

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

**Pledge of Allegiance**

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

**1. Order 01-01032022\***  
Confirming Chief Moen's Constable Appointments.

**2. Order 02-01032022\***  
Re-appointing Brian Bachelder as the Local Sealer of Weights and Measures.

**3. Order 03-01032022\***  
Changing the date of the second regular City Council meeting in January from January 24, 2022 to January 18, 2022 due to the holiday.

**4. Order 04-01032022\***  
Setting the time to open the polls for all 2022 elections at 7:00 am.

Councilor Staples requested that item 3 be removed from the consent agenda and moved to new business.

Motion was made by Councilor Walker and seconded by Councilor Milks for passage of the 3 remaining consent items.

Passage 6-0.

**II. Minutes – December 20, 2021 Regular Council Meeting**

Motion was made by Councilor Staples and seconded by Councilor Walker to approve the minutes of the December 20, 2021 Regular Council Meeting.

Passage 6-0.

**III. Communications, Presentations and Recognitions**

- Swearing in Officer Logan Rossignol
- Planning Board reasons for recommendations for residential strips
- Communication – Mayor Appointments
- Council Communications (about and to the community)

**Mayor Levesque** – reported that he is working on an executive summary on the New Year’s Eve Auburn event adding that it was a success. He stated that there are vacancies on the Planning Board, and provided an update on the current legislative session.

**Councilor Walker** – reported back on the New Year’s Day event at Senior Center put on by the Age Friendly Committee, adding that it was a success and he thanked the sponsors for their contributions.

**Councilor Whiting** – reported that the Auburn Nordic Ski Association is still functioning in spite of warm weather.

**Councilor Gerry** – Commented on the Age Friendly New Year’s Day event that was held at the Senior Center adding that it was a successful event.

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

**V. Unfinished Business** - None

**VI. New Business**

**The following item was removed from the Consent Agenda per the request of Councilor Staples.**

**Order 03-01032022**

Changing the date of the second regular City Council meeting in January from January 24, 2022 to January 18, 2022 due to the holiday.

Motion was made by Councilor Milks and seconded by Councilor Staples for passage.

Public comment – No one from the public spoke.

Passage 6-0.

**1. Order 05-01032022**

Directing staff to forward proposed zone changes to the Planning Board for consideration and review pursuant to Chapter 60, Article XVII Division 2 of City Ordinances.

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

Public comment – no one from the public spoke.

Motion was made by Councilor Gerry and seconded by Councilor Whiting to amend by prioritizing bullets A, B, and C, and reviewing bullet D (Subsurface Wastewater Disposal in the Lake Auburn Watershed) last.

Passage 6-0.

Passage of Order 05-01032022 as amended 6-0.

**2. Ordinance 01-01032022**

Amending Auburn's Code of Ordinance, Sec. 2-58. Time and place of regular meetings. Public hearing and first reading.

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

Public hearing – No one from the public spoke.

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

**3. Ordinance 02-01032022**

Amending Auburn's Code of Ordinance, Sec. 2-430. Membership; responsibility (Regulatory Advisory Board). Public hearing and first reading.

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

Public hearing – No one from the public spoke.

Passage 5-1 (Councilor Gerry opposed). A roll call vote was taken.

**4. Order 06-01032022**

Amending the Board and Committee Appointment Policy as recommended by staff.

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

Public comment – No one from the public spoke.

Passage 6-0.

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

**VIII. Reports (from sub-committees to Council)**

**Mayor Levesque** reported that the School Committee will be holding a workshop tomorrow followed by their regular meeting on Wednesday.

**Councilor Morin** reported that the Airport Board will be meeting on Thursday.

**Councilor Walker** provided an update on Maine Waste to Energy.

**Councilor Staples** noted that the Auburn Public Library Board didn't meet in December.

**City Manager Crowell** thanked staff for their presentations, as well as thanking the staff members that worked over the holidays with the New Year's Eve event and the storm that we had Christmas Day. He added that there have been challenges with the work force, like

many other businesses out there. We have several vacancies, which also impacts overtime. He also encouraged members of the public who are looking for employment to look at our vacancies page on our website. Last, he provided a COVID update, and the CDC changes on returning to work.

- IX. Executive Session** - Economic development, pursuant to 1 MRSA Sec. 405(6)(C)  
Motion was made by Councilor Walker and seconded by Councilor Staples to enter into executive session.

Passage 6-0, time 7:40 pm.

Council was declared out of executive session at 8:05 pm.

- X. Adjournment** – Motion was made by Councilor Walker and seconded by Councilor Staples to adjourn. Unanimously approved, the meeting adjourned at 8:05 pm.

A TRUE COPY

ATTEST \_\_\_\_\_

Susan Clements-Dallaire, City Clerk

Mayor Levesque called the meeting to order at 7:03 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

**Pledge of Allegiance**

- I. Consent Items** - All items with an asterisk (\*) are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council member or a citizen so requests, in which event, the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.
  
- 1. Order 07-01182022\***  
Appointing Brian Dubois to the Planning Board as a full member with a term expiration of 1-1-2025.
  
- 2. Order 08-01182022\***  
Appointing Toni Ferraro to the Planning Board as full member with a term expiration of 1-1-2024.
  
- 3. Order 09-01182022\***  
Appointing Joshua Daigle to the Planning Board as an associate member with a term expiration of 1-1-2023.
  
- 4. Order 10-01182022\***  
Appointing Kathy Shaw to the Regulatory Advisory Board with a term expiration of 6-1-2022.
  
- 5. Order 11-01182022\***  
Appointing James Timoney to the Auburn-Lewiston Airport Board with a term expiration of 1-1-2023.
  
- 6. Order 12-01182022\***  
Re-appointing Patricia Madore to the 9-1-1 Committee with a term expiration of 1-1-2024.
  
- 7. Order 13-01182022\***  
Re-appointing Jennifer Kimble to the Auburn Housing Authority with a term expiration of 10-1-2025.
  
- 8. Order 14-01182022\***  
Appointing Tina Eugley to the Age Friendly Committee with a term expiration of 6-1-2023.
  
- 9. Order 15-01182022\***  
Appointing Pam Rousseau to the Agriculture Committee with a term expiration of 4-1-2024.

**10. Order 16-01182022\***

Appointing David Gonyea to the ad hoc Public Safety Building Committee.

Councilor Whiting requested that the three Planning Board appointments (items 1, 2, and 3) be removed from the consent agenda and placed under new business.

Motion was made by Councilor Staples and seconded by Councilor Gerry for passage of the remaining 7 consent items.

Passage 7-0.

**II. Minutes – January 3, 2022 Regular Council Meeting**

Motion was made by Councilor Walker and seconded by Councilor Staples to approve the minutes of the January 3, 2022 Regular Council Meeting.

Passage 7-0.

**III. Communications, Presentations and Recognitions**

- Communication from the Agriculture Committee – Kathy Shaw presented
- Budget Portal Presentation – this item was canceled
- Police Overview – Chief Moen presented
- EMS Status / Fire Overview – Chief Chase presented
- Council Communications (about and to the community)

Mayor Levesque announced that he will be giving a presentation to the Greater Portland Council of Governments (GPCOG) on zoning and housing availability via Zoom. He will provide more information as it becomes available. He announced that the Winter Festival will take place January 27, 28, 29, 30<sup>th</sup> with events taking place throughout the city. More information can be found on the Recreation Department website. He also read a statement he prepared on Recruitment and Staffing for various departments within the City and School Department. He will bring this forward for a vote at the February 7<sup>th</sup> as part of the ARPA incentive.

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

**V. Unfinished Business**

**1. Ordinance 01-01032022**

Amending Auburn's Code of Ordinance, Sec. 2-58. Time and place of regular meetings. Second reading.

Motion was made by Councilor Staples and seconded by Councilor Whiting for passage.

Public comment – No one from the public spoke.

Passage 7-0.

**2. Ordinance 02-01032022**

Amending Auburn's Code of Ordinance, Sec. 2-430. Membership; responsibility (Regulatory Advisory Board). Second reading.

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

Public comment – No one from the public spoke.

Motion was made by Councilor Milks and seconded by Councilor Hawes to amend by adding the following language: ***“Persons appointed by the city council to serve on other boards, agencies, panels, and or commissions shall not serve concurrently on the Regulatory Advisory Board”***.

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

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

**VI. New Business**

**The following three items were removed from the Consent Agenda and added under New Business per the request of Councilor Whiting.**

**Order 07-01182022**

Appointing Brian Dubois to the Planning Board as a full member with a term expiration of 1-1-2025.

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

Public comment – no one from the public spoke.

Passage 7-0.

**Order 08-01182022**

Appointing Toni Ferraro to the Planning Board as full member with a term expiration of 1-1-2024.

Motion was made by Councilor Milks and seconded by Councilor Hawes for passage.

Public comment – No one from the public spoke.

Motion was made by Councilor Staples and seconded by Councilor Gerry to amend by replacing Toni Ferraro with Stephen Martelli.

Motion to amend failed 3-4 (Councilors Hawes, Milks, Morin, and Walker opposed).

Ms. Ferrarro was in the audience and was asked if she would like to address the Council. She provided them with an overview of her background and qualifications and stated that she feels she is qualified and capable to serve on the Planning Board.

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

**Order 09-01182022**

Appointing Joshua Daigle to the Planning Board as an associate member with a term expiration of 1-1-2023.

Motion was made by Councilor Hawes and seconded by Councilor Milks for passage.

Public comment - No one from the public spoke.

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

**1. Order 17-01182022**

Adopting the revised CDBG-CV Budget as presented. Public hearing and vote.

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

Public hearing – No one from the public spoke.

Passage 7-0.

**2. Order 18-01182022**

Adopting a remote meeting policy pursuant to 1 M.R.S.A. § 403-B.  
Public hearing and vote.

Motion was made by Councilor Staples and seconded by Councilor Whiting for passage.

Public hearing – No one from the public spoke.

Passage 7-0.

Motion was made by Councilor Milks and seconded by Councilor Hawes to temporarily suspend the rules to add an item to the agenda.

Motion failed 4-3 (Councilors Gerry, Whiting, and Staples opposed). A motion to suspend the rules requires a three-fifths vote.

**VII. Open Session**

Kathy Shaw, Sopers Mill Road stated that she is working on creating a small farmers market in Auburn this season.

**VIII. Reports (from sub-committees to Council)**



**Mayor Levesque** reported on the School Committee meetings, another is scheduled for tomorrow. He has been nominated as Chair of the Finance Department for the School Department.

**Councilor Walker** commented that Stephen Martelli was ok with not being reappointed at this time.

**Councilor Whiting** reported that all trails are open at the Auburn Nordic Ski Association.

**Councilor Gerry** reported that the First Auburn Seniors will be meeting tomorrow for their regular meeting.

**Councilor Morin** provided an update on the Airport Board.

**City Manager Crowell** reported that the Legislative Policy Committee (through Maine Municipal Association) will begin the process to review proposed bills, beginning January 20<sup>th</sup>. The FY 23 budget process is underway, budget meetings will begin next week with all departments. He spoke about staffing challenges we are facing, adding that they are working with the Human Resource Department on this. Absences due to COVID are also impacting us in various departments, currently the Tax Office. We are reducing the hours and closing between 1-2pm so staff is able to take a lunch break. The ice rinks are going up at Anniversary Park and the Futsal Court, and last, he noted that the Public Works Department has used roughly 50% of the salt supply due to weather and icy conditions.

December 2021 Final Monthly Report – this item is postponed until the first meeting of February due to the absence of the Finance Director.

**IX. Executive Sessions:**

Economic development, pursuant to 1 MRSA Sec. 405(6)(C) – taken up during the Council workshop.

Economic development, pursuant to 1 MRSA Sec. 405(6)(C) – no longer needed.

Labor negotiations, pursuant to 1 MRSA Sec. 405(6)(D) – taken up during the Council workshop.

**X. Adjournment** – Motion was made by Councilor Milks and seconded by Councilor Walker to adjourn. Unanimously approved, the meeting adjourned at 8:39 pm.

A TRUE COPY

ATTEST \_\_\_\_\_

Susan Clements-Dallaire, City Clerk

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

Workshop items that we did not get to during the workshop were carried over to the meeting.

**Pledge of Allegiance**

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

**1. Order 19-02072022\***

Appointing a representative (City Manager, Phil Crowell) and alternate (Assistant City Manager, Brian Wood) to vote at the Maine service Centers Coalition business meetings.

Motion was made by Councilor Milks and seconded by Councilor Walker for passage of the one consent item.

Passage 7-0.

**II. Minutes** – January 18, 2022 Regular Council Meeting

Motion was made by Councilor Walker and seconded by Councilor Staples to approve the minutes of the January 18, 2022 Regular Council Meeting.

Passage 7-0.

**III. Communications, Presentations and Recognitions**

- Conservation Commission Communication/Update – Sam Boss (annual report)
- Auburn Public Library Overview – Mamie Anthoine Ney
- City Clerk Overview – Sue Clements-Dallaire
- Community and Business Development Overview – Glenn Holmes
- Planning Overview – Eric Cousens
- Council Communications (about and to the community)

**Councilor Whiting** noted that there is a new exhibit at Museum L-A.

**Councilor Walker** provided information on the upcoming Snow Ball event scheduled for Valentine’s Day, February 14, 2022 at the Auburn Senior Community Center.

**IV. Open Session:**

David Griswold, 199 Gamage Avenue announced that next Thursday at 7:00 pm a webinar will be held in lieu of the regular Forest Board meeting focusing on Browntail

moths and other invasive insects featuring speaker Allison Kanoti. There will be a follow up Saturday the 19<sup>th</sup> with a field session.

**V. Unfinished Business – None**

The Mayor called for a 5 minute recess.

**VI. New Business**

**1. Resolve 01-02072022**

Approving the Auburn Water District \$2 million dollar bond to be used for pipe replacement.

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

Public comment - No one from the public spoke.

Passage 7-0.

**2. Order 20-02072022**

Authorizing the City Manager to negotiate for the purchase of property located at 424 Mt. Auburn Avenue.

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

Public comment – No one from the public spoke.

Passage 7-0.

**3. Order 21-02072022**

Approving the ARPA funding allocation for Employee Retention.

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

Public comment – No one from the public spoke.

Motion was made by Councilor Milks and seconded by Councilor Walker to amend with the following language:

***Ordered, that the Auburn City Council hereby approves the allocation of \$565,000.00 from the American Rescue Plan Act (ARPA) funding to support the premium pay and retention efforts for Municipal employees.***

Passage 7-0.

Passage of Order 21-02072022 as amended 7-0.

**4. Order 22-02072022**

Approving the ARPA funding allocation for Information Technology (IT).

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

Public comment – No one from the public spoke.

Passage 6-0-1 (Councilor Staples abstained).

**5. Order 23-02072022**

Approving the ARPA funding allocation for water and sewer studies and implementation stemming from studies.

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

Public comment – No one from the public spoke.

Passage 7-0.

**6. Ordinance 03-02072022**

Amending Auburn's Code of Ordinances, Chapter 14, Article XIV, Taxi Cabs. Public hearing and first reading.

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

Public hearing – No one from the public spoke.

The Mayor asked to dispense of the second reading on two separate days, which requires a unanimous vote of the Councilors present and voting.

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

**7. Ordinance 04-02072022**

Amending Auburn's Code of Ordinances, Appendix A Fees and Charges. Public hearing and first reading.

Public hearing – No one from the public spoke.

The Mayor asked to dispense of the second reading on two separate days, which requires a unanimous vote of the Councilors present and voting.

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

**8. Ordinance 05-02072022**

Adopting a Disorderly House ordinance. Public hearing and first reading.

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

Public hearing - No one from the public spoke.

Passage 7-0.

**9. Ordinance 06-02072022**

Board and Committee restructure Ordinance. Public hearing and first reading.

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

Public hearing:

Sam Boss, Chair of the Conservation Commission highlighted a few points that he would like the Council to consider. He asked how the appointment process will work, adding that he would like to see current members be retained as part of the restructure. He noted that a change in the language of the proposed ordinance before them reflects a change the focus by changing the Agriculture Committee to the Natural Product Committee noting that he would like to see the Council restore the language and focus on food and agriculture.

Dave Griswold echoed the statements brought up by the previous speaker, Sam Boss. He also added that the inclusion of a sustainability working group with the idea of adding a sustainability manager to the staff is a plus. He noted that the priorities that were a focus in the past of promoting local agriculture and local food seem to be omitted in the proposed draft before them. He said we should retain the verbiage of agriculture and forestry.

Motion was made by Councilor Whiting and seconded by Councilor Gerry to amend the Natural Products Working Group title to Natural Products and Agriculture Working Group and to add section “g” to promote local food supply and address local hunger issues.

Passage of amendment 7-0.

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

Motion was made by Councilor Milks and seconded by Councilor Whiting to suspend rules and add item to the agenda.

Passage 7-0.

Ordered that the Council hereby approves the allocation of \$250,000 of American Rescue Plan Act (ARPA) funding to support the evaluation and analysis of transportation efforts throughout the city and the region.

Passage 7-0.

**VII. Open Session** – There were no members of the public present.

**VIII. Reports (from sub-committees to Council)**

**Mayor Levesque** noted that there are a lot of meetings going on, a lot of positives, he is working at State level on legislative issues. He reported on the School Committee adding that he is impressed with the level of professionalism and analytics used. He stated that he sits on Curriculum Committee as well as the Finance Committee for the School Department.

**Councilor Staples** reported that the Auburn Library board met on January 25<sup>th</sup>, their next meeting February 22<sup>nd</sup> via zoom, and LATC will be meeting on Thursday at 4:00 pm via Zoom.

**City Manager Crowell** reminded everyone that the next Council meeting is scheduled for **Tuesday**, February 22<sup>nd</sup>. Planning for the naming of the John Jenkins footbridge will be underway soon. Staff is watching the winter operations closely adding that storms have been challenging, and overtime is up. The Public Safety Building Committee is meeting weekly, and things are moving along. There is a Planning meeting tomorrow, there is still time to register to participate via zoom.

**Finance Director Eastman**, December 2021 Monthly Finance Report.

Motion was made by Councilor Walker and seconded by Councilor Whiting to accept and place on file the December 2021 Monthly Finance Report.

Passage 7-0.

- IX. Executive Session** - Economic Development, pursuant to 1 MRSA Sec. 405(6)(C) was not needed.
- X. Adjournment** – Motion was made by Councilor Staples and seconded by Councilor Morin to adjourn. Unanimously approved, the meeting adjourned at 9:36 pm.

A TRUE COPY

ATTEST \_\_\_\_\_

Susan Clements-Dallaire, City Clerk

Mayor Levesque called the meeting to order at 7:01 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Councilor Morin had an excused absence. All Councilors were present.

**Pledge of Allegiance**

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

**1. Order 24-02222022\***

Confirming Chief Moen's appointment of Timothy Robinson as Constable with Firearm for the Auburn Police Department.

**2. Order 25-02222022\***

Appointing Kathy Shaw to the Regulatory Advisory Board with a term expiration of 6-1-2022.

**3. Order 26-02222022\***

Appointing Paul Jacques to the Planning Board as associate member with a term expiration of 1-1-2023.

**4. Order 27-01182022\***

Re-appointing Steve Ness to the Auburn Sewer District Board of Trustees with a term expiration of 3-1-2026.

**5. Order 28-01182022\***

Appointing Eric Gould to the Auburn Water District Board of Trustees with a term expiration of 3-1-2026.

**6. Order 29-01182022\***

Re-appointing Dan Bilodeau to the Auburn Water District Board of Trustees with a term expiration of 3-1-2026.

Consent item #5 was removed from the consent agenda and added to New Business at the request of Councilor Gerry.

Motion was made by Councilor Milks and seconded by Councilor Hawes for passage of the 5 remaining consent items.

Passage 6-0.

**II. Minutes – February 7, 2022 Regular Council Meeting**

Motion was made by Councilor Walker and seconded by Councilor Hawes to approve the minutes of the February 7, 2022 Regular Council Meeting.

Passage 6-0.

**III. Communications, Presentations and Recognitions**

- Recognition – Bettyann Sheats
- Age Friendly Committee Update – Jan Biron and Leroy Walker
- Public Works Department Overview – Denis D’Auteuil and Scott Holland
- Communications Overview – Liz Allen
- Council Communications (about and to the community)

**Mayor Levesque** announced the winners of the Start Up Auburn program, all new businesses in our community, as follows:

Customer Fit Physical Therapy & Wellness – Jennifer Frazier  
L/A Taco’s - Katie Lemieux  
Sugar and Spice Baking - Emily Maines.

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

**V. Unfinished Business**

**1. Ordinance 05-02072022**

Adopting a Disorderly House ordinance. Second reading.

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

Public comment – No one from the public spoke.

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

**2. Ordinance 06-02072022**

Amending the Auburn Code of Ordinances, Chapter 2, Administration, Article V. Boards, Commissions and Committees by striking Division 5 Conservation Commission and Division 8, Agriculture Committee and replacing Division 5 with Sustainability and Natural Resource Management Board. Second reading.

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

Public comment - No one from the public spoke.

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

**VI. New Business**



**1. Order 30-02222022**

Amending Tambrands II Municipal Development and Tax Increment Financing District. Public hearing and vote.

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

Mayor Levesque opened the public hearing at 7:50 pm. No one from the public spoke. Mayor Levesque closed the public hearing at 7:50 pm.

Passage 6-0.

**3. Ordinance 07-02072022**

Adopting a moratorium on development proposals involving Public Safety Facilities, Detention Facilities, or Correctional Facilities at a site on which one currently does not exist. Public hearing and first reading.

Motion was made by Councilor Milks and seconded by Councilor Whiting for passage.

Public hearing – No one from the public spoke. The letter below was submitted to the City Council.

*Dear City Officials:*

*I am writing in regard to the news that the property located at the former Evergreen Subaru, 770 Center St.(including residential properties on two adjacent streets), are to be purchased by the Androscoggin County Sheriffs.*

*I have been the sole owner of my home on 8, Joline Dr. (that abuts the Evergreen property) since 1975. As a result of zoning changes over the years, numerous businesses were developed in my surroundings. These businesses are quiet retail operations that close shop during evening hours. The potential approval of this sale to Androscoggin County Sheriffs, would be disruptive and out of character in this location of the City for a number of reasons:*

*1. This facility would greatly depreciate the value of my property and that of other homes in the neighborhood as it would result in cruiser activity back and forth, and a future jail enclosed with barbwire fencing to house people who are being incarcerated.*

*2. A County law enforcement operation located at the former Evergreen with included properties, would lower living standards that I am accustomed to as a home owner at this location, as well to others in this neighborhood.,*

*3. Having the Sheriff offices with a future proposed county jail, would be disruptive as these facilities will be in operation twenty-four hours a day, every day of the year. No other businesses on Center Street, or the adjacent shopping malls, (other than possibly gas stations), stay open beyond normal business hours. Such an operation would create*

*noise from cruiser sirens at all hours, increase traffic congestion in already heavily travelled Joline and Center Streets.*

*4. Such a facility would change the character of this neighborhood and surrounding businesses including many homes, St Dominic and CMTC schools, St. Mary's medical center, the new built apartments on the corner of Gracelawn Ave., and the John Murphy offices adjacent to Evergreen properties. A facility that incarcerates people will not blend inconspicuously nor will it enhance the character of this area of the Auburn community!*

*5. I am as well concerned for my security and that of the above mentioned entities. Though Maine has a low crime rate, there has been an increase in violence against law enforcement nationwide. Though one would think that having a Sheriff's department close by would provide a greater sense of security, it could also happen that law enforcement could become the target of riots and harm, or it could happen that persons who are incarcerated escape from jail into the neighborhood causing danger to its inhabitants.*

*The recent newspaper article gives me the impression that the Androscoggin County Sheriffs have not done due diligence to finding a more suitable location for their operation so as to have less impact on these particular surroundings that in my view are unsuitable for their operation.*

*Please give your consideration to my concerns.*

*Suzanne Roy  
8, Joline Drive, Auburn*

Motion was made by Councilor Staples and seconded by Councilor Gerry to strike the language in the first paragraph under Section 1. Moratorium Declared that states: ***"at a site on which one currently does not exist"***.

Motion to amend failed 2-4 (Councilors Whiting, Hawes, Milks, and Walker opposed).

Eric Samson, Androscoggin County Sheriff spoke. He stated that the project has been put on pause for the next phase of the project. At this time Harriman and Associates is looking forward to working with the City if this moratorium passes. He added that there is no jail being proposed or built. He also stated that because they are purchasing a facility on land and repurposing it, ARPA funding would apply which would not be the case if they were to purchase land and build a new facility.

Passage of Ordinance 07-02222022 5-1 (Councilor Staples opposed). A roll call vote was taken.

**Order 28-02222022** – Appointing Eric Gould to the Water District Board of Trustees with a term expiration of 3-1-2026. This item was removed from the consent agenda to be taken up under new business.

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

Public comment – No one from the public spoke.

Motion was made by Councilor Walker and seconded by Councilor Gerry to enter into executive session, pursuant to 1 M.R.S.A. Sec. 405 (6)(A).

Passage 6-0, time 8:04 pm.

Council was declared out of executive session at 8:21 pm.

Motion was made by Councilor Gerry and seconded by Councilor Walker replace the appointment of Eric Gould with KC Geiger.

Motion failed 3-4 (there was a tie vote 3-3 with Councilors Hawes, Milks, and Staples opposed, and in accordance with the City Charter, Article III, Section 3.3, the Mayor voted to break the tie vote and voted in opposition).

Passage of order 28-02222022 4-3 (there was a tie vote 3-3 with Councilors Gerry, Whiting, and Walker opposed, and in accordance with the City Charter, Article III, Section 3.3, the Mayor voted to break the tie vote and voted in support).

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

**VIII. Reports**

**Mayor Levesque** announced that the next School Committee Finance and Curriculum meetings are coming up on March 2<sup>nd</sup>.

**Councilor walker** announced that there will be a Neighborhood Watch meeting on Thursday at 6:00 pm at the Sixth Street Congregational Church in New Auburn.

**Jill Eastman, Finance Director** - January 2022 Final Monthly Report will be presented at the next Council meeting (March 7, 2022). Finance Director Eastman was not present at the meeting.

**IX. Executive Sessions:**

**Economic development, pursuant to 1 MRSA Sec. 405(6)(C)**

Motion was made by Councilor Gerry and seconded by Councilor Whiting to enter into executive session.

Passage 6-0, time in 8:25 pm.

Council was declared out of executive session at 8:42 pm.

**Economic development, pursuant to 1 MRSA Sec. 405(6)(C)**

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

Passage 6-0, time 8:42 pm.

Council was declared out of executive session at 8:51 pm.

- X. Adjournment** – Motion was made by Councilor Milks and seconded by Councilor Walker to adjourn. Unanimously approved, the meeting adjourned at 8:51 pm.

A TRUE COPY

ATTEST \_\_\_\_\_

Susan Clements-Dallaire, City Clerk

Mayor Levesque called the meeting to order at 7:02 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

**Pledge of Allegiance**

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

**1. Order 31-03072022\***

Re-appointing Jonathan LaBonté to the Lewiston Auburn Railroad Company Board of Directors with a three-year term of April 2022 - April 2025.

**2. Order 32-03072022\***

Authorizing Jason Levesque to vote the shares held by any shareholder for the Lewiston Auburn Railroad Company.

Motion was made by Councilor Milks and seconded by Councilor Walker for passage of the two consent items.

Passage 7-0.

**II. Minutes** – February 22, 2022 Regular Council Meeting

Motion was made by Councilor Walker and seconded by Councilor Staples to approve the minutes of the February 22, 2022 Regular Council Meeting.

Passage 7-0.

**III. Communications, Presentations and Recognitions**

- New Auburn Lewiston Airport Manager – James Scheller
- Auburn Ski Association Communication
- Council Communications (about and to the community)

Mayor Levesque announced that they are drafting a new ARPA (American Rescue Plan Act) Fund for outdoor recreation, he noted that he is looking at reforming the Mayor's Ad-hoc Committee for ARPA Projects.

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

**V. Unfinished Business**

**1. Ordinance 07-02222022**

Adopting a moratorium on development proposals involving Public Safety Facilities, Detention Facilities, or Correctional Facilities at a site on which one currently does not exist. **Second reading.**

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

Public comment – No one from the public spoke.

Passage 5-2 (Councilors Gerry and Staples opposed). A roll call vote was taken.

**VI. New Business**

**1. Order 33-03072022**

Authorizing the fee waiver for Police Department detail coverage for the Trek Across Maine event.

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

Public comment – No one from the public spoke.

Passage 7-0.

**2. Order 34-03072022**

Authorizing loans of up to \$1,298,488 through the State School Revolving Renovation Fund. First reading. *Passage requires an affirmative vote of five at the second and final reading.*

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

Public comment – No one from the public spoke.

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

**3. Order 35-03072022**

Approving the TIF #26 North River Road Apartments Municipal Development Tax Increment Financing Development Program. **Public hearing and vote.**

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

Public hearing – Mayor Levesque opened the public hearing at 7:13 pm. No one from the public spoke. The Mayor closed the public hearing at 7:13 pm.

Passage 7-0.

**4. Ordinance 08-03072022**

Amending the Zoning Map and Adjusting Article XII, Division 4, Sec. 60-951 Lake Auburn Watershed Overlay District Map. Public hearing and first reading.

Motion was made by Councilor Morin and seconded by Councilor Hawes for passage.

Public hearing:

Ben Lounsbury, 505 West Auburn Road spoke on behalf of his wife who noted something should be done with the gravel site that would be the best use for the City of Auburn? She also had comments regarding water quality.

Joan Wenzel, 767 West Auburn Road thanked the Mayor and Councilors for their continued efforts. She noted that there has to be a strong protection effort on all fronts for our Lake. She questioned why there is a push to rezone this area and who would benefit from this?

Steven Beal, 575 Johnson Road made comments on a memo including maps that were generated by the Planning Department adding that he hoped all Councilors have read it. He said he would like to see more detail on where the waterflow goes.

Mary Ann Norcross, 47 Woodlawn Avenue commented that development should not be considered in the watershed. She said she is aware that this is not in the watershed, but it is close to it and is concerned about the effects it will have on the water quality.

Fred Holler, 352 West Auburn Road spoke in opposition of the proposed ordinance. He had the latest study which cautions developing near the watershed. He also spoke about proposed legislation that could potentially take zoning out of the hands of the Municipalities and put into the hands of State government.

Carrie Myrick, 1010 Summer Street spoke about the study and would like the consultants to come back to speak to the public and answer any questions the public has regarding the study.

Peggy Volock, 395 North Auburn Road asked how you change the dimensions of the watershed?

Peter Dingley, 1017 Summer stated that we paid \$100,000 for the study, and we are proposing doing the opposite of what the study recommends by developing it which would result in having to put in a treatment plan which they will have to pay for.

Motion was made by Councilor Staples and seconded by Councilor Gerry to amend to exclude the southwest quarter from this proposed zone change.

Amendment failed 3-4 (Councilors Hawes, Milks, Morin, and Walker opposed).

Passage 4-3 (Councilors Staples, Gerry, and Whiting opposed). A roll call vote was taken.

**5. Ordinance 09-03072022**

Approving an amendment to the Zoning Map (Washington Street/Minot Avenue area) from General Business and Industrial to Formed Based Code Downtown Traditional Center T-5.1. **Public hearing and first reading.**

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

Public hearing – someone asked what this ordinance was about. She did not provide her name or address.

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

**6. Ordinance 10-03072022**

Amending Chapter 60, Article XII, Division 2, Section 60-1070, Submission requirements (phosphorus standards). **Public hearing and first reading.**

Motion was made by Councilor Staples and seconded by Councilor Hawes for passage.

Public hearing – No one from the public spoke.

Passage 6-0 (Councilor Walker was not in the room for this vote).

**7. Order 36-03072022**

Directing staff to draft residential zone amendments consistent with the Comprehensive Plan and to direct the Planning Board to review, hold public hearings on the proposed zone changes and forward recommendations to the Council.

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

Public comment – No one from the public spoke.

Passage 7-0.

**8. Order 37-03072022**

Allocating \$500,000 of ARPA funds to relocate and expand the Business and Community Development Department (95 Main St.).

Motion was made by Councilor Milks and seconded by Councilor Whiting for passage.

Public comment – Maureen O’Brien, 42 Winter Street stated that she did not like how items are presented to the public.

Passage 7-0.

**9. Order 38-03072022**

Approving the allocation of \$500,000 of ARPA funds to create and Economic Development Revolving Loan Pool.

Motion was made by Councilor Staples and seconded by Councilor Milks for passage.

Public comment – No one from the public spoke.

Passage 7-0.

**10. Order 39-03072022**



## 11. IN COUNCIL REGULAR MEETING MARCH 7, 2022 VOL. 36 PAGE 231

Authorizing the reallocation of ARPA funds to expand the Sustainable Auburn Program.

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

Public comment – No one from the public spoke.

Passage 7-0.

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

**VII. Reports (from sub-committees to Council)**

**Mayor Levesque** provided an update on the School Budget. They still continue to meet. Currently they are at .58 increase to the mil rate, however they are in the beginning stages and will continue to work on this. He also provided an update on the Sustainability & Natural Resources Board. He will be nominating Councilor Walker to serve as his designee on that board. Last, he provided a brief update on some proposed legislative bills they are watching.

**Councilor Staples** reported that LATC (Lewiston Auburn Transit Committee) will be meeting on Thursday at 5:30 via Zoom.

**City Manager Crowell** reported on the City/School partnership as it pertains to transportation. Regular updates will be provided. Budget discussions will begin soon.

**Jill Eastman, Finance Director – January 2022 Final Monthly Report**

Motion was made by Councilor Gerry and seconded by Councilor Morin to accept and place on file the January 2022 Final Monthly Report.

Passage 7-0.

**IX. Executive Sessions:**

**Economic development, pursuant to 1 MRSA Sec. 405(6)(C)**

Motion was made by Councilor Staples and seconded by Councilor Morin to enter into executive session.

Passage 6-0 (Councilor Walker not present for the vote), time 8:40 pm.

Council was declared out of executive session at 8:54 pm.

**Contract negotiations, pursuant to 1 MRSA Sec. 405(6)(D)**

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

**IN COUNCIL REGULAR MEETING MARCH 7, 2022 VOL. 36 PAGE 232**

Passage 7-0, time 8:54 pm.

Council was declared out of executive session at 9:00 pm.

- X. Adjournment** – Motion was made by Councilor Morin and seconded by Councilor Milks to adjourn. Unanimously approved, the meeting adjourned at 9:00 pm.

A TRUE COPY

ATTEST \_\_\_\_\_

Susan Clements-Dallaire, City Clerk

Mayor Levesque called the meeting to order at 7:02 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

**Pledge of Allegiance**

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

**1. Order 40-03212022\***

Appointing David Griswold to the Sustainability and Natural Resource Management Board with a term expiration of April 1, 2025.

**2. Order 41-03212022\***

Appointing Ralph Harder to the Sustainability and Natural Resource Management Board with a term expiration of April 1, 2024.

**3. Order 42-03212022\***

Appointing William Sylvester to the Sustainability and Natural Resource Management Board with a term expiration of April 1, 2024.

**4. Order 43-03212022\***

Appointing Jane Costlow to the Sustainability and Natural Resource Management Board with a term expiration of April 1, 2023.

**5. Order 44-03212022\***

Re-appointing Karen Scammon as the City Assessor with a term expiration of January 31, 2023.

Motion was made by Councilor Staples and seconded by Councilor Walker for passage of the five consent items.

Passage 7-0.

**II. Minutes – March 7, 2022 Regular Council Meeting**

Motion was made by Councilor Staples and seconded by Councilor Walker to approve the minutes of the March 7, 2022 Regular Council Meeting.

Passage 7-0.

**III. Communications, Presentations and Recognitions**

- Sports Facilities Management Study – Marc Gosselin, Jeremy Gatcomb, & Suzy Fisher (Sports Facilities Company)
- Council Communications (about and to the community)

**Mayor Levesque** announced that he has called a Special Meeting for Monday, March 28, 2022 at 7:00 pm. There is no School Committee meeting on Wednesday and the School Department is still working on their FY23 budget.

**IV. Open Session**

**Stephen Beal**, 575 Johnson Road, commented on the watershed boundaries and wanted to know if there was going to be a public hearing or comment period before the Council vote on the watershed item.

**Pam Rousseau**, 745 West Auburn Road, commented on the Taylor Pond watershed in Comprehensive plan which proposes 16 units per acre adding that she is very concerned about that. She stated that it is an endangered pond and she wants to be sure everyone is aware of the changing of the zoning of the Watershed of Taylor pond.

**V. Unfinished Business**

**1. Ordinance 08-03072022**

Amending the Zoning Map and Adjusting Article XII, Division 4, Sec. 60-951 Lake Auburn Watershed Overlay District Map. Second reading.

Motion was made by Councilor Milks and seconded by Councilor Morin for passage.

**Public comment**

**Neria Douglass**, former Councilor, stated that she would like to see this item go to referendum adding that this amendment will have long term ramifications for the lake and residents of Auburn and Lewiston.

**Stephen Beal**, referenced an email that he sent to the Planning and Permitting Department, noting that questions have come up and Council should have the questions and answers before them before taking a second vote on this. He stated that he went out to the site to look around the area. Ward 1 Councilor Richard Whiting joined him. He commented on the terrain and water run-off in that area.

**Sam Boss**, chair of Conservation Working Group said the working group met and discussed the environmental impact of potential development in this area which raised a lot of questions which were included in this evening's agenda packet. After receiving responses from staff, a few additional questions came up. Should the City Owned landfill area be excluded from this proposed re-zoning amendment and how will surface water at the site be managed.

**Peggy Volock**, 395 North Auburn Road, stated that the zoning changes that are proposed are based on old studies that were done adding that when the 1993 study was done, part of conclusion was that correlations between the bedrock fracture analysis and the geophysical survey illustrate that there is potential for contamination of Lake Auburn via the bedrock aquifer and any change of topography will change the waterflow and any

development there would change the topography. She said she is really concerned and asked, why do we have to cut this one piece out and why does it have to be rezoned for industry when there is a mall down the street that is half empty. She closed by adding that Lake Auburn is currently listed on the Maine DEP Chapter 502 list of lakes most at risk for development and urged the Council to please keep that in mind.

**Pam Rousseau**, 745 West Auburn Road spoke about granite fractures and how water runs through them and said if they choose to change the zoning they are going to be responsible for the destruction of Lake Auburn.

**Peter Dingley**, Summer Street said the survey that was done on the gravel pit was done a while ago and a lot of excavation has been done since. He said he would like council to reconsider this and think about at least having a new survey done.

Motion was made by Councilor Staples and seconded by Councilor Gerry to postpone this item to a date uncertain until after another hydrogeology study and study of the materials dumped in the landfill can be done.

Motion failed 3-4 (Councilors Hawes, Milks, Morin, and Walker opposed).

Motion was made by Councilor Staples and seconded by Councilor Gerry to amend by excluding the landfills (159 Gracelawn Road) plus 100 foot around them from the proposed amendment.

Passage 7-0.

Passage of Ordinance 08-03072022 as amended, 4-3 (Councilors Staples, Gerry, and Whiting opposed). A roll call vote was taken.

**2. Ordinance 09-03072022**

Approving an amendment to the Zoning Map (Washington Street/Minot Avenue area) from General Business and Industrial to Formed Based Code Downtown Traditional Center T-5.1. Second reading.

Motion was made by Councilor Milks and seconded by Councilor Morin for passage.

Public comment – No one from the public spoke.

Passage 5-2 (Councilors Gerry and Whiting opposed). A roll call vote was taken.

**3. Ordinance 10-03072022**

Amending Chapter 60, Article XII, Division 2, Section 60-1070, Submission requirements (phosphorus standards). Second reading.

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

**Public comment**

**Pam Rousseau**, 745 West Auburn Road said she hopes this means they will not increase density in these areas.

**Mona Murphy**, 539 Lake Street said she feels that the proposed amendment has a major effect on the citizens who haven't been well informed.

Motion was made by Councilor Whiting and seconded by Councilor Staples to amend to change the 575 square footage requirement by adding language that any new construction over 200 feet that requires submission of application or permit.

Passage 7-0.

Passage of Ordinance, 10-03072022 7-0. A roll call vote was taken.

**4. Order 34-03072022**

Authorizing loans of up to \$1,298,488 through the State School Revolving Renovation Fund. Public hearing and second reading.

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

Public comment – No one from the public spoke.

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

**VI. New Business**

**1. Ordinance 11-03212022**

Zoning Amendment Court Street/City Core of Urban Residential Area; 1,687.41 acres of Urban Residential to Traditional Neighborhood Development District Areas (T-4.2). First Reading.

Motion was made by Councilor Staples and seconded by Councilor Hawes for passage.

Motion was made by Councilor Hawes and seconded by Councilor Staples to amend that all bed and breakfast establishments allowed only with special exception from the Planning Board.

Passage 7-0.

Councilor Gerry asked that the Councilors get a printed copy of all of the upcoming proposed amendments on this issue. The Mayor called for a five minute recess to do so.

Motion was made by Councilor Hawes and seconded by Councilor Milks to amend to state that residential facilities be allowed only with special exception.

Passage 7-0.

Motion was made by Councilor Hawes and seconded by Councilor Staples to amend to state that lodging houses be allowed only with special exceptions.

Passage 7-0.

Motion was made by Councilor Hawes and seconded by Councilor Staples to amend to state that personal services are allowed only with special exceptions.

Passage 7-0.

Motion was made by Councilor Hawes and seconded by Councilor Staples to amend to state that age restricted retail will not be allowed.

Passage 7-0.

Motion was made by Councilor Hawes and seconded by Councilor Staples to amend to state that restaurants with over 30 seats will not be allowed.

Passage 6-1 (Councilor Walker opposed).

Motion was made by Councilor Hawes and seconded by Councilor Staples to amend to state that government offices with special exceptions.

Passage 7-0.

Motion was made by Councilor Hawes and seconded by Councilor Staples to amend to state for parking requirements to read one space per dwelling unit unless there is municipal or private off-street parking within 500 feet of the property.

Passage 7-0.

Motion was made by Councilor Hawes and seconded by Councilor Staples to amend to state that under commercial use to read any business and retail use limited to 1500 square foot footprint and must have an upper floor residential unit, with no drive through access.

Passage 7-0.

Motion was made by Councilor Hawes and seconded by Councilor Staples to amend to include a provision capping density at no more than 14 dwelling units per NET acres unless special exemption is granted by the Planning Board.

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

Motion was made by Councilor Staples and seconded by Whiting for the second reading to include an addendum to lists any parcel ID that is owned in whole or in part any individual, LLC, or holding company by any elected official in the City of Auburn as well as the Planning Board member.

Failed 3-4 (Councilors Hawes, Milks, Morin, and Walker opposed).

**Public comment**

**Ryan Smith**, 11 Harris Street, stated that he is directly affected by this proposed zoning amendment and noted that although he is mostly in favor of it, he thinks it is reckless on the multi-family aspect. He said we should not be telling people that 12-unit apartment complexes were not financially feasible. He also commented on a proposed 60-unit apartment complex going before the Planning Board at 555 Court Street and expressed concern that it appears we are accelerating the second reading and rushing this through.

**Denis Bergeron**, 23 Dexter Avenue stated that he can't comment on the merits of this proposal yet. He questioned why we're calling it the first reading when there is nothing in writing. He recommends this goes back to the Planning Board.

**John Cleveland**, 183 Davis Avenue, said what was proposed from the Planning Board was to adopt T.4.2, is this an amendment to that? He noted that the public deserves to know when there is a massive zoning change being proposed. He referenced the State statute on zoning amendments.

**Brian Cullen**, 166 Everett Road, said he hasn't studied the proposed zoning change, and asked why we're proposing this change and how will these changes address the local housing issues and what is the benefit to the residents of Auburn.

**Jessica Klimek**, Amberly Way/Briarcliff Knoll area resident spoke in support of the amendment and would like to provide additional housing options for the community. She asked that the City Council stand true to the commitments outlined in the comprehensive plan and vote to support this amendment.

**Steve Hart**, 106 Lake Street, expressed some concerns with traffic if this were to pass. He feels that this should go back to the Planning Board or go to referendum for people to vote on.

**Sharon Philbrook Bergeron**, 23 Dexter Avenue would like the height of the buildings amended.

**Bob Hayes**, 172 Allen Avenue, commented on the amendments and asked if we were changing T.4.2 or creating a new code. He added that we must provide public notice on any proposed changes. He stated that we should look at height/dimensional regulations.

**Elizabeth Dunn**, 530 Court Street, across from 555 Court Street which is where the proposed complex is being proposed. She expressed concerns traffic if this were to pass. She noted that she would like to see the character of the neighborhood preserved.

**Pam Rousseau**, 745 West Auburn Road asked if mother-in-law units would be allowed? Does what the City wants to do trump a deed if it is written in a deed what people can or cannot do?



**Judy Tyler**, 200 Davis Avenue, noted that the Comprehensive Plan was being worked on during covid and much of the public were staying home, without ZOOM and were unable to give input. She also expressed traffic concerns and would like to see more public input.

**Nancy Greene**, 134 Granite Street, said neighbors are concerned about density, traffic, adding that those things need to be addressed. She stated that multi-family dwellings of 14 units is not appropriate for this area. She asked the Council to respect the characteristic of the neighborhoods.

Motion was made by Councilor Staples and seconded by Councilor Gerry to send this back to the planning board.

Failed 3-4 (Councilors Hawes, Milks, Morin and Walker opposed).

Passage of Ordinance 11-03212022 as amended, 5-2 (Councilors Gerry and Whiting opposed). A roll call vote was taken.

**2. Ordinance 12-03212022**

Amending the Code of Ordinance, Sec. 2-255. Appointment; term (of the Assessor).  
Public hearing and first reading.

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

Public comment – No one from the public spoke.

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

**3. Order 45-03212022**

Allocating \$50,000 of ARPA (American Rescue Plan Act) funds to provide assistance to non-profit organizations who offer outdoor recreational activities and have been negatively impacted by the Covid-19 pandemic.

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

Public comment – Maureen O'Brien, 42 Winter Street asked what these non-profit organizations and what they intend to use the money for. She added that there should be more information before it is voted on.

Passage 7-0.

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

**VIII. Reports (from sub-committees to Council)**

**Councilor Walker** – The United New Auburn Association will meet next Tuesday, March 29<sup>th</sup> at Rolly's Diner at 6:00 pm. City Manager Phil Crowell will be the guest speaker.

**IN COUNCIL REGULAR MEETING MARCH 21, 2022 VOL. 36 PAGE 240**

**Councilor Staples** – The Auburn Public Library Board of Trustees will be meeting tomorrow morning at 8:00 am.

**City Manager Crowell** – The Auburn Police Department will be donating 10 bullet proof vests that have been processed out of use to Ukraine. He stated that beginning Wednesday, the Tax Office will temporarily modify their schedule due to staffing challenges. They will be open from 8:30 am–11:30 am and 1:00 pm-4:00 pm, the public will be notified. He provided an update on the opioid settlement, and ARPA projects with the County.

**Jill Eastman, Finance Director** – February 2022 Final Monthly Report

Motion was made by Councilor Walker and seconded by Councilor Milks accept and place on file the February 2022 final monthly finance report.

Passage 7-0.

**IX. Executive Session** – Economic development, pursuant to 1 MRSA Sec. 405(6)(C)

Motion was made by Councilor Gerry and seconded by Councilor Morin. Passage 7-0, time 10:21 pm.

Council was declared out of executive session at 10:27 pm.

**X. Adjournment** – The meeting adjourned at 10:27 pm.

A TRUE COPY

ATTEST \_\_\_\_\_

Susan Clements-Dallaire, City Clerk

Mayor Levesque called the meeting to order at 7:01 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. Presentation - Court Street/City Core Zoning Amendments**

Michael Malloy, City Attorney and Eric Cousens, Director Planning and Permitting

**II. Unfinished Business**

**1. Ordinance 11-03212022**

Zoning Amendment Court Street/City Core of Urban Residential Area; 1,687.41 acres of Urban Residential to Traditional Neighborhood Development District Areas (T-4.2). **Public hearing and second reading.**

Motion was made by Councilor Staples and seconded by Councilor Milks for passage.

**Public hearing**

**Rob Higgins**, 36 Fairview Avenue, spoke in opposition of the proposed ordinance and asked that the Council vote to protect the established neighborhoods by leaving as is.

**Bob Hayes**, 172 Allen Avenue, spoke regarding form-based planning, 4.1 and 4.2 and he read an excerpt from an article that he found on the website on form-based code. He said it is not one size fits all. He stated that he would like to see this go back to the Planning Board adding that we are not allowing our Planning Board truly plan.

**Spencer Dunn**, 530 Court Street, spoke in opposition and voiced his concerns about the proposed amendment and adding that density, height and overall sizes should scale up gradually, and why wasn't there a new form based code district created.

**Virginia Levasseur**, 20 great falls plaza #117, she wanted to remind people that 15 or so years ago, people from New Auburn were here fighting about a sludge dump that was to go up on Penley Corner Road, stating that the public was over-ruled, it passed and people were told that the sludge was safe enough to use on their gardens and now we are dealing with forever chemicals and she hopes we don't end up like that with the lake.

**Jeffrey Harnden**, 34 Vista Drive spoke about the process adding that more time needs to be taken and he urged the council to vote no on this and return this to the Planning Board.

**Elizabeth Dunn**, 530 Court Street, spoke in opposition of the proposed amendment. She said that the development that is being proposed is five three story, 12 unit buildings and there is nothing like that in this area and in her opinion there shouldn't

be. She added that she is still very concerned about traffic and that we need to rethink this and she hopes the Council will put in the time to do so.

**Ryan Smith**, 11 Harris Street asked about the third option that was mentioned earlier and where it was noted that “staff” does not recommend that option. He said he would like to know who was “staff” is that made that decision? He said that something that struck him was a former 200-acre parcel that was recently divided into smaller lots by the middle school which he said he found troubling. He asked, how do we want our city to look and what do we want beside our middle school?

**Jessie Klemick**, Briarcliff Knoll said that she represents two vastly different groups, those struggling to find housing and those relying on the zone map amendment to make improvements on their homes. She said other cities in Maine find ways to create desirable neighborhoods consisting of mixed-use single-family homes, condos, and multi-family buildings, and we can too. She said we need more rental options. She asked that the Council please take her points into consideration when making a decision and asked her fellow residents and neighbors please consider the broader impact before pushing back on this change.

Motion was made by Councilor Hawes and seconded by Councilor Milks to rescind the amendment previously adopted on 3/21/2022 that all bed and breakfast establishments allowed only with special exception from the Planning Board.

Passage 5-2 (Councilor Gerry and Whiting opposed).

Motion was made by Councilor Hawes and seconded by Councilor Milks to rescind the amendment previously adopted on 3/21/2022 that stated that residential facilities be allowed only with special exception.

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

Motion was made by Councilor Hawes and seconded by Councilor Morin to rescind the amendment previously adopted on 3/21/2022 that stated that lodging houses be allowed only with special exceptions.

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

Motion was made by Councilor Hawes and seconded by Councilor Milks to rescind the amendment previously adopted on 3/21/2022 that stated that personal services are allowed only with special exceptions.

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

Motion was made by Councilor Hawes and seconded by Councilor Milks to rescind the amendment previously adopted on 3/21/2022 that stated that age restricted retail will not be allowed.

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

Motion was made by Councilor Hawes and seconded by Councilor rescind the amendment previously adopted on 3/21/2022 stating that restaurants with over 30 seats will not be allowed.

Passage 4-3 (Councilors Gerry, Whiting, and Walker opposed).

Motion was made by Councilor Hawes and seconded by Councilor Morin to rescind the amendment previously adopted on 3/21/2022 stating that parking requirements to read one space per dwelling unit unless there is municipal or private off-street parking within 500 feet of the property.

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

Motion was made by Councilor Hawes and seconded by Councilor Milks to rescind the amendment previously adopted on 3/21/2022 stating that government offices with special exceptions.

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

Motion was made by Councilor Hawes and seconded by Councilor Morin to rescind the amendment made on 3/21/2022 stating that under commercial use to read any business and retail use limited to 1500 square foot footprint and must have an upper floor residential unit, with no drive through access.

Passage 4-3 (Councilors Gerry, Whiting, and Walker opposed).

Motion was made by Councilor Hawes and seconded by Councilor Milks to rescind the amendment previously adopted at the 3/21/2022 meeting that included a provision capping density at no more than 14 dwelling units per NET acres unless special exemption is granted by the Planning Board.

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

Passage of Ordinance 11-03212022 5-2 (Councilors Gerry and Whiting opposed).

### **III. New Business**

#### **1. Order 46-03282022**

Directing the Planning Board to review the proposed text and map amendments to the Court Street/City Core of Urban Residential Area to Traditional Neighborhood District Areas; review the T-4.2B District text, hold a public hearing and forward a recommendation back to the City Council.

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

Motion was made by Councilor Walker and seconded by Councilor Hawes to postpone this item 120 days out.

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

**IV. Adjournment**

Motion was made by Councilor Walker and seconded by Councilor Milks to adjourn. Unanimously approved, the meeting adjourned at 8:14 pm.

A TRUE COPY

ATTEST \_\_\_\_\_

Susan Clements-Dallaire, City Clerk

Mayor Levesque called the meeting to order at 7:08 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

**Pledge of Allegiance**

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

**1. Order 47-04042022\***

Appointing Jennifer Edwards as the Local Health Officer for the City of Auburn with a term expiration of 4/4/2025.

**2. Order 48-04042022\***

Approving the Annual Reports to the Maine State Housing Authority for Tax Year April 1, 2021 – March 31, 2022 and authorizing the City Manager to sign the annual reports.

Motion was made by Councilor Staples and seconded by Councilor Walker for passage of the two consent items.

Passage 7-0.

**II. Minutes - March 21, 2022 Regular Council Meeting**

Motion was made by Councilor Hawes and seconded by Councilor Walker to approve the minutes of the March 21, 2022 Regular Council meeting.

Passage 7-0.

**III. Communications, Presentations and Recognitions**

- Police Department Swearing in Ceremony
  - Patrol Officers Isaac LaBonte and Timothy Robinson
  - Officer Matthew Johnson promotion to Detective
  - Detective Nicholas Gagnon promotion to Sergeant
- Communication Plan – Liz Allen
- LAWPCA (Lewiston Auburn Water Pollution Authority) Update – Dan Goyette and Travis Peaslee
- Council Communications (about and to the community)

**Councilor Staples** announced that there will be a meeting of the Sustainability and Natural Resource Board on Thursday at 6pm in Council Chambers.

**Councilor Walker** thanked City Manager Crowell for speaking at the United New Auburn Association meeting last week.

**Councilor Gerry** reported that she was contacted by a few Auburn Citizens regarding the proposed Planning Board meeting that is scheduled for next week and could they move the location to a bigger venue. The City Manager explained that the downside would be the audio/video aspect and people being able to view from home if the meeting was moved.

**Mayor Levesque** reported that the Auburn Exchange Club will be meeting tomorrow at noon at Gippers for their annual scholarship awards ceremony; the Maine RV and Camp Show was held over the past weekend, over 5000 attended, vendors sold out of equipment, and they are talking about next years event; Wednesday, April 6, at noon, he will be attending a ribbon cutting for Dirigo Safety on Main Street; Maine Gladiators youth hockey team 14U won their national tournament; last, he said he was proclaiming today to be “ice out” on Taylor Pond.

**IV. Open Session**

**Maureen O’Brien**, 42 Winter Street, commented that when their street was repaved, they put a pink rubber pad on the corners of the curbs, they are now torn up and look terrible and she would like to see that fixed.

**V. Unfinished Business**

**1. Ordinance 12-03212022**

Amending the Code of Ordinance, Sec. 2-255. Appointment; term (of the Assessor).  
Second reading.

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

Public comment – No one from the public spoke.

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

**VI. New Business**

**1. Resolve 02-04042022**

Supporting the utilization of Maine’s Dual Enrollment Program.

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

Public comment – No one from the public spoke.

Passage 7-0.

**2. Public hearing – Proposed Charter Amendments**

Mayor Levesque opened the public hearing at 8:08 pm.



No one from the public spoke.

The public hearing closed at 8:08 pm.

**3. Order 49-04042022**

Authorizing the proposed Charter amendments be placed on a referendum ballot and submitted to the voters of Auburn at the June 14, 2022 Election.

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

Motion was made by Councilor Milks seconded by Councilor Staples to postpone this item to a date no later than September 19th.

Passage 7-0.

**4. Order 50-04042022**

Approving the allocation of ARPA (American Rescue Plan Act) funds to be used to purchase a Quint Fire Truck.

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

Public comment - No one from the public spoke.

Passage 7-0.

**5. Order 51-04042022**

Approving the allocation of ARPA (American Rescue Plan Act) funds to be used to build a new PAL (Police Activities League) Center.

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

Public comment:

**Maureen O'Brien**, 42 Winter Street, stated that she has a lot of concerns about this project. She said it is a lot of money and she doesn't understand why the City would do this without public input. She said one thing the City should do, is create free skating at Hasty.

**Brian Gallagher**, 42 Winter Street, said that he can see the PAL Center from his back porch and there doesn't seem to be many people that go there. He commented that he never sees anyone use the Futsal Court either. He said he feels that we waste a lot of money on stuff like this. He said one thing we can use is a swimming pool. ELHS has a swimming team, but we don't have a swimming pool.

Passage 7-0.

**6. Ordinance 13-04042022**

Amending Chapter 34 (tobacco and marijuana use at recreation facilities and fields).

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

Public comment – Corrie Brown, Healthy Androscoggin provided some history regarding these amendments.

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

**VII. Open Session**

**VIII. Reports (from sub-committees to Council)**

**Councilor Walker** spoke about the ice arena and public skating time adding that he would like the City Council to think about how we could bring more public skating to the kids.

**City Manager Crowell** provided an update on the budget schedule.

**IX. Executive Sessions – Economic development, pursuant to 1 M.R.S.A. Sec. 405(6) (C).**

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

Passage 7-0, time in 8:47 p.m.

Council was declared out of executive session at 8:57 p.m.

**X. Adjournment – Motion was made by Councilor Staples and seconded by Councilor Walker to adjourn. Unanimously approved, the meeting adjourned at 8:57 p.m.**

A TRUE COPY

ATTEST \_\_\_\_\_

Susan Clements-Dallaire, City Clerk

## IN COUNCIL REGULAR MEETING APRIL 19, 2022, VOL. 36 PAGE 249

Mayor Levesque called the meeting to order at 7:02 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

### **Pledge of Allegiance**

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

**1. Order 52-04192022\***

Appointing Election Clerks for a two-year term.

**2. Order 53-04192022\***

Accepting the transfer of \$1,132 forfeiture assets in Rem in U.S. Currency to the Auburn Police Department (Unified Criminal Court Docket No. CR-21-1689).

Motion was made by Councilor Staples and seconded by Councilor Walker for passage of the two consent items.

Passage 7-0.

### **I. Minutes**

#### **March 28, 2022, Special Council Meeting**

Motion was made by Councilor Walker and seconded by Councilor Whiting to approve the minutes of the March 28, 2022, Special Council Meeting.

Passage 7-0.

#### **April 4, 2022, Regular Council Meeting**

Motion was made by Councilor Walker and seconded by Councilor Milks to approve the minutes of the April 4, 2022, Regular Council Meeting.

Passage 7-0.

### **III. Communications, Presentations and Recognitions**

- Lake Auburn Community Center – Brian Wood
- Council Communications (about and to the community)

**Councilor Staples** announced that the Auburn Public Library Board will be meeting next Tuesday at 4:30 pm.

**Councilor Walker** announced that there will be a tour at the Waste to Energy plant in Auburn on April 22<sup>nd</sup>, adding that they are also going to be holding a clean-up day at

10:00 am on April 23<sup>rd</sup>. He announced that the United New Auburn Association will be meeting on Tuesday, April 26<sup>th</sup> at 6:00 pm, Denis D'Auteuil, Public Works Director will be the guest speaker; Thursday the 28<sup>th</sup> the Neighborhood Watch group will be meeting at 6:00pm at the Sixth Street Congregational Church, guest speakers are Jennifer Morin Edwards and Jeff Tardif.

**Councilor Gerry** asked Councilor Walker about the bean supper that is going to be held at the Sixth Street Congregational Church. The supper is scheduled for April 30<sup>th</sup> at 4:30 pm.

**Mayor Levesque** stated that An Act to Implement the Recommendations of the Commission to Increase Housing Opportunities in Maine by Studying Zoning and Land Use Restrictions (LD2003) has passed both the House and the Senate. He encouraged everyone to read this bill. It should go into effect in July of next year.

**City Manager Crowell** followed up on the mayor's comments regarding LD2003 stating that staff is looking into it, and he expects this will be presented at a future workshop once the details are worked out.

#### **IV. Open Session**

**Maureen O'Brien**, 42 Winter Street, stated that she sent an email to her City Councilor on April 6<sup>th</sup> asking him to call her because there wasn't a phone number available. She stated that she expects to have representation from her City Councilor within a few days and a contact phone number to reach them.

**Evan Cyr**, 435 West Auburn Road, Chair of Lake Auburn Watershed Protection Commission read a letter that he has been asked to read regarding its position on any proposed changes to the overlay district that would result in increased development.

**Fred Carpentier**, 142 Broad Street said he recommends instead of a fancy sewer/septic system that we install sanitary sewer that would become part of a feeder that the city already has.

A man spoke (he did not provide his name or address) said he has walked the trails on the West Auburn Road and had a good time there adding that there was a significant marijuana grow operation out there. He thanked the City Manager for providing him with a copy of the plan for the proposed PAL Center. He stated that if we have 160 properties in the Lake Auburn Watershed area, and it cost \$20,000 for that new system, maybe the City should pay for that or start a bank to fund it.

**Amy Dietrich**, 74 Terrace Road spoke in favor of the plan to purchase the Lake Auburn Community Center with ARPA funds.

**Janet Joseph**, 135 North Auburn Road, said the Lake Auburn Community Center is her neighbor and she supports the purchase of it.

**Jim Wellehan**, thanked the Auburn Mayor and Council for their work and he mentioned a study that was done on the lake in 2019, and he asked if they have read the study, and asked if they agree with it or not and why?

**V. Unfinished Business**

**1. Ordinance 13-04042022**

Amending Chapter 34 (tobacco and marijuana use at recreation facilities and fields).  
**Public hearing and second reading.**

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

Public hearing – No one from the public spoke.

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

**VI. New Business**

**1. Order 54-04192022**

Adopting the Fiscal Year 2023-2027 Five-year Capital Improvement Plan (CIP).

Motion was made by Councilor Whiting and seconded by Councilor Staples for passage.

Public comment – No one from the public spoke.

Passage 7-0.

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

**VIII. Reports (from sub-committees to Council)**

**Councilor Staples** noted that the mask mandate has been lifted for public transportation.

**Councilor Walker** reported on the Sustainability and Natural Resource Management Board (SNRB) meeting that was held on April 7th.

**City Manager Crowell** will see the report back from SNRB regarding tree growth (street trees), the Community Development Block Grant and General Assistance offices have moved to 95 Main Street, 4<sup>th</sup> floor due to space issues. The phone extensions have stayed the same.

**Jill Eastman, Finance Director – March 2022 Final Monthly Report**

Motion was made by Councilor Walker and seconded by Councilor Staples to accept and place on file the March 2022 final monthly finance report.

Passage 7-0.

**IN COUNCIL REGULAR MEETING APRIL 19, 2022, VOL. 36 PAGE 252**

**IX. Executive Session** – Legal Consultation, pursuant to 1 M.R.S.A. Sec. 405(6)(E)

Motion was made by Councilor Milks and seconded by Councilor Hawes to enter executive session.

Passage 7-0, time 7:40 pm.

Council was declared out of executive session at 8:28 pm.

**VIII. Adjournment** – Motion was made by Councilor Walker and seconded by Councilor Staples to adjourn. Unanimously approved and the meeting adjourned at 8:28 pm.

A TRUE COPY

ATTEST \_\_\_\_\_

Susan Clements-Dallaire, City Clerk