

Leroy Walker, Ward Five Belinda Gerry, At Large David Young, At Large

## IN CITY COUNCIL

#### RESOLVE 01-04062015

WHEREAS, the 1998 Auburn Downtown Action Plan for Tomorrow (ADAPT) identified a preferred location for a rail platform/station within Great Falls Plaza area in conjunction with a hotel development. The platform/station was to be developed to provide integration of transportation at the site including automobile access and parking, bus/trolley service, taxis, bicycle access and storage and pedestrian access; and

WHEREAS, other agencies funded by the City of Auburn pursued as passenger intermodal facility at the Auburn Lewiston Airport, conducting an Environmental Assessment in 2006, with a focus on serving intercity bus service, a need soon to be met by the construction of a passenger terminal by Maine DOT for buses at Exit 75; and

WHEREAS, the 2007 economic analysis of bringing the passenger services to the Auburn Lewiston Airport over downtown stated that there would be no substantial impacts on minorities or low-income populations, despite up to 50% of downtown households being without vehicles and unemployment rates among the immigrant population being higher than the population at large. In addition, that analysis concluded that "downtown business districts are not likely to be directly affected," demonstrating that services needed to be directed where they could impact downtown business and residential districts; and

WHEREAS, In 2012, Maine DOT conducted the Portland North Study as part of a New Starts Transportation Grant from the Federal Transportation Administration, a study that focused on congestion mitigation; this new study will address a broader set of considerations to include land use, economic development, the environment, congestion mitigation, and economic opportunity for lower income individuals; and

WHEREAS, passenger rail can be an added stimulus for mixed use economic development, as well as a convenient mode for leisure and business travel; and

WHEREAS, In January of 2013, the Auburn Council, along with counterparts in Portland and Lewiston passed a shared resolve on making transit service connections including focusing on helping "employment, medical and entertainment opportunities" in addition to addressing "sustainable practices that enhances livability in all three communities."

WHEREAS the Fiscal Year 2014 Annual budget resolve noting passenger rail service to the downtown as a priority for the City; and

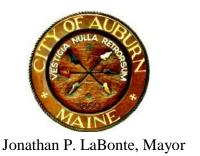
WHEREAS, the 127<sup>th</sup> Maine Legislature is considering action that would advance passenger rail service planning to Lewiston-Auburn from Portland;

NOW THEREFORE, the City of Auburn hereby expresses the intent to work with the City of Lewiston and the necessary regional, state and federal partners, with a particular focus on private investors and nearby property owners, to explore the transportation advantages, related economic possibilities and financial implications of restoring scheduled passenger rail service to the Cities in accordance with the following:

The City Council directs all of its transportation agencies (Auburn Lewiston Airport, Lewiston Auburn Railroad Company, Androscoggin Transportation Resource Center) to affirm through board resolve, or through the re-alignment of necessary policy documents, within 90 days their support for downtown passenger rail service in Lewiston-Auburn. This will ensure one, consistent voice for Auburn and Lewiston

The City Council commits to identifying local funding, along with Lewiston, as a match towards drawing down state investment in such a planning study. Local funds may include, but aren't limited to, use of planning funds allocated to Lewiston-Auburn through the Androscoggin Transportation Resource Center, funding from the Cities shared Lewiston-Auburn Railroad Company fund balance, or Auburn's Downtown Tax Increment Finance Development Program account.

Passage on 4-6-2015 6-1 (Councilor Crowley opposed).



Leroy Walker, Ward Five Belinda Gerry, At Large David Young, At Large

#### IN CITY COUNCIL

#### RESOLVE 02-05042015

# Expressing Support for the Initiative to Evaluate and Improve the Joint Economic Development Efforts of the City

#### of Auburn and Town of Poland.

- Whereas, concerns have been raised regarding the lack of focus of the two municipalities' economic development efforts and the extent to which they need to reflect the changing nature of the national and regional economy; and
- Whereas, interest arose during a joint conference of the two communities to pursue shared vision for economic development in the adjacent properties that border each as well as support for the creative economy in its broadest sense and a desire to pursue policies that enhance the region's ability to attract creative and talented individuals to Poland and Auburn as a means to foster economic growth and investment; and
- Whereas, there remains a strong commitment to the legacy of Poland and Auburn as a manufacturing and transportation hubs and support for strengthening targeted efforts in those areas; and
- Whereas, there has been a demand among local elected officials in both communities for enhancing their role in the economic development process, including regular discussion between peers on either side of the border, and how that role should be balanced with the involvement of other stakeholders, in order to maintain a high level of involvement from the private sector in Poland and Auburn; and
- Whereas, these issues, along with the numerous public and private organizations that are involved in economic development in this region, have raised concerns regarding our overall lack of a joint economic development strategy and the extent to which the various agencies, including the respective municipal governments, are coordinating their efforts around areas of joint interest; and
- Whereas, there is a desire to develop a focused economic development structure for Poland and Auburn; improve communication and coordination between the organizations and principals involved in providing economic development support services; and strengthen the knowledge and involvement of municipal elected officials from both municipalities; and
- Whereas, there shall be 4 members from each municipality, Auburn members will consist of one City Councilor, an Auburn resident, and two Auburn residents who are either LAEGC or ABDC Board members appointed by the Mayor;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUBURN AND THE

#### BOARD OF SELECTMEN OF THE TOWN OF POLAND THAT

We support the effort to review, debate, and implement the economic development structure not currently in place in Poland and Auburn with the goal of implementing a broadly based, widely supported and focused joint economic development strategy, sustaining broadly based input from partners and businesses, increasing the knowledge and involvement of municipal elected officials in economic development efforts, and better coordinating and focusing the efforts and resources of the communities and private sector partners on the areas identified as key to the economic future of the communities.

A TRUE COPY	ATTEST
	Susan Clements-Dallaire, City Clerk



Leroy Walker, Ward Five Belinda Gerry, At Large David Young, At Large

Jonathan P. LaBonte, Mayor

#### IN CITY COUNCIL

RESOLVE 03-05042015 (Option 1)

WHEREAS, The Build Maine Conference is an opportunity to showcase the latest in downtown development planning and take advantage of the thoughts and ideas of national experts that are in town for the conference and interested in doing a promotional project;

WHEREAS, the Auburn City Council is committed to improving and revitalizing our downtown and promoting complete streets for historic preservation, economic vitality, quality of life and increased property values;

THEREFORE RESOLVED, the Auburn City Council encourages the Build Maine staff and City staff to collaborate on programming and tactical urbanism projects for festival Plaza and along Main Street that includes food trucks, outdoor café and retail space for local businesses and food trucks during the Build Maine Event on May 20-21.

BE IT FURTHER RESOLVED, that the Council order Staff to complete the Court Street Road Diet to restore parking along Court Street and a three lane section between Turner Street and the Railroad Tracks as depicted on the street plans.



Leroy Walker, Ward Five Belinda Gerry, At Large David Young, At Large

#### IN CITY COUNCIL

#### RESOLVE 03-06012015

RESOLVED, that the following be, and hereby is the Annual Appropriation and Revenue Resolve of the City of Auburn for the fiscal year 2015-2016, which includes the amounts appropriated herein and revenues from all sources beginning July 1, 2015 and ending June 30, 2016.

The estimated aggregate amount of non-property tax revenue is \$35,176,298 with a municipal revenue budget of \$12,558,137 and a School Department revenue budget of \$22,618,161.

The aggregate appropriation for the City of Auburn is \$77,552,581, with a municipal budget of \$36,348,116 County budget of \$2,142,268 and a School Department budget of \$39,062,197 which received School Committee approval on May 6, 2015, and school budget approved at the May 11, 2015 Council Meeting pursuant to the School Budget Validation vote on June 11, 2015, in accordance with Maine Revised Statues, Title 20-A § 1486 and based on the budget submitted to the Auburn City Council on March 23, 2015, by the City Manager, and notification was posted on the City of Auburn website on May 28, 2015 that a public hearing would be held on June 1, 2015 at 7:00 p.m. and said hearing having been held on that date, and as amended by the City Council, the same is hereby appropriated for the fiscal year 2015-2016 beginning July 1, 2015 for the lawful expenditures of the City of Auburn and the County of Androscoggin taxes, and said amounts are declared not to be in excess of the estimated revenue from taxation and sources other than taxation for the fiscal year of 2015-2016.

#### SCHOOL BUDGET ARTICLES

- 1. That \$15,417,903.00 be authorized to be expended for Regular Instruction;
- 2. That \$8,693,851.00 be authorized to be expended for Special Education;
- 3. That \$-0- be authorized to be expended for Career and Technical Education;
- 4. That \$785,509.00 be authorized to be expended for Other Instruction;
- 5. That \$4,074,510.00 be authorized to be expended for Student and Staff Support;
- 6. That \$861,384.00 be authorized to be expended for System Administration;
- 7. That \$1,367,775.00 be authorized to be expended for School Administration;
- 8. That \$1,097,905.00 be authorized to be expended for Transportation and Buses;
- 9. That \$5,214,297.00 be authorized to be expended for Facilities Maintenance;
- 10. That \$1,128,505.00 be authorized to be expended for Debt Service and Other Commitments;
- 11. That \$420,558.00 be authorized to be expended for All Other Expenditures;

12. That \$39,062,197.00 be appropriated for the total cost of funding public education from Pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act and that \$16,444,036.00 be raised as the municipality's contribution to the total cost of funding public education from Pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act in accordance with the Maine Revised Statues, Title 20-A, section 15688;

Statutory Recommendation \$16,566,669 City Council Adopted \$16,444,036

**Explanation:** The city's contribution to the total cost of funding public education from Pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act is the amount of money determined by state law to be the minimum amount that a municipality must raise in order to receive the full amount of state dollars.

13. That \$1,128,505.00 be raised and appropriated for the annual payments on debt service previously approved by the city's legislative body for non-state-funded school construction projects, non-state-funded portions of school construction projects and minor capital projects in addition to the funds appropriated as the local share of the city's contribution to the total cost of funding public education from Pre-kindergarten to grade 12;

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

14. That \$0.00 be raised and appropriated in additional local funds for school purposes under the Maine Revised Statutes, Title 20-A, section 15690;

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

- 15. That the school committee be authorized to expend \$38,641,639.00 for the fiscal year beginning July 1, 2015 and ending June 30, 2016 from the city's contribution to the total cost of funding public education from Pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act, non-state-funded school construction projects, additional local funds for school purposes under the Maine Revised Statutes, Title 20-A, section 15690, unexpended balances, tuition receipts, fund balances, state subsidy and other receipts for the support of schools;
- 16. That the City of Auburn appropriate \$382,955.00 for adult education and raise \$189,080.00 as the local share, with authorization to expend any additional incidental or miscellaneous receipts in the interest for the well-being of the adult education program;

- 17. That the City of Auburn raise and appropriate \$37,603.00 for the services of Community Services-Crossing Guards.
- 18. That in addition to amount approved in the preceding articles, the school committee be authorized to expend such other sums as may be received from federal or state grants or programs or other sources during the fiscal year for school purposes, provided that such grants, programs or other sources do not require the expenditure of other funds not previously appropriated;
- 19. That the City of Auburn increase the amount of the total school budget and the amounts the school committee is authorized to expend under the previous article, to the extent of any unanticipated increase in the adjusted state contribution under the Essential Programs and Services funding model.

We the Council of the City of Auburn adopt and approve the following items to the Appropriation Resolve:

RESOLVED, that the following be, and hereby is the Annual Budget and Revenue Estimate for the City of Auburn Enterprise Fund – Norway Savings Bank Arena for the fiscal year 2015 – 2016, which includes the amounts budgeted herein beginning July 1, 2015 and ending June 30, 2016.

The Enterprise Fund-Norway Savings Bank Arena estimated amount of non-property tax revenue is \$997,000.

The Enterprise Fund-Norway Savings Bank Arena budget is \$1,188,850.

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

RESOLVED, that the following be, and hereby is the Annual Budget and Revenue Estimate for the City of Auburn Enterprise Fund – Ingersoll Turf Facility for the fiscal year 2015 – 2016, which includes the amounts budgeted herein beginning July 1, 2015 and ending June 30, 2016.

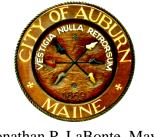
The Enterprise Fund- Ingersoll Turf Facility estimated amount of non-property tax revenue is \$214,940.

The Enterprise Fund- Ingersoll Turf Facility budget is \$178,639.

We the Council of the City of Auburn adopt and approve the following items to the Appropriation Resolve:

Create a Capital Reserve Equipment Replacement Fund for the EMS Transport program by transferring any unexpended Capital Reserve Funds at fiscal year end, budgeted in the EMS Transport annual budget, to a separate Special Revenue Fund designated to be used for the replacement of EMS Transport Ambulances, only to be spent with approval from the City Council.

Passage of first reading on 6/1/2015 4-2 (Councilors Crowley and Gerry opposed). Passage of second reading on 6/15/2015 as amended 6-0 (Councilor Crowley absent).



Leroy Walker, Ward Five Belinda Gerry, At Large David Young, At Large

Jonathan P. LaBonte, Mayor

#### IN CITY COUNCIL

#### RESOLVE 04-06012015

Resolve, Expressing the Support of the City Council of the City of Auburn for the Process Now Underway to develop a Plan and Charter for the Possible Consolidation of the cities of Lewiston and Auburn for Presentation to the voters in November 2016.

- Whereas, the Cities of Lewiston and Auburn are recognized leaders in the State of Maine for intergovernmental cooperation, working together to cost effectively provide a wide range of services from water pollution control to public transportation; and
- Whereas, at a joint Lewiston Auburn City Council meeting held on May 1, 2013, the Councils discussed the concept of municipal consolidation as the next step in cooperation; and
- Whereas, following the discussion held at this joint meeting, residents of both Lewiston and Auburn organized successful petition campaigns for the purpose of creating a Joint Charter commission to explore and formalize a consolidation effort; and
- Whereas, members of a Joint Charter Commission were elected in June 2014 and have been working diligently since then; and
- Whereas, the Commission has tentatively selected the general election of November 2016 as the date where the communities will vote on a charter that would formally consolidate the two communities into a single local government; and
- Whereas, it is right and appropriate that the residents of Lewiston and Auburn have the opportunity to vote on whether to approve a joint charter and consolidate the two communities;

## Now, therefore, be it resolved by the City Council of the City of Auburn that:

We support the process now underway to develop a plan and charter for a consolidated Lewiston Auburn that is tentatively scheduled to be presented to the voters of our community in November 2016. We urge all residents to become informed about and participate in this process in order to be prepared to vote on whether or not to adopt a joint charter and become one municipality.



Leroy Walker, Ward Five Belinda Gerry, At Large David Young, At Large

Jonathan P. LaBonte, Mayor

#### IN CITY COUNCIL

#### RESOLVE 05-06152015

- **Resolve,** Authorizing Legal Action Against Androscoggin County Regarding Certain Elements of the County Charter Relating to Elected Official Compensation and Benefits and the Authority of the County Budget Committee.
- Whereas, in 2012, the voters of Androscoggin County approved a new county charter changing the nature, responsibilities, and composition of both the Board of County Commissioners (the Board) and the County Budget Committee (the Committee); and
- Whereas, the Committee's role was redefined from approving all county budget expenditures to advising on such expenditures, but with two exceptions: a requirement that the County elected officials' compensation and benefits be approved by the Committee (County Charter section 3.7) and authorizing the Committee to override specific line items recommended by the Board by an affirmative vote of 11 of its members (County Charter Section 5.5.2); and
- Whereas, when the new charter went into effect, the newly constituted Committee and the transitional Board agreed that Section 3.7 of the Charter ultimately meant that the Board could not set its own salaries or benefits since final authority remained with the Committee; and
- Whereas, this same understanding was reiterated without objection at the outset, during, and at the conclusion of this year's budget process; and
- Whereas, only following final presentation of the budget and the adjournment of the Committee did the Board (upon an opinion solicited from the County's legal counsel) disregard the Committee's action on Commissioner compensation; and
- Whereas, the official version of the charter provided to the municipal clerks prior to the charter election and upon which the voters cast their ballots clearly indicated that the County Budget Committee had the authority to change line items in the budget proposed by the Commissioners with a supermajority vote of 11 of its members; and
- Whereas, subsequent to the approval of the charter, the Commissioners requested the legislature to make certain "non-substantive" changes to the voter approved charter to address practical problems in implementing the new charter; and
- Whereas, one of the changes requested to amend the charter to transform the Budget Committee into an advisory body only constituted a substantive change; and
- Whereas, subsequent to the legislature's adoption of a resolve directing the Commissioners to amend the charter as requested by the Commissioners, the Commissioners amended the charter to eliminate the Budget Committee's authority to make changes in the budget by a supermajority vote; and
- Whereas, Maine Revised Statutes, 30-A M.R.S.A. § 1353, states that a county charter may give the board the authority to appropriate money according to the budget so long as the budget is approved by the finance committee, and the Budget Committee functions as the finance committee under 30-A M.R.S.A. § 1353; and

- Whereas, Maine Revised Statutes, 30-A M.R.S.A. §§ 725 and 1352 provide that the Androscoggin County Budget Committee has final approval of the budget unless otherwise provided in a charter adopted by the county.
- Whereas, state law also requires that amendments to county charters adopted by referendum must be approved by referendum, a process that was not followed in this case; and
- Whereas, the county's municipalities have strongly objected to the County Commission's interpretation of the county charter that, in effect, denies any meaning to Section 3.7 of the charter dealing with the compensation and benefits of elected officials; and
- Whereas, the municipalities also object to the Commission taking unilateral action without consultation with its municipalities to pursue a substantive change in the charter to transform the budget committee into a purely advisory body; and
- Whereas, the Commission's proposal to place an amendment to section 3.7 of the charter on the November ballot is unacceptable in that it continues to advance the Commission's position that the budget committee is and remains purely advisory; and
- Whereas, when presented recently with a proposed charter amendment to clarify the ability of the Budget Committee to make line item budget changes with a supermajority vote, the Commission failed to take action; and
- Whereas, these actions of the Commission have undermined the checks and balances intended by the framers of the Charter and the will of the public as expressed in their approval of a county charter that clearly and unequivocally provided authority to the Budget Committee to approve elected official salaries and benefits and to make changes in the county budget with a supermajority vote, actions that have served to undermine the legitimacy of the County's governance structure;

Now, therefore, be it resolved by the City Council of the City of Auburn that the firm of Brann & Isaacson is hereby authorized to initial legal action against Androscoggin County in regard to certain actions of the Commissioners relating to elected official compensation and benefits and the authority of the county budget committee, subject to the participation of the lesser of seven other communities or communities representing two thirds or more of the total municipal assessed value of the county and to share costs and expenses in accordance with the formula used to allocate the County Tax; and

**Be It Further Resolved** that Lewiston is authorized to act as fiscal agent for the communities joining in this legal action, and the City Manager is authorized to enter into such agreements as the Manager deems necessary to implement the foregoing resolutions; and

**Be It Further Resolved** that the Council designates Councilor Gerry as its representative to any meetings of the communities participating in this effort.

Passage on 6/15/2015 5-0-1 (Councilor Crowley absent, Councilor Lee abstained).



Leroy Walker, Ward Five Belinda Gerry, At Large David Young, At Large

## IN CITY COUNCIL

#### RESOLVE 06-08172015

**RESOLVED**, that the City Council hereby authorizes the City Manager to request a quote from Androscoggin County for the provision of dispatch services under the fee-for-service program currently offered to other Androscoggin County municipalities.

**WHEREAS**, the Cities of Auburn and Lewiston have long recognized that consolidation of public safety and emergency dispatch services can produce significant public safety benefits and financial savings;

**WHEREAS**, the Cities of Auburn and Lewiston have consolidated their dispatch services under the Lewiston Auburn 911 Center;

WHEREAS, dispatch services for remaining municipalities in Androscoggin County are provided by the County;

**WHEREAS**, the County has refused to further consolidate the dispatch services for the County by allowing the Lewiston Auburn 911 Center to provide such services to the other County municipalities;

**WHEREAS**, the County purports to continue to provide dispatch services to the remaining municipalities on a per capita fee-for-service basis;

WHEREAS, the per capita fee charged by the County does not fully reflect the cost of services provided;

**WHEREAS**, the Cities of Auburn and Lewiston are, therefore, subsidizing the County-provided dispatch services for other Androscoggin County municipalities;

WHEREAS, the County has refused to adjust its dispatch service pricing to fully reflect the cost of such services;

**WHEREAS**, it is in the City of Auburn's best interest to ensure that it is receiving the most cost-effective dispatch services; and

**WHEREAS**, it is in the City of Auburn's best interest to explore whether it could obtain adequate dispatch services at a reduced cost from the County through participating in its current fee-for-service offering;

**NOW, THEREFORE**, it is resolved that the City of Auburn City Manager is hereby authorized to request a quote from Androscoggin County for the provision of dispatch services under the fee-for-service program currently offered to other Androscoggin County municipalities.

Passage on 8/17/2015 5-0-1 (Councilor Lee abstained, Councilor LaFontaine absent).



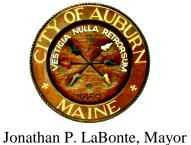
Leroy Walker, Ward Five Belinda Gerry, At Large David Young, At Large

## **IN CITY COUNCIL**

#### **RESOLVE 07-10192015**

RESOLVED, that the City Council hereby supports and approves staff to apply for a Tree Inventory Grant and the 2016 TD Green Streets Program Grant.

Passage on 10/19/2015 6-0 (Councilor LaFontaine absent).



Leroy Walker, Ward Five Belinda Gerry, At Large David Young, At Large

## **IN CITY COUNCIL**

## **RESOLVE 08-11162015**

RESOLVED, that the City Council hereby supports and approves staff to apply for a Recreational Trails Program Grant.

Passage on 11/16/2015 7-0.

				PROJECT	Mount Apatite Trail Project
				DATE	TBD
ponents of Pricing to be Evaluated:				SUPERVISIOR	TBD
Estimated Cost				\$20,000.00	
<u> </u>		-			
LABOR					
	# Hours X	Hourly Rate	=	<b>Total Labor</b>	COMMENTS / DETAIL
Equip Operator 01	168.00 X		=	Cost \$4,483.92	·
Arborist	168.00 X		=	\$4,483.92	
Operator x 2	168.00 X		=	\$3,758.16	
Total Labor	48.00	<u> </u>		\$12,726.00	
MATERIALS					
	# Units X	Price/Unit	=	Total Cost	COMMENTS / DETAIL
30"x20' ADS Pipe	1.00 X	\$470.20	=	\$470.20	
24"x 20' ADS Pipe	1.00 X		ļ	\$300.06	
18"x20' ADS Pipe	2.00 X		=	\$400.40	
15"x20' ADS Pipe	9.00 X	· · · · · · · · · · · · · · · · · · ·		\$1,159.20	
12"x20' ADS Pipe	4.00 X		=	\$400.80	
1.5" Gravel	229.00 X	7-11-5	=	\$3,950.25	
Mulch Hay	20.00 X	,		\$70.00	
Erosion Control	10.00	\$29.69		\$296.90	
Total Materials				\$7,047.81	
Equipment					
	DESCRIPTION			Total Cost	COMMENTS / DETAIL
Rental Excavator	3,500 Per Month		ļ	\$3,500.00	
Excavator	37.50 Per Hour		ļ	\$900.00	
Wheeler	31.00 Per Hour		ļ	\$1,240.00	
1 Ton	19.90 Per Hour		ļ	\$3,343.20	
Skid Steer	21.00 Per Hour		ļ	\$3,528.00	
Other	<del></del>		ļ	\$0.00	
Total				\$12,511.20	
				Total Cost	COMMENTS / DETAIL
TOTAL COST (Actual)			ľ	\$32,285.01	

**Cost Analysis**