



**City Council Workshop & Meeting
October 7, 2019
Agenda**

5:30 P.M. City Council Workshop

- A. General Assistance New Maximums – Holli Olivier (10 minutes)
- B. New Auburn Property Transfers – Eric Cousens (10 minutes)
- C. Agricultural Zone Discussion

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

Pledge of Allegiance

- I. **Consent Items** - All items with an asterisk (*) are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council member or a citizen so requests, in which event, the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda.
- II. **Minutes** – September 16, 2019 Regular Council Meeting
- III. **Communications, Presentations and Recognitions**
 - Make a Wish Presentation
- IV. **Open Session** – Members of the public are invited to speak to the Council about any issue directly related to City business which is *not on this agenda*.
- V. **Unfinished Business**
 - 1. **Order 111-09162019**
Approving the renewal of the Auto Graveyard/Junkyard permit for Morris Auto Parts located at 940 Washington St. N.
- VI. **New Business**
 - 1. **Order 114-10072019**
Authorizing the City Clerk to waive the \$100 business license fee for Saint Dominic Academy's Annual Holiday Festival.
 - 2. **Resolve 10-10072019**

Supporting the Feeding Auburn Initiative Microgrants Program.

VII. Reports

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

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

IX. Executive Session – Personnel matter (City Manager's review), pursuant to 1 M.R.S.A. Sec. 405(6)(A)

X. Adjournment



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: 10/7/2019

Author: Holli Olivier, Manager – Health & Social Services

Subject: Adoption of Appendices for General Assistance, Effective 10/1/2019 through 9/30/2020

Information: I'm seeking the approval of the new General Assistance Appendix A (the GA overall maximums), Appendix B (the food maximums), Appendix C (Lewiston / Auburn MSA Rental Maximums), and Appendix H (the funeral maximums). Once the appendices A-C and H are adopted, they will replace the FY 18/19 maximums for those appendices

These maximums are established as a matter of State law based on certain federal and HUD fair market values. These appendices are filed with the Department of Health and Human Services (DHHS) in compliance with Title 22, M.R.S.A. § 4305(4).

****By adopting the new appendices A-C and H, the program will be in compliance and receive the 70% reimbursement from the State****

City Budgetary Impacts: The overall maximums (Appendix A) is an average increase of \$79.00 per household per month. The food maximums (Appendix B) is an average increase approximately \$5.00 per individual per month. The housing maximums (Appendix C) is an average increase of \$71.00 per household per month. And the funeral maximums (Appendix H) in an average increase of \$295.00 per individual.

Staff Recommended Action: Approval of changes to the General Assistance Appendices A-C & H as required by State statute and ordinance. First reading: 10/21/19. Second reading: 11/4/2019.

Previous Meetings and History: This is a yearly approval needed by council when changes are made to the appendices

City Manager Comments:

I concur with the recommendation. Signature:

A handwritten signature in blue ink, appearing to read "Peter J. Cichetto".

Attachments: Health & Social Services Budget FY19/20 New Maximums
Appendix A, Overall Maximums
Appendix B, Food Maximums
Appendix C, Housing Maximums
Appendix H, Funeral Maximums
Adoption form for 19-20

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



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

Jason J. Levesque, Mayor

IN CITY COUNCIL

ORDINANCE

Chapter 24, Article II, Division 1, Sec. 24-23 of the General Assistance Ordinance Annual Adjustment of Maximum Benefits

Be it Ordained, that the City Council hereby amends Chapter 24, Article II, Division 1, Sec. 24-23 of the General Assistance Ordinance Annual Adjustment of Maximum Benefits to incorporate the following maximum levels of assistance to be effective on and after October 1, 2019 through September 30, 2020, as follows:

Sec. 24-23. - Annual adjustment of maximum benefits.

- (a) Each year the Maine Municipal Association provides for the city three appendices providing maximum benefits applicable for the period beginning October 1 and ending September 30 as mandated by state law and based on certain federal values effective on October 1 of each year, as follows:
 - (1) Appendix A, a listing of overall maximum levels of general assistance relating to all Maine municipalities.
 - (2) Appendix B, a listing of maximum levels of assistance for food.
 - (3) Appendix C, a listing of maximum levels for heated and unheated housing.
 - (4) Appendix H, a listing of funeral maximums, including burials and cremations.
- (b) The portion of these annual appendices applicable to the city, as adopted each year by the city council, are made a part of this chapter as though fully set forth herein and a copy thereof is available in the office of the city clerk.

Editor's note— The appendices referred to in this section are not codified but are available in the office of the city clerk.

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



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

Jason J. Levesque, Mayor

Appendix A – GA Overall Maximums

Effective 10/1/2019 – 9/30/2020

TOTAL NUMBER IN HOUSEHOLD:	1	2	3	4	5
Lewiston/Auburn MSA: Auburn, Durham, Greene, Leeds, Lewiston, Lisbon, Livermore, Livermore Falls, Mechanic Falls, Minot, Poland, Sabattus, Turner, Wales	725	783	1,007	1,265	1,606

Add \$75.00 for each additional person

Appendix B – Food Maximums

Effective 10/1/2019 – 9/30/2020

Please Note: The maximum amounts allowed for food are established in accordance with the U.S.D.A. Thrifty Food Plan. As of October 1, 2019, those amounts are:

Number in Household	Weekly Maximum	Monthly Maximum
1	45.12	194
2	82.56	355
3	118.37	509
4	150.23	646
5	178.60	768
6	214.19	921
7	236.74	1,018
8	270.70	1,164

****Note: For each additional person, add \$144 per month.**

Appendix C – Rental Maximums

Effective 10/1/2019 – 9/30/2020

<u>Lewiston/Auburn MSA</u>	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	133	574	156	671
1	137	591	167	719
2	177	763	216	929

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



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

Jason J. Levesque, Mayor

3	224	965	273	1,174
4	288	1,240	348	1,497

APPENDIX H – FUNERAL MAXIMUMS

Effective 10/01/2019 – 9/30/2020

Burial Maximums

The maximum amount of general assistance granted for the purpose of burial is \$1,475. Additional costs may be allowed by the GA administrator, where there is an actual cost, for:

- The wholesale cost of a cement liner if the cemetery by-laws require one;
- The opening and closing of the grave site; and
- A lot in the least expensive section of the cemetery. If the municipality is able to provide a cemetery lot in a municipally owned cemetery or in a cemetery under municipal control, the cost of the cemetery lot in any other cemetery will not be paid by the municipality

The municipality's obligation to provide funds for burial purposes is limited to a reasonable calculation of the funeral director's direct costs, not to exceed the maximum amounts of assistance described in this section. Allowable burial expenses are limited to:

- Removal of the body from a local residence or institution
- A secured death certificate or obituary
- Embalming
- A minimum casket
- A reasonable cost for transportation
- Other reasonable and necessary specified direct costs, as itemized by the funeral director and approved by the municipal administrator

Cremation Maximums

The maximum amount of assistance granted for a cremation shall be \$1,025. Additional costs may be allowed by the GA administrator where there is an actual cost, for:

- A cremation lot in the least expensive section of the cemetery
- A reasonable cost for a burial urn not to exceed \$55
- Transportation costs borne by the funeral director at a reasonable rate per mile for transporting the remains to and from the cremation facility.

GENERAL ASSISTANCE ORDINANCE APPENDICES A-C & APPENDIX H 2019-2020

The Municipality of _____ adopts the MMA Model Ordinance GA Appendices (A-C & H) for the period of Oct. 1, 2019—September 30, 2020. These appendices are filed with the Department of Health and Human Services (DHHS) in compliance with Title 22 M.R.S.A. §4305(4).

Signed the _____ (day) of _____ (month) _____ (year)
by the municipal officers:

(Print Name)

(Signature)

(Print Name)

(Signature)

(Print Name)

(Signature)

(Print Name)

(Signature)

(Print Name)

(Signature)

(Print Name)

(Signature)

(Print Name)

(Signature)



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: October 7, 2019

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

Subject: New Auburn Village Center Land Swap Agreements

Information: As the Council is aware, the New Auburn Village Center (NAVC) Project has been significant planning effort dating back to its beginnings in the 2009 New Auburn Master Plan, revised in the 2014 NAVC Study of Alternatives and the 2017 Engineering and Design Contract for the final construction documents. Acquisitions and demolitions have occurred over that time using CIP and CDBG Funds. The last few years have appropriated CIP, TIF and Grant funds as part of the annual budgeting process. We have now awarded the construction project to J. Pratt Construction and the work will begin soon. This fall's work will likely be limited to grading the site and the installation of the St Louis Bell Tower. We are at the point where the last remaining land transfers planned for the projects need to be completed and we wanted to provide an update to the Council. There are three remaining exchanges between the City and private property owners that have minimal, if any, overall effect on values of the properties. The reason that we are bringing this back to the Council is that one of the property owners is a City Councilor and we want to ensure transparency and avoid any perceived conflicts. Councilor Leroy Walker owns the property at 41 Broad Street he too wants to make sure that the Council is aware, the process is transparent and that there are no perceived conflicts.

The value of the transfer between the City and Councilor Walker has little to no impact on the assessed value of the parcels. Councilor Walker receives 1,666 square feet of land with a sewer easement that severely limits the development potential but that could allow parking expansions; The City receives a parcel totaling 1,547 square feet that will be used as parking in the overall NAVC Plan.

City Budgetary Impacts: None. Facilitates the larger projects at no additional cost to the City

Staff Recommended Action: We ask that Council acknowledge the transfers being brought to their attention and allow staff to proceed with the transfers to keep the project on schedule. If there are concerns, 2 or more Councilors can refer the item to the Ethics Committee prior to proceeding.

Previous Meetings and History: Budget and CIP Meetings 2012 - present and, monthly reports and periodic updates to the Council.

City Manager Comments:

I concur with the recommendation. Signature:

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

Attachments: Plans and deeds.

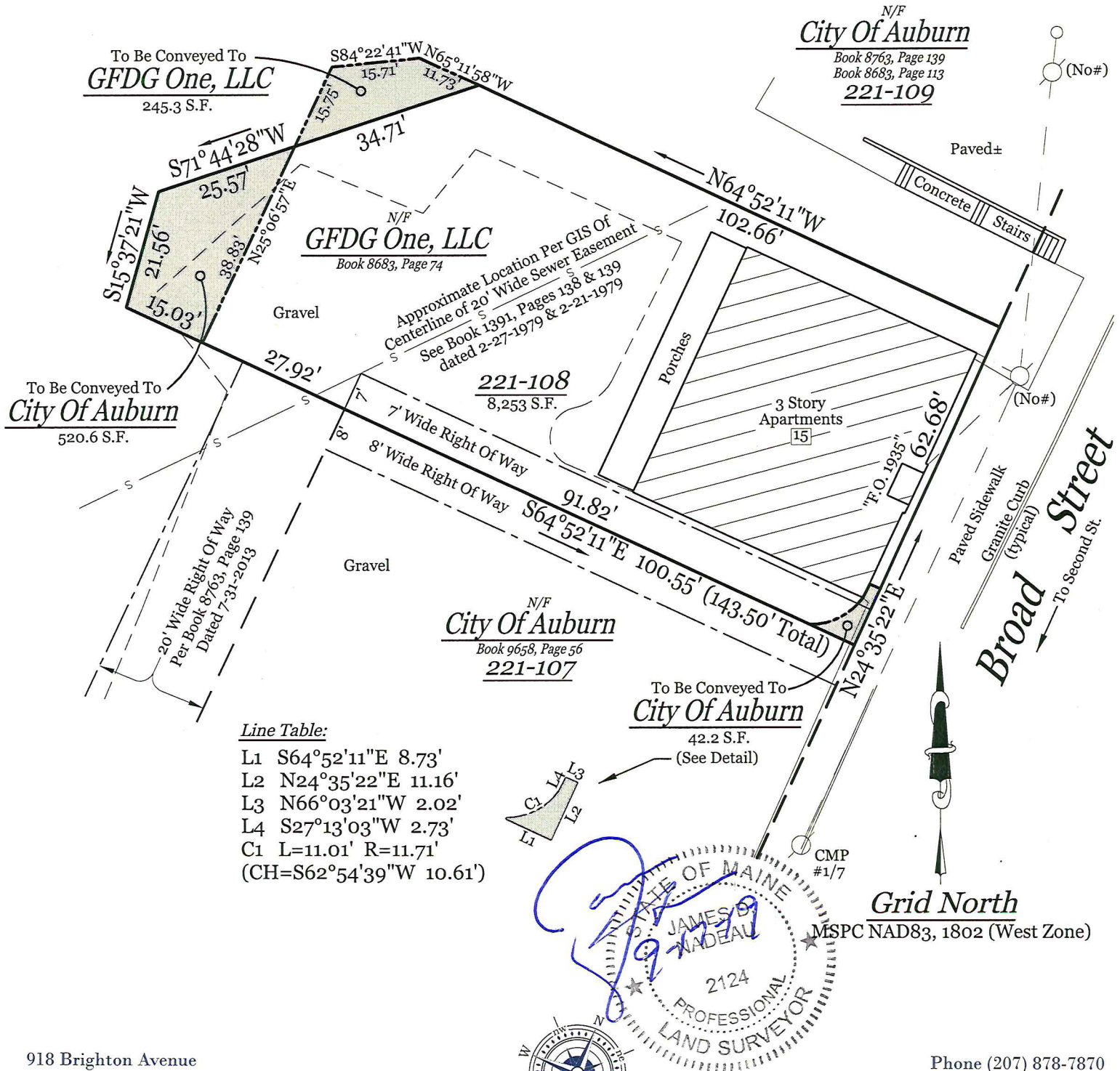
Professional Land Surveyors
Certified Floodplain Managers

Exhibit Sketch For Proposed Conveyances With An Abutter

Broad Street, Auburn, Maine

1" = 25' September 17, 2019 Job #2181974S1

Boundary lines based on a "Plan Depicting The Results Of A Boundary Survey Made For The City Of Auburn, Northwestern Sideline Of Broad Street, Auburn, Maine", dated February 11, 2019 by Nadeau Land Surveys, Portland, Maine. See plan for all notes, references, and additional details. Shaded areas denote proposed conveyances.



Nadeau Land Surveys

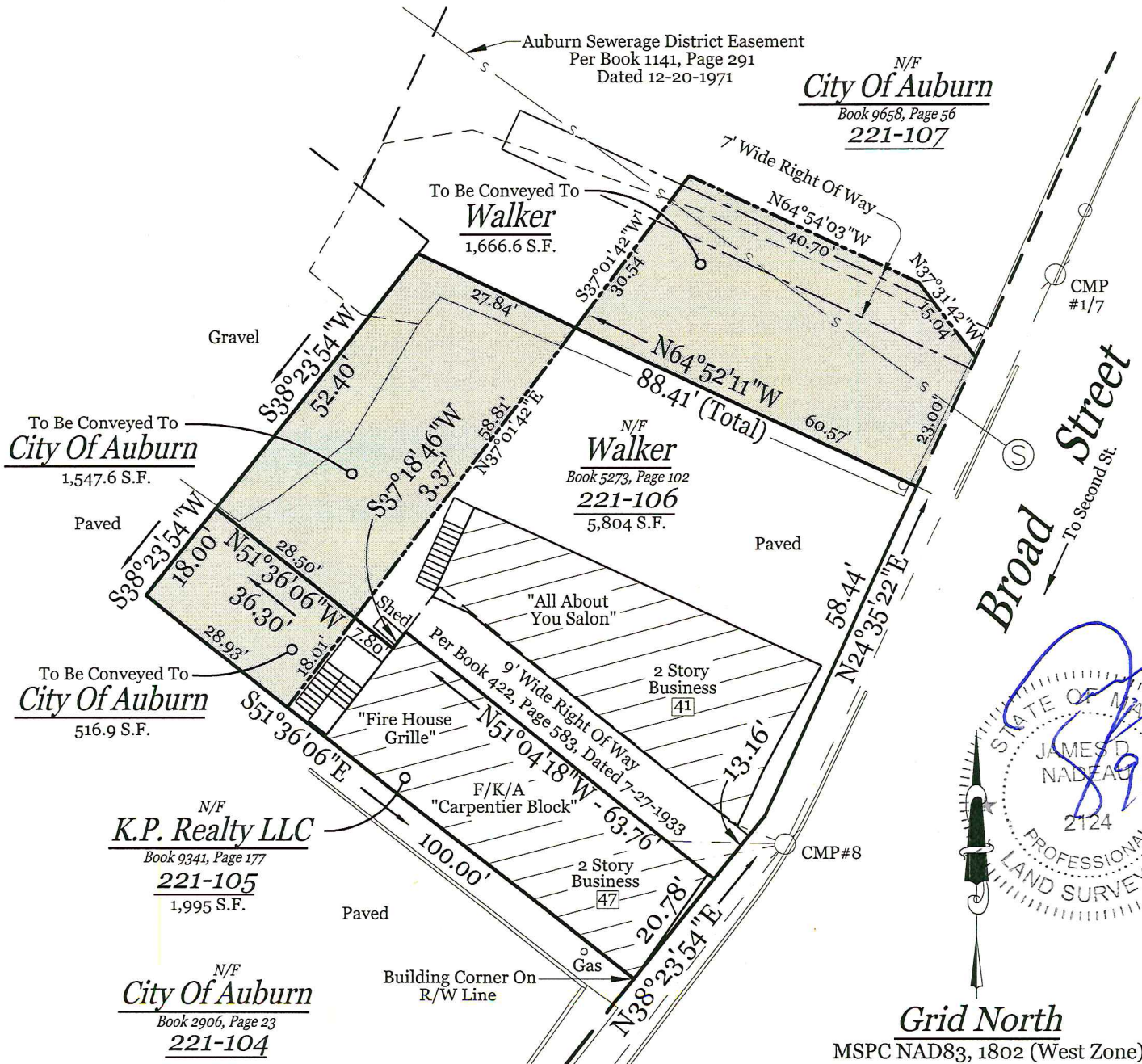
Professional Land Surveyors
Certified Floodplain Managers

Exhibit Sketch For Proposed Conveyances With An Abutter

Broad Street, Auburn, Maine

1" = 25' September 17, 2019 Job #2181974S2

Boundary lines based on a "Plan Depicting The Results Of A Boundary Survey Made For The City Of Auburn, Northwesternly Sideline Of Broad Street, Auburn, Maine", dated February 11, 2019 by Nadeau Land Surveys, Portland, Maine. See plan for all notes, references, and additional details. Shaded areas denote proposed conveyances.



Nadeau Land Surveys

Professional Land Surveyors
Certified Floodplain Managers

Proposed Description For A Deed

City of Auburn

To

GFDG One, LLC

(2181974D1)

A certain lot or parcel of land situated northwesterly of, but not adjacent to, the northwesterly sideline of Broad Street, in the City of Auburn, County of Androscoggin, and State of Maine, being more particularly bounded and described as follows:

Beginning at the easterly corner of the herein described parcel, and the most northerly corner of land described in a deed from Dana W. Miles to GFDG One, LLC (the herein grantee), dated May 29, 2013 and recorded at the Androscoggin County Registry of Deeds (ACRD) in Book 8683, Page 74, being N64°52'11"W along the northeasterly sideline of land of GFDG One, LLC, a distance of one hundred two and sixty-six hundredths (102.66') feet from the easterly corner of said land of GFDG One, LLC on the apparent northwesterly sideline of Broad Street, and depicted on a plan entitled "*Plan Depicting The Results Of A Boundary Survey Made For The City Of Auburn, Northwesterly Sideline Of Broad Street, Auburn, Maine*", dated February 11, 2019 by Nadeau Land Surveys, Portland, Maine;

Thence N65°11'58"W along remaining land of the herein grantor, a distance of eleven and seventy-three hundredths (11.73') feet;

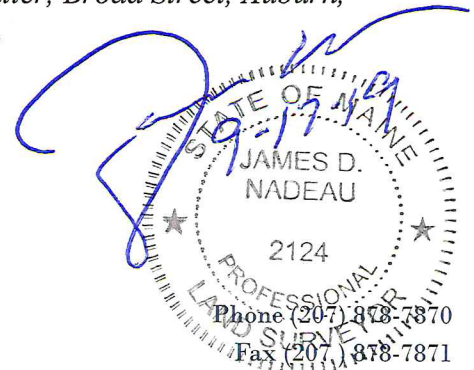
Thence S84°22'41"W continuing along said remaining land of the herein grantor, a distance of fifteen and seventy-one hundredths (15.71') feet;

Thence S25°06'57"W continuing along said remaining land of the herein grantor, a distance of fifteen and seventy-five hundredths (15.75') feet to the southwesterly corner of the herein described parcel on the northwesterly sideline of said land of GFDG One, LLC;

Thence N71°44'28"E along said northwesterly sideline of land of GFDG One, LLC, a distance of thirty-four and seventy-one hundredths (34.71') feet to the Point of Beginning.

Total area of the herein described parcel equals 245.3 square feet. The bearings in this description are based on Grid North, MSPC NAD83, 1802 (West Zone) per said plan.

Meaning and intending to describe a portion of the land described in a deed from GFDG One, LLC (the herein grantee) to the City of Auburn (the herein grantor), dated May 29, 2013 and recorded in ACRD Book 8683, Page 113, and in a corrective deed dated July 31, 2013 and recorded in ACRD Book 8763, Page 139, and being depicted on an "*Exhibit Sketch For Proposed Conveyances With An Abutter, Broad Street, Auburn, Maine*", dated September 17, 2019 by Nadeau Land Surveys, Portland, Maine.



Nadeau Land Surveys

Professional Land Surveyors
Certified Floodplain Managers

Proposed Description For A Deed

GFDG One, LLC

To

City of Auburn

(2181974D2)

A certain lot or parcel of land situated northwesterly of, but not adjacent to, the northwesterly sideline of Broad Street, in the City of Auburn, County of Androscoggin, and State of Maine, being more particularly bounded and described as follows:

Beginning at the westerly corner of the herein described parcel, and the westerly corner of land described in a deed from Dana W. Miles to GFDG One, LLC (the herein grantor), dated May 29, 2013 and recorded at the Androscoggin County Registry of Deeds (ACRD) in Book 8683, Page 74, being N64°52'11"W along the southwesterly sideline of land of GFDG One, LLC, a distance of one hundred forty-three and fifty hundredths (143.50') feet from the southerly corner of said land of GFDG One, LLC on the apparent northwesterly sideline of Broad Street, and depicted on a plan entitled "*Plan Depicting The Results Of A Boundary Survey Made For The City Of Auburn, Northwestern Sideline Of Broad Street, Auburn, Maine*", dated February 11, 2019 by Nadeau Land Surveys, Portland, Maine;

Thence S64°52'11"E along land described in a deed from GFDG One, LLC (the herein grantor) to the City of Auburn (the herein grantee), dated May 29, 2013 and recorded in ACRD Book 8683, Page 113, and in a corrective deed dated July 31, 2013 and recorded in ACRD Book 8763, Page 139, being said southwesterly sideline of land of GFDG One, LLC, a distance of fifteen and three hundredths (15.03') feet;

Thence N25°06'57"E along said remaining land of the herein grantor, a distance of thirty-eight and eighty-three hundredths (38.83') feet to the northeasterly corner of the herein described parcel on the northwesterly sideline of said land of GFDG One, LLC;

Thence S71°44'28"W along said land of the City of Auburn, being said northwesterly sideline of land of GFDG One, LLC, a distance of twenty-five and fifty-seven hundredths (25.57') feet;

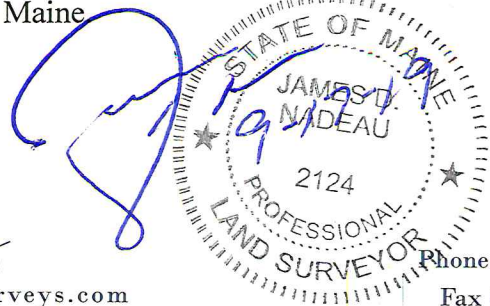
Thence S15°37'21"W continuing along said land of the City of Auburn, being the westerly sideline of land of GFDG One, LLC, a distance of twenty-one and fifty-six hundredths (21.56') feet to the Point of Beginning.

Total area of the herein described parcel equals 520.6 square feet. The bearings in this description are based on Grid North, MSPC NAD83, 1802 (West Zone) per said plan.

Meaning and intending to describe a portion of the land described in a deed from Dana W. Miles to GFDG One, LLC (the herein grantor), dated May 29, 2013 and recorded in ACRD Book 8683, Page 74, and being depicted on an "*Exhibit Sketch For Proposed Conveyances With An Abutter, Broad Street, Auburn, Maine*", dated September 17, 2019 by Nadeau Land Surveys, Portland, Maine



www.nadeaulandsurveys.com



918 Brighton Avenue
Portland, Maine 04102

Phone (207) 878-7870

Fax (207) 878-7871

Nadeau Land Surveys

Professional Land Surveyors
Certified Floodplain Managers

Proposed Description For A Deed

GFDG One, LLC

To

City of Auburn

(2181974D3)

A certain lot or parcel of land situated on the northwesterly sideline of Broad Street, in the City of Auburn, County of Androscoggin, and State of Maine, being more particularly bounded and described as follows:

Beginning on the apparent northwesterly sideline of Broad Street at the southerly corner of the herein described parcel, the southerly corner of land described in a deed from Dana W. Miles to GFDG One, LLC (the herein grantor), dated May 29, 2013 and recorded at the Androscoggin County Registry of Deeds (ACRD) in Book 8683, Page 74, and the easterly corner of land described in a deed from Tim Veilleux to the City of Auburn (the herein grantee), dated August 1, 2017 and recorded in ACRD Book 9658, Page 56, and depicted on a plan entitled "*Plan Depicting The Results Of A Boundary Survey Made For The City Of Auburn, Northwestern Sideline Of Broad Street, Auburn, Maine*", dated February 11, 2019 by Nadeau Land Surveys, Portland, Maine;

Thence N24°35'22"E along said northwesterly sideline of Broad Street, a distance of eleven and sixteen hundredths (11.16') feet;

Thence N66°03'21"W along remaining land of the herein grantor, a distance of two and two hundredths (2.02') feet to the northerly corner of the herein described parcel;

Thence S27°13'03"W continuing along said remaining land of the herein grantor, a distance of two and seventy-three hundredths (2.73') feet;

Thence southwesterly continuing along said remaining land of the herein grantor, along a non-tangent curve to the right having a radius of eleven and seventy-one hundredths (11.71') feet, an arc length of eleven and one hundredth (11.01') feet to the northeasterly sideline of said City of Auburn, being S62°54'39"W, a distance of ten and sixty-one hundredths (10.61') feet from the previously described point;

Thence S64°52'11"E along said northeasterly sideline of the City of Auburn, a distance of eight and seventy-three hundredths (8.73') feet to the Point of Beginning.

Total area of the herein described parcel equals 42.2 square feet. The bearings in this description are based on Grid North, MSPC NAD83, 1802 (West Zone) per said plan.

Meaning and intending to describe a portion of the land described in a deed from Dana W. Miles to GFDG One, LLC (the herein grantor), dated May 29, 2013 and recorded in ACRD Book 8683, Page 74, and being depicted on an "*Exhibit Sketch For Proposed Conveyances With An Abutter, Broad Street, Auburn, Maine*", dated September 17, 2019 by Nadeau Land Surveys, Portland, Maine.

Nadeau Land Surveys

Professional Land Surveyors
Certified Floodplain Managers

Proposed Description For A Deed

City of Auburn

To

Leroy G. Walker, Sr.

(2181974D4)

A certain lot or parcel of land situated on the northwesterly sideline of Broad Street, in the City of Auburn, County of Androscoggin, and State of Maine, being more particularly bounded and described as follows:

Beginning on the apparent northwesterly sideline of Broad Street at the southerly corner of the herein described parcel, and the easterly corner of land described as Parcel 3 in an Abstract of Divorce Decree between Beverly K. Walker and Leroy G. Walker, Sr. (the herein grantee), dated January 22, 2003 and recorded at the Androscoggin County Registry of Deeds (ACRD) in Book 5273, Page 102, and depicted on a plan entitled "*Plan Depicting The Results Of A Boundary Survey Made For The City Of Auburn, Northwesternly Sideline Of Broad Street, Auburn, Maine*", dated February 11, 2019 by Nadeau Land Surveys, Portland, Maine;

Thence N24°35'22"E along said northwesterly sideline of Broad Street, a distance of twenty-three and no hundredths (23.00') feet;

Thence N37°31'42"W along remaining land of the herein grantor, a distance of fifteen and four hundredths (15.04') feet;

Thence N64°54'03"W continuing along said remaining land of the herein grantor, a distance of forty and seventy hundredths (40.70') feet to the northerly corner of the herein described parcel;

Thence S37°01'42"W continuing along said remaining land of the herein grantor, a distance of thirty and fifty-four hundredths (30.54') feet to the northeasterly sideline of said land of Walker;

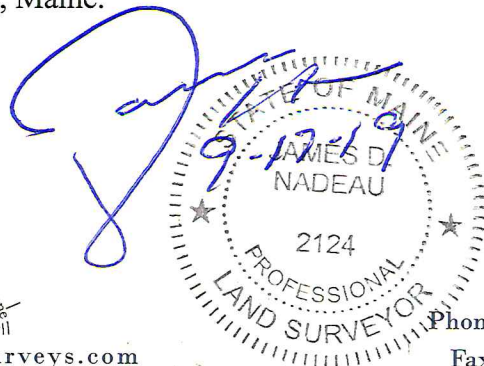
Thence S64°52'11"E along said northeasterly sideline of land of Walker, a distance of sixty and fifty-seven hundredths (60.57') feet to the Point of Beginning.

Total area of the herein described parcel equals 1,666.6 square feet. The bearings in this description are based on Grid North, MSPC NAD83, 1802 (West Zone) per said plan.

Meaning and intending to describe a portion of the land described in a deed from Tim Veilleux to the City of Auburn (the herein grantor), dated August 1, 2017 and recorded in ACRD Book 9658, Page 56, and being depicted on an "*Exhibit Sketch For Proposed Conveyances With An Abutter, Broad Street, Auburn, Maine*", dated September 17, 2019 by Nadeau Land Surveys, Portland, Maine.



www.nadeaulandsurveys.com



918 Brighton Avenue
Portland, Maine 04102

Phone (207) 878-7870
Fax (207) 878-7871

Nadeau Land Surveys

Professional Land Surveyors
Certified Floodplain Managers

Proposed Description For A Deed

Leroy G. Walker, Sr.

To

City of Auburn

(2181974D5)

A certain lot or parcel of land situated northwesterly of, but not adjacent to, the northwesterly sideline of Broad Street, in the City of Auburn, County of Androscoggin, and State of Maine, being more particularly bounded and described as follows:

Beginning at the northerly corner of the herein described parcel, and the northerly corner of land described as Parcel 3 in an Abstract of Divorce Decree between Beverly K. Walker and Leroy G. Walker, Sr. (the herein grantor), dated January 22, 2003 and recorded at the Androscoggin County Registry of Deeds (ACRD) in Book 5273, Page 102, being N64°52'11"W along the northeasterly sideline of said land of Walker, a distance of eighty-eight and forty-one hundredths (88.41') feet from the easterly corner of said land of Walker and the southerly corner of land described in a deed from Tim Veilleux to the City of Auburn (the herein grantee), dated August 1, 2017 and recorded in ACRD Book 9658, Page 56, on the apparent northwesterly sideline of Broad Street, and depicted on a plan entitled "*Plan Depicting The Results Of A Boundary Survey Made For The City Of Auburn, Northwestern Sideline Of Broad Street, Auburn, Maine*", dated February 11, 2019 by Nadeau Land Surveys, Portland, Maine;

Thence S38°23'54"W along tax acquired land of the City of Auburn, as described in a deed from Darlene Sirois to First Federal Savings Bank, dated February 24, 1992 and recorded in ACRD Book 2906, Page 23, a distance of fifty-two and forty hundredths (52.40') feet to the westerly corner of the herein described parcel and said land of Walker, and the northerly corner of land described in a deed from Fire House Grille, LLC to K.P. Realty LLC, dated April 7, 2016 and recorded in ACRD Book 9341, Page 177;

Thence S51°36'06"E along the northeasterly sideline of said land of K.P. Realty LLC, a distance of twenty-eight and fifty hundredths (28.50') feet;

Thence N37°01'42"E along remaining land of the herein grantor, a distance of fifty-eight and eighty-one hundredths (58.81') feet to the southwesterly sideline of land conveyed from Veilleux to the City of Auburn;

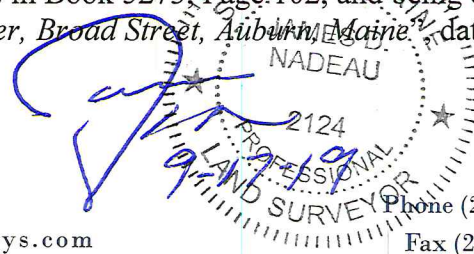
Thence N64°52'11"W along said southwesterly sideline of land conveyed from Veilleux to the City of Auburn, a distance of twenty-seven and eighty-four hundredths (27.84') feet to the Point of Beginning.

Total area of the herein described parcel equals 1,547.6 square feet. The bearings in this description are based on Grid North, MSPC NAD83, 1802 (West Zone) per said plan.

Meaning and intending to describe a portion of the land described as Parcel 3 in an Abstract of Divorce Decree between Beverly K. Walker and Leroy G. Walker, Sr. (the herein grantor), dated January 22, 2003 and recorded at the Androscoggin County Registry of Deeds (ACRD) in Book 5273, Page 102, and being depicted on an "*Exhibit Sketch For Proposed Conveyances With An Abutter, Broad Street, Auburn, Maine*", dated September 17, 2019 by Nadeau Land Surveys, Portland, Maine.



www.nadeaulandsurveys.com



918 Brighton Avenue
Portland, Maine 04102

Phone (207) 878-7870
Fax (207) 878-7871

Nadeau Land Surveys

Professional Land Surveyors
Certified Floodplain Managers

Proposed Description For A Deed

K.P. Realty LLC

To

City of Auburn

(2181974D6)

A certain lot or parcel of land situated northwesterly of, but not adjacent to, the northwesterly sideline of Broad Street, in the City of Auburn, County of Androscoggin, and State of Maine, being more particularly bounded and described as follows:

Beginning at the westerly corner of the herein described parcel and land described in a deed from Fire House Grille, LLC to K.P. Realty LLC (the herein grantor), dated April 7, 2016 and recorded at the Androscoggin County Registry of Deeds (ACRD) in Book 9341, Page 177, being N51°36'06"W along the southwesterly sideline of said land of K.P. Realty LLC, a distance of one hundred and no hundredths (100.00') feet from the southerly corner of said land of K.P. Realty LLC and the easterly corner of tax acquired land of the City of Auburn (the herein grantee), as described in a deed from Darlene Sirois to First Federal Savings Bank, dated February 24, 1992 and recorded in ACRD Book 2906, Page 23, on the apparent northwesterly sideline of Broad Street, and depicted on a plan entitled "*Plan Depicting The Results Of A Boundary Survey Made For The City Of Auburn, Northwesterly Sideline Of Broad Street, Auburn, Maine*", dated February 11, 2019 by Nadeau Land Surveys, Portland, Maine;

Thence S51°36'06"E along said land of the City of Auburn, a distance of twenty-eight and ninety-three hundredths (28.93') feet;

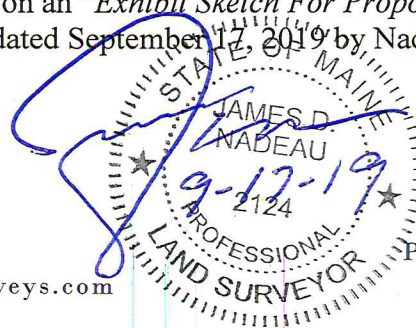
Thence N37°01'42"E along remaining land of the herein grantor, a distance of eighteen and one hundredth (18.01') feet to the southwesterly sideline of land described as Parcel 3 in an Abstract of Divorce Decree between Beverly K. Walker and Leroy G. Walker, Sr., dated January 22, 2003 and recorded in ACRD Book 5273, Page 102;

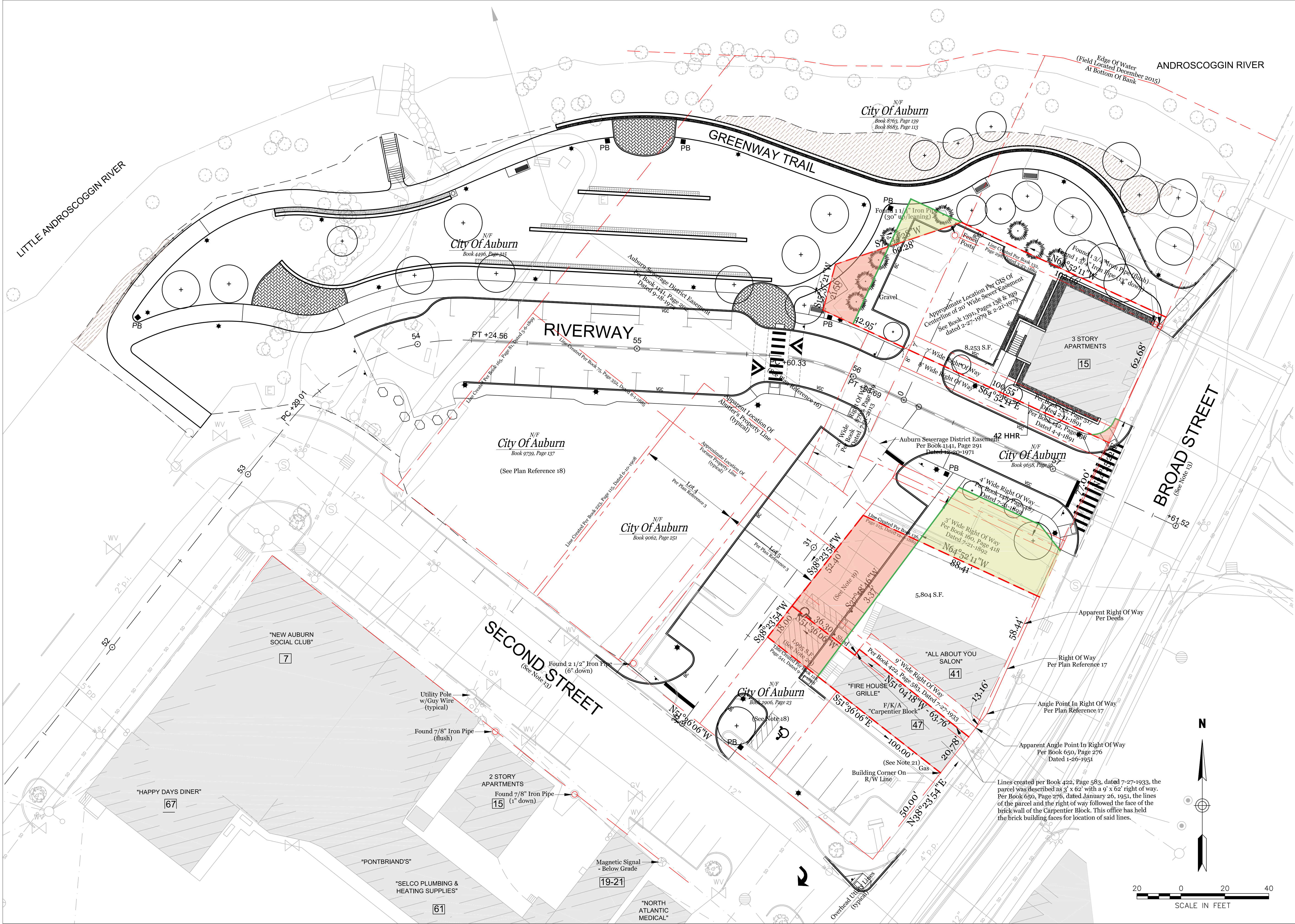
Thence N51°36'06"W along said southwesterly sideline of land of Walker, a distance of twenty-eight and fifty hundredths (28.50') feet to said land of the City of Auburn;

Thence S38°23'54"W along said land of the City of Auburn, a distance of eighteen and no hundredths (18.00') feet to the Point of Beginning.

Total area of the herein described parcel equals 516.9 square feet. The bearings in this description are based on Grid North, MSPC NAD83, 1802 (West Zone) per said plan.

Meaning and intending to describe a portion of the land described in a deed from Fire House Grille, LLC to K.P. Realty LLC (the herein grantor), dated April 7, 2016 and recorded at the Androscoggin County Registry of Deeds (ACRD) in Book 9341, Page 177, and being depicted on an "*Exhibit Sketch For Proposed Conveyances With An Abutter, Broad Street, Auburn, Maine*", dated September 12, 2019 by Nadeau Land Surveys, Portland, Maine.





VHB PROJECT NUMBER: 52402.00

New Auburn Village Center
Redevelopment – Phase 1

SHEET NUMBER
10
OF 18

GENERAL PLAN

PROJECT	INFORMATION
PROJECT MANAGER	G. BAKOS
DESIGNED BY	K. HUBEREAU
FILE NAME	52402.00_GEN - Phase 1
PLOT DATE	5/6/2019


500 Southborough Drive, Suite 105B
South Portland, Maine 04106

REVISIONS	DATE
-----------	------



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: October 7th, 2019
Author: Peter Crichton, City Manager
Subject: Proposed Amendment to the Agriculture and Resource Protection Zone

Information: Two specific issues regarding the AG Zone were outcomes of the September 30th Workshop: 1) The 50% income rule requirement in the definition of a “farm” and 2) the use of non-conforming lots 3-10 acres in size. Councilors and the Mayor are encouraged to view the enclosed link and attached power point presentation in advance of Monday’s Workshop.

- 1) Farm Definition: Replacing the 50% Income Requirement**- A suggestion was made to use the Maine Land Use requirement for farmland (Directly from the Maine Revenue Website):

In the Farmland program, the property owner is required to have at least five contiguous acres in their parcel of land. The land must be used for farming, agriculture or horticulture and can include woodland and wasteland. Additionally, the parcel must contribute at least \$2,000 gross income from farming activities each year.

This will be one of the primary goals of the October 7th Workshop with a few slides highlighted from the presentation that was given to the Planning Board on 4/9/19 by Maine Department of Agriculture official Stephanie Gilbert.

- 2) Use of Non-Conforming (3 – 10 acre) Lots in the AG Zone** : At the last Workshop staff recommended as one possible direction that the Planning Board be able to make exceptions on a case by case basis for properties in the non-conforming lots. As a result, there was a discussion by Councilors and the Mayor on using the following possible criteria for determining which properties would receive an exception: viable farmland, approval of abutters, “contract” zoning, and the planning board making the decision on the exceptions. *Staff will provide comments on these criteria and encourage discussion by Councilors to prepare language for a rough draft on a proposed ordinance in advance of the October 21st Workshop when there will be a more comprehensive review.*
-

City Budgetary Impacts: N/A

Staff Recommended Action: Council discussion.

Previous Meetings and History:

September 30th, 2019 Workshop
September 23rd, 2019 Workshop
September 16th, 2019 Workshop

City Manager Comments: I concur with the recommendation. Signature:

Attachment(s):

MRS Bulletin #20- Farmland Tax Law
Stephanie Gilbert Power Point to the Planning Board- 4/9/19
[Video Link](#) to Stephanie Gilbert Presentation to the Planning Board- 4/9/19



MAINE REVENUE SERVICES PROPERTY TAX DIVISION PROPERTY TAX BULLETIN NO. 20

FARMLAND TAX LAW

REFERENCE: 36 M.R.S. §§ 1101 - 1121
June 1, 2017; replaces June 22, 2015 revision

1. General Information.

The Farm and Open Space Tax Law provides for the valuation of land that has been classified as farmland based on its current use as farmland, rather than its potential fair market value for uses other than agricultural. This bulletin explains certain features of this law. As used in this bulletin, the term "assessor" means the assessor or board of assessors of a municipality, the chief assessor of a primary assessing area or the State Tax Assessor in the case of the unorganized territory.

2. Valuation.

The assessor for each taxing jurisdiction must establish the 100% valuation per acre of farmland based on the current use of that land for agricultural or horticultural purposes. The values adopted should be based on such considerations as farmland rentals, farmer-to-farmer sales, soil types and quality, commodity values, topography, and state-developed guidelines for agricultural valuation. These values should not reflect potential uses of the land other than agricultural or horticultural. In addition, the values should not reflect either road or shore frontage. See Guidelines for Agricultural Valuation at the end of this bulletin.

The assessor must record the value of farmland as established under this guidance and the law and the value at which the farmland would have been assessed had it not been classified as farmland. Values must be recorded in the municipal office of the town in which the farmland is located.

3. Requirement for Classification.

A. Minimum size. A tract of land must contain at least five contiguous acres.

B. Use. A tract of land must be used for farming, agricultural or horticultural activities, but may include woodland and wasteland within the tract. Horticultural activity means the production of vegetables, tree fruits, small fruits, flowers, and woody or herbaceous plants.

C. Income Requirement. A tract of land must generate a gross income of at least \$2,000 per year from the sale of agricultural products in one of the two, or three of the five calendar years preceding the date of application for classification. To determine whether you meet the income threshold, look at the two

previous calendar years. If you earned at least \$2,000 from farming in one of those years, you qualify. If you didn't earn at least \$2,000 in either of the two previous years, you must have earned at least \$2,000 in each of the third, fourth, and fifth previous years. Gross income is generally reported on your federal income tax return, Form 1040, on the line for farm income. Gross income from the sale of agricultural products includes the value of commodities produced for consumption by the farm household. The term "agricultural products" is defined in 7 M.R.S. § 152(2) as:

"Agricultural products" means those plants and animals and their products that are useful to humans and includes, but is not limited to, forages and sod crops, grains and feed crops, dairy and dairy products, poultry and poultry products, bees and bees' products, livestock and livestock products and fruits, berries, vegetables, flowers, seeds, grasses and other similar products, or any other plant, animal or plant or animal products that supply humans with food, feed, fiber or fur. "Agricultural products" does not include trees grown and harvested for forest products.

D. Income Report. Once qualified, an owner of farmland must file with the assessor by April 1 of each fifth year after qualification a statement of the gross income derived by either the owner or lessee in each of the previous five years from acreage classified as farmland.

4. Provisional Classification.

The owner of farmland which meets all the requirements under section 3, except the gross income requirement, may apply for a two-year provisional classification as farmland. The land must be provisionally classified and subject to the provisions of Farm and Open Space Tax Law.

If, at the end of the two-year period, the land does not qualify, the owner must pay a penalty. The penalty is equal to the taxes which would have been assessed had the property been assessed at its fair market value on April 1 for the two preceding tax years less the taxes paid during those two preceding years plus interest on the difference.

5. General Provisions.

A. Filing. Owners must file an application by April 1 of the year in which classification is first requested with the assessor of the jurisdiction where the property is located. Annual filing is not necessary; however, an assessor may request the filing of a new application at any time. The application must be accompanied by a map or sketch showing the different land classifications as well as non-farmland classification within the tract.

B. Notification of Classification. The assessor must determine whether the land is subject to classification as farmland, identify the land based on the categories listed in the Guidelines for Agricultural Valuation at the end of this bulletin and notify the owner of the decision by June 1 of the year of application. If the application is denied, the assessor must state the reasons for the denial in the decision notification to the applicant and provide the landowner an opportunity to amend the application to conform to the requirements of the statute.

C. Reclassification. Landowners are required to give the assessor notice of any change in farmland

classification. If a landowner does not give notice of a change in classification, the assessor must reclassify the parcel where the facts justify a change in classification or use.

D. Tax Rate. Classified farmland shall be subject to the same property tax rate applicable to other property in the jurisdiction.

E. Valuation of Areas Other Than Farmland:

(1) Woodland. The 100% valuation for farm woodland within a classified parcel must be the 100% valuation per acre established for forest land according to the Tree Growth Tax Law.

(2) Other Areas. Areas other than farmland must be assessed on the basis of fair market value.

F. Farm Structures. Building components of a farm, such as animal shelters, are normally considered part of the farm and the structures should be valued the same as other similar structures in the municipality. While not specifically addressed in the law, when small accessory structures such as animal shelters are built upon classified farm land, statute does not compel the land under these structures to be withdrawn from classification.

6. Appeal from Assessor.

A. Abatement Procedure. Assessments made under this subchapter are subject to the abatement procedures provided by 36 M.R.S. § 841. The assessor, on written application within 185 days from date of commitment or on their own initiative within one year from date of commitment, may make such reasonable abatement as they think proper, provided the taxpayer has complied with § 706.

B. Notice of Decision. The assessor shall, by June 1, notify an applicant that their application has been accepted or denied. If an application is denied, the assessor shall state the reasons for the denial and provide the landowner an opportunity to amend the application to conform to the requirements of the law within 60 days.

C. State Board of Property Tax Review. An application for review must be filed within 60 days from receipt of the assessor's denial or within 60 days from the date the application for abatement was deemed to have been denied.

D. Superior Court. Any party dissatisfied with the decision of the State Board of Property Tax Review may further appeal to Superior Court in the county where the property is located.

7. Penalty; Withdrawal of Classification.

A. Change in Use. If classified farmland no longer meets the requirement for classification, it may be withdrawn from classification by the assessor or at the request of the owner. Any change in use disqualifying land for classification will result in the assessment of a penalty.

B. Exception. Penalties will be applied as a result of a change in use and the withdrawal of a portion of a classified parcel except when withdrawal is caused by a transfer resulting from the exercise or

threatened exercise of the power of eminent domain.

Change from farmland classification to open space classification or open space to farmland may not be penalized if the transferred parcel also meets the eligibility requirements of the new classification.

C. Determination of Penalty. The penalty for withdrawal from farmland classification is an amount equal to the taxes which would have been assessed upon the land for the past five years, less all taxes which were actually paid during those five years, plus interest at the rate set annually by the municipality during those five years of classification.

An owner of farmland that has been classified for five full years or more may pay any penalty owed in up to five equal annual installments with interest at the rate set by the town to begin 60 days after the date of the supplemental assessment. For an owner paying the penalty under this procedure, the period during which the tax lien mortgage, including interest and costs, must be paid to avoid foreclosure and expiration of the right of redemption is 48 months from the filing date of the tax lien certificate. The increased redemption term from the standard 18-month term is required in order to accommodate the enlarged time to pay under this procedure.

Notwithstanding the above, the recapture penalty for parcels transferred into farmland classification from either open space classification under the Tree Growth Tax Law (36 M.R.S. §§ 571 – 584-A) shall be the same as the prior classification if the time classified as farmland is 10 years or less.

D. Assessed Fair Market Value. Assessed fair market value at the time of withdrawal is the assessed value of comparable property in the taxing jurisdiction adjusted by the declared assessment ratio (the ratio reported by the municipality on the most recent Municipal Valuation Return) to 100%.

IMPORTANT

In no event may the penalty be less than the minimum required by the Constitution of Maine, Article IX, Section 8:

“a minimum penalty equal to the tax which would have been imposed over the 5 years preceding that change of use had that real estate been assessed at its highest and best use, less all taxes paid on that real estate over the preceding 5 years, and interest, upon such reasonable and equitable basis as the Legislature shall determine. Any statutory or constitutional penalty imposed as a result of a change of use, whether imposed before or after the approval of this subsection, shall be determined without regard to the presence of minerals.”

8. Valuation Guidelines and Program Promotion.

The Department of Agriculture, Conservation and Forestry, working with Maine Revenue Services, and representatives of municipal assessors and farmers, must prepare valuation guidelines to assist local assessors in the valuation of farmland. The suggested guidelines include values for cropland, orchard land, pastureland and horticultural land. The values recommended are designed to enlighten Maine citizens to the existence of the Farm and Open Space Tax Law as well as providing regional information to local farm organizations and municipal tax assessors.

NOTE: This bulletin is intended solely as advice to assist persons in determining, exercising or complying with their legal rights, duties or privileges. If further information is needed, contact the Property Tax Division of Maine Revenue Services.

MAINE REVENUE SERVICES
PROPERTY TAX DIVISION
PO BOX 9106
AUGUSTA, MAINE 04332-9106
TEL: (207) 624-5600

The Department of Administrative and Financial Services does not discriminate on the basis of disability in admission to, access to, or operation of its programs, services or activities. This material can be made available in alternate formats by contacting the Department's ADA Coordinator at (207) 624-8288(voice) or V/TTY: 7-1-1.

(Published under Appropriation No. 1037.1)

GUIDELINES FOR AGRICULTURAL VALUATION

The following guidelines were derived by the Department of Agriculture, Conservation and Forestry (ACF) and Maine Revenue Services (MRS) after review of commentary from the assessing and agricultural communities.

The categories listed vary somewhat relative to language found in the law; our attempt to reconcile that language with typical Maine farming practices follows.

Suggested values from ACF and MRS, developed through analysis of sales and income attributable to farms, are posted separately on the Property Tax Division website.

Upon consideration of the various adjustment factors relative to regional or statewide averages, an assessor may elect to develop local values. However, the assessor must substantiate any variation in assessment of farmland from the recommended values.

Cropland. Land used for field grown crops such as a typical Maine potato farm. This would include usual crops grown in rotation with potatoes - corn for grain, small grains, legumes, broccoli, etc.

Orchard Land. Land devoted to the growth and cultivation of trees bearing edible fruit. There should be a minimum stocking density equivalent to 60 trees per acre.

Pastureland. Land devoted to the production of forage plants consumed by animals. This includes grazing land, hay, ensilage, corn for ensilage and any other crops grown for forage.

Horticultural Land (edible). Land used for intensive vegetable and small fruit production, market gardening, strawberries, raspberries, high-bush blueberries, etc.

Horticultural Land (ornamental). Land used for production of planted and cultivated Christmas trees, flowers, sod, shrubs, trees and general nursery stock. Excluded from this category are trees harvested for forest products.

Blueberry Land. Land devoted to production of wild low-bush blueberries.

ADJUSTMENT FACTORS

Soil type, conservation measures, convenience and proximity to the farmstead, field size and shape, slopes, drainage, aeration, accessibility to and choice of markets, rocks, climate, commodity yield and price.



Workshop II

Planning Board 4-9-19

Agriculture & Resource Protection Zoning District Amendments



Questions:

- A. What constitutes a “farm” business as opposed to a hobby or garden?
- B. What have other communities done to meet the same goals or address the same issues?
- C. Should “Forestry” be treated differently than AG and why?
- D. What recommendations did the 2017-18 consultant study & Ad Hoc committee make?
- E. How many parcels wld be impacted? Where would that be?
- F. Is there a threshold (# of trips, HH’s, etc.) that wld trigger additional city expenditures (road repair, emergency service, schools & school bus service)?



Invited Experts on Questions a & b

Maine Dpt.of
Ag.Conservation &
Forestry; Androscoggin
Land Trust



What constitutes a
“farm” business
as opposed to a
hobby or garden?

Farmland means any tract or tracts of land, including woodland and wasteland, of *at least 5 contiguous acres on which farming or agricultural activities* have contributed to a *gross annual farming income of at least \$2,000 per year from the sales value of agricultural products* as defined in Title 7, section 152, subsection 2 in one of the 2, or 3 of the 5, calendar years preceding the date of application for classification. *The farming or agricultural activity and income derived from that activity may be achieved by either the owner or a lessee of the land.*



Farm means the land, plants, animals, buildings, structures, ponds and machinery used in the *commercial production of agricultural products*. (6)

Farm – the land, buildings and machinery used in *commercial production of farm products*. (10)

Farm or Farming Operation – the aggregate of all agricultural land, equipment and all related facilities, crops and animals, regardless of their location or ownership, that form part of an *integrated agricultural business or operation*. (565)



Farm Products – Animals, as well as food, feed, fiber, forage and oilseed crops that are useful to humans, including but not limited to, **forages and sod crops**, **grains and food crops**, **dairy products**, **poultry and poultry products**, **bees**, **livestock and livestock products**, **manure or compost**, **and fruits, berries, vegetables, flowers, seeds, grasses, fuel crops and other similar products**. (10)





Farm Operation – *A set of activities that occur on a farm in connection with commercial production of farm products* including, but not limited to, operations giving rise to noise, odors, dust, fumes, operation of machinery, irrigation pumps, ground and aerial seeding, ground spraying, composting of material produced by the farm or to be used at least in part on the farm, disposal of manure, the application of chemical fertilizers, soil amendments, conditioners or pesticides and the *employment of farm labor.*

(10)



Farm operation means a condition or activity that occurs on a farm in connection with the *commercial production of agricultural products* and includes, but is not limited to, **operations** giving rise to noise, odors, dust, insects and fumes; **operation of machinery** and irrigation pumps; disposal of manure; agricultural support services; and the **employment and use of labor**. (6)

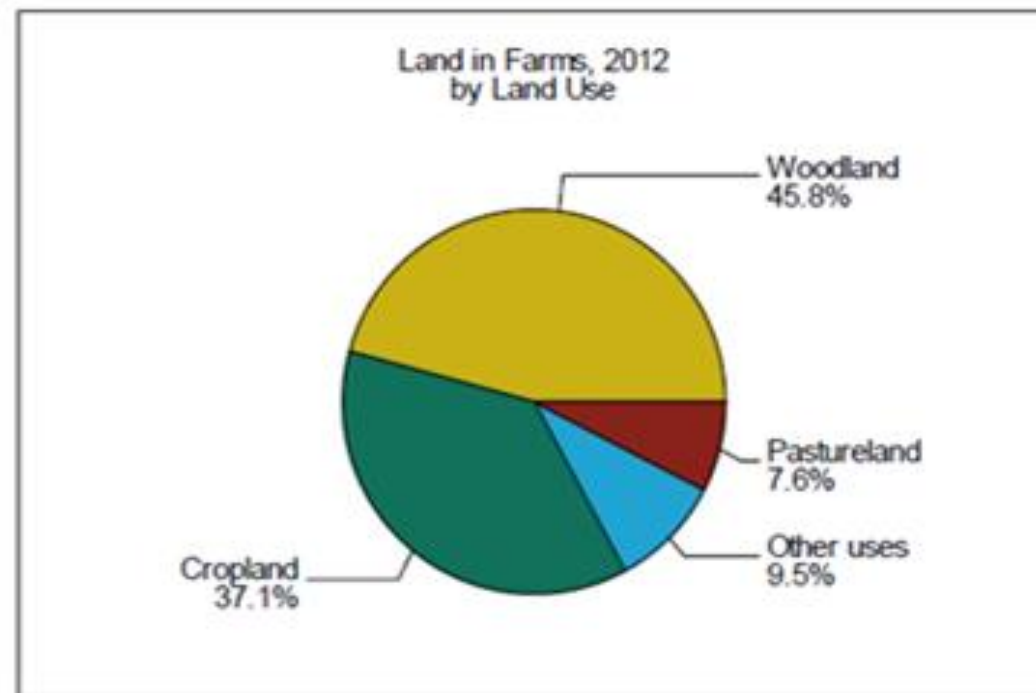
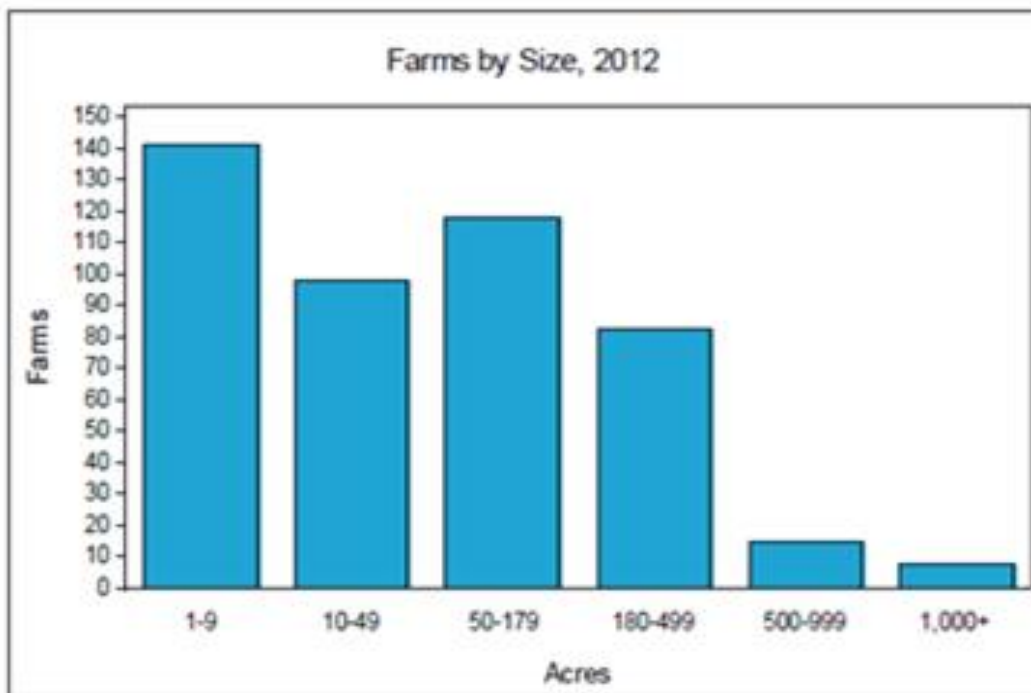


Androscoggin County 2012 USDA Ag Census

	<u>2012</u>	<u>2007</u>	<u>% change</u>
Number of Farms	463	378	+ 22
Land in Farms	59,446 acres	50,844 acres	+ 17
Average Size of Farm	128 acres	135 acres	- 5
Market Value of Products Sold	\$53,831,000	\$68,445,000	- 21
Crop Sales \$11,875,000 (22 percent)			
Livestock Sales \$41,956,000 (78 percent)			
Average Per Farm	\$116,266	\$181,071	- 36
Government Payments	\$445,000	\$487,000	- 9
Average Per Farm Receiving Payments			
	\$6,186	\$8,550	- 28

"Agricultural products" does not include trees grown and harvested for forest products.

(Title 7, section 152, subsection 2) (Ch 6)



US Department of Agriculture
National Agricultural Statistics Service

www.agcensus.usda.gov



What have other communities done to meet the same goals or address the same issues?

OPERATIONS & MANAGEMENT

Major Environmental Laws Affecting Maine Agriculture

- Surface Water Quality
- Groundwater Quality
- Air Quality
- Solid Waste and Hazardous Waste
- Pesticides and Chemigation
- Wildlife Protection
- Soil and Water Conservation Guidelines regarding the Creation of New Agricultural Fields or the Expansion of Existing Agricultural Fields in Forested Areas

OPERATIONS & MANAGEMENT

Agricultural Compliance Program & Right to Farm

- Benefits Farmers and the Public
- Complaints between farmers, or between farmers and their neighbors or others are resolved in a meaningful and timely way by the adoption or modification of BMPs
- Helps to keep farms and other agricultural businesses operating
- Retains land in agricultural production

Odors

Manure handling

Manure storage

Animal carcasses

Dust

Livestock welfare

Insects

Impairments to water quality

Cull potatoes

Noise issues

Others

FARMLAND

Maine Farmland Property Tax Program

Five (5) contiguous acres = farming or agricultural activities use

- Crops/Livestock/Products
- Year-Round operational Activities

Structures additional acreage

- Residence for Farm Family and Farm Labor
- Storage/Housing for Livestock, Crops & Equipment

Generates at least \$2,000 annual gross income.
(\$1,000 to \$5300 USDA)



2017 Municipal Valuation Return Statistical Summary - Farmland

MUNICIPALITY	Number of Parcels	Acres First Classified	Acres Farmland Acres	Total Acreage Woodland	Total Valuation Farmland	Total Valuation Woodland	Parcels Withdrawn	Acres Withdrawn	Penalties Assessed
COUNTY TOTALS									
ANDROSCOGGIN	361	348	9,397	11,162	\$3,405,628	\$4,125,037	4	186	\$575
AROOSTOOK	115	644	6,132	5,772	\$3,528,270	\$1,006,623	0	0	\$0
CUMBERLAND	372	275	8,131	8,541	\$3,276,129	\$3,646,515	8	198	\$18,880
FRANKLIN	245	1,693	5,138	8,063	\$1,862,608	\$2,567,810	0	0	\$0
HANCOCK	224	185	3,449	4,679	\$2,019,740	\$738,945	0	0	\$0
KENNEBEC	723	829	21,371	21,494	\$8,126,418	\$8,031,064	2	97	\$7,812
KNOX	347	110	6,543	7,841	\$2,419,155	\$2,825,568	4	106	\$11,568
LINCOLN	207	534	3,345	5,656	\$1,296,184	\$2,006,790	0	0	\$0
OXFORD	294	504	7,886	8,033	\$3,028,150	\$2,492,794	2	26	\$4,180
PENOBSCOT	649	88	14,902	26,150	\$6,835,277	\$4,120,457	0	0	\$0
PISCATAQUIS	63	213	3,162	3,464	\$1,061,440	\$585,847	0	0	\$0
SAGadahoc	220	68	4,587	5,232	\$2,042,749	\$2,186,192	0	0	\$0
SOMERSET	521	22	12,121	20,848	\$4,722,770	\$3,583,060	1	26	\$3,195
WALDO	662	233	10,855	20,494	\$4,015,622	\$7,385,511	0	27	\$1,835
WASHINGTON	76	37	944	3,328	\$511,622	\$525,421	0	0	\$0
YORK	510	244	8,943	11,333	\$4,349,329	\$4,785,075	2	13	\$1,870
STATE TOTAL	5589	6,026	126,907	172,088	\$52,501,091	\$50,612,710	23	679	\$49,915

Farmland Property Tax Summary – Maine Revenue Service 2017 2015

5,589 Parcels

126,907 Acres Farmland

172,088 Acres Woodland

6,029 Acres First Classified

33 Parcels (2,018 acres) were withdrawn @ \$90,402

5,240 Parcels

117,754 Acres Farmland

158,744 Acres Woodland

6,737 Acres First Classified

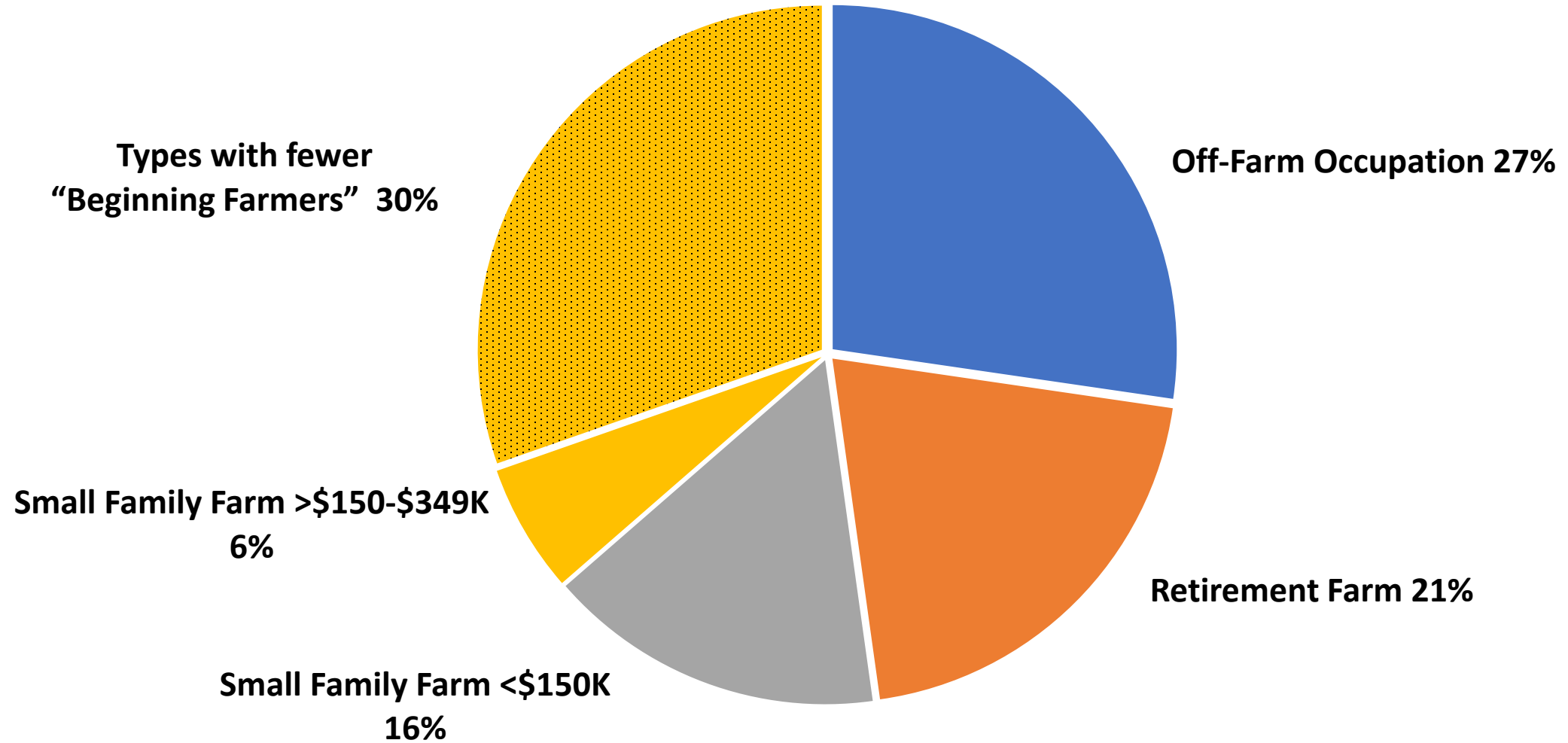
LAND

Voluntary Municipal Farm Support Program M.R.S. 7 Ch2-C



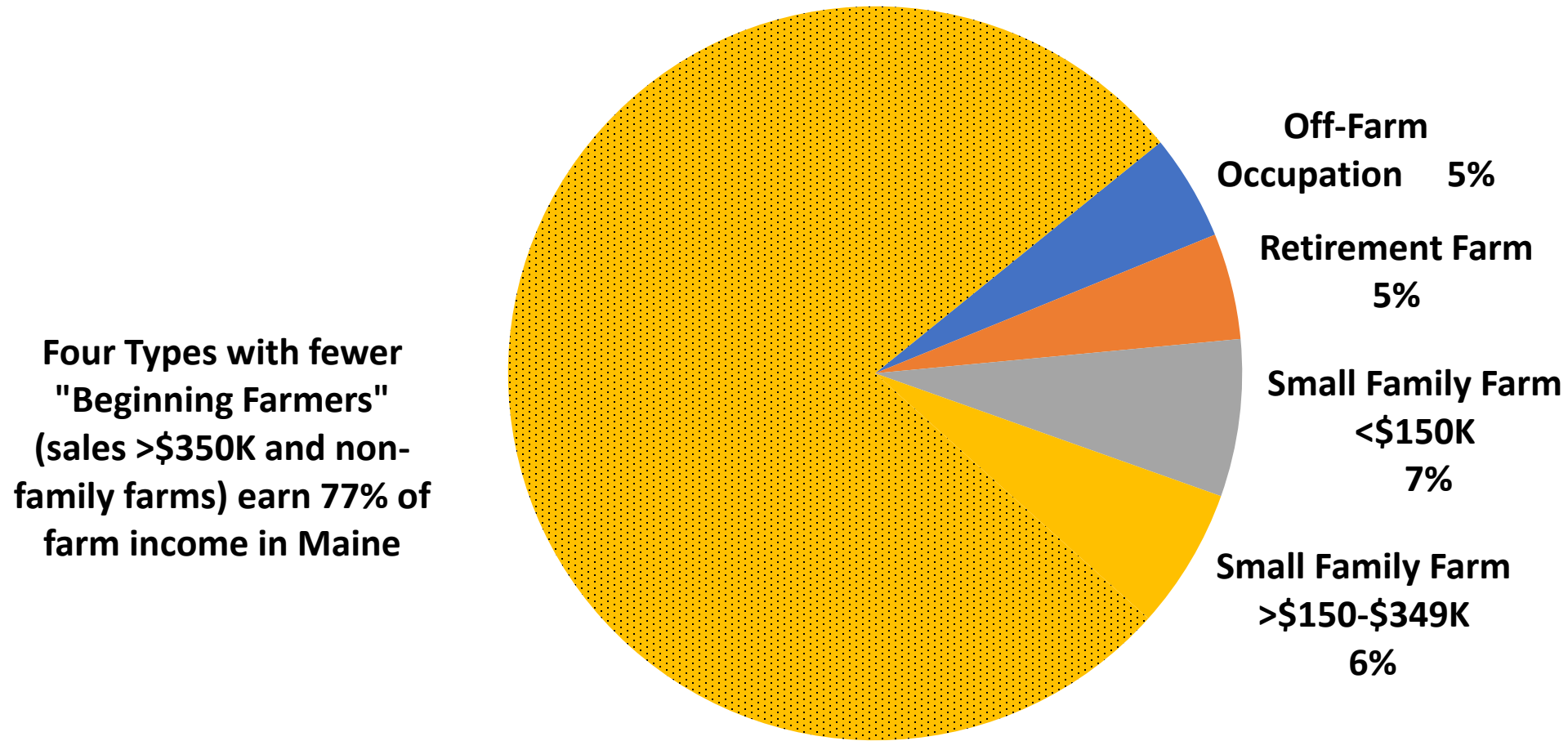
Any town in Maine may develop and codify a Voluntary Municipal Farm Support Program to enter into "farm support arrangements" with eligible farmland owners. Those farmland owners who are formally accepted by a town's legislative body, may then grant a 20-year agricultural conservation easement to the town in exchange for full or partial reimbursement of property taxes on their farmland and farm buildings during that 20 year period.

Four Typologies own/operate 70% of all of Maine's Farmland



1,454,104 Total Land in Farms

Four Typologies earn 23% of all Farm Income



\$810,241,000 Total Gross Cash Farm Income

Four Typologies include most of Maine's Beginning Farmers



Retirement Farms - Small farms whose operators report they are retired, although they continue to farm on a small scale.



Off-Farm Occupation Farms - Small farms whose operators report a primary occupation other than farming. The category also includes a small number of farms whose operators do not consider themselves in the labor force.



Small Family Farms – Gross Cash Farm Income (GCFI) divided into two subcategories based on gross cash farm income:

GCFI	< \$150,000
GCFI	>\$150,000 to \$350,000



ENVIRONMENTAL PROTECTION + ECONOMIC DEVELOPMENT

- Co-Marketing campaigns
- Tourism & Events
- Bonding to protect farmland & make it affordable to next generation farmers
- Farmland + Open Space + Residential Subdivision
- TIFF's to Producers & Processors
- Protect & sell to local farmers
- Water Districts + Land Trusts
- Investment Development Funds
- Listening to farmers – as owners of local businesses - then finding funds/funding mechanisms to help support agricultural economic development



Thank you!



Stephanie Gilbert, Division of Agricultural Resource Development, Farm Viability and Farmland Protection
Mark Hedrich, Division of Animal and Plant Health Nutrient Management Program Coordinator
David Rocque, Division of Agricultural Resource Development, State Soil Scientist

D. 2017-18 Consultant & Ad Hoc Work on AG

The Ad-Hoc Committee was established to serve in an advisory role to the City Council, Planning Board and city staff during the length of the contract term with Crossroads Resource Center (the “consultant”).

Important Realization:

“There is no simple answer - The policies to be enacted depend on the purposes the City wishes to uphold by protecting farmland. “

The Committee identified the following community priorities and strategic goals:

- Protect open space and rural landscape. Forest land is a big part of the AGRP.
- Strengthen the agriculture and natural resource sector of the Auburn economy.
- The 50% income rule should be changed, however the alternative guidelines that could replace it are not simple.
- Infrastructure investment and incentives are needed to support the agricultural sector especially in an unpredictable environment; Need to determine the best incentives available.
- Protect farmland for agricultural uses and foster productive use of AGRP lands. Hold price of *working agriculture lands* low.
- Protect natural environment with special emphasis on Lake Auburn.

Primary Recommendations

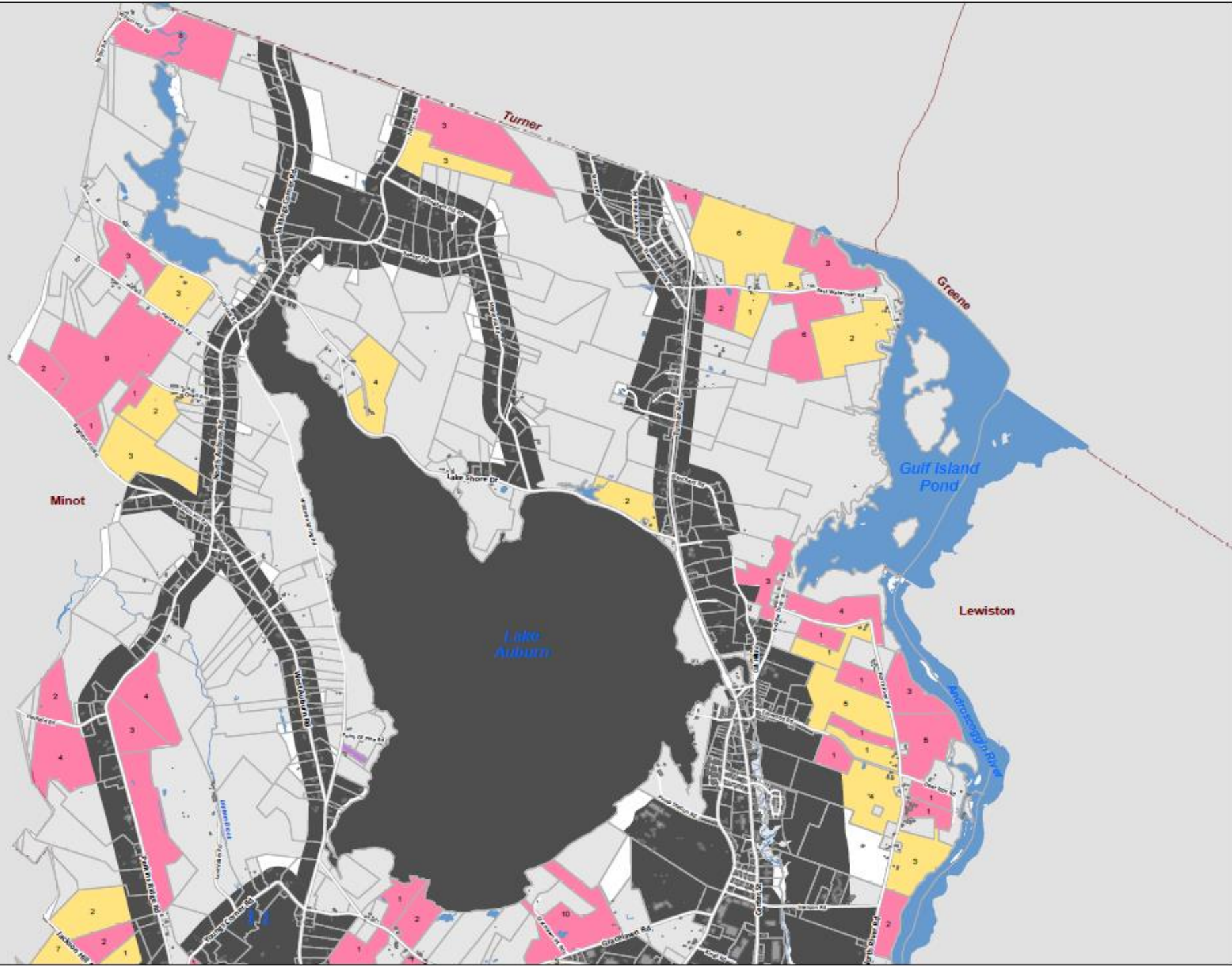
1. Creation of a permanent committee in the City of Auburn to advise City Council on policy development and implementation of agricultural, forestry, and resource protection (AFRC) initiatives, similar to Agricultural Commissions formed in other communities in Maine and nationwide.
2. Elimination of the “50% income” rule within the AGRP Zone but replacing that policy only with a fully analyzed, researched, and targeted alternative that will serve long-term goals and priorities for the AGRP Zone and economic sector.

E. How many parcels could be impacted: Potential Impacts of proposed text within 5yrs.

- Parcels could be divided after 1st 5yrs of enactment for the purposes of constructing a home (1) a.
- Division of land for residential purposes not allowed (does not address 10acre + “farmettes”- divided for purposes other than residential, 1. d.)
- Numbers calculated based on acreage and AG only road frontage on existing roads

AG Parcels — no split-zoned lots :

Class	# of Parcels	% Ag Parcels	Average Acres	Total Acres	% Ag Parcel Acres	Average Road Frontage	Total Road Frontage
Vacant Parcels, > 10 acres, > 250 ft Road Frontage	100	13%	51	5,139	27%	1,290	125,137
Occupied Parcels, > 20 acres, > 500 ft Road Frontage	57	7%	64	3,684	19%	1,942	110,671
Vacant Parcels, > 3 acres, Any Road Frontage*	10	1%	20	200	1%	144	1,437
Landlocked Parcels within Ag Zone	99	13%	20	1,949	10%	0	0
Parcels with no Road Frontage in Ag Zone, possible frontage other zone	143	18%	24	3,389	18%	0	0
Vacant or Occupied Parcels, don't meet dimensional standards	224	29%	5	1,215	6%	522	116,942
Other Parcels**	149	19%	23	3,461	18%	500	170,127
Total	782			19,037			

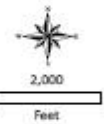


AgZoneParcels...

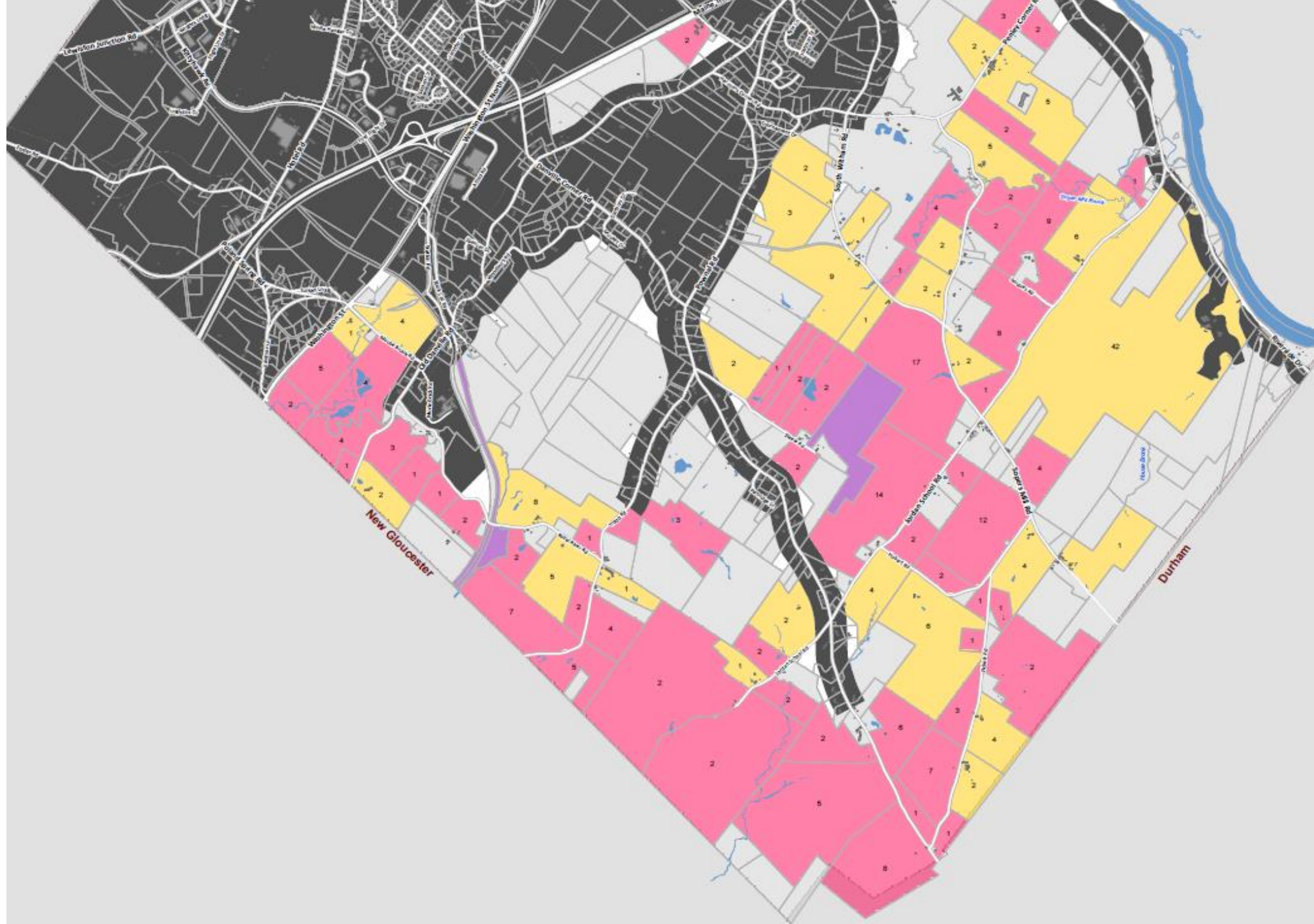
- Vacant Parcels, > 10 acres, > 250 ft frontage
- Vacant Parcels > 3 acres with Road Frontage
- Occupied Parcels, > 20 acres, > 500 ft frontage
- Other Parcels
- Other Zones

Numbers in parcels represent potential new lots created by allowing 10 acres lots with 250 ft of frontage on existing roads. There are approximately 640 new lots created under this scenario across the whole city.

DRAFT Ag Zone Parcels Development Potential City of Auburn Northern Section



Notes:
Parcel Data provided by the City of Auburn.
Land Cover developed from Aerial Photography
Map printed:
March 2019

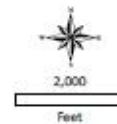


AgZoneParcels...

- Vacant Parcels, > 10 acres, > 250 ft frontage
- Vacant Parcels > 3 acres with Road Frontage
- Occupied Parcels, > 20 acres, > 500 ft frontage
- Other Parcels
- Other Zones

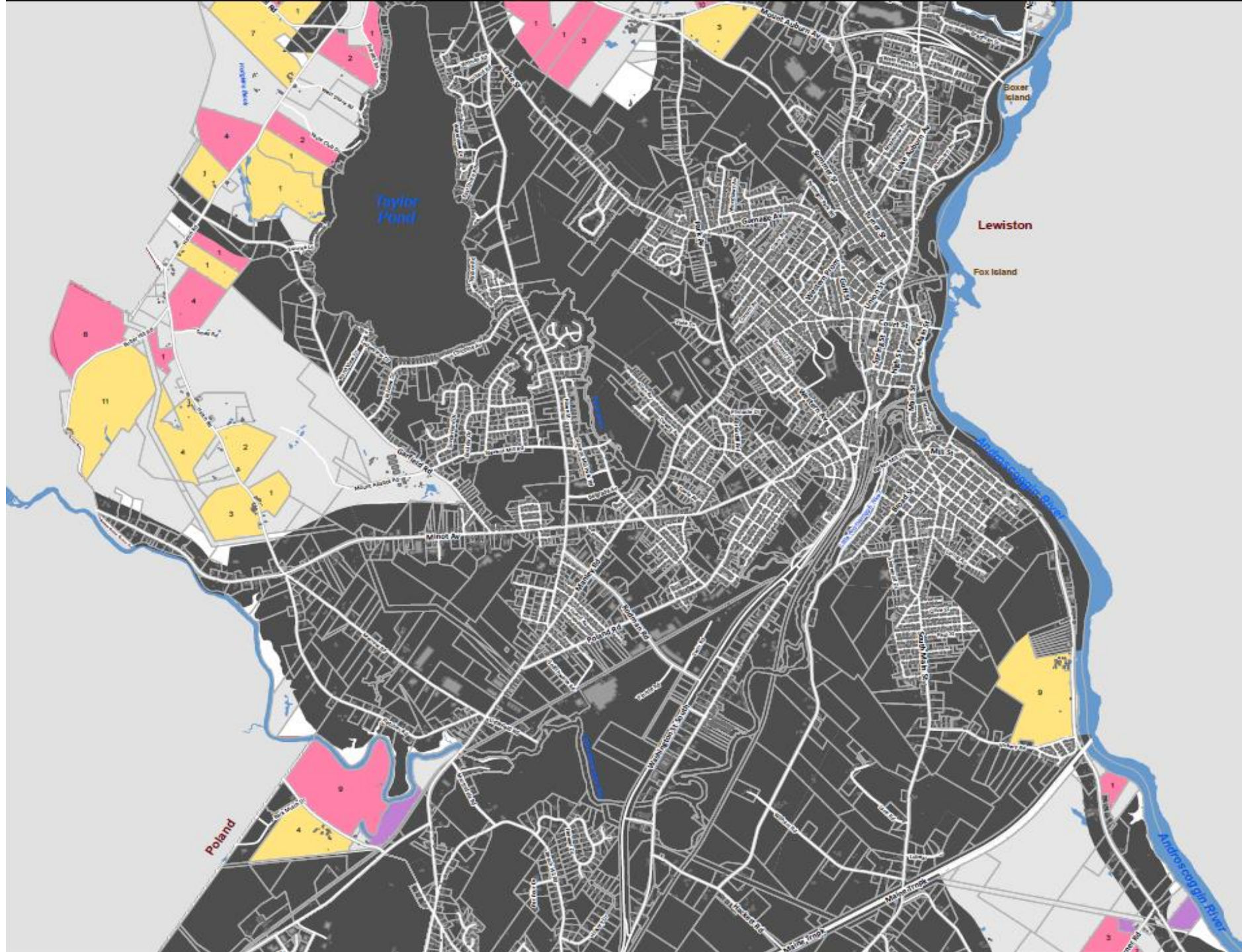
Numbers in parcels represent potential new lots created by allowing 10 acres lots with 250 ft of frontage on existing roads. There are approximately 640 new lots created under this scenario across the whole city.

DRAFT **Ag Zone Parcels** **Development** **Potential** **City of Auburn** **Southern Section**



Notes:
Parcel Data provided by the City of Auburn.
Land Cover developed from Aerial Photography

Map printed:
March 2019



AgZoneParcels...

- Vacant Parcels, > 10 acres, > 250 ft frontage
- Vacant Parcels > 3 acres with Road Frontage
- Occupied Parcels, > 20 acres, > 500 ft frontage
- Other Parcels
- Other Zones

Numbers in parcels represent potential new lots created by allowing 10 acres lots with 250 ft of frontage on existing roads. There are approximately 640 new lots created under this scenario across the whole city.

DRAFT

Ag Zone Parcels Development Potential City of Auburn Central Section

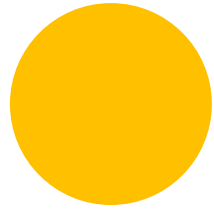
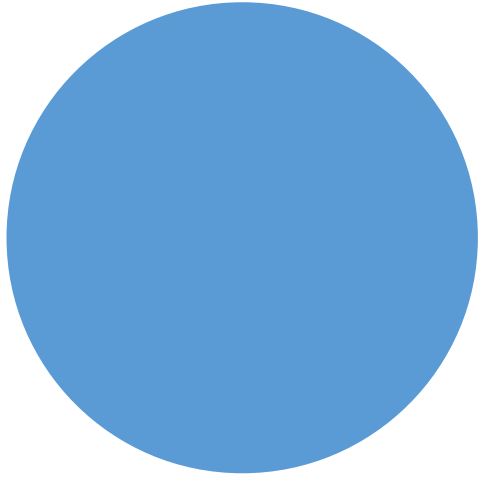


2,000

Feet

Notes:
Parcel Data provided by the City of Auburn.
Land Cover developed from Aerial Photography

Map printed:
March 2019

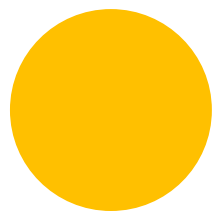
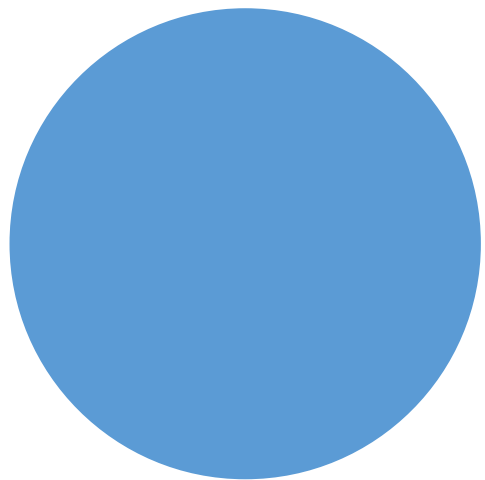


F. City Services

Schools & bus service
Road complaints
Response times

“...forward current draft amendment ...as drafted by the Mayor’s Action Group...to the Conservation Commission and PB of review, Public Hearing and recommendations on how to proceed with the amendments”

CC Directive to Planning Board



Next Steps:
Planning Board Public Hearing
May 14 on Draft Amendment

Recommendations to
City Council

IN COUNCIL REGULAR MEETING SEPTEMBER 16, 2019 VOL. 35 PAGE 86

Mayor Levesque called the meeting to order at 7: 09 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

Pledge of Allegiance

I. Consent Items

1. Order 108-09162019*

Approving the renewal of the Auto Graveyard/Junkyard permit for M & P Auto located at 227 Merrow Road.

2. Order 109-09162019*

Approving the renewal of the Auto Graveyard/Junkyard permit for Randy's Auto Parts located at 899 Broad Street.

3. Order 110-09162019*

Approving the renewal of the Auto Graveyard/Junkyard permit for Prolerized New England Company, LLC located at 522 Washington St. N.

4. Order 111-09162019*

Approving the renewal of the Auto Graveyard/Junkyard permit for Morris Auto Parts located at 940 Washington Street N.

5. Order 112-09162019*

Approving the renewal of the Auto Graveyard/Junkyard permit for Isadore T. Miller Co., a Division of Schnitzer NE located at 78 & 80 Hotel Road.

Motion was made by Councilor Titus and seconded by Councilor Fournier to remove Orders 108-09162019 through 113-09162019 from the consent agenda and add to new business.

Passage 6-1 (Councilor Walker opposed).

II. Minutes – September 16, 2019 Regular Council Meeting

Motion was made by Councilor Fournier and seconded by Councilor Lasagna to approve the minutes of the September 16, 2019 Regular Council Meeting. Passage 7-0.

III. Communications, Presentations and Recognitions

Attorney Michael Malloy went over the policy regarding the acquisition and disposition of city-owned property.

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

Kathy Shaw, owner of Valley View Farm and Four Season's Market in Auburn provided an update on the Farmer's Market, commented on the MAG-ARP ad hoc committee that she served on, and in closing, she expressed that when someone is making a point, statement, or a suggestion, speakers deserve to make an entire statement without interruption.

Chris Carson, 110 Jacques Road, commented on the Agricultural & Natural Resource discussion.

Michelle Melaragno, Trapp Road also commented on the Agricultural & Natural Resource discussion and the two Ag zone ad hoc committees and proposed recommendations. She also stated that the location of the podium for public comment was a bit isolating and she would like to see us return to using the table for public comment.

Dan Herrick, 470 Hatch Road, commented on the Agricultural & Natural Resource discussion and the Bates College survey.

Joe Gray, Sopers Mill Road commented on the Agricultural Study and the Agricultural & Natural Resource discussion adding that we should be focusing on the downtown area, not the ag zone.

V. Unfinished Business - None

VI. New Business

Consent items that were moved from the consent agenda.

1. Order 108-09162019*

Approving the renewal of the Auto Graveyard/Junkyard permit for M & P Auto located at 227 Merrow Road.

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

Public comment – no one from the public spoke.

Passage 7-0.

2. Order 109-09162019*

Approving the renewal of the Auto Graveyard/Junkyard permit for Randy's Auto Parts located at 899 Broad Street.

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

Public comment – no one from the public spoke.

Passage 7-0.

3. Order 110-09162019*

Approving the renewal of the Auto Graveyard/Junkyard permit for Prolerized New England Company, LLC located at 522 Washington St. N.

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

Public comment – no one from the public spoke.

Passage 7-0.

4. **Order 111-09162019***

Approving the renewal of the Auto Graveyard/Junkyard permit for Morris Auto Parts located at 940 Washington Street N.

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

Motion was made by Councilor Fournier and seconded by Councilor Young to postpone to the next regular meeting (October 7, 2019).

Passage 6-1 (Councilor Hayes opposed).

5. **Order 112-09162019***

Approving the renewal of the Auto Graveyard/Junkyard permit for Isadore T. Miller Co., a Division of Schnitzer NE located at 78 & 80 Hotel Road.

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

Public comment – no one from the public spoke.

Passage 7-0.

6. Hearing on the appeal of the denial of a business license for Relief Clinic (Owner Evelyne Leavitt) pursuant to section 14-39 of our Code of Ordinances.

The Mayor opened the public hearing.

Attorney Brian Condon (representing Relief Clinic LLC.), Eric Cousens, Phil Crowell, Attorney Mary Costigan (representing city staff), and Attorney Michael Malloy (representing the City Council).

Motion was made by Councilor Lasagna and seconded by Councilor Fournier to uphold the decision of the City Clerk denying Relief Clinic LLC (owner Evelyne Levitt) application for a Marijuana Business License at 23 Cross Street.

Passage 7-0, a roll call vote was taken.

VII. Reports

Mayor Levesque – reported that he spoke at the Walk to End Alzheimer's, he attended the Dempsey Challenge donation breakfast at Mac's Grill, reminded everyone that the Dempsey Challenge will take place on September 28th & 29th, and the Blue's & Brew's festival will take place on September 28th.

Councilor Young – reported that the new ELHS Building Committee will be meeting tomorrow.

Councilor Walker – announced that there will be a meeting on Tuesday, 9/24/19, at Rolly's. City Manager Peter Crichton will be speaking. On 9/26/2019, the Neighborhood Watch Group will meet at 6:30 PM at the Sixth Street Congregational Church. He also provided an update on the St. Louis bells and fundraising. There will be a Bell Tower event on November 2nd, at 11:00 AM. Fundraising is somewhere around \$50,000 to date.

Councilor Fournier – announced that the Auburn Public Library Board of Trustees will meet tomorrow at 7:30 AM. and next Thursday will be the annual meeting between 5:30 and 7:00 PM at the Library. The School Committee will be meeting on Wednesday. They are looking into finding a someone to fill the vacant Ward 3 School Committee seat and discussing the process for doing that. On Tuesday, Sept. 24th the Senior Maine Summit will be held from 7:30 AM to 4:00 PM at the Augusta Civic Center. She also noted that she has been meeting with the AARP group once a month at E. Claire's located in the Bates building.

Councilor Titus – thanked Councilor Fournier for her work on the School Committee, he reported that the first meeting of Androscoggin Budget Committee was held last week, the next meeting will be held on Wednesday, the Sewer District Board of Trustees will be meeting tomorrow at 4:00 PM and on Wednesday at 4:00 PM the Water District Board of Trustees will be meeting, and last Friday he attended the Audit Committee meeting.

Councilor Hayes – no report

Councilor Lasagna – reported that the Court Street group met on Friday (she was unable to attend), and their next advisory meeting is in early to mid October followed by the public meeting sometime at the end of October/middle of November.

Councilor Gerry – reported that the First Auburn Seniors meet this Wednesday at the Hasty Center and she reported on the Age Friendly surveys.

City Manager's Report – provided an update on the Recycling Ad-hoc Committee (there are still two vacancies and we still need a City Councilor). He provided a Strategic Plan update. He announced that we now have a Wellness Advisor for the City, Nicole Oberlander, from the YMCA. He announced that the Homecoming Celebration is coming up November 1st – 3rd. The St. Louis Bell Tower unveiling is scheduled for November 2nd at 11AM, the Senior Center grand opening will take place that same day at 1:00 PM, the Alumni Event will be held at Lost Valley from 5:00 – 11:00 PM, Sunday is Family Fun day at ELHS. Last, he commented on the Celebration of Life event for Tom Kendall, adding that the City was fortunate to have someone like him.

Finance Director, Jill Eastman – August 2019

Motion was made by Councilor Young and seconded by Councilor Fournier to accept and place on file the August 2019 Finance Reports. Passage 7-0.

VIII. Open Session – Brian Carrier, 32 Constellation Drive commented on the Mayor's Ag and Natural Resource Ad-hoc Committee and wanted to clarify that the Planning Board was never asked to vote up or down on it. They were only asked their opinion on items addressed.

IX. Executive Session – Personnel Matter, pursuant to 1 M.R.S.A. §405(6)(A)

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

Passage 7-0, time in 8:45 PM.

Council was declared out of executive session at 9:39 PM.

X. Adjournment

Motion was made by Councilor Walker and seconded by Councilor Lasagna to adjourn. All were in favor, the meeting adjourned at 9:40 PM.

A TRUE COPY

ATTEST *Susan Clements Dallaire*

Susan Clements-Dallaire, City Clerk



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: September 16, 2019

Orders: 111-09162019

Author: Kelsey Earle, License Specialist

Subject: Automobile Graveyard/Junkyard permit renewal

Information: This is an annual renewal of currently existing Automobile Graveyard/Junkyards in Auburn. Reminder letters and applications were sent out 08/08/2019. Inspections have been made. Council approval is required for renewal of these licenses. Because the 5 listed below are renewals, they do not require a public hearing.

Title 30-A, Sec. 3754 states "*Municipal officers or county commissioners, as provided for in section 3753, shall hold a public hearing before granting a permit to establish a new automobile graveyard, automobile recycling business or junkyard and may hold public hearings annually regarding the relicensing of these facilities*".

Don's No Preference Towing of L/A, Inc., dba Morris Auto Parts, 940 Washington St. North

City Budgetary Impacts: None

Staff Recommended Action: Staff recommends the City Council consider approval of the renewal application only if the following conditions are met:

1. Clean up visible materials on the riverbank and in the river.
2. Install permanent flood plain line markers at the floodplain line to be determined by a surveyor at his cost.
3. Remove any remaining vehicles with fluids from the 1% floodplain.

Previous Meetings and History: The annual renewals were placed on the 9/16/2019 agenda. This one was postponed until the meeting of 10/7/2019.

City Manager Comments:

I concur with the recommendation. Signature:

A handwritten signature in blue ink, appearing to read "Peter J. Cudde".

Attachments:

1. Application
2. Inspection Memo – David O'Connell (Fire Department)
3. Inspection Memo #1– Eric Cousens (Economic and Community Development)
4. Inspection Memo #2-Eric Cousens (Economic and Community Development)
5. Order 111-09162019



AUG 15 2019

City of Auburn, Maine

Office of The City Clerk

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

2 0 1 9

AUTOMOBILE GRAVEYARD/JUNKYARD PERMIT APPLICATION

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

I/We Donald St German / 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.

Physical Address: 940 WASHINGTON ST NO,

Mailing Address: PO BOX 283 04212 0283

Phone Number: 207 7847374 Al 2077541608

E-Mail: dons.4.tows@yahoo.com

Answer all questions in full.

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

940 WASHINGTON ST NO

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

3. Is this property leased? NO Property owned by: Donald St German
Address: _____

4. How is "yard" screened?

☒ Fence (type) _____ Height: _____

☒ Trees (type) _____



City of Auburn, Maine

Office of The City Clerk

www.auburnmaine.gov | 60 Court Street

Auburn, Maine 04210

207.333.6601

- ☐ Embankment: _____
☐ Gully: _____
☐ Hill: _____
☐ Other: _____

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

60 plus feet

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? 1938 By whom? MORRIS AUTO PARTS

11. When was last permit issued? 2019 By whom? DONALD ST GUMMAN

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 St Guman for: _____

Name of Company, Corporation, Partnership or Individual

Address: 940 WASHINGTON ST no Auburn ME

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. _____

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)





Auburn Fire Department

David N. O'Connell | Fire Inspector/Fire Investigator
550 Minot Avenue | Auburn, Maine 04210
doconnell@auburnmaine.gov | 207.333.6633 ext 4

Sarah L. Hulbert – Fire/EMS Support Specialist
shulbert@auburnmaine.gov

To: Mayor and City Council

From: David O'Connell, Fire Prevention Officer

Re: 2019 Junkyard License Inspections

Date: September 4, 2019

The City Clerk requested that this office inspect licensed junkyards which have applied for license renewals – prior to the Council's consideration of their applications. Inspections were completed by September 4, 2019, and crews found the following:

Prolerized New England Company, LLC, 522 Washington Street: No deficiencies noted after inspection. Fire Department approves.

M & P Auto, Inc., 277 Merrow Road: No deficiencies noted after inspection. Fire Department approves.

Randy's Auto Parts, 899 Broad Street: No deficiencies noted after inspection. Fire Department approves.

Isadore T. Miller, Inc., 79 and 80 Old Hotel Road: Site is vacant; no buildings. No comments or concerns.

Morris Auto Parts, 940 Washington Street North: No deficiencies noted after inspection. Fire Department approves.

Sincerely,

David O'Connell



City of Auburn, Maine

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

To: Kelsey Earle, Licensing Specialist / Deputy City Clerk
From: Eric J. Cousens, Deputy Director of Economic and Community Development
Re: 2019 Junkyard Follow-up Morris Auto Parts License Inspection
Date: October 2, 2019

Based on your request this office inspected licensed junkyards that have applied for license renewals prior to the Councils consideration of their applications on September 16, 2019. Inspections were completed on September 4th and 5th. Since then, the Council received a complaint and photographs of concerns at Morris Auto Parts and tabled action on the requested license. A follow up inspection was conducted on September 30, 2019.

Over the last few years the inspections revealed that there were some violations and we have worked with this business to address them. The fence along Washington Street was partly removed but the remaining piece, although unsightly, is not in violation of the Statute. The license was issued in February 2019 after achieving compliance. On September 5th, the site was found to be meeting minimum junkyard requirements in the areas that were inspected.

The photographs of the site included photos from the adjacent Little Androscoggin River and areas that are not visible from the property itself. The junkyard is sited on a wetland/floodplain area that has been filled over time between 1920 +/- and 2000+/- . If the site was undisturbed, it would not be possible to site a new junkyard on this site under current standards and it may be difficult to find a less suitable site from an environmental perspective. Over the years, floods have moved materials on the site and presumably into the Little Androscoggin River. The City and the owner have made efforts to improve operations at the site to make future deposition of materials in the river less likely and to prevent the storage of vehicles with fluids in the areas mapped as 1% floodplain. Staff has requested that the owner remove any visible materials from the water this fall. Every future flood risks moving materials on the site and water currents could move loose materials into the river, however, current materials are setback from the edge to the extent that we can require.

Because the site and setbacks from the river are existing and have existed since prior to current regulations we are limited to some degree to operational standard enforcement on this site. The Site was once again found to meet most operational standards in the Junkyard Statute/Ordinance with exception of the storage of vehicles in the floodplain that still contain fluids. Staff and the applicant are disputing the location of the line for the 1% flood plain, but between 6 and 14 vehicles were in violation as of the 9/30/19 inspection. We will be asking for the placement of permanent markers at the 1% flood line to avoid this annual argument.

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



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

Jason J. Levesque, Mayor

IN CITY COUNCIL

ORDER 111-09162019

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.



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: October 7, 2019

Order: 114-10072019

Author: Kelsey Earle, License Specialist

Subject: Request by Saint Dominic Academy to waive the Flea Market/Craft Fair/Swap Meet/Bazaar license fee of \$100.00 for the Annual St. Dom's Holiday Festival.

Information: Saint Dominic Academy, 121 Gracelawn Road, a non-profit Catholic school for students in grades 7-12, is requesting the Flea Market/Craft Fair license fee of \$100.00 be waived for the Annual St. Dom's Holiday Festival being held on November 2nd, from 9AM to 3PM.

Because the letter came in late, they paid the fee and are asking for the fee to be reimbursed.

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

City Budgetary Impacts: \$100.00

Staff Recommended Action: Consider waiving the fee.

City Manager Comments:

I concur with the recommendation. Signature:

A handwritten signature in blue ink, appearing to read "Peter J. Carleton".

Previous Meetings and History: Fees have been waived in the past.

Attachments:

- Letter from Saint Dominic Academy
- Flea Market/Craft Fair application
- Order 114-10072019



SAINT DOMINIC ACADEMY

Grades Pre-K to 5
17 Baird Avenue
Lewiston, Maine 04240
Tel: (207) 783-9323 Fax: (207) 783-9491

Grades 6-12
121 Gracelawn Road
Auburn, Maine 04210
Tel: (207) 782-6911 Fax: (207) 795-6439

Our Proud Legacy

*Asylum of Notre Dame de
Lourdes*

St Joseph School

Dominican Block

College of St Paul

Healy Asylum for Boys

St Louis School

St Patrick School

Cours Superieur

St Mary School

Holy Family School

Sts Peter and Paul School

Holy Cross School

*St Joseph Orphanage for girls
at Marcotte Home*

Our Lady of the Rosary School

Ave Marie Academy

St Bernadette School

St Dom's Boys Division

St Dom's Girls Division

Sacred Heart School

*St Dominic Regional
High School*

Trinity Catholic School

August 12, 2019

Dear City Council Members,

I am writing to you regarding our annual Holiday Festival. This event, scheduled for Saturday, November 2nd, is a celebration to kick off the holiday season. This event has over 80 vendors, a festival kitchen, children's games, bake sale, and a book sale. This is the 14th annual event. In the past we have had over 1,000 attendees.

St. Dom's is a non-profit organization that provides a values-based education to children in grades Pre-K through 12 at two locations, one in Lewiston on Baird Avenue (Pre-K through 5) and at our Auburn Campus (grades 6 through 12). The event is held at our spacious Auburn Campus and brings our students and families from both campuses, as well as the Central Maine community, together for holiday fun.

The funds raised from this event directly support our students. The net proceeds are pooled with other fundraising efforts to provide tuition assistance so our students can continue to attend and so that we can attract new students.

Because this is not a flea market in the traditional sense, we hope you will grant this waiver so we can maximize the benefit to our families.

We look forward to hearing from you.

Sincerely,

Debra Thibodeau Anthoine '87
Director of Advancement

*Through study, prayer, community, and service, Saint Dominic Academy teaches its students
the truth of life, so that they may set the world afire.*

www.stdomsmaine.org

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



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

Jason J. Levesque, Mayor

IN CITY COUNCIL

ORDER 114-10072019

ORDERED, that the City Council hereby authorizes the City Clerk to waive the \$100.00 Flea Market/Craft Fair business license for the Annual St. Dom's Holiday Festival being held on November 02, 2019.



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: October 7, 2019

Resolve: 10-10072019

Author: Phil Crowell, Assistant City Manager

Subject: Feeding Auburn Initiative

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

September 9, 2019 a microgrant program was outlined to the council for consideration. The purpose of the Feeding Auburn microgrant is to provide small programming grants to community-based organizations to help “kick-start” efforts to address food insecurity in Auburn. Non-profit and community organizations may submit applications for grants up to \$2,000 per project. As part of this initiative, the City and non-profit partners will offer support and capacity-building training to ensure that the efforts seeded by these grants may be sustained into the future.

It was recommended by the city council the CDBG Citizen’s Advisory Committee along with four community members representing the microgrant target areas (youth, families, seniors, and the homeless) to participate in reviewing all applications and making the awards. Our goal will be to have the applications ready for community-based organizations before the end of October, we will schedule the pre-meeting in November, and the committee will make the awards by December.

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

Staff Recommended Action: Recommend passage of Resolve 10-10072019

Previous Meetings and History: Budget approved on June 24, 2019; discussion was held during the 9/9/2019 City Council Workshop.

City Manager Comments:

I concur with the recommendation. Signature:

A handwritten signature in blue ink, appearing to read "Peter J. Crowell".

Attachments:



FEEDING AUBURN

Microgrants to Address Food Insecurity

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

AWARDS & CATEGORIES

Awards:

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

Nutrition and Food Security Categories:

- Families
- Seniors
- Youth
- Homeless

ELIGIBILITY

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

SELECTION PROCESS & CONSIDERATIONS

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

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

PRE-APPLICATION WORKSHOPS

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

TO APPLY

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

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



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

Jason J. Levesque, Mayor

IN CITY COUNCIL

RESOLVE 10-10072019

RESOLVE, that the City Council hereby supports the Feeding Auburn Initiative Microgrant Program

Whereas, food system issues significantly affect the public health, land use, economy, and quality of life of Auburn citizens; and

Whereas, food related concerns are prevalent in the country; and

Whereas, the availability of nutritious food for all citizens is essential to the health and well-being of the community, and local government has a proper role to play in ensuring that all citizens have access to an adequate and nutritious food supply; and

Whereas, the Auburn City Council has made the availability of microgrants as an opportunity to leverage funds for community based organizations which will help build sustainability to address food insecurity; and

Now, therefore, be It Resolved that the Auburn City Council supports the microgrant program that was presented at the September 9, 2019 City Council Workshop, with the CDBG Citizen's Advisory Committee along with four community members representing the microgrant target areas (youth, families, seniors, and the homeless) participating in reviewing all applications and making the microgrant awards.



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: October 7, 2019

Subject: Executive Session

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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