its rivers and the project area is part of that. The City would like to see a basic study regarding recreational usage that includes the following:

- Determine the current usage patterns by walking the project area boundaries with City

Staff and identifying and mapping existing trails and informal access points;

- Identify portage opportunities for pass through canoe or kayak trips and put-ins or take-outs above and below the dam;
- identify public access obstacles; and,
- Identify adjacent parcels and ownership to explore access opportunities.
- Work with the City and other stakeholders to secure access points and improve them to make them safe and functional.

It is estimated that 3-4 days of field work with GPS mapping capabilities and 3-4 days of GIS mapping and organizing of existing parcel data would complete this basic study. The study would provide basic data to inform recreation access related decisions going forward. The City will provide base maps and ownership information to be used by KEI or their consultant.

4. Justification of recommended study methodology; The proposed study is collecting and organizing basic information to understand usage and access patterns and identify opportunities for improving access. The study is simple and of minimal expense.

5. Documentation that the use of each study method recommended is a generally accepted practice; We are lacking the usage and ownership information to make any decisions regarding recreational access to the project area. Access information is needed to make decisions and should be generally provided by the applicant during a FERC Relicensing process. The applicant has not proposed any recreational study, so we are requesting that it be provided.

6. Explanation of how the studies and information requested will be useful to the agency, Indian tribe, or members of the public in furthering its resource goals and objectives as related to the proposed project. The information will be used to inform discussions between the City and the Applicant to coordinate with and implement local plans and improve safety for existing users over the term of the next license. The study will allow the applicant to minimize the impacts of project operations on recreation and to assist the City in providing access to the Little Androscoggin River.

The City further wishes to express support for the Maine Inland Fisheries and Wildlife request for a boat launch in the project area and asks that locating the potential facility be considered in a recreational access and facilities study.

Conclusion

The City submits these comments to FERC as part of the record for the Upper Barker Hydroelectric Project relicensing, and requests that the License revise its proposed study plans to address the concerns raised. Thank you for considering these comments.

Respectfully submitted this 7th day of June 2019

A handwritten signature in black ink, appearing to read "Eric Cousens". The signature is fluid and cursive, with a large initial "E" and a long, sweeping underline.

Eric J. Cousens
Deputy Director of Economic and Community Development, City of Auburn, ME

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

KEI (Maine) Power Management (III) LLC

Project No. 3562-026

NOTICE OF APPLICATION TENDERED FOR FILING WITH THE COMMISSION
AND SOLICITING ADDITIONAL STUDY REQUESTS AND ESTABLISHING
PROCEDURAL SCHEDULE FOR RELICENSING AND A DEADLINE FOR
SUBMISSION OF FINAL AMENDMENTS

(August 12, 2021)

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection.

- a. Type of Application: Subsequent Minor License
- b. Project No.: 3562-026
- c. Date filed: July 29, 2021
- d. Applicant: KEI (Maine) Power Management (III) LLC (KEI Power)
- e. Name of Project: Barker Mill Upper Hydroelectric Project
- f. Location: On the Little Androscoggin River, in the City of Auburn, Androscoggin County, Maine. The project does not occupy any federal land.
- g. Filed Pursuant to: Federal Power Act 16 U.S.C. §§ 791 (a) - 825(r)
- h. Applicant Contact: Lewis C. Loon, General Manager, KEI (USA) Power Management Inc., 423 Brunswick Avenue, Gardiner, ME 04345; phone at (207) 203-3025; email at LewisC.Loon@krueger.com.
- i. FERC Contact: John Matkowski at (202) 502-8576, or john.matkowski@ferc.gov.
- j. Cooperating agencies: Federal, state, local, and tribal agencies with jurisdiction and/or special expertise with respect to environmental issues that wish to cooperate in the preparation of the environmental document should follow the instructions for filing such requests described in item l below. Cooperating agencies should note the

Commission's policy that agencies that cooperate in the preparation of the environmental document cannot also intervene. *See*, 94 FERC ¶ 61,076 (2001).

k. Pursuant to section 4.32(b)(7) of 18 C.F.R. of the Commission's regulations, if any resource agency, Indian Tribe, or person believes that an additional scientific study should be conducted in order to form an adequate factual basis for a complete analysis of the application on its merit, the resource agency, Indian Tribe, or person must file a request for a study with the Commission not later than 60 days from the date of filing of the application, and serve a copy of the request on the applicant.

l. Deadline for filing additional study requests and requests for cooperating agency status: September 27, 2021.

The Commission strongly encourages electronic filing. Please file additional study requests and requests for cooperating agency status using the Commission's eFiling system at <https://ferconline.ferc.gov/FERCOOnline.aspx>. For assistance, please contact FERC Online Support at FERCOOnlineSupport@ferc.gov, (866) 208-3676 (toll free), or (202) 502-8659 (TTY). In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852. All filings must clearly identify the project name and docket number on the first page: **Barker Mill Upper Project (P-3562-026)**.

m. The application is not ready for environmental analysis at this time.

n. Project Description: The existing Barker Mill Upper Project consists of: (1) a 41-acre impoundment with a maximum storage capacity of 255 acre-feet at a normal maximum water surface elevation of 192 feet NAVD 88; (2) a dam consisting of (starting from the west bank): (a) 43-foot-long concrete abutment; (b) a 40-foot-long gated spillway structure consisting of two, 18-foot high, 15-foot-wide steel Tainter gates; (c) an 86-foot-long, 24-foot-high stone masonry with concrete overlay overflow spillway with 3-foot-high wooden flashboards and a crest elevation of 192 feet NAVD 88 at the top of the flashboards (189 feet NAVD 88 when the flashboards are lowered); (d) a 31-foot-long concrete intake structure; and, (e) a 27-foot-long underground abutment; (3) a powerhouse containing a single 950-kilowatt turbine-generator unit; (4) a tailrace; (5) a 50-foot-long, 12.47-kilovolt transmission line; and (10) appurtenant facilities.

The Barker Mill Upper Project is operated in run-of-river mode. The average annual generation is estimated to be of 4,681 megawatt-hours.

o. In addition to publishing the full text of this notice in the Federal Register, the Commission provides all interested persons an opportunity to view and/or print the contents of this notice, as well as other documents in the proceeding (*e.g.*, license application) via the Internet through the Commission’s Home Page (<http://www.ferc.gov>) using the “eLibrary” link. Enter the docket number excluding the last three digits in the docket number field to access the document (P-3562). At this time, the Commission has suspended access to the Commission’s Public Reference Room due to the proclamation declaring a National Emergency concerning the Novel Coronavirus Disease (COVID-19) issued by the President on March 13, 2020. For assistance, contact FERC at FERCOnlineSupport@ferc.gov or call toll-free, (866) 208-3676 or (202) 502-8659 (TTY).

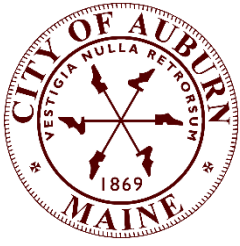
You may also register online at <https://ferconline.ferc.gov/FERCOnline.aspx> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

p. Procedural schedule: The application will be processed according to the following preliminary schedule. Revisions to the schedule will be made as appropriate.

Issue Deficiency Letter (if necessary)	September 2021
Request Additional Information (if needed)	September 2021
Issue Notice of Acceptance	December 2021
Issue Scoping Document 1 for comments	January 2022
Issue Scoping Document 2	March 2022
Issue Notice of Ready for Environmental Analysis	March 2022

q. Final amendments to the application must be filed with the Commission no later than 30 days from the issuance date of the notice of ready for environmental analysis.

Kimberly D. Bose,
Secretary.



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: September 7, 2021

Author: Sue Clements-Dallaire, City Clerk

Subject: Proposed Charter Amendments – deadlines and next steps

Information: The City Charter states under sec. 2.8 that “the city council shall provide for the review of the city’s charter and ordinances in their entirety at least once every 15 years”. The council determined that establishing a charter commission was not necessary at that point. The City Council and School Committee have reviewed the Charter in its entirety. After much discussion and legal review, there were only a few proposed amendments that were not considered substantial (which would require a Charter Commission).

If the municipal officers determine that amendments to the charter should be considered, they may, by order, provide for notice and hearing on the proposed amendments. The notice of this hearing is to be published in a newspaper having general circulation in the municipality at least seven days before the hearing. The published notice must contain the text of the proposed amendment and a brief explanation. Within seven days after the hearing, the municipal officers must order the proposed amendments placed on a ballot at the next regular municipal election held at least 30 days after the order is passed, or they may order a special election to be held at least 30 days after the order. 30-A M.R.S. § 2104(I).

If this is to be voted on by the Council to order the proposed amendments be placed on a ballot at the November 2nd election, we would have to hold a public hearing sometime between **September 13-17** and within seven days after the hearing (**September 20, 2021**), the municipal officers must order the proposed amendments to be placed on a ballot at the next regular municipal election held at least 30 days after the order is passed – **November 2, 2021**.

Charter amendments become effective on the first day of the next succeeding municipal year or on the date specified in the question, whichever occurs first. However, a majority vote notwithstanding, no new charter, charter revision or amendment may become effective unless the total votes cast for and against the question equal or exceed 30% of the total votes cast for the office of Governor in the municipality at the most recent gubernatorial election.

The last Gubernatorial Election was held in November 2018. Total votes cast for Governor was 9,755 so a minimum of 2,927 votes would have to be cast either for or against on the proposed Charter amendments.

City Budgetary Impacts: None

Staff Recommended Action: Discussion and consider moving forward with a public hearing, vote to send proposed amendments to the voters at the upcoming or a future election.

Previous Meetings and History: October 26, 2020, November 9, 2020, November 30, 2020, August 16, 2021.

City Manager Comments:

Phillip Crowell Jr.

I concur with the recommendation. Signature:

Attachments: Proposed amendments, title 30-A, Sec. 2104, title 30-A, Sec. 2105

§2104. Charter amendments; procedure

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

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

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

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

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

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

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

"Municipality of ..."

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

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

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

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

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

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

Upon receipt of a petition containing this language, the municipal officers, if they determine with the advice of an attorney that the proposed amendment would constitute a revision of the charter, shall treat the petition as a request for a charter commission and follow the procedures applicable to such a request. [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

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

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

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

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

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

[PL 1991, c. 622, Pt. X, §10 (AMD).]

SECTION HISTORY

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

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

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§2105. Submission to voters

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

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

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

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

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

"Shall the municipality approve the charter modification recommended by the charter commission and reprinted (summarized) below?" [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

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

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

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

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

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

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

- (1) Have the final report of the charter commission printed;
- (2) Make copies of the report available to the voters in the clerk's office; and
- (3) Post the report in the same manner that proposed ordinances are posted. [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

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

- (1) Have the proposed amendment and any summary of the amendment prepared under this section printed;
- (2) Make copies available to the voters in the clerk's office; and

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

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

[PL 1991, c. 622, Pt. X, §11 (AMD).]

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

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

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

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

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

SECTION HISTORY

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

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Proposed Charter Amendments

Sec. 4.2 Composition and compensation.

The School Committee shall consist of the Mayor, or a City Councilor selected by the Mayor, and seven (7) other members. Five (5) members shall be elected, one (1) from each ward by and from its registered voters. Two (2) members shall be elected at-large by and from the City's registered voters. Members shall hold office for a term of two (2) years or until their successors are elected and qualified except that any candidate whose name does not appear on the printed ballot must receive at least twenty-five (25) valid write-in votes in order to qualify for election to that position. The School Committee may appoint by rule non-voting student representatives to serve with the School Committee. Student members will be secondary students and will serve a one (1) year term.

Sec. 4.7. Voting.

A roll call vote shall be taken on the passage of any order or resolve when requested by any member. Any action by the school committee shall require at least four affirmative votes; however, in the event of a tie the measure fails. ~~Five affirmative votes shall be required to hire or fire the superintendent of schools.~~

Sec. 4.9. Superintendent of schools.

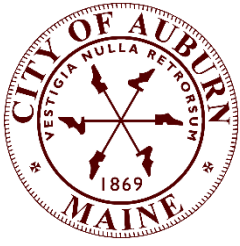
The school committee shall choose a superintendent of schools in accordance with MRS Title 20-A §1051, ~~solely on the basis of executive and administrative qualifications~~. The superintendent of schools need not be a resident of the city at the time of appointment, but shall be a resident of the city during tenure of office unless otherwise approved by the school committee. The School Committee may discharge the superintendent before the expiration of the contract term in accordance with MRS Title 20-A §1052.

Sec. 6.4. Powers and duties.

The city manager shall be administrative head of the city government and shall be responsible to the city council for the administration of all departments other than the ~~department of education~~ School Department.

Sec. 8.7. Amendments after adoption.

A. *Supplemental appropriations.* If during or before the fiscal year the city manager certifies that there are available for appropriation municipal revenues, including those of the ~~department of education~~ School Department, in excess of those estimated in the budget, the city council by resolve may make supplemental appropriations for the year up to the amount of such excess.



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: September 7, 2021 **Orders:** 94-09072021 through 96-09072021

Author: Sue Clements-Dallaire, City Clerk

Subject: Automobile Graveyard/Junkyard permit renewals

Information: This is an annual renewal of currently existing Automobile Graveyard/Junkyards in Auburn, which require Council approve. Three of the five have submitted applications and passed inspections conducted by the Code and Fire Departments. These are routine, yearly renewals. The following have submitted their applications:

Don's No Preference Towing of L/A, Inc., dba Morris Auto Parts, 940 Washington St. North
M & P Auto, Inc., 227 Merrow Road
Randy's Auto Parts, Inc., 899 Broad Street

We have not received applications from the two below. They will come before Council after applications are received.

Isadore T. Miller, 79 & 80 Hotel Road
Prolerized New England Company, LLC., 522 Washington St. North

City Budgetary Impacts: N/A

Staff Recommended Action: Passage of permit renewals on the three that have submitted their applications.

Previous Meetings and History: Annual renewal

City Manager Comments:



I concur with the recommendation. Signature:

Attachments:

1. Automobile Graveyard/Junkyard applications
2. Inspection emails from Code and Fire
3. Orders 94-09072021 – 96-09072021

From: [Eric Cousens](#)
To: [Susan Clements-Dallaire](#)
Subject: Junkyard License Renewals 2021
Date: Thursday, September 2, 2021 10:17:21 AM
Attachments: [Outlook-5ml0guff.png](#)

Sue,

I have inspected and/or reviewed any changes with each Junkyard owner and we have no concerns with the renewals of the 5 licenses listed on the Agenda for 9/7/2021. Please consider this the approval from Planning and Permitting.

Eric J. Cousens
Director of Planning and Permitting

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From: [Susan Clements-Dallaire](#)
To: [Susan Clements-Dallaire](#)
Subject: FW: Automobile Graveyard/Junkyard Permit Application
Date: Monday, August 9, 2021 10:53:45 AM
Attachments: [image001.png](#)

From: David O'Connell <doconnell@auburnmaine.gov>
Sent: Monday, August 9, 2021 10:20 AM
To: Susan Clements-Dallaire <sdallaire@auburnmaine.gov>; Eric Cousens <ECousens@auburnmaine.gov>
Subject: RE: Automobile Graveyard/Junkyard Permit Application

Hi Sue,

The fire department approves all of the submitted applications for automobile graveyard/junkyards.

Thank you,

David

David N O'Connell CEO CFI-I C-ECT MIAAI
Fire Prevention Officer, Auburn Fire Dept., City of Auburn
550 Minot Ave | Auburn, Maine 04210 | 207.333.6633 X6



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2021
CITY OF AUBURN
AUTOMOBILE GRAVEYARD/JUNKYARD PERMIT
APPLICATION

To the City of Auburn, County of Androscoggin, Maine:

I/We Bryan McLean Donald St. Germain Don's DBA/Morris Auto Parts hereby
Make application for a permit to establish, operate or maintain an Automobile Graveyard and/or
Junkyard at the following described location and in accordance with the provisions of Title 30-A
MRSA Sections 3751-3760.

All questions must be answered in full.

1. Where is the location of the Automobile Graveyard and/or Junkyard?

940 Washington St. North

2. Is this application made by or for a company, partnership, corporation or individual:

Corporation

3. Is this property leased? No Property owned by: Donald St. Germain

Address: 940 Washington St. North

Phone number: 207-754-1608

4. How is "yard" screened?

- Fence (type) Wood Height: 8 FT.
Trees (type)
Embankment:
Gully:
Hill:
Other: Metal 8 FT

5. How far is edge of "yard" from center of highway?

53 FT Center to Fence

- 6. Can junk be seen from any part of highway? Yes _____ No ~~_____~~
- 7. Were Junkyard Law, Requirements and Fees explained to you? Yes ~~_____~~ No _____
- 8. Is any portion of this "yard" on public property? Yes _____ No ~~_____~~
- 9. Is "yard" within 300 feet of a Public Park, Public Playground, Public Bathing Beach, School, Church or Cemetery? Yes _____ No ~~_____~~
- 10. When was "yard" established? 1938 By whom? MORRIS AUTO PARTS
- 11. When was last permit issued? 2020 By whom? CITY OF AUBURN
2021 = STATE OF MAINE

The undersigned certified that the above information is true and correct to the best of his/her knowledge and that he/she is the owner or agent of the property or that he/she has been duly authorized by the owner, individual, partnership, company or corporation to make this application and to receive the permit under the law.

Signed by: Donald J. Lincer for: Don's DBA/MORRIS AUTO PARTS
Name of Company, Corporation, Partnership or Individual

Address: 940 Washington St, Auburn, ME 04210
P.O. BOX # 283, AUBURN, ME 04212

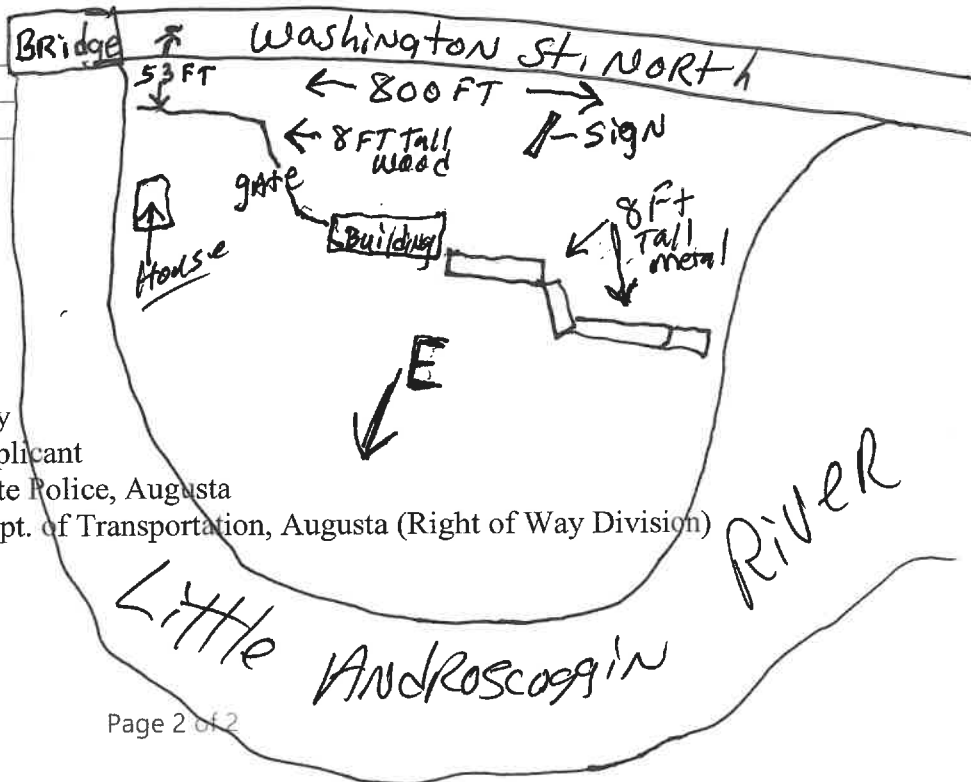
Make complete sketch of "yard". Show footage of all sides and location in relationship to adjacent properties. Show distance (in feet) from edge of "yard" to center of highway. Fill in Route Number or Local Road Name. Name of nearest City/Town in each direction. Distance from nearest intersection, bridge or other known reference point.

Tax Map No. 170
Lot No. 020
Zone _____

Check correct direction:

- North
- East
- West
- South

- 1 copy of application to City
- 1 copy of application to Applicant
- 1 copy of application to State Police, Augusta
- 1 Copy of application to Dept. of Transportation, Augusta (Right of Way Division)





2021
CITY OF AUBURN
AUTOMOBILE GRAVEYARD/JUNKYARD PERMIT
APPLICATION

To the City of Auburn, County of Androscoggin, Maine:

I/We RANDY'S AUTO PARTS hereby
Make application for a permit to establish, operate or maintain an Automobile Graveyard and/or
Junkyard at the following described location and in accordance with the provisions of Title 30-A
MRSA Sections 3751-3760.

All questions must be answered in full.

- 1. Where is the location of the Automobile Graveyard and/or Junkyard?
899 BROAD STREET AUBURN, ME

2. Is this application made by or for a company, partnership, corporation or individual:
RONALD & ERNEST LEVASSEUR

3. Is this property leased? NO Property owned by: RONALD & ERNEST LEVASSEUR
Address: 899 BROAD ST.
Phone number: 7829589

4. How is "yard" screened?
[X] Fence (type) Wood Height: 6' 8"
[X] Trees (type) FIR
[] Embankment:
[] Gully:
[] Hill:
[] Other:

5. How far is edge of "yard" from center of highway?
300 FEET



City of Auburn, Maine

Office of The City Clerk

60 Court Street | Auburn, Maine 04210

www.auburnmaine.gov | 207.333.6601

- 6. Can junk be seen from any part of highway? Yes ___ No X
- 7. Were Junkyard Law, Requirements and Fees explained to you? Yes X No ___
- 8. Is any portion of this "yard" on public property? Yes ___ No X
- 9. Is "yard" within 300 feet of a Public Park, Public Playground, Public Bathing Beach, School, Church or Cemetery? Yes ___ No X
- 10. When was "yard" established? 1980 By whom? TWIN TOWN RENDERING
- 11. When was last permit issued? 2020 By whom? Randy's AUTO PARTS

The undersigned certified that the above information is true and correct to the best of his/her knowledge and that he/she is the owner or agent of the property or that he/she has been duly authorized by the owner, individual, partnership, company or corporation to make this application and to receive the permit under the law.

Signed by: [Signature] for: Randy's Auto Parts Inc.
Name of Company, Corporation, Partnership or Individual
 Address: P.O. Box 1243 - 899 Broad St Auburn ME 04211

Make complete sketch of "yard". Show footage of all sides and location in relationship to adjacent properties. Show distance (in feet) from edge of "yard" to center of highway. Fill in Route Number or Local Road Name. Name of nearest City/Town in each direction. Distance from nearest intersection, bridge or other known reference point.

Tax Map No. 182-001
 Lot No. _____
 Zone _____

Check correct direction:

- North
- East
- West
- South

- 1 copy of application to City
- 1 copy of application to Applicant
- 1 copy of application to State Police, Augusta
- 1 Copy of application to Dept. of Transportation, Augusta (Right of Way Division)

BROAD STREET

Road Name

or
Route No.

To

To

XXXXXXXXXX
TREES
8' FENCE

50 x 80
Buildin

300'
ENTRANCE
INTO THE
YARD

8' FENCE

XXXXXXXXXX
TREES

12 x 12
Buildin

FENCE

XXXXXXXXXX
TREES
FENCE



2021
CITY OF AUBURN
AUTOMOBILE GRAVEYARD/JUNKYARD PERMIT
APPLICATION

To the City of Auburn, County of Androscoggin, Maine:

I/We MTP Auto hereby
Make application for a permit to establish, operate or maintain an Automobile Graveyard and/or
Junkyard at the following described location and in accordance with the provisions of Title 30-A
MRSA Sections 3751-3760.

All questions must be answered in full.

1. Where is the location of the Automobile Graveyard and/or Junkyard?

227 Merrow Rd
Auburn, ME 04210

2. Is this application made by or for a company, partnership, corporation or individual:

Corp.

3. Is this property leased?

NO

Property owned by:

Albert Baznet Jr

Address: 81 Dawes Ave Auburn, ME 04210

Phone number: 207-212-0217

4. How is "yard" screened?

- Fence (type) [checked] Height: 8'
Trees (type)
Embankment:
Gully:
Hill:
Other:

5. How far is edge of "yard" from center of highway?

400 ft.



City of Auburn, Maine

Office of The City Clerk

60 Court Street | Auburn, Maine 04210

www.auburnmaine.gov | 207.333.6601

- 6. Can junk be seen from any part of highway? Yes ___ No X
- 7. Were Junkyard Law, Requirements and Fees explained to you? Yes X No ___
- 8. Is any portion of this "yard" on public property? Yes ___ No X
- 9. Is "yard" within 300 feet of a Public Park, Public Playground, Public Bathing Beach, School, Church or Cemetery? Yes ___ No X
- 10. When was "yard" established? 1978 By whom? Albert Baznet Jr.
- 11. When was last permit issued? 2020 By whom? M+P Auto

The undersigned certified that the above information is true and correct to the best of his/her knowledge and that he/she is the owner or agent of the property or that he/she has been duly authorized by the owner, individual, partnership, company or corporation to make this application and to receive the permit under the law.

Signed by: Chanelle Baznet for: M+P Auto Inc.
Name of Company, Corporation, Partnership or Individual
Address: 227 Merrin Rd, Auburn, ME 04210

Make complete sketch of "yard". Show footage of all sides and location in relationship to adjacent properties. Show distance (in feet) from edge of "yard" to center of highway. Fill in Route Number or Local Road Name. Name of nearest City/Town in each direction. Distance from nearest intersection, bridge or other known reference point.

Tax Map No. 186
Lot No. 013
Zone _____

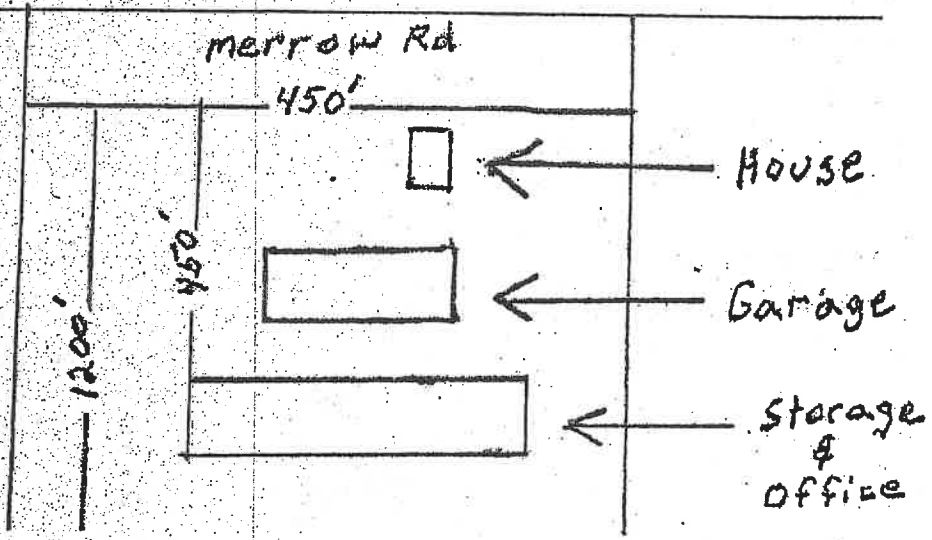
- Check correct direction:
- North
 - East
 - West
 - South

- 1 copy of application to City
- 1 copy of application to Applicant
- 1 copy of application to State Police, Augusta
- 1 Copy of application to Dept. of Transportation, Augusta (Right of Way Division)

Road Name
or
Route No.

Hotel Rd. To

To Miner Ave





ORDER 95-09072021

City Council Order

IN CITY COUNCIL

ORDERED, ORDERED, that the City Council hereby approves the annual renewal request for an Auto Graveyard/Junkyard permit for Don's No Preference Towing of L/A, Inc., dba Morris Auto Parts, 940 Washington St. North.

Holly C. Lasagna, Ward One
Brian S. Carrier, Ward Four
Belinda A. Gerry, At Large

Timothy B. MacLeod, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Katherine E. Boss, At Large
Phillip L. Crowell, Jr., City Manager



ORDER 95-09072021

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby approves the annual renewal request for an Auto Graveyard/Junkyard permit for Randy's Auto Parts, Inc., 899 Broad Street.

Holly C. Lasagna, Ward One
Brian S. Carrier, Ward Four
Belinda A. Gerry, At Large

Timothy B. MacLeod, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Katherine E. Boss, At Large
Phillip L. Crowell, Jr., City Manager



ORDER 96-09072021

City Council Order

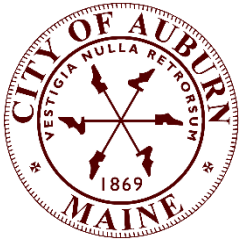
IN CITY COUNCIL

ORDERED, that the City Council hereby approves the annual renewal request for an Auto Graveyard/Junkyard permit for M & P Auto, Inc., 227 Merrow Road.

Holly C. Lasagna, Ward One
Brian S. Carrier, Ward Four
Belinda A. Gerry, At Large

Timothy B. MacLeod, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Katherine E. Boss, At Large
Phillip L. Crowell, Jr., City Manager



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: 9/7/2021

Order: 97-09072021

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

Subject: To revise Order 36-04052021 regarding authorization to sign on behalf of Auburn-Lewiston Airport

Information: A revision is needed to the previous Order (Order 36-04052021) to authorize the power to execute any and all legal documents to the interim Airport Manager due to the passing of the previous Airport Manager.

City Budgetary Impacts: None

Staff Recommended Action: Approve revisions as requested under the consent agenda

Previous Meetings and History: Previously approved, seeking revision

City Manager Comments:



I concur with the recommendation. Signature:

Attachments: Previously adopted Order 36-04052021, and the proposed Revised Order 97-09072021



City Council Order

IN CITY COUNCIL

ORDERED, That the City of Auburn, Maine (the “City”) be, and hereby is, authorized and empowered to sell to Tambrands, Inc., a Delaware corporation and subsidiary of Proctor and Gamble (the “Purchaser”), an approximately 15-acre parcel of land located at the Auburn-Lewiston Municipal Airport on Kitty Hawk Drive in the City of Auburn, being the easterly portion of Tax Parcel 119-002 situated adjacent to Tax Parcel 120-001 which the Purchaser currently owns, for a sale price equal to the greater of: (i) the appraised fair market value of said parcel determined as necessary to obtain a release of said parcel from the FAA (but not to exceed \$40,000.00, nor less than \$27,000.00); and

That Richard Lanman, in his capacity as the Airport Director of the Auburn-Lewiston Municipal Airport and the duly authorized representative of the City of Auburn, Maine be and hereby is, authorized and empowered, for and on behalf of the City, to take such actions and negotiate, execute and deliver any and all documents, including without limitation, a contract to purchase real estate, a deed, title insurance affidavits, a closing statement, and any other documents he deems necessary or appropriate in order to consummate the transaction set forth above, all in the form approved by such authorized representative, such approval to be conclusive by his execution and delivery thereof.

A TRUE COPY

ATTEST _____

Susan Clements-Dallaire, City Clerk

Passage on 4/5/2021 7-0.

Holly C. Lasagna, Ward One
Brian S. Carrier, Ward Four
Belinda A. Gerry, At Large

Timothy B. MacLeod, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Katherine E. Boss, At Large
Phillip L. Crowell, Jr., City Manager



City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby approves the revision of a previously adopted Order (Order 36-04052021) as follows:

Ordered, that the City of Auburn, Maine (the "City") be, and hereby is, authorized and empowered to sell to Tambrands, Inc., a Delaware corporation and subsidiary of Proctor and Gamble (the "Purchaser"), an approximately 15-acre parcel of land located at the Auburn- Lewiston Municipal Airport on *Kitty Hawk Drive* in the City of Auburn, being the easterly portion of Tax Parcel 119-002 situated adjacent to Tax Parcel 120-001 which the Purchaser currently owns, for a sale price equal to the appraised fair market value of said parcel determined as necessary to obtain a release of said parcel from the FAA; and

~~That Richard Lanman, in his capacity as the Airport Director~~ That the Interim Airport Manager of the Auburn-Lewiston Municipal Airport and the duly authorized representative of the City of Auburn, Maine be and hereby is, authorized and empowered, for and on behalf of the City, to take such actions and negotiate, execute and deliver any and all documents, including without limitation, a contract to purchase real estate, a deed, title insurance affidavits, a closing statement, and any other documents he deems necessary or appropriate in order to consummate the transaction set forth above, all in the form approved by such authorized representative, such approval to be conclusive by his execution and delivery thereof.

Mayor Levesque called the meeting to order at 7:15 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

Pledge of Allegiance

I. Consent Items - All items with an asterisk (*) are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council member or a citizen so requests, in which event, the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda.

1. **Order 90-08162021***
Changing the date of the first regular meeting of September from 9/13/2021 to 9/7/2021.
2. **Order 91-08162021***
Cancelling the first meeting of October (October 4, 2021).
3. **Order 92-08162021***
Appointing a representative (the Mayor) and designating an alternate representative (the City Manager) to vote on behalf of the City of Auburn at the Maine Service Centers Coalition business meetings.

Motion was made by Councilor MacLeod and seconded by Councilor Lasagna for passage of the three consent items.

Passage 5-0 (Councilor Gerry was not present during the vote).

II. Minutes – August 2, 2021 Regular Council Meeting

Motion was made by Councilor Walker and seconded by Councilor Milks to approve the minutes of the August 2, 2021 Regular Council meeting.

Passage 5-0. (Councilor Gerry was not present during the vote).

III. Communications, Presentations and Recognitions

- Rail Corridor Advisory Council Update – Mayor Levesque presented
- Council Communications (about and to the community)

Councilor Lasagna provided an update on the ELHS Building Committee.

Councilor Walker noted that the New Auburn Neighborhood Watch Group will meet on August 26th at the Sixth Street Congregational Church at 6:00 pm, the United New Auburn Association will be meeting at Rolly’s Diner on August 31st at 6:00 pm.

Councilor Gerry stated that she would like the Planning Board to hold another meeting/public hearing on the proposed strip zone amendments.

Mayor Levesque – reminded everyone that the Maine State Bicentennial Parade is scheduled for this Saturday, August 21st and other upcoming events are the Brew and Blues Fest on September 25th, the Auburn New Year’s Eve event is scheduled for December 31st, and on Wednesday, August 25th there will be a fireworks extravaganza at the end of the Community Band Concert at 8:30 pm. He noted that he attended and spoke at the Evergreen Subaru ribbon cutting this past Friday, and Center Street Dentistry celebrated their grand opening. He stated that there is a lot of new growth in Auburn - all positive and he encouraged the Councilors to talk to their constituents about these things. He said he also attended the Make a Wish event at Mac’s Grill. The night before he emceed the All-Decade Sports Teams event at CMCC.

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

V. Unfinished Business

1. Ordinance 34-08022021

Amending the setback requirements in Chapter 14 – Business Licenses and Permits, Article XVIII-Adult Use and Medical Marijuana Businesses Section 14-659 (a)(4). Public hearing and second reading.

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

Public hearing – no one from the public spoke.

Passage 6-0. A roll call vote was taken.

VI. New Business – None

Motion was made by Councilor Gerry and seconded by Councilor MacLeod to suspend the rules to add an item to the agenda.

Passage 6-0.

Motion was made by Councilor Walker and seconded by Councilor Boss authorizing the Finance Director to carry forward \$60,000 from the FY21 budget to be used for fringe benefits for the Fire Department employees.

Public comment – no one from the public spoke.

Passage 6-0. This is Order 93-08162021.

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

VII. Reports (from sub-committees to Council)

Mayor Levesque reported that he part of the Maine Municipal Association’s Housing sub-committee, if anyone has ideas about housing please let them know.

Councilor Walker announced that tomorrow at 10:00 am the Age Friendly Committee will be presenting a free movie for members of the public at the Auburn Senior Community Center. On Wednesday at 10:00 am the First auburn senior citizens are meeting at the Municipal Beach at 10:00 am for a cookout.

Councilor Milks reported that the Sewer Trustees are meeting on Tuesday, and the Water Trustees are meeting on Wednesday, both at 4:00 pm at the Auburn Water District.

Councilor MacLeod reported that LATC met last week and approved a new emergency schedule should they run short of bus drivers. He also noted that there will not be any bus service on Saturday due to the parade.

Councilor Boss reported that the Auburn Public Library Board of Trustees meeting is scheduled for tomorrow morning at 7:30 am.

City Manager Crowell reminded everyone that the next Council meeting is scheduled for September 7th, he provided information on cooling stations that are available to the public. He noted that parade route improvements are underway, and he clarified that the requirement mentioned by Councilor Lasagna for vaccination is because we are Fire/EMS who provide medical services to the public. He provided an update on the status of the Lake Auburn Study. He reported that we are seeing an uptick on police calls and an increase of opioid issues.

Jill Eastman, Finance Director – Final July 2021 Financial Report

Motion was made by Councilor Walker and seconded by Councilor Lasagna to accept and place on file the final July 2021 Finance Report.

Passage 6-0.

- IX. **Executive Session** – Legal consultation, pursuant to 1 M.R.S.A. Sec. 405(6)(E). *This executive session was held during the Council Workshop.*
- X. **Adjournment** – Motion was made by Councilor Walker and seconded by Councilor Lasagna to adjourn. Passage 6-0. Time adjourned 7:55 pm.

A TRUE COPY

ATTEST 

Susan Clements-Dallaire, City Clerk



WORLD REFUGEE DAY PROCLAMATION

WHEREAS, The World Refugee Day was launched by the United Nations to honor the bravery, strength and determination of refugees fleeing war and persecution; and

WHEREAS, refugees in communities across the welcoming State of Maine resettle in the hope of finding peace and safety for themselves and their families; and

WHEREAS, refugee communities from diverse backgrounds, with a variety of skills, abilities and experiences, have been and continue to be woven in the fabric of Maine's vibrant cultural tapestry throughout our state's 200 year history; and

WHEREAS, refugee-led organizations in Maine share in the priority of our state to strengthen communities by engaging with and improving the lives of all Mainers; and

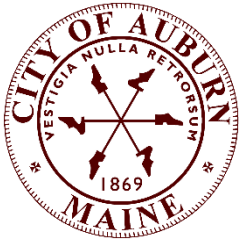
WHEREAS, all of Maine's communities are hoping to stay strong together as we recover from a time of uncertainty, reminiscent of experiences in the diaspora.

NOW, THEREFORE, I, Jason Levesque, Mayor of Auburn, do hereby proclaim **September 16, 2021** to be World Refugee Day in Auburn, Maine and recognize the positive impact and enduring contributions of refugee communities seeking refuge within Maine's borders.



IN WITNESS WHEREOF, I have
hereunto set my hand and caused the
Seal of the City of Auburn, Maine
to be fixed this 16th day of August,
2021.


Jason Levesque, Mayor



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: September 7, 2021

Resolve: 02-09072021

Author: Jason Moen, Police Chief

Subject: Ad-Hoc Public Safety Buildings Committee

Information: Resolve to form an Ad-Hoc Public Safety Buildings Committee to work with staff and qualified consultants in an effort to advise the City Manager and City Council on the preferred site, design and probable cost estimates for a new Engine 2 Fire Station, design and probable cost estimates for a combined Police and Fire Public Safety Building and building upgrades at Engine 5 Fire Station.

City Budgetary Impacts: \$200,000 budgeted in FY22 Capital Improvement Program to engage competent consulting professionals to finalize designs of a new Public Safety Building, New Engine 2 station and renovations to Engine 5 station.

Staff Recommended Action: Review resolve for passage.

Previous Meetings and History: Council Workshop August 2, 2021, Public Safety Presentation City Council Meeting May 17, 202, Authorized bonds to finance city's FY22 Capital Improvement Program. Workshop discussion on 8/16/2021 to discuss the proposed ad hoc committee.

City Manager Comments:



I concur with the recommendation. Signature:

Attachments:

Ad-Hoc Public Safety Buildings Committee Resolve



City Council Resolve

IN CITY COUNCIL

RESOLVED, by the Council of the City of Auburn, Maine, in City Council assembled, that,

WHEREAS, a new Public Safety Building, combining Police and the Central Fire Station, has been identified as a priority in the Strategic Plan; and,

WHEREAS, the City previously considered the feasibility of such a facility in 2020 and approved \$200,000 as part of the Fiscal Year 2022 Capital Improvement Plan for Architecture, Engineering, Design, Analysis and Testing for infrastructure improvements at Public Safety Facilities; and,

WHEREAS, the City Council has authorized the City Manager to execute a purchase and sale agreement for the property located at 526 Minot Avenue (adjacent to Central Fire Station) for the creation of a combined Public Safety Building; and,

WHEREAS, the Police and Fire Departments have historically shared an unprecedented level of collaboration, and this cooperation can be strengthened and encouraged through the construction of a modern combined Public Safety Building; and,

WHEREAS, the existing facilities continue to fail to meet the needs of Police and Fire and the operational and maintenance costs continue to increase; and,

WHEREAS, previous evaluations of Fire Sub-stations show they do not meet current design, safety, space, and operational needs, and recommend replacement of Engine 2 Fire Station and Renovations at Engine 5 Station: and,

WHEREAS, in an effort to advance this important project, the City Council wishes to draw upon the resources of the community and qualified consultants to prepare a plan with sufficient detail to seek voter approval.

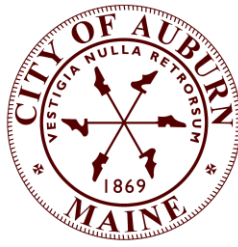
NOW, THEREFORE, BE IT RESOLVED, by the Auburn City Council in City Council assembled, that there is hereby an Ad Hoc Public Safety Buildings Committee created, and the membership, terms, offices, and duties shall be as follows:

1. **Purpose.** The purpose of the Building Committee is to work with staff and qualified consultants in an effort to advise the City Manager and City Council on the preferred site, design and probable cost estimates for a new Engine 2 Fire Station. Design and probable cost estimates for a combined Police and Fire Public Safety Building and building upgrades at Engine 5 Fire Station. Such recommendations shall be sufficient to serve the purpose of preparing to seek voter approval for the projects. The following is a general overview of the discussion points, expectations and deliverables the Committee should consider in arriving at its recommendations:
 - **Review of Prior Work** -The Committee shall familiarize itself with the prior work accomplished for the project. In particular, the Committee should review the Auburn Public Safety Facilities Assessment by Woodard & Curran, Simons Architects and Colby Company Engineering in 2020.

Holly C. Lasagna, Ward One
Brian S. Carrier, Ward Four
Belinda A. Gerry, At Large

Timothy B. MacLeod, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Katherine E. Boss, At Large
Phillip L. Crowell, Jr., City Manager



City Council Resolve

- **Deliverables** - The Committees work and final recommendations should include the following elements:
 1. Site Selection - The Committee shall conduct a complete site selection process that considers all reasonable options for locating the Engine 2 Fire Station, including public and private property;
 2. Space Needs Analysis Review - A complete review of the evaluation of space needs for Police and Fire that considers existing needs as well as some accommodation for future growth;
 3. Schematic Design - Prepare a design, including lot layout and building elevations, that will provide significant detail to describe the facility;
 4. Probable Cost Statement - Prepare a probable cost estimate of the proposed facility with sufficient detail to forward to the voters for consideration.
- **Consideration of Other City Facility Needs** - Review the Strategic Plan to determine if other identified City needs may be able to be addressed in the facility. Combined use is encouraged to maximize value and overall cost savings.
- **Energy Efficiency-Life-Cycle Costs Considered** - Evaluate the expected lifecycle costs of proposed systems and consider energy efficiency with an evaluation of return on investment.
- **Public Involvement** - The Committee shall incorporate public input into the process, which will culminate in a public presentation of its findings and recommendations to the City Council.
- **Best Practices** - Research and review other similar projects to determine best practices that may be incorporated into the project. Tours of similar facilities is encouraged.

The Committee's powers and duties shall not exceed those prescribed, herein or otherwise restricted by City Council Rules, Policies and Charter.

2. **Membership.** The membership intends to provide fair representation of key stakeholders and unique expertise in the construction or development field. The Committee will be appointed by the City Council and shall be comprised of twenty-one (21) members as follows:

- Fire Chief (or designee)
- Police Chief (or designee)
- Two (2) Members of the City Council
- 911 Director (or designee)
- City Manager (or designee)
- Three (3) Members of the Fire Dept.
- Three (3) Members of the Police Dept.
- Seven (7) Residents-at-Large
- Two (2) City Staff

Although official membership is limited to twenty-one (21). members, the Committee is encouraged to draw upon other resources and invite other key stakeholders to participate in their proceeding as they feel appropriate.

3. **Timeframe.** The Committee shall recommend and report, including the deliverables noted above, to the City Council by February 1, 2022, at which time the Committee shall cease to exist unless otherwise extended by the City Council.

Holly C. Lasagna, Ward One
Brian S. Carrier, Ward Four
Belinda A. Gerry, At Large

Timothy B. MacLeod, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Katherine E. Boss, At Large
Phillip L. Crowell, Jr., City Manager



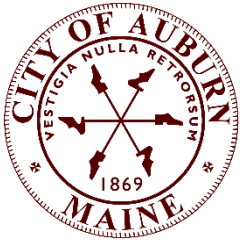
City Council Resolve

4. **Staff Resources Available.** The City Manager will serve as support to this Committee and all City Departments will be made available as may be necessary for the Committee to complete its task.
5. **Financial Support –** It is understood that the Committee will require the services of qualified design professionals to conduct its work. As an initial authorization, the City Council has approved an amount not to exceed \$200,000 from the Fiscal Year 2022 Capital Improvement Plan to engage competent consulting professionals. These monies will be under the control of the City Manager who will be responsible for consultant payment for services rendered.
6. **Vacancies and Removal.** Any vacancies shall be filled by the City Council. The City Council may remove any member of the Committee by vote of a majority of its members for misconduct or non-performance of duty.
7. **Officers.** The Committee shall elect a Chair from among its members. The Chair shall be counted to determine a quorum and shall have the same rights as other members of the Committee, including the right to vote.
8. **Quorum and Voting.** A quorum shall consist of eleven (11) members. The concurrence of a majority of the members present and voting shall be necessary to decide any question before the Committee.
9. **Meeting and Records.** The Committee shall meet often enough to complete its responsibilities within the deadline set and shall strive to meet bi-weekly on a date and time specified by a vote of the majority of the Committee at its first organization meeting. Other meetings may be called by the Chair, provided that the Chair shall call a meeting of the Committee upon the request of at least three (3) members. The Committee/contracted consultant shall keep minutes of its meetings and submit them to the City Clerk's Office.

Holly C. Lasagna, Ward One
Brian S. Carrier, Ward Four
Belinda A. Gerry, At Large

Timothy B. MacLeod, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Katherine E. Boss, At Large
Phillip L. Crowell, Jr., City Manager



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: September 7, 2021

Resolve: 03-09072021

Author: Sue Clements-Dallaire, City Clerk

Subject: Resolve supporting the naming of the Lewiston Auburn Footbridge as the John Jenkins Memorial Footbridge

Information: On Tuesday, September 7, 2021, the City Councilors of the cities of Lewiston and Auburn will each be voting on supporting the renaming of the footbridge connecting the two cities after John Jenkins, a dedicated and enthusiastic member of the Lewiston and Auburn Community, former Mayor of both Lewiston and Auburn who passed in 2020.

City Budgetary Impacts: None

Staff Recommended Action: Passage of resolve

Previous Meetings and History: N/A

City Manager Comments:

I concur with the recommendation. Signature:

Attachments:



City Council Resolve

IN CITY COUNCIL

Whereas, the cities of Auburn and Lewiston wish to honor and celebrate the legacy of John Jenkins, the late Maine state senator and mayor of both municipalities, by renaming the pedestrian footbridge that connects the cities the “John Jenkins Memorial Footbridge,” and;

Whereas, the Auburn and Lewiston city councils will each consider and vote on the proposed footbridge dedication during their upcoming meetings on September 7th, and;

Whereas, Jenkins, who passed away on September 30, 2020, following a short but valiant fight against cancer, fell in love with the Auburn-Lewiston area while attending Bates College and made the community his home, and;

Whereas, Jenkins was an exceptional athlete, becoming a member of the Lewiston-Auburn Sports Hall of Fame, World Martial Arts Hall of Fame, Maine State Sports Hall of Fame, and USA International Black Belt Hall of Fame, and;

Whereas, Jenkins was a mentor, community volunteer, personal trainer, martial arts instructor, motivational speaker, entrepreneur, and a dedicated and enthusiastic member of the Auburn-Lewiston community, serving as mayor of each city, winning once as a write-in candidate, and;

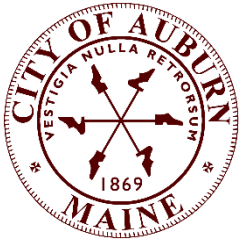
Whereas, he served as State Senator for Maine’s 21st District – the first African American ever to be elected to the Maine Senate;

Now therefore, be it resolved that the Auburn City Council, hereby wishes to honor and celebrate the legacy of the late John Jenkins and his contribution to the cities of both Auburn and Lewiston by expressing our strong support of the renaming of the pedestrian footbridge that connects the cities of Auburn and Lewiston as the “John Jenkins Memorial Footbridge.”

Holly C. Lasagna, Ward One
Brian S. Carrier, Ward Four
Belinda A. Gerry, At Large

Timothy B. MacLeod, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Katherine E. Boss, At Large
Phillip L. Crowell, Jr., City Manager



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: September 7, 2021

Order: 98-09072021

Author: Sue Clements-Dallaire, City Clerk

Subject: Directing staff to hold another public hearing along with the Planning Board on the proposed residential strip zone amendments

Information: Councilor Gerry has requested that another Public Hearing with the Planning Board and staff be held at the Auburn Senior Community Center.

City Budgetary Impacts: None

Staff Recommended Action: Consider this item

Previous Meetings and History: N/A

City Manager Comments:

Phillip Crowell Jr.

I concur with the recommendation. Signature:

Attachments:



ORDER 98-09072021

City Council Order

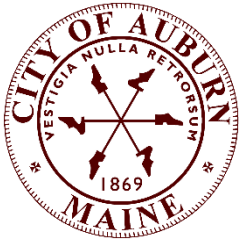
IN CITY COUNCIL

ORDERED, that the City Council hereby directs staff to hold another Planning Board public hearing on the proposed residential strip zone amendments, to be held at the Auburn Senior Community Center as requested by Councilor Gerry.

Holly C. Lasagna, Ward One
Brian S. Carrier, Ward Four
Belinda A. Gerry, At Large

Timothy B. MacLeod, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Katherine E. Boss, At Large
Phillip L. Crowell, Jr., City Manager



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: September 7, 2021

Order: 99-09072021

Author: Sue Clements-Dallaire, City Clerk

Subject: Appropriating \$10,000 from the Comprehensive Plan line item towards the passenger rail feasibility analysis

Information: Earlier this year, the Legislature approved legislation directing the Maine DOT to complete the final phase of a feasibility analysis for expanding passenger rail access to Lewiston-Auburn, connecting Maine's second largest metro area to Portland, Boston and beyond. The MDOT is prepared to move forward with the project. The final phase requires a 10% local match of the estimated cost of the project (\$200,000). The City of Lewiston committed \$10,000 to the project earlier this year and they are now seeking the same from the City of Auburn.

City Budgetary Impacts: \$10,000

Staff Recommended Action: Recommend passage

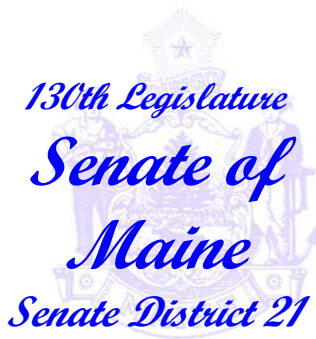
Previous Meetings and History: N/A

City Manager Comments:



I concur with the recommendation. Signature:

Attachments: Letter from Senator Nate Libby



Senator Nathan L. Libby
44 Robinson Gardens, Lewiston, ME 04240
Office: (207) 287-1515 / Home: (207) 713-8449
Email: Nathan.Libby@legislature.maine.gov

September 2, 2021

Mayor Jason Levesque &
Honorable Members of the City Council
Auburn Hall
Auburn, Maine 04210

Mayor Levesque & Councilors:

I very much intended to be present for tonight's meeting at the Mayor's request, however due to a family commitment that has me out-of-state I am unable to attend.

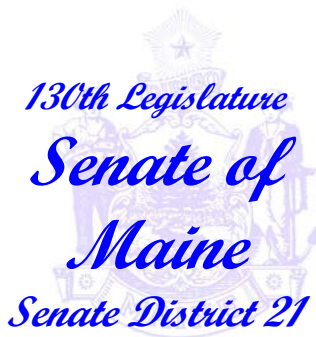
I write to update you on the status of passenger rail expansion to Lewiston-Auburn, recent actions by the State, and a request to fund a small portion of the final phase of a feasibility analysis.

Lewiston and Auburn have long been left behind when it comes to restoration of passenger rail service. Freeport, Brunswick, Portland, and other Southern Maine communities along the Downeaster service area have benefited from convenient, cost-effective, and environmentally friendly public rail transit service, while the areas around train stations have seen substantial investment and development. During my 9 years in the Legislature, I've worked with a diverse group of legislators, business interests, stakeholders, and community members to make our area next in line for expansion, and we're nearing a critical point in the planning process.

Earlier this year, the Legislature unanimously approved [legislation directing MaineDOT to complete the final phase of a feasibility analysis](#) for expanding passenger rail access to Lewiston-Auburn, connecting Maine's second largest metro area to Portland, Boston and beyond. Governor Mills signed this legislation and MaineDOT is prepared to move forward with the project. This final phase of the study is critical to putting Maine in a competitive position to receive federal funding to complete build-out and begin service.

By way of background, in 2017, both cities of Lewiston and Auburn substantially participated in the initial phase of the planning project and each contributed \$50,000 local match for the \$500,000 cost to conduct the public input process and complete a feasibility and economic impact analysis. That work is contained in [this final 2019 report of the MaineDOT working group](#), which demonstrated a local demand for this service and explored likely routes, build out requirements, ridership estimates, etc., and had input from hundreds of Lewiston-Auburn area residents.

*Fax: (207) 287-1585 * TTY (207) 287-1583 * Message Service 1-800-423-6900 * Website: legislature.maine.gov/senate*



Senator Nathan L. Libby
44 Robinson Gardens, Lewiston, ME 04240
Office: (207) 287-1515 / Home: (207) 713-8449
Email: Nathan.Libby@legislature.maine.gov

During this legislative session, MaineDOT worked with the Legislature and interested parties to craft the requirements for final phase of analysis. We understand this study project to be the final requirement necessary for Maine to be competitive in seeking federal grant awards as part of existing US DOT rail funding programs as well as anticipated new funding from the infrastructure bill currently under consideration by Congress.

Consistent with other community-lead efforts to expand transportation options, MaineDOT seeks a portion of costs associated with these projects to be borne locally to demonstrate so-called "skin in the game." For this final phase, the legislation requires a 10% local match. The estimated cost of the project is \$200,000, of which the state has committed \$180,000. The City of Lewiston earlier this year committed \$10,000 to the project, and we're seeking the same amount from the City of Auburn.

Mayor Levesque and city officials have been supportive and helpful in this effort to date. It's my hope that the partnership can continue and that the City of Auburn can appropriate these local match funds.

MaineDOT has agreed to having representatives from the two cities participate in the project as overseers and stakeholders. Lincoln Jeffers, Lewiston's economic development director, has agreed to serve in this role for Lewiston. It's my understanding Auburn's business and community development director Glen Holmes would serve in this role for Auburn. Both would serve as a capable team representing our communities' shared interests in the outcome of the project. With all of the local match secured, MaineDOT is prepared to move expeditiously to retain a consultant and begin this work. The enabling legislation requires a report-back to the Legislature by March 1, 2022.

In closing, I ask the Council to make this modest investment that moves our communities closer to expanding passenger rail service via the existing rail lines of Western and Central Maine, so that the 100,000 residents of the Lewiston-Auburn metro area will soon be able to take advantage of greater, smarter, more cost-effective transportation options.

Best,

A handwritten signature in black ink that reads "Nathan Libby".

Nate Libby
State Senator, City of Lewiston

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-ONE

S.P. 317 - L.D. 991

Resolve, Directing the Department of Transportation To Conduct an Economic Evaluation Study for Commuter and Passenger Train Service between Portland and the Lewiston and Auburn Area

Sec. 1. Economic evaluation study. Resolved: That the Department of Transportation shall conduct an economic evaluation study for commuter and passenger train service between Portland and the Lewiston and Auburn area. The study must include an economic evaluation of commuter and passenger rail service that builds upon data and potential next steps included in the Lewiston-Auburn Passenger Rail Service Plan published in May 2019. The economic evaluation must incorporate 2 of the "Full Build Preferred Alignments" contained in that report as follows: "Alignment 1A" for the Pan Am Railroad corridor; and "Alignment 1B" for the state-owned St. Lawrence and Atlantic Railroad corridor from Auburn to Yarmouth Junction and connecting to the Pan Am Railroad corridor from Yarmouth Junction to Portland.

The department shall also conduct a high-level alternatives analysis for both rail corridors identified in this section to support selection of a preferred alignment and for comparison to other transportation connections between Portland and the Lewiston and Auburn area. The department shall submit a report of its findings and recommendations to the joint standing committee of the Legislature having jurisdiction over transportation matters by March 1, 2022. The joint standing committee of the Legislature having jurisdiction over transportation matters may submit a bill to the Second Regular Session of the 130th Legislature based on the findings and recommendations provided in the department's report.

Sec. 2. Funding. Resolved: That the Department of Transportation may accept funding contributions to fully fund the costs of the study under section 1. The total cost of the study may not exceed \$200,000. No funds may be collected by or transferred to the department for the purpose of conducting the study unless the department receives commitments for no less than 10% of the overall cost of the study from municipalities that would be affected by the expansion of passenger rail service between Portland and the Lewiston and Auburn area. The department may enter into agreements with the relevant municipalities for the municipalities to pay their relevant portions to fund the study in installments. If the municipalities have not fulfilled their commitment to provide 10% of

the overall costs of the study by the dates agreed upon with the department, the department may discontinue the study. If the department discontinues the study, any remaining municipal funds must be returned to the relevant municipalities and any remaining department funds appropriated for the study must be returned to the accounts from which they were appropriated.

Sec. 3. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

TRANSPORTATION, DEPARTMENT OF

Multimodal - Passenger Rail Z139

Initiative: Provides a one-time allocation for an economic evaluation study for commuter and passenger train service between Portland and the Lewiston and Auburn area. Ten percent of the cost of the study must be provided by municipalities that would be directly impacted by the train service with the remaining cost provided by existing funding within this account.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$180,000	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$180,000</u>	<u>\$0</u>



LEWISTON-AUBURN PASSENGER RAIL SERVICE PLAN

Operating Plans and Corridor Assessments

May 2019

PREPARED BY _____

IN ASSOCIATION WITH _____



ES

EXECUTIVE SUMMARY

Project Overview

This report covers the second phase of the Lewiston-Auburn Passenger Rail Service Plan Project, which builds on the efforts of the *Transit Propensity Analysis Report* which was released in August 2018. This report examined what kind of service should be provided to meet the travel demand/patterns observed in Transit Propensity Analysis (i.e., route alignment, service frequency), as well as the costs to build and operate service. The intended outcome of this evaluation is a series of Preferred Alignments for passenger rail service to Lewiston-Auburn that can be advanced for further consideration and study.

Modal Screening

A modal screening was conducted to identify appropriate transit modes for use with the two rail corridors being considered. Given the primary requirement to operate with freight trains, commuter rail and multiple unit modes were selected. While both commuter rail and multiple unit modes are available in both diesel and electric propulsion, it was determined that diesel would be the most appropriate for this corridor as electric propulsion would require electrifying the entire proposed alignment, which would result in a higher capital cost and a higher annual operations and maintenance cost than a diesel-powered system.

The Preferred Alignments

The project began with a list of eight alignments (Alignments 1A, 1B, 2A, 2B, 3A, 3B, 4, and 5) to provide passenger rail service between Lewiston-Auburn and Portland. These

eight alignments were presented to the Project Committee for consideration. Based on the discussion surrounding the feasibility of implementation and how well the service meets the anticipated travel patterns of potential riders, Alignments 2A, 3A, and 3B were removed from further consideration.

The remaining alignments (Alignments 1A, 1B, 2B, 4, and 5) were advanced for further evaluation. Alignments 1A, 1B, and 2B more completely met the goals of the Lewiston-Auburn Passenger Service Plan and were considered for full implementation. Alignments 4 and 5 were considered potential first phases to that full-build program.

All Preferred Alignments were evaluated based on a variety of metrics, including mobility, potential environmental impacts, estimated cost, and implementation timeframe.

Next Steps

There are numerous steps that need to be taken to implement a Lewiston-Auburn passenger rail service. These include:

- ▶ Preparing an economic evaluation
- ▶ Developing a first-mile/last-mile strategy
- ▶ Coordinating with the Portland Transportation Center Relocation
- ▶ Developing a Purpose and Need Statement
- ▶ Developing a financial plan
- ▶ Preparing NEPA documentation
- ▶ Engaging in initial discussions with operating railroads
- ▶ Coordinating with municipalities
- ▶ Refining the capacity analysis
- ▶ Demonstrating proof of demand
- ▶ Defining vehicle needs and procurement strategy
- ▶ Starting discussions on governance
- ▶ Performing a risk analysis

Based on the comprehensive evaluation and the Committee's involvement in the development of this project, the Project Committee makes the following recommendation for this project:

- ▶ Move the project into an economic evaluation;
- ▶ Develop a plan to relocate the Portland Transportation Center (PTC);
- ▶ Develop a robust first-mile, last-mile connections and mobility as a service in both the Lewiston-Auburn and Portland areas;
- ▶ Eliminate options that require an Ocean Gateway Station;
- ▶ Identify potential commitments for both capital and O&M funding; and
- ▶ Engage the FTA as the federal funding agency and discuss next steps relative to NEPA documentation for the project.



ORDER 99-09072021

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby authorizes the appropriation of \$10,000 from the Comprehensive Plan line to be used for the last phase of the MDOT feasibility analysis.

Holly C. Lasagna, Ward One
Brian S. Carrier, Ward Four
Belinda A. Gerry, At Large

Timothy B. MacLeod, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
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