

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 01-01042016

ORDERED, that the City Council hereby appoints the following individuals as Wardens and Ward Clerks for 2016 and 2017;

Ariel Gill	Warden
Connie Bilodeau	Warden
Lynn Bulmer	Warden
Whitney Blondeau	Warden
TBD	Warden

Beverly Ouellette	Ward Clerk
Robert Gardner	Ward Clerk
TBD	Ward Clerk
TBD	Ward Clerk
TBD	Ward Clerk

A TRUE COPY

ATTEST: _____ **DATE:** _____
Susan Clements-Dallaire, City Clerk

Passage on 1/4/2016 7-0.

James F. Pross, Ward One
Robert D. Stone, Ward Two
Andrew D. Titus, Ward Three
Ernestine M. Gilbert, Ward Four



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

Jonathan P. LaBonté, Mayor

Order # 02-01042016

TITLE: ORDER - AUTHORIZING ISSUANCE OF GENERAL OBLIGATION REFUNDING BONDS AND A TAX LEVY THEREFOR

WHEREAS: the City of Auburn has previously issued the following series of its general obligation bonds in furtherance of various municipal purposes (the "Prior Bonds"):

- \$13,000,000 2006 General Obligation Bonds dated November 1, 2006;

WHEREAS: due to the drop in available interest rates, the City desires to refund and refinance the \$4,405,000 callable portions of the Prior Bonds through issuance of its general obligation refunding bonds;

Now therefore, be It Ordered by the Auburn City Council, following a public hearing duly called and held as required by Article 8, Section 8.13 of the Auburn City Charter:

THAT there be and hereby is authorized the issuance and sale of the City's general obligation bonds in the amount of \$4,405,000, the proceeds of which, including premium, if any, and investment earnings thereon, are hereby appropriated for the following purpose (including costs of issuance, redemption premium interest to the redemption date, and any other costs related or ancillary thereto):

Amount	Category
\$4,405,000	Advance Refund the Prior Bonds described above

THAT the bonds shall be issued as authorized hereunder and shall be signed by the City's Finance Director and its Treasurer, attested by the City Clerk under the seal of the City. A tax levy is hereby provided for each fiscal year that the bonds authorized hereunder remain outstanding to meet the annual installments of principal and interest as may accrue in each respective year. The bonds may be issued at one time or from time to time, either singly or in series, and the authority and discretion to fix method of sale, issue date, maturities, denominations, interest rate, place of payment, form and other details of said bonds and notes, and to take all other actions and to sign and deliver all other documents, certificates and agreements in order to provide for the sale thereof is hereby delegated to the City's Finance Director.

THAT the bonds authorized hereunder may be made subject to call for redemption, either with or without premium, on such terms as may be determined by the Finance Director.

THAT the authority and discretion to designate the bond or notes, or a portion thereof, as qualified tax-exempt obligations under Section 265 of the Internal Revenue Code of 1986, as amended, is hereby delegated to the Finance Director.

THAT the City's Finance Director, Treasurer, Clerk, and other proper officials of the City be, and hereby are, authorized and empowered in its name and on its behalf to do or cause to be done all such acts and things, and to execute, deliver, file, approve, and record all such financing documents, refunding escrow agreements, contracts, agreements, certificates, and other documents as may be necessary or advisable, with the advice of counsel for the City, to carry out the provisions of the resolutions heretofore adopted at this meeting in connection with the refunding of the Prior Bonds, as may be necessary or desirable.

James F. Pross, Ward One
Robert D. Stone, Ward Two
Andrew D. Titus, Ward Three
Ernestine M. Gilbert, Ward Four



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

Jonathan P. LaBonté, Mayor

THAT if the Finance Director, Treasurer, or Clerk are for any reason unavailable to approve and execute the bonds or any related financing documents, the person or persons then acting in any such capacity, whether as an assistant, a deputy, or otherwise, is authorized to act for such official with the same force and effect as if such official had himself or herself performed such act.

THAT the authority to issue the bonds authorized hereunder shall automatically expire 2 years from the date of adoption of this Order.

THAT this order is a declaration of official intent pursuant to Treas. Reg. § 1.150-2 and shall be kept available for public inspection during reasonable business hours at the office of the City Clerk.

A Public Notice describing the general purpose of the borrowing and the terms thereof was published on or before December 21, 2015, in the Lewiston Sun-Journal, a daily newspaper published in the City of Auburn and in Androscoggin County.

A public hearing was held on January 4, 2016.

**Public hearing and passage of first reading
on 1/4/2016 7-0. Passage of second reading
on 1/25/2016 7-0.**

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 03-01252016

ORDERED, that the City Council hereby names Travis Barnies, Jonathan Edwards and Andrew Jarman as Constables with a firearm for the Auburn Police Department.

Passage on 1/25/2016 7-0.

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 04-01252016

ORDERED, that the City Council hereby confirms the appointment of Assistant City Manager, Denis D'Auteuil, to the Lewiston-Auburn Transit Committee (LATC) with a three year term which will expire January 1, 2019.

Passage on 1/25/2016 7-0.

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 05-02222016

ORDERED, that the following Mary LaFontaine is hereby appointed as Chair of the Registration Appeals Board with a term expiration of 3/1/2020.

Passage on 2/22/2016 6-0 (Councilor Walker absent).

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 06-02222016

ORDERED, that the Auburn City Council accept the Fiscal Year 2015 Comprehensive Annual Financial Report as presented by Runyon Kersteen Ouellette on February 1, 2016.

Passage on 2/22/2016 6-0 (Councilor Walker absent).

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 07-02222016

ORDERED, that the municipality of Auburn, Maine, by and through its municipal officers, does hereby grant approval pursuant to 15 M.R.S.A. § 5824(3) and § 5826(6) to the transfer of the above captioned Defendant (Thomas Murphy) In Rem (\$2,050.10), or any portion thereof, on the grounds that the Auburn Police Department did make a substantial contribution to the investigation of this or a related criminal case.

WHEREFORE, the municipality of Auburn, Maine does hereby approve of the transfer of the Defendant (Thomas Murphy) In Rem, or any portion thereof, pursuant to 15 M.R.S.A. § 5824(3) and § 5826(6) by vote of the Auburn municipal legislative body on or about February 22, 2016.

Passage on 2/22/2016 6-0 (Councilor Walker absent).

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 08-02222016

ORDERED, that the City Council hereby appoint the following civilian to serve documents as a Constable without firearm in the City of Auburn.

Francis M.
Carignan

**Constable Process
Server**

Without Firearm

Appointment

Passage on 2/22/2016 6-0 (Councilor Walker absent).

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 09-03072016

ORDERED, that the City Council hereby approves the request to place temporary signs for the Park Avenue Elementary School's 2016 annual Spring Fest and Auction event at the locations on the attached document as long as their placement does not affect sight distance for streets or adjacent driveways. The signs will be placed the week before the April 9, 2016 event and removed the day after the event (April 10, 2016).

Passage on 3/7/2016 6-0-1 (Councilor Burns was not present for this vote).

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 10-03072016

ORDERED, that the City Council hereby authorizes the Maine Home Show to place temporary signs in various locations throughout the City of Auburn for their 2016 event which takes place March 19th and March 20th, 2016, so long as their placement does not affect sight distance for streets or adjacent driveways. The signs will be up from March 14, 2016 to March 20, 2016 and will be placed at the following locations:

Intersection of Court & Turner St (2)

Center St -Veterans bridge intersection (2)

Court St Minot Ave Intersection (2-4)

Turner St, Veterans Bridge Intersection (2)

Main St & Mill St Intersection (New Auburn)

Passage on 3/7/2016 6-0-1 (Councilor Burns was not present for this vote).

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 11-03072016

ORDERED, that the City Council hereby authorizes the Kora Shrine Committee to place approximately 30 temporary signs in various locations throughout the City of Auburn for their 2016 Kora Shrine Circus which takes place April 15 and April 16, so long as their placement does not affect sight distance for streets or adjacent driveways. The signs will be placed approximately 10-14 days before the event and will be removed upon completion of the event. Placement of the signs will be as follows;

Court and Minot Ave – 4 signs on each corner
Center St and N. River Road – 1 sign, northbound
Center St and Mall – K Mart entrance - 2 signs, north and south
Turner Street Entrance to Walmart – 4 signs
Turner St and Mount Auburn Ave – 3 signs
Court St and Park Ave - 1 (two sided) sign
Minot Ave and Poland Rd out – 1 (two sided) sign
Minot Ave and Hotel Rd intown – 1 (two sided) sign
Washington St at Turnpike – 1 sign
Washington St at Rotary northbound – 1 sign
Broad St going across bridge - 1 (two sided) sign
Broad St – So Main - 1 (two sided) sign
Upper Cook St. and So. Main – 1 sign
Riverside Dr – 1 sign
Turner St (Masonic Lawn) - 1 (two sided) sign
Washington St. by Discount Auto – 1 sign

Passage on 3/7/2016 6-0-1 (Councilor Burns was not present for this vote).

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 12-03072016

ORDERED, that the City Council hereby authorizes the Auburn Business Association to place temporary signs to promote the Auburn Citizen of the Year Event to be held on May 5, 2016. The signs are to be installed on Center Street (in front of Better Homes & Gardens realty), on Minot Avenue (at Androscoggin Bank), and in New Auburn so long as their placement does not affect sight distance for streets or adjacent driveways. The signs will be installed on April 1, 2016 and removed one week after the event.

Passage on 3/7/2016 6-0-1 (Councilor Burns was not present for this vote).

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 13-03072016

Accepting the transfer of \$1,857.00 forfeiture assets in U.S. currency to the Auburn Police Department (Superior Court Criminal Action Docket No. CR-15-309 Mustafa Abdi).

Passage on 3/7/2016 6-0-1 (Councilor Burns was not present for this vote).

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 14-03072016

ORDERED, that the City Council hereby makes the follow board and committee appointments with term expirations as noted:

Board or Committee	Term Expiration Date	Name of Person Appointed or Reappointed
Planning Board	10/1/2019 01/01/2019 Amended 3/21/2016 with Order 17-03212016	Robert Bowyer (re-appointment)
Auburn Water District	3/1/2019 03/01/2020 Amended 5/16/2016 with Order 28-05162016	Tizz E.H. Crowley (new appointment)
Auburn Sewerage District	3/1/2019 03/01/2020 Amended 5/16/2016 with Order 28-05162016	Heidi McCarthy (re-appointment)
Ethics Committee (full member)	1/1/2019	Leonard Kimble (new appointment)
Ethics Committee (alternate)	1/1/2019	Marc Bernier (new appointment)
Ethics Committee (alternate)	1/1/2019	Robert Sevigny (new appointment)
Conservation Commission	6/1/2017	Charles Lafean (new appointment)
Community Development Block Grant (CDBG) Loan Committee	10/1/2016	Nikki Chabot (new appointment)
Board of Assessment Review	10/01/2019	Robert Hayes (new appointment)
Board of Assessment Review	10/01/2019	Larry Pelletier (new appointment)
Board of Assessment Review (alternate)	10/01/2017	Tizz E.H. Crowley

Passage on 3/7/2016 7-0.

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 14-03072016

ORDERED, that the City Council hereby makes the follow board and committee appointments with term expirations as noted:

Board or Committee	Term Expiration Date	Name of Person Appointed or Reappointed
Planning Board	10/1/2019	Robert Bowyer (re-appointment)
Auburn Water District	3/1/2019	Tizz E.H. Crowley (new appointment)
Auburn Sewerage District	3/1/2019	Heidi McCarthy (re-appointment)
Ethics Committee (full member)	1/1/2019	Leonard Kimble (new appointment)
Ethics Committee (alternate)	1/1/2019	Marc Bernier (new appointment)
Ethics Committee (alternate)	1/1/2019	Robert Sevigny (new appointment)
Conservation Commission	6/1/2017	Charles Lafean (new appointment)
Community Development Block Grant (CDBG) Loan Committee	10/1/2016	Nikki Chabot (new appointment)
Board of Assessment Review	10/01/2019	Robert Hayes (new appointment)
Board of Assessment Review	10/01/2019	Larry Pelletier (new appointment)
Board of Assessment Review (alternate)	10/01/2017	Tizz E.H. Crowley

Passage on 3/7/2016 7-0.

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 15-03072016

ORDERED, that the City Council hereby commit to discontinuing the use of Fund Balance to balance the General Fund budget over the next 2 fiscal years, FY 17 and FY 18 as recommended by the Finance Director per attached documentation.

Passage on 3/7/2016 7-0.

City of Auburn, Maine

"Maine's City of Opportunity"

Finance Department

TO: Howard Kroll, City Manager, Honorable Mayor Labonte and Members of the City Council

FROM: Jill Eastman, Finance Director

REF: Fund Balance

DATE: March 3, 2016

Attached you will find 2 spreadsheets. On page one you will find my recommendation on restoring the unassigned fund balance, to meet the Fund Balance policy, over the next 3 fiscal years.

My recommendation is to reduce the use of fund balance by \$825,000 in fiscal year 2017 and another \$825,000 in fiscal year 2018. This allows the City to discontinue the use of fund balance to balance the budget by fiscal year 2019.

On page two the charts show how the reduction in use of fund balance impacts the property taxes if everything else remained the same as in fiscal year 16.

In order to have no impact on the mil rate, we have to either find \$825,000 in new revenue, reduce expenditures by \$825,000 or a combination of both.

I am prepared to discuss these items and answer any questions you may have.

FUND BALANCE ANALYSIS
STRATEGY TO RESTORE TO POLICY LEVEL
 Prepared March 3, 2016

	FY 15
Unassigned	
General Fund Balance	\$ 4,971,398
Total Expenditures	\$ 78,800,167

As a % of Expenditures	6.31%
-------------------------------	-------

	Est FY 16	Est FY 17	Est FY 18
Beginning Unassigned Fund Balance July 1, 2015	\$ 4,971,398	\$ 6,061,588	\$ 7,886,588
Estimated Excess of Revenue and Unspent Appropriation	\$ 1,915,190 *	\$ 1,825,000	\$ 1,825,000
Fund Balance used to balance FY 17 Budget (Reclassified as Assigned Fund Balance)	\$ (825,000)	\$ -	\$ -
Estimated Fund Balance as of June 30, 2016	\$ 6,061,588	\$ 7,886,588	\$ 9,711,588
% of FY 16 Budget	7.82%	10.17%	12.52%

* Sale of One Minot Ave (old Police Station)	\$ 481,000
BETE Reimbursement	\$ 240,000
In Lieu of Taxes	\$ 20,000
Rent	\$ 130,000
Emergency Reserve	\$ 375,000
Unexpended Appropriations (due to spending and hiring freeze implemented on March 1, 2016)	\$ 600,000
Other Revenue collected over estimates	\$ 69,190
	\$ 1,915,190

**GENERAL FUND
FUND BALANCE ANALYSIS
REDUCTION IN USE OF FUND BALANCE
Prepared March 3, 2016**

	FY 16	FY 17 Reduce FB Contribution by One Half
Total Tax Levy	\$ 42,376,283	\$ 43,201,283
Total Assessed Value	\$ 1,994,564,443	\$ 1,994,564,443
Tax Rate	\$21.25	\$21.66
 Use of Fund Balance	 \$ 1,650,000	 \$ 825,000
 Increase in Mil Rate: Dollars		 \$0.41
Percentage		1.95%

Impact on Annual Property Taxes in FY 17

Property Valuation	\$ 100,000	\$ 150,000	\$ 200,000	\$ 250,000	\$ 300,000
Increase in Property Taxes due to reduction in Fund Balance Contribution	\$41.36	\$62.04	\$82.72	\$103.41	\$124.09

In order to have no impact on the mil rate the City will need to either find \$825,000 in new revenue, reduce expenditures by \$825,000 or a combination of both.

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 16-03072016

ORDERED, that the City Council hereby grants an abatement in the amount of \$456.00 for case number 2879-16, in accordance to Title 36 M.R.S.A. §841 (2).

Passage on 3/7/2016 7-0.

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 17-03212016

ORDERED, that the City Council hereby amends Order 14-03072016 which was previously adopted at the 3/7/2016 City Council meeting to reflect the corrected term expiration date for the re-appointment of Robert Bowyer (Planning Board) to 1/1/2019 (previously adopted as 10/1/2019 in error).

Board or Committee	Term Expiration Date	Name of Person Appointed or Reappointed
Planning Board	10/1/2019 01/01/2019	Robert Bowyer (re-appointment)

Passage on 3/21/2016 7-0.

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 18-03212016

ORDERED, that the City Council hereby appoint Randall Burnham, as a Constable Process Server without firearm in the City of Auburn. Mr. Burnham is not an agent or employee of the city or entitled to hold himself out as such, and is not authorized to carry a firearm in the performance of his duties, and his authority to act as a constable is limited to private employment as a process server.

Passage on 3/21/2016 7-0.

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 19-04042016

ORDERED, that the City Council hereby sets the date for the School Budget Validation Referendum Election to be Tuesday, June 14, 2016, in conjunction with the State Primary Election.

Passage on 04/04/2016 6-0 (Councilor Titus absent).

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 20-04042016

ORDERED, that the City Council hereby sets the time for opening the polls for the June 14, 2016 Election to be 7:00 AM.

Passage on 04/04/2016 6-0 (Councilor Titus absent).

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 21-04042016

ORDERED, that the City Council hereby approves the Liquor License, Class XI Spirituous, Vinous, and Malt Restaurant/Lounge and Special Amusement Permit for Firehouse Grill, LLC., D/B/A Firehouse Grill located at 47 Broad Street.

Passage on 04/04/2016 6-0 (Councilor Titus absent).

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 22-04042016

ORDERED, that the City Council hereby denies the applicant, Lanli Liu's appeal on the denial of a business license for a massage establishment license, Indeego Spa, located at 405 Center Street because incomplete and false information was knowingly provided to the Auburn Police Department in support of the application.

A TRUE COPY

ATTEST _____
Susan Clements-Dallaire, City Clerk 4-8-2016

Passage on 4/4/2016 5-1 (Councilor Walker opposed, Councilor Titus absent).

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



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

Jonathan P. LaBonté, Mayor

IN CITY COUNCIL

ORDER 23-04112016

ORDERED, that the City Council hereby appoints Jonathan P. LaBonté to the Lewiston Auburn Railroad Company Board of Directors for a term of 3 years from 2016 to 2019 and he shall be authorized to vote the shares held by any shareholder.

A TRUE COPY

ATTEST _____
Susan Clements-Dallaire, City Clerk

Passage on 4/11/2016 6-0 (Councilor Titus absent).

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 24-04252016

ORDERED, that the following individuals be and hereby are appointed as Election Clerks for the period of May 1, 2016 through April 30, 2018. See attached list.

PARTY	LAST NAME	FIRST NAME
R	Amero	Claire
R	Bachand	Claire
R	Berube	Patricia
R	Bussiere	Francois
R	Campbell	Jeffrey
R	Crowell	Joan
R	Galway	Bonnie
R	Gammon	Esther
R	Langelier	Gerald
R	Lee	Linda
R	Letourneau	Michel
R	Martel	Gerald
R	Ouellette	Beverley
R	Rossignol	Linda
R	Spear	June
R	Spiro	Danielle
R	Varney	Jeanne
R	White	Carmen
R	White-Matson	Nichole
D	Bate	Jacqueline
D	Bilodeau	Normand
D	Cavanaugh	Robert
D	Cooper	Louise
D	Cox	Margaret
D	Desgrosseilliers	Edward
D	Dufresne	Carmen
D	Gardner	Robert
D	Girouard	Jolene
D	Herrick	Eleanor
D	Kinney	Anne
D	Langelier	Pauline
D	Leavitt	Richard

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



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

Jonathan P. LaBonte, Mayor

D	Mahon	Joan
D	Mailey	Joseph
D	Miller	Priscilla
D	Ouellette	Alma
D	Ouellette	Paul
D	Richardson	Kenneth
D	Ross	Bonnie
D	Simpson	Kevin
D	Webber	Judith
U	Martel	Claudette
U	Pelletier	Jeannine

Passage on 4/25/2016 7-0.

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 25-04252016

ORDERED, that the City Council hereby approves the Special Amusement Permit for MVL, Inc., DBA, Tio Juan's Margaritas Mexican Restaurant located at 180 Center Street, Auburn, Maine.

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 26-05022016

ORDERED, that the City Council hereby approves the request by New Auburn Little League to waive the Food Service Establishment/On or Off Premise license fee of \$150.00 for Sherwood Heights and Pulsifer Park facilities.

Passage on 5/2/2016 6-0 (Councilor Burns absent).

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 27-05022016

ORDERED, that the City Council hereby approves the request by Kiddo's, LLC., 945 Center Street to waive the Food Service Establishment/On or Off Premise license fee of \$200.00.

A TRUE COPY

ATTEST _____
Susan Clements-Dallaire, City Clerk

Motion failed 5-2-2016, 0-6 (Councilors Young, Pross, Stone, Titus, Gilbert, and Walker all opposed, Councilor Burns absent).

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 28-05162016

ORDERED, that the City Council hereby amends Order 14-03072016 which was previously adopted at the 3/7/2016 City Council meeting to reflect the corrected term expiration dates for the following appointments;

Tizz E.H. Crowley (Auburn Water District) to 3/1/2020 (previously adopted as 3/1/2019 in error).

Heidi McCarthy (Auburn Sewerage District) to 3/1/2020 (previously adopted as 3/1/2019 in error).

Board or Committee	Term Expiration Date	Name of Person Appointed or Reappointed
Auburn Water District	3/1/ 2019 2020	Tizz E.H. Crowley (new appointment)
Auburn Sewerage District	3/1/ 2019 2020	Heidi McCarthy (re-appointment)

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 29-05162016

ORDERED, that the City Council hereby appoints the following board and committee members as nominated by the Appointment Committee on 5/2/2016;

Board or Committee	Term Exp. Date	Name
Planning Board	1/1/2017	Samuel Scogin (new appointment)
Cable TV Advisory Board	To be determined by the Chair of the Committee per inter-local agreement.	Robert Gardner (re-appointment)

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 30-05162016 (b)

ORDERED, that the City Council authorizes the City Manager to enter into a Supplemental Lease Agreements for Cellular Micro-site Locations on City poles or Structures at 650 Center Street and other locations as proposed and approved at a staff level with Portland Cellular Partnership, a Maine general partnership, d/b/a Verizon Wireless.

This resolve authorizes that proposed site locations may be reviewed, acted upon and lease addendums signed by the City Manager, with input from staff as they are proposed individually or as a group, prior to installation, authorizing individual locations. This authorization shall only apply to proposed lease rates of \$250 per location per month or greater and adjusted annually by the CPI-Urban for future years beginning in 2016. Individual proposed locations shall be compared to the City's long range plans to confirm that they are either:

- 1) Not located in areas where the City intends to eliminate overhead utilities (Currently the New Auburn Village Center, possibly the Minot Avenue corridor between High and Court Streets); or
- 2) In areas where the City intends to eliminate overhead utilities the micro site locations shall only be allowed on poles or structures such as buildings, traffic signals and street light poles that will need to remain in place after the utility work.

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 31-05162016

ORDERED, that the City Council hereby approves the FY2016 Annual Action Plan as recommended by Community Development staff.

Passage on 5/16/2016 as amended 7-0.

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 32-05162016

ORDERED that the Auburn City Council hereby adopts and approves the following School Budget articles for Fiscal Year 2016/17.

1. That \$16,184,200.00 be authorized to be expended for Regular Instruction;
2. That \$ 8,843,629.00 be authorized to be expended for Special Education;
3. That \$-0- be authorized to be expended for Career and Technical Education;
4. That \$ 1,008,066.00 be authorized to be expended for Other Instruction;
5. That \$ 4,185,672.00 be authorized to be expended for Student and Staff Support;
6. That \$ 881,721.00 be authorized to be expended for System Administration;
7. That \$ 1,374,018.00 be authorized to be expended for School Administration;
8. That \$ 1,350,104.00 be authorized to be expended for Transportation and Buses;
9. That \$ 5,422,263.00 be authorized to be expended for Facilities Maintenance;
10. That \$ 1,064,084.00 be authorized to be expended for Debt Service and Other Commitments;
11. That \$ 429,611.00- be authorized to be expended for All Other Expenditures;
12. That \$40,313,757.00 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 \$17,320,901.00 be raised as the municipality's contribution to the total cost of funding public education from Pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act in accordance with the Maine Revised Statutes, Title 20-A, section 15688;

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



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

Jonathan P. LaBonte, Mayor

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 \$1,814,747.00 be raised and appropriated for the annual payments on debt service previously approved by the city's legislative body for non-state-funded school construction projects or non-state-funded portions of school construction projects, in addition to the funds appropriated as the local share of the city's contribution to the total cost of funding public education from Pre-kindergarten to grade 12;

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

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

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

15. That the school committee be authorized to expend \$40,313,757.00 for the fiscal year beginning July 1, 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 \$391,728.00 for adult education and raise \$190,404.00 as the local share, with authorization to expend any additional incidental or miscellaneous receipts in the interest and for the well-being of the adult education program;

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



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

Jonathan P. LaBonte, Mayor

17. That the City of Auburn raise and appropriate \$37,883.00 for the services of Community Services-Crossing Guards.

18. That in addition to amounts approved in the preceding articles, the school committee be authorized to expend such other sums as may be received from federal or state grants or programs or other sources during the fiscal year for school purposes, provided that such grants, programs or other sources do not require the expenditure of other funds not previously appropriated;

19. 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 articles, to the extent of any unanticipated increase in the adjusted state contribution under the Essential Programs and Services funding model.

A TRUE COPY

ATTEST _____
Susan Clements-Dallaire, City Clerk

Passage on 5/16/2016 4-3 (Councilors Walker, Titus, and Gilbert opposed).

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 33-05162016

TITLE: ORDER - AUTHORIZING ISSUANCE OF GENERAL OBLIGATION BONDS AND A TAX LEVY THEREFOR (AMENDED)

Be It Ordered by the Auburn City Council, following a public hearing duly called and held as required by Article 8, Section 8.13 of the Auburn City Charter, that there be and hereby is authorized the issuance and sale of the City’s general obligation bonds and notes in anticipation thereof on either a taxable or a tax-exempt basis in the amount of ~~\$7,500,000~~ \$5,400,000, the proceeds of which, including premium, if any, and investment earnings thereon, are hereby appropriated to finance the following capital equipment and capital improvements (including costs of issuance for the bonds), all constituting part of the City’s FY17 Capital Improvement Program:

CITYWIDE		
CAPITAL IMPROVEMENT PLAN FY 17 BONDS		
	Description	Bonded General Fund
Facilities	Hasty Restroom Replacement - ADA Compliance	\$ 320,000
Facilities	Senior Center	\$ 95,000
Planning	Comp Plan Property Acquisition	\$ 150,000
Planning	Dangerous Building Demolition	\$ 100,000
Engineering	Reconstruction	\$ 1,000,000
Engineering	Reclamation/Resurfacing	\$ 900,000
Engineering	Additional Reclamation/Resurfacing (per Council amendment)	\$ 2,100,000
Engineering	Major Drainage	\$ 350,000
Engineering	MDOT Match	\$ 500,000
Public Works	7 Yard Plow Trucks	\$ 225,000
PW Facilities	Ash Landfill Sewer Main	\$ 250,000
School Department	School Department	\$ 1,500,000
Administration	Contingency	\$ 10,000
TOTAL CIP		\$ 7,500,000

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



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

Jonathan P. LaBonte, Mayor

THAT the bonds and notes authorized hereunder shall be signed by the City's Finance Director and its Treasurer, attested by the City Clerk under the seal of the City. A tax levy is hereby provided for each fiscal year that the bonds authorized hereunder remain outstanding to meet the annual installments of principal and interest as may accrue in each respective year. The bonds and notes may be issued at one time or from time to time, either singly or in series, and the authority and discretion to fix method of sale, issue date, maturities, denominations, interest rate, place of payment, form and other details of said bonds and notes, and to take all other actions and to sign and deliver all other documents, certificates and agreements in order to provide for the sale thereof is hereby delegated to the City's Finance Director.

THAT in order to finance temporarily the projects described above, the Finance Director is authorized to expend up to \$7,500,000 ~~\$5,400,000~~ either from available funds of the City or from the proceeds of bond anticipation notes which would be reimbursed or refinanced from bond proceeds.

THAT the bonds and notes authorized hereunder may be made subject to call for redemption, either with or without premium, on such terms as may be determined by the Finance Director.

THAT the authority and discretion to designate the bond or notes authorized hereunder, or a portion thereof, as qualified tax-exempt obligations under Section 265 of the Internal Revenue Code of 1986, as amended, is hereby delegated to the Finance Director.

THAT the City's Finance Director, Treasurer, Clerk, and other proper officials of the City be, and hereby are, authorized and empowered in its name and on its behalf to do or cause to be done all such acts and things, and to execute, deliver, file, approve, and record all financing documents, contracts, agreements, certificates, preliminary and final official statements, tax certificates and other documents as may be necessary or advisable, with the advice of counsel for the City, to carry out the provisions of this order, as may be necessary or desirable.

THAT if the Finance Director, Treasurer, or Clerk are for any reason unavailable to approve and execute the bonds or any related financing documents, the person or persons then acting in any such capacity, whether as an assistant, a deputy, or otherwise, is authorized to act for such official with the same force and effect as if such official had himself or herself performed such act.

THAT the authority to issue the bonds or notes authorized hereunder shall automatically expire 2 years from the approval of this Order.

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



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

Jonathan P. LaBonte, Mayor

THAT this order is a declaration of official intent pursuant to Treas. Reg. § 1.150-2 and shall be kept available for public inspection during reasonable business hours at the office of the City Clerk.

A Public Notice describing the general purpose of the borrowing and the terms thereof was published on or before May 2, 2016 and May 23, 2016, in the Lewiston Sun-Journal, a daily newspaper published in the City of Auburn and in Androscoggin County.

A public hearing was held on May 16, 2016 and on June 6, 2016.

Passage of first reading on 5/16/2016 6-1 (Councilors Titus opposed).
Passage of second and final reading on 6/6/2016 7-0.

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 34-05162016

TITLE: ORDER - Reallocating Unspent Proceeds from the City's General Obligation Bonds.

WHEREAS, the City of Auburn issued General Obligation Bonds in various amounts for various projects; and

WHEREAS, there remain unspent proceeds of the Bonds borrowed for multiple capital improvements, \$353,845 of which excess proceeds the City Council desires to reappropriate and reallocate to be used for the projects listed below;

CITYWIDE			
CAPITAL IMPROVEMENT PLAN FY 17 Unallocated			
	Description		Unallocated Bond Proceeds
Facilities	Engine 5 Roof Replacement		\$ 80,000
Facilities	Central Fire-Lighting Replacement		\$ 110,000
Facilities	Engine 5 Lighting Replacement		\$ 40,000
Library	Entrance Door Replacement		\$ 44,500
Police	Evidence Locker Replacement		\$ 50,000
Public Works	Leaf Vacuum		\$ 29,345
TOTAL CIP			\$ 353,845

NOW, THEREFORE, by the City Council of the City of Auburn, be it hereby ORDERED:

THAT the excess proceeds of the Bonds, in the amount of \$353,845 be and hereby are appropriated from the amount borrowed as part of various Bonds to finance the costs of the projects listed above.

THAT the City's Finance Director / Treasurer be, and hereby is, authorized and empowered in the name and on behalf of the City, to do or cause to be done all such acts and things, and to execute and deliver, all such financing documents, certificates, and other documents as may be necessary or advisable, with the advice of counsel for the City, to carry out the provisions of this Order, as may be necessary or desirable.

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



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

Jonathan P. LaBonte, Mayor

A Public Notice describing the repurposing of these Bond proceeds borrowed for Various Projects to the list above was published on or before May 2, 2016, in the Lewiston Sun-Journal, a daily newspaper published in the City of Auburn and in Androscoggin County.

A public hearing was held on May 16, 2016.

**Passage of first reading on 5/16/2016 7-0.
Passage of second reading on 6/6/2016 7-0.**

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 35-05162016

ORDERED, that the City Council hereby adopts the 5 year Capital Improvement Plan, presented to the City Council and School Committee by the City Manager and School Superintendent on March 14, 2016.

Passage on 5/16/2016 6-0 (Councilor Young was absent).

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 36-06062016

ORDERED, that the City Council hereby appoints the following individuals as Wardens and Ward Clerks for the June 14, 2016 Election.

Mary Ellen Dow	Warden
Wanda Brown	Warden
David Foster	Warden
Rick Duchesneau	Warden
Donna Martin	Ward Clerk
Christine Sirois	Ward Clerk
Jeannine Pelletier	Ward Clerk
Irene Noyes	Ward Clerk
Levi Gervais	Ward Clerk

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 37-06062016

ORDERED, that the City Council hereby approves the request to place temporary signs as noted in the letter of request as long as their placement does not affect sight distance for streets and adjacent driveways.

Passage on 6/6/2016 7-0.

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 38-06062016

ORDERED, that the City Council hereby authorizes the City Clerk to waive Flea Market fees, if applicable, for the Four Season's Market from June 7 through September 30, 2016 for events held on the Riverwalk near Festival Plaza. However, this does not exempt them from meeting all other licensing fees and requirements that may be applicable and all vendors participating that are required to hold a separate State or Municipal license must also meet those fees and requirements.

Failed on 6/6/2016 1-5-1 (Councilors Pross, Stone, Titus, Gilbert, and Burns opposed, Councilor Young abstained).

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 39-06062016

ORDERED, that the City Council hereby terminates the LA Public Health Committee Interlocal Agreement between the cities of Lewiston and Auburn.

Passage on 6/6/2016 6-1 (Councilor Young opposed).

**CITY OF AUBURN CITY COUNCIL
FINDINGS OF FACT, CONCLUSIONS OF LAW
AND ORDER OF DEMOLITION**

12 PATTON STREET

On June 20, 2016 at 7:00 pm, the Auburn City Council held a hearing at 60 Court Street in Auburn, Maine to determine whether the residential structure and garage (the “Structures”) at 12 Patton Street in Auburn, Maine, identified as Lot 23 on Tax Map 211, and further described in the deed recorded in the Androscoggin County Registry of Deeds at Book 3217, Page 247 (the “Premises”), are dangerous or nuisances pursuant to 17 M.R.S. § 2851. As such, the Council makes the following findings of fact and conclusions of law, and orders that the Structures be demolished.

Findings of Fact

Present at the hearing on this matter for the City was Eric Cousens, City Planner. The following individuals appeared on behalf of the owner and/or parties in interest: None.

After considering the testimony and evidence presented, the City Council makes the following findings of fact:

1. The Premises and Structures are owned by Lorena and David Jipson (the “Owners”). Planning, Permitting & Code Department (“Department”) Exhibit A.
2. Ms. Jipson and Mr. Jipson were each served a copy of the Notice of Hearing (“Notice”) on May 2, 2016. Department Exhibits C & D.
3. There are no other parties-in-interest.
4. A copy of that Notice was also recorded in the Androscoggin County Registry of Deeds at Book 9349 and Page 49. Department Exhibit B.
5. The Structures are structurally unsafe.
6. The Structures are abandoned and unfit for human occupancy due to the lack of utilities, including water, heat, and electricity, as well as major structural damage, including a completely collapsed roof on the garage and a failing foundation on the house.
7. It constitutes a hazard to health and safety because of inadequate maintenance, dilapidation, obsolescence, and abandonment.
8. It is unsanitary due to the fact that the interior is open to the elements.
9. It is a heightened fire hazard due to its proximity to neighbors and overgrown brush.

10. The Owners have been given the opportunity to remedy the conditions at the Premises but have failed to do so.

Conclusions of Law

Applying the legal standards set forth in 17 M.R.S. § 2851, the Auburn City Council reaches the following conclusions of law:

11. The Structures are structurally unsafe and unstable.
12. The Structures are unsanitary.
13. The Structures constitute a fire hazard.
14. The Structures are unsuitable and improper for human habitation.
15. The Structures are a hazard to health and safety because of inadequate maintenance, dilapidation, obsolescence and abandonment.
16. The Structures are dangerous to life and property.

Any one of these conclusions would be sufficient to support a finding that the Structures are a nuisance and dangerous building, and the Council hereby concludes that the Structures at 12 Patton Street are nuisances and dangerous buildings within the meaning of 17 M.R.S. § 2851.

Order #40-06202016

Having found that the Structures at 12 Patton Street are nuisances and dangerous buildings within the meaning of 17 M.R.S. § 2851, the Auburn City Council hereby ORDERS:

17. That the Owners, and/or their successors or assigns, demolish the Structures, remove all debris, and stabilize the site within thirty (30) days of service of this Order.
18. That if the Owners, and/or their successors or assigns, fail to comply with this Order in the time frame set forth herein, the City shall have the authority to carry out this Order.
19. That within thirty (30) days after demand by the City, the Owners, and/or their successors or assigns, shall reimburse the City for all expenses it incurs in connection with this proceeding, including, but not limited to, expenses for securing and maintaining the Structures, service and other costs incurred, attorneys' fees, and any and all demolition and clean-up costs.
20. That if the Owners, and/or their successors and assigns, fail to timely reimburse the City for the expenses provided for above, the City shall assess a special tax against the Premises, as provided for in 17 M.R.S. § 2853 and/or recover its costs by means of a collection action.

This decision may be appealed to Superior Court under Maine Rule of Civil Procedure 80B.

I, Susan Clements-Dallaire, City Clerk for the City of Auburn, certify that on June 20, 2016, the City of Auburn City Council adopted the above Order.

Dated:

Susan Clements-Dallaire
City Clerk

STATE OF MAINE
ANDROSCOGGIN, ss

June ____, 2016

Before me this day personally appeared Susan Clements-Dallaire who acknowledges the foregoing instrument to be her free act and deed.

Notary Public/Attorney at Law

Passage on 6/20/2016 6-0-1 (Councilor Walker abstained).

**CITY OF AUBURN CITY COUNCIL
FINDINGS OF FACT, CONCLUSIONS OF LAW
AND ORDER OF DEMOLITION**

12 PATTON STREET

On June 20, 2016 at 7:00 pm, the Auburn City Council held a hearing at 60 Court Street in Auburn, Maine to determine whether the residential structure and garage (the “Structures”) at 12 Patton Street in Auburn, Maine, identified as Lot 23 on Tax Map 211, and further described in the deed recorded in the Androscoggin County Registry of Deeds at Book 3217, Page 247 (the “Premises”), are dangerous or nuisances pursuant to 17 M.R.S. § 2851. As such, the Council makes the following findings of fact and conclusions of law, and orders that the Structures be demolished.

Findings of Fact

Present at the hearing on this matter for the City was Eric Cousens, City Planner. The following individuals appeared on behalf of the owner and/or parties in interest: None.

After considering the testimony and evidence presented, the City Council makes the following findings of fact:

1. The Premises and Structures are owned by Lorena and David Jipson (the “Owners”). Planning, Permitting & Code Department (“Department”) Exhibit A.
2. Ms. Jipson and Mr. Jipson were each served a copy of the Notice of Hearing (“Notice”) on May 2, 2016. Department Exhibits C & D.
3. There are no other parties-in-interest.
4. A copy of that Notice was also recorded in the Androscoggin County Registry of Deeds at Book 9349 and Page 49. Department Exhibit B.
5. The Structures are structurally unsafe.
6. The Structures are abandoned and unfit for human occupancy due to the lack of utilities, including water, heat, and electricity, as well as major structural damage, including a completely collapsed roof on the garage and a failing foundation on the house.
7. It constitutes a hazard to health and safety because of inadequate maintenance, dilapidation, obsolescence, and abandonment.
8. It is unsanitary due to the fact that the interior is open to the elements.
9. It is a heightened fire hazard due to its proximity to neighbors and overgrown brush.

10. The Owners have been given the opportunity to remedy the conditions at the Premises but have failed to do so.

Conclusions of Law

Applying the legal standards set forth in 17 M.R.S. § 2851, the Auburn City Council reaches the following conclusions of law:

11. The Structures are structurally unsafe and unstable.
12. The Structures are unsanitary.
13. The Structures constitute a fire hazard.
14. The Structures are unsuitable and improper for human habitation.
15. The Structures are a hazard to health and safety because of inadequate maintenance, dilapidation, obsolescence and abandonment.
16. The Structures are dangerous to life and property.

Any one of these conclusions would be sufficient to support a finding that the Structures are a nuisance and dangerous building, and the Council hereby concludes that the Structures at 12 Patton Street are nuisances and dangerous buildings within the meaning of 17 M.R.S. § 2851.

Order #40-06202016

Having found that the Structures at 12 Patton Street are nuisances and dangerous buildings within the meaning of 17 M.R.S. § 2851, the Auburn City Council hereby ORDERS:

17. That the Owners, and/or their successors or assigns, demolish the Structures, remove all debris, and stabilize the site within thirty (30) days of service of this Order.
18. That if the Owners, and/or their successors or assigns, fail to comply with this Order in the time frame set forth herein, the City shall have the authority to carry out this Order.
19. That within thirty (30) days after demand by the City, the Owners, and/or their successors or assigns, shall reimburse the City for all expenses it incurs in connection with this proceeding, including, but not limited to, expenses for securing and maintaining the Structures, service and other costs incurred, attorneys' fees, and any and all demolition and clean-up costs.
20. That if the Owners, and/or their successors and assigns, fail to timely reimburse the City for the expenses provided for above, the City shall assess a special tax against the Premises, as provided for in 17 M.R.S. § 2853 and/or recover its costs by means of a collection action.

This decision may be appealed to Superior Court under Maine Rule of Civil Procedure 80B.

I, Susan Clements-Dallaire, City Clerk for the City of Auburn, certify that on June 20, 2016, the City of Auburn City Council adopted the above Order.

Dated: 6/21/16

Susan Clements-Dallaire
Susan Clements-Dallaire
City Clerk

STATE OF MAINE
ANDROSCOGGIN, ss

June 21, 2016

Before me this day personally appeared Susan Clements-Dallaire who acknowledges the foregoing instrument to be her free act and deed.

Karen S Thibodeau
Notary Public/Attorney at Law

KAREN S THIBODEAU
Notary Public, Maine
My Commission Expires January 6, 2022

Passage on 6/20/2016 6-0-1 (Councilor Walker abstained).

**CITY OF AUBURN CITY COUNCIL
FINDINGS OF FACT, CONCLUSIONS OF LAW
AND ORDER OF DEMOLITION**

16 NEWBURY STREET

On June 20, 2016 at 7:00 pm, the Auburn City Council held a hearing at 60 Court Street in Auburn, Maine to determine whether the front residential structures (the “Structures”) at 16 and 18 Newbury Street (“16 Newbury” and “18 Newbury,” respectively) in Auburn, Maine, identified as Lot 35 on Tax Map 231, and further described in the deed recorded in the Androscoggin County Registry of Deeds at Book 2682, Page 139 (the “Premises”), are dangerous or nuisances pursuant to 17 M.R.S. § 2851. As such, the Council makes the following findings of fact and conclusions of law, and orders that the Structure be demolished.

Findings of Fact

Present at the hearing on this matter for the City was Eric Cousens, City Planner. The following individuals appeared on behalf of the owner and/or parties in interest:

After considering the testimony and evidence presented, the City Council makes the following findings of fact:

1. The Premises and Structures are owned by Judith LaChappelle and Bernard Ouellette (the “Owners”). Planning, Permitting & Code Department (“Department”) Exhibits A & B.
2. Ms. LaChappelle and Mr. Ouellette were separately served with copies of the Notice of Hearing (“Notice”) on April 27, 2016. Department Exhibits D and E.
3. Party-in-Interest Rocheleau & Associates, P.A. was served with a copy of the Notice on June 6, 2016. Department Exhibit F.
4. Party-in-Interest Northern Utilities, Inc. was served with a copy of the Notice on April 26, 2016. Department Exhibit G.
5. Party-in-Interest Herbert C. Wood was served with a copy of the Notice on June 1, 2016. Department Exhibit H.
6. A copy of that Notice was also recorded in the Androscoggin County Registry of Deeds at Book 9349 and Page 48. Department Exhibit C.
7. 16 Newbury is structurally unsafe.
8. The Structures are both abandoned, unsecured, and unfit for human occupancy due to the lack of utilities, including water, heat, and electricity, as well as major structural damage.
9. The Structures constitute hazards to health and safety because of inadequate maintenance, dilapidation, obsolescence, and abandonment.

10. The Structures are unsanitary due to the fact that the interiors are open to the elements.
11. The Structures are a heightened fire hazard and attractive to vandals due to their proximity to neighbors and 16 Newbury has already suffered a fire.
12. The Owners have been given the opportunity to remedy the conditions at the Premises but have failed to do so.

Conclusions of Law

Applying the legal standards set forth in 17 M.R.S. § 2851, the Auburn City Council reaches the following conclusions of law:

13. 16 Newbury is structurally unsafe and unstable.
14. The Structures are both unsanitary.
15. The Structures both constitute a fire hazard.
16. The Structures are unsuitable and improper for human habitation.
17. The Structures are hazards to health and safety because of inadequate maintenance, dilapidation, obsolescence and abandonment.
18. The Structures are dangerous to life and property.

Any one of these conclusions would be sufficient to support a finding that the Structures are nuisances and dangerous buildings, and the Council hereby concludes that the Structures at 16 and 18 Newbury Street are nuisances and dangerous buildings within the meaning of 17 M.R.S. § 2851.

Order # 41-06202016

Having found that the Structures at 16 Newbury Street are nuisances and dangerous buildings within the meaning of 17 M.R.S. § 2851, the Auburn City Council hereby ORDERS:

19. That the Owners, and/or their successors or assigns, immediately secure the doors and all broken ground floor windows on the Structures
20. That the Owners, and/or their successors or assigns, demolish the Structures, remove all debris, and stabilize the site within thirty (30) days of service of this Order.
21. That if the Owners, and/or their successors or assigns, fail to comply with this Order in the time frames set forth herein, the City shall have the authority to carry out this Order.
22. That within thirty (30) days after demand by the City, the Owners, and/or their successors or assigns, shall reimburse the City for all expenses it incurs in connection with this proceeding, including, but not limited to, expenses for securing and maintaining the Structures, service and other costs incurred, attorneys' fees, and any and all demolition

and clean-up costs.

23. That if the Owners, and/or their successors and assigns, fail to timely reimburse the City for the expenses provided for above, the City shall assess a special tax against the Premises, as provided for in 17 M.R.S. § 2853 and/or recover its costs by means of a collection action.

This decision may be appealed to Superior Court under Maine Rule of Civil Procedure 80B.

I, Susan Clements-Dallaire, City Clerk for the City of Auburn, certify that on June 20, 2016, the City of Auburn City Council adopted the above Order.

Dated:

Susan Clements-Dallaire
City Clerk

STATE OF MAINE
ANDROSCOGGIN, ss

June ____, 2016

Before me this day personally appeared Susan Clements-Dallaire who acknowledges the foregoing instrument to be her free act and deed.

Notary Public/Attorney at Law

Passage on 6/20/2016 7-0.

**CITY OF AUBURN CITY COUNCIL
FINDINGS OF FACT, CONCLUSIONS OF LAW
AND ORDER OF DEMOLITION**

16 NEWBURY STREET

On June 20, 2016 at 7:00 pm, the Auburn City Council held a hearing at 60 Court Street in Auburn, Maine to determine whether the front residential structures (the “Structures”) at 16 and 18 Newbury Street (“16 Newbury” and “18 Newbury,” respectively) in Auburn, Maine, identified as Lot 35 on Tax Map 231, and further described in the deed recorded in the Androscoggin County Registry of Deeds at Book 2682, Page 139 (the “Premises”), are dangerous or nuisances pursuant to 17 M.R.S. § 2851. As such, the Council makes the following findings of fact and conclusions of law, and orders that the Structure be demolished.

Findings of Fact

Present at the hearing on this matter for the City was Eric Cousens, City Planner. The following individuals appeared on behalf of the owner and/or parties in interest:

After considering the testimony and evidence presented, the City Council makes the following findings of fact:

1. The Premises and Structures are owned by Judith LaChappelle and Bernard Ouellette (the “Owners”). Planning, Permitting & Code Department (“Department”) Exhibits A & B.
2. Ms. LaChappelle and Mr. Ouellette were separately served with copies of the Notice of Hearing (“Notice”) on April 27, 2016. Department Exhibits D and E.
3. Party-in-Interest Rocheleau & Associates, P.A. was served with a copy of the Notice on June 6, 2016. Department Exhibit F.
4. Party-in-Interest Northern Utilities, Inc. was served with a copy of the Notice on April 26, 2016. Department Exhibit G.
5. Party-in-Interest Herbert C. Wood was served with a copy of the Notice on June 1, 2016. Department Exhibit H.
6. A copy of that Notice was also recorded in the Androscoggin County Registry of Deeds at Book 9349 and Page 48. Department Exhibit C.
7. 16 Newbury is structurally unsafe.
8. The Structures are both abandoned, unsecured, and unfit for human occupancy due to the lack of utilities, including water, heat, and electricity, as well as major structural damage.
9. The Structures constitute hazards to health and safety because of inadequate maintenance, dilapidation, obsolescence, and abandonment.

10. The Structures are unsanitary due to the fact that the interiors are open to the elements.
11. The Structures are a heightened fire hazard and attractive to vandals due to their proximity to neighbors and 16 Newbury has already suffered a fire.
12. The Owners have been given the opportunity to remedy the conditions at the Premises but have failed to do so.

Conclusions of Law

Applying the legal standards set forth in 17 M.R.S. § 2851, the Auburn City Council reaches the following conclusions of law:

13. 16 Newbury is structurally unsafe and unstable.
14. The Structures are both unsanitary.
15. The Structures both constitute a fire hazard.
16. The Structures are unsuitable and improper for human habitation.
17. The Structures are hazards to health and safety because of inadequate maintenance, dilapidation, obsolescence and abandonment.
18. The Structures are dangerous to life and property.

Any one of these conclusions would be sufficient to support a finding that the Structures are nuisances and dangerous buildings, and the Council hereby concludes that the Structures at 16 and 18 Newbury Street are nuisances and dangerous buildings within the meaning of 17 M.R.S. § 2851.

Order # 41-06202016

Having found that the Structures at 16 Newbury Street are nuisances and dangerous buildings within the meaning of 17 M.R.S. § 2851, the Auburn City Council hereby ORDERS:

19. That the Owners, and/or their successors or assigns, immediately secure the doors and all broken ground floor windows on the Structures
20. That the Owners, and/or their successors or assigns, demolish the Structures, remove all debris, and stabilize the site within thirty (30) days of service of this Order.
21. That if the Owners, and/or their successors or assigns, fail to comply with this Order in the time frames set forth herein, the City shall have the authority to carry out this Order.
22. That within thirty (30) days after demand by the City, the Owners, and/or their successors or assigns, shall reimburse the City for all expenses it incurs in connection with this proceeding, including, but not limited to, expenses for securing and maintaining the Structures, service and other costs incurred, attorneys' fees, and any and all demolition

and clean-up costs.

23. That if the Owners, and/or their successors and assigns, fail to timely reimburse the City for the expenses provided for above, the City shall assess a special tax against the Premises, as provided for in 17 M.R.S. § 2853 and/or recover its costs by means of a collection action.

This decision may be appealed to Superior Court under Maine Rule of Civil Procedure 80B.

I, Susan Clements-Dallaire, City Clerk for the City of Auburn, certify that on June 20, 2016, the City of Auburn City Council adopted the above Order.

Dated: 6/21/16

Susan Clements Dallaire
Susan Clements-Dallaire
City Clerk

STATE OF MAINE
ANDROSCOGGIN, ss

June 21, 2016

Before me this day personally appeared Susan Clements-Dallaire who acknowledges the foregoing instrument to be her free act and deed.

Karen S Thibodeau
Notary Public/Attorney at Law

KAREN S THIBODEAU
Notary Public, Maine
My Commission Expires January 6, 2022

Passage on 6/20/2016 7-0.

**CITY OF AUBURN CITY COUNCIL
FINDINGS OF FACT, CONCLUSIONS OF LAW
AND ORDER OF DEMOLITION**

180 STATION ROAD

On June 20, 2016 at 7:00 pm, the Auburn City Council held a hearing at 60 Court Street in Auburn, Maine to determine whether the industrial structure (the “Structure”) at 180 Station Road in Auburn, Maine, identified as Lot 3 on Tax Map 95, and further described in the deed recorded in the Androscoggin County Registry of Deeds at Book 4180, Page 81 (the “Premises”), is dangerous or a nuisance pursuant to 17 M.R.S. § 2851. As such, the Council makes the following findings of fact and conclusions of law, and orders that the Structure be demolished.

Findings of Fact

Present at the hearing on this matter for the City was Eric Cousens, City Planner. The following individuals appeared on behalf of the owner and/or parties in interest: None.

After considering the testimony and evidence presented, the City Council makes the following findings of fact:

1. The Premises and Structure is owned by Michael Farrell (the “Owner”). Planning, Permitting & Code Department (“Department”) Exhibits A.
2. Mr. Farrell was served with a copy of the Notice of Hearing (“Notice”) on May 27, 2016. Department Exhibits C.
3. Party-in-Interest TD Bank, N.A., as successor to People’s Heritage Bank was served with a copy of the Notice on June 6, 2016. Department Exhibit D.
4. A copy of that Notice was also recorded in the Androscoggin County Registry of Deeds at Book 9370 and Page 190. Department Exhibit B.
5. The Structure is structurally unsafe.
6. The Structure is abandoned and unfit for storage due to the lack of utilities, as well as major structural damage.
7. It constitutes a hazard to health and safety because of inadequate maintenance, dilapidation, obsolescence, and abandonment.
8. It is unsanitary due to the fact that the interior is open to the elements and loaded with trash and debris.
9. It is a heightened fire hazard and target for vandalism due to its remote location and current appearance and fire loading with flammable materials.

10. The Owner has been given the opportunity to remedy the conditions at the Premises but has failed to do so.

Conclusions of Law

Applying the legal standards set forth in 17 M.R.S. § 2851, the Auburn City Council reaches the following conclusions of law:

11. The Structure is structurally unsafe and unstable.
12. The Structure is unsanitary.
13. The Structure constitutes a fire hazard.
14. The Structure is unsuitable and improper for the use to which it is put.
15. The Structure is a hazard to health and safety because of inadequate maintenance, dilapidation, obsolescence and abandonment.
16. The Structure is dangerous to life and property.

Any one of these conclusions would be sufficient to support a finding that the Structure is a nuisance and dangerous building, and the Council hereby concludes that the Structure at 180 Station Road is a nuisance and dangerous building within the meaning of 17 M.R.S. § 2851.

Order #42-06202016

Having found that the Structure at 180 Station Road is a nuisance and dangerous building within the meaning of 17 M.R.S. § 2851, the Auburn City Council hereby ORDERS:

17. That the Owner, and/or his successors or assigns, demolish the Structure, remove all debris, and stabilize the site within thirty (30) days of service of this Order.
18. That if the Owner, and/or his successors or assigns, fail to comply with this Order in the time frame set forth herein, the City shall have the authority to carry out this Order.
19. That within thirty (30) days after demand by the City, the Owner, and/or his successors or assigns, shall reimburse the City for all expenses it incurs in connection with this proceeding, including, but not limited to, expenses for securing and maintaining the Structure, service and other costs incurred, attorneys' fees, and any and all demolition and clean-up costs.
20. That if the Owner, and/or his successors and assigns, fail to timely reimburse the City for the expenses provided for above, the City shall assess a special tax against the Premises, as provided for in 17 M.R.S. § 2853 and/or recover its costs by means of a collection action.

This decision may be appealed to Superior Court under Maine Rule of Civil Procedure 80B.

I, Susan Clements-Dallaire, City Clerk for the City of Auburn, certify that on June 20, 2016, the City of Auburn City Council adopted the above Order.

Dated: 6/21/16

Susan Clements-Dallaire
Susan Clements-Dallaire
City Clerk

STATE OF MAINE
ANDROSCOGGIN, ss

June 21, 2016

Before me this day personally appeared Susan Clements-Dallaire who acknowledges the foregoing instrument to be her free act and deed.

Karen S Thibodeau
Notary Public/Attorney at Law

KAREN S THIBODEAU
Notary Public, Maine
My Commission Expires January 6, 2022

Passage on 6/20/2016 5-0-2 (Councilors Walker and Pross opposed).

**CITY OF AUBURN CITY COUNCIL
FINDINGS OF FACT, CONCLUSIONS OF LAW
AND ORDER OF DEMOLITION**

180 STATION ROAD

On June 20, 2016 at 7:00 pm, the Auburn City Council held a hearing at 60 Court Street in Auburn, Maine to determine whether the industrial structure (the “Structure”) at 180 Station Road in Auburn, Maine, identified as Lot 3 on Tax Map 95, and further described in the deed recorded in the Androscoggin County Registry of Deeds at Book 4180, Page 81 (the “Premises”), is dangerous or a nuisance pursuant to 17 M.R.S. § 2851. As such, the Council makes the following findings of fact and conclusions of law, and orders that the Structure be demolished.

Findings of Fact

Present at the hearing on this matter for the City was Eric Cousens, City Planner. The following individuals appeared on behalf of the owner and/or parties in interest: None.

After considering the testimony and evidence presented, the City Council makes the following findings of fact:

1. The Premises and Structure is owned by Michael Farrell (the “Owner”). Planning, Permitting & Code Department (“Department”) Exhibits A.
2. Mr. Farrell was served with a copy of the Notice of Hearing (“Notice”) on May 27, 2016. Department Exhibits C.
3. Party-in-Interest TD Bank, N.A., as successor to People’s Heritage Bank was served with a copy of the Notice on June 6, 2016. Department Exhibit D.
4. A copy of that Notice was also recorded in the Androscoggin County Registry of Deeds at Book 9370 and Page 190. Department Exhibit B.
5. The Structure is structurally unsafe.
6. The Structure is abandoned and unfit for storage due to the lack of utilities, as well as major structural damage.
7. It constitutes a hazard to health and safety because of inadequate maintenance, dilapidation, obsolescence, and abandonment.
8. It is unsanitary due to the fact that the interior is open to the elements and loaded with trash and debris.
9. It is a heightened fire hazard and target for vandalism due to its remote location and current appearance and fire loading with flammable materials.

10. The Owner has been given the opportunity to remedy the conditions at the Premises but has failed to do so.

Conclusions of Law

Applying the legal standards set forth in 17 M.R.S. § 2851, the Auburn City Council reaches the following conclusions of law:

11. The Structure is structurally unsafe and unstable.
12. The Structure is unsanitary.
13. The Structure constitutes a fire hazard.
14. The Structure is unsuitable and improper for the use to which it is put.
15. The Structure is a hazard to health and safety because of inadequate maintenance, dilapidation, obsolescence and abandonment.
16. The Structure is dangerous to life and property.

Any one of these conclusions would be sufficient to support a finding that the Structure is a nuisance and dangerous building, and the Council hereby concludes that the Structure at 180 Station Road is a nuisance and dangerous building within the meaning of 17 M.R.S. § 2851.

Order #42-06202016

Having found that the Structure at 180 Station Road is a nuisance and dangerous building within the meaning of 17 M.R.S. § 2851, the Auburn City Council hereby ORDERS:

17. That the Owner, and/or his successors or assigns, demolish the Structure, remove all debris, and stabilize the site within thirty (30) days of service of this Order.
18. That if the Owner, and/or his successors or assigns, fail to comply with this Order in the time frame set forth herein, the City shall have the authority to carry out this Order.
19. That within thirty (30) days after demand by the City, the Owner, and/or his successors or assigns, shall reimburse the City for all expenses it incurs in connection with this proceeding, including, but not limited to, expenses for securing and maintaining the Structure, service and other costs incurred, attorneys' fees, and any and all demolition and clean-up costs.
20. That if the Owner, and/or his successors and assigns, fail to timely reimburse the City for the expenses provided for above, the City shall assess a special tax against the Premises, as provided for in 17 M.R.S. § 2853 and/or recover its costs by means of a collection action.

This decision may be appealed to Superior Court under Maine Rule of Civil Procedure 80B.

I, Susan Clements-Dallaire, City Clerk for the City of Auburn, certify that on June 20, 2016, the City of Auburn City Council adopted the above Order.

Dated:

Susan Clements-Dallaire
City Clerk

STATE OF MAINE
ANDROSCOGGIN, ss

June ____, 2016

Before me this day personally appeared Susan Clements-Dallaire who acknowledges the foregoing instrument to be her free act and deed.

Notary Public/Attorney at Law

Passage on 6/20/2016 5-0-2 (Councilors Walker and Pross opposed).

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



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

Jonathan P. LaBonte, Mayor

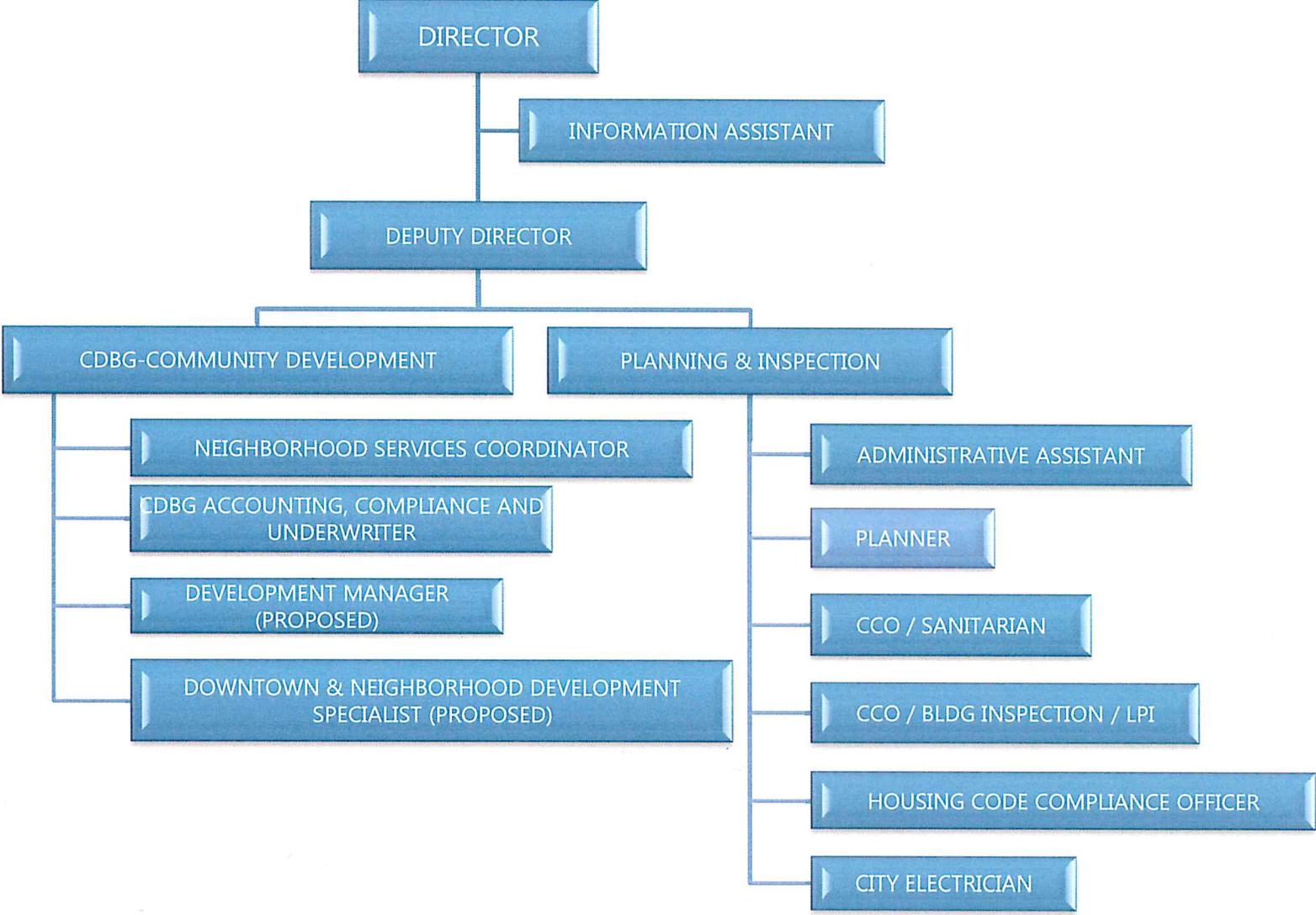
IN CITY COUNCIL

ORDER 43-06202016

ORDERED, that pursuant to the City Charter Section 7.1 paragraph A, that it be hereby established the Economic and Community Development Department be established which will include the Economic Development, Planning and Permitting, and Community Development Departments. See attached organizational chart.

Passage on 6/20/2016 7-0.

COMMUNITY PLANNING & DEVELOPMENT (proposed)



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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 44-06202016

ORDERED, that the Auburn City Council hereby approves the Special Event/Mass Gathering application for Liberty Festival to be held, July 2nd, 2016 through July 6th, 2016 at Great Falls, Festival Plaza, and surrounding areas. Set up would begin July 2nd and clean up would be completed on July 5th (rain date July 6th).

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 45-07112016

ORDERED, that the City Council hereby appoints Robert Stone to serve on the Maine Municipal Associations Legislative Policy Committee for the 2016-2018 term.

Passage on 7/11/2016 6-0 (Councilor Burns was not present for the vote).

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 46-07112016

ORDERED, that the City Council hereby confirms Chief Crowell's appointment of Devon A. Bohacik as a Constable with firearm for the Auburn Police Department.

Passage on 7/11/2016 6-0 (Councilor Burns was not present for the vote).

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 48-07112016

ORDERED, that the City Council hereby authorizes the Finance Director to dispose of the Tax Acquired Property listed on the attachment, in accordance with the City of Auburn Policy regarding the acquisition and disposition of Tax Acquired Property.

Passage on 7/11/2016 6-0-1 (Councilor Walker abstained).

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

Order 49-07112016

Ordered, that the City Council hereby amends Order 30-05162016 (b) which was previously adopted at the 5/16/2016 City Council meeting as follows;

Ordered that the City Council authorizes the City Manager to enter into a Supplemental Lease Agreements for Cellular Micro-site Locations on City poles or Structures at 650 Center Street and other locations as proposed and approved at a staff level with Portland Cellular Partnership, a Maine general partnership, d/b/a Verizon Wireless.

This resolve authorizes that proposed site locations may be reviewed, acted upon and lease addendums signed by the City Manager, with input from staff as they are proposed individually or as a group, prior to installation, authorizing individual locations. This authorization shall only apply to proposed lease rates of ~~\$250~~ \$200 per location per month or greater and adjusted annually by ~~the CIP-Urban~~ 2% for future years beginning in 2016. Individual proposed locations shall be compared to the City's long range plans to confirm that they are either:

- 1) Not located in areas where the City intends to eliminate overhead utilities (Currently the New Auburn Village Center, possibly the Minot Avenue corridor between High and Court Streets); or
- 2) In areas where the City intends to eliminate overhead utilities the micro site locations shall only be allowed on poles or structures such as buildings, traffic signals and street light poles that will need to remain in place after the utility work.

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 50-07112016

ORDERED, that the City Council hereby accepts the letter of resignation from City Manager Howard Kroll dated July 1, 2016 with Friday, September 9, 2016 being his last day.

Passage on 7/11/2016 7-0.

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 51-07182016

ORDERED, that the City Council hereby approves the request from Anthea Thorpe, co-captain of The Dempsey Challenge Team "Team McKesson" to waive the \$50 flea market fee for the fundraiser for the Dempsey Center held on July 16, 2016.

Passage on 7/18/2016 4-3 (Councilors Pross, Titus, and Burns opposed).

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 52-08012016

ORDERED, that the City Council hereby authorize the City Manager to execute the amendment to Article 19 of the MAP Auburn Command Unit Collective Bargaining Agreement.

Passage on 8/1/2016 7-0.

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 53-08012016

ORDERED, that the City Council hereby authorizes the City Manager to execute the Collective Bargaining Agreement with I.A.F.F. (International Association of Firefighters) Local 797 for July 1, 2016 through June 30, 2019.

Passage on 8/1/2016 6-1 (Councilor Titus opposed).

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 54-08152016

ORDERED, that the City Council hereby casts their votes for the following individuals to serve on the Androscoggin County Budget Committee;

District 5

Name(s) Andy Titus

District 6

Name(s) Norm Beuparlant and Steve Bolduc

Passage on 8/15/2016 6-0-1 (Councilor Walker abstained).

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 55-08152016

ORDERED, that the City Council hereby names Tyler A. Ham as a Constable with a firearm for the Auburn Police Department.

Passage on 8/15/2016 5-1 (Councilor Titus opposed, Councilor Pross absent).

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 56-09122016

ORDERED, that the City Council hereby accept the transfer of \$1,601.00 forfeiture assets in U.S. currency to the Auburn Police Department (Superior Court Criminal Action Docket No. CR-15-31 – Anthony Borrrome).

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 57-09122016

ORDERED, that the City Council hereby accept the transfer of \$1,561.00 forfeiture assets in U.S. currency to the Auburn Police Department (Superior Court Criminal Action Docket No. CR-15-1277 – Hector Jimenez).

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 58-09122016

ORDERED, that the City Council hereby sets the time for opening the polls for the November 8, 2016 Election at 7:00 AM.

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 59-09122016

ORDERED, that the City Council hereby approves the City funding request (funding source HOME funds) for the Spring Street project, contingent upon passage of Orders 60-09122016 and 61-09122016.

A TRUE COPY

ATTEST _____
Susan Clements-Dallaire, City Clerk 9-19-2016

Passage on 9/12/2016 7-0.

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



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

Jonathan P. LaBonte, Mayor

**IN CITY COUNCIL
SEPTEMBER 12, 2016
ORDER 60-09122016**

WHEREAS, the City of Auburn (“the City”) designated its Downtown Municipal Development and Tax Increment Financing District #10 (“the Downtown District”) and adopted the Development Program for such district initially in 2002; and

WHEREAS, the City adopted the First Amendment to the development program in 2014 in order to add acreage, add some public projects and allow the ability for the City to enter into credit enhancement agreements; and

WHEREAS, the City entered into a credit enhancement agreement dated as of September 8, 2014 with the Auburn Housing Development Corporation relating to the property known on City tax maps as Map 240, Lot 257 but the project has not yet commenced; and

WHEREAS, the City has received a request for a new credit enhancement agreement from the developer of such mixed use project at the same lot, located inside the Downtown District, that would go beyond the statutory limit on the term of years for the Downtown District; and

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

WHEREAS, there is a need to improve and broaden the tax base in the City of Auburn; and to improve the general economy of the City of Auburn and the region by attracting business development in the Downtown District; and

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

WHEREAS, pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, the City desires to amend the Downtown District and approve the **Second Amendment to the Downtown Municipal Development and Tax Increment Financing District #10** (the “Second Amendment”) in order to remove the area to be developed in the 62 Spring Street mixed use and affordable housing project; and

WHEREAS, it is expected that approval will be obtained from the State of Maine Department of Economic and Community Development approving this Second Amendment; and

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



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

Jonathan P. LaBonte, Mayor

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

Section 1 The City of Auburn hereby approves the Second Amendment to the Downtown District and the development program for such district. The Second Amendment shall be pursuant to the following findings, terms, and provisions:

Section 2 The City Council hereby finds and determines that:

a. This amendment to the Downtown District development program will not result in the Downtown District falling out of compliance with any of the conditions of 30-A M.R.S.A. Section 5223(3); and

b. The pursuit of the Downtown District development program will make a contribution to the economic growth and wellbeing of the City of Auburn and the surrounding region, and will contribute to the betterment of the health, welfare, and safety of the inhabitants of the City of Auburn, including a broadened and improved tax base and economic stimulus, and therefore constitutes a good and valid public purpose. The City has considered all evidence, if any, presented to it with regard to any adverse economic effects on or detriment to any existing business, if any, is outweighed by the contribution expected to be made through the amendment to the Downtown District and Downtown District development program.

Section 3 Pursuant to the provisions of 30-A M.R.S.A. § 5227, the percentage of increased assessed value to be retained as captured assessed value in accordance with the Downtown District development program is hereby set forth in the Downtown District development program.

Section 4 The City Manager, or his duly appointed representative, is hereby authorized, empowered, and directed to submit the proposed Second Amendment to the Downtown District and the Downtown District and the development program therefor to the State of Maine Department for Economic and Community Development for review and approval pursuant to the requirements of 30-A M.R.S.A. § 5226.

Section 5 The foregoing adoption of the Second Amendment shall automatically become final and shall take full force and effect upon receipt by the City of approval by the State of Maine Department of Economic and Community Development, without requirement of further action by the City, the City Council, or any other party.

Section 6 The City Manager, or his duly appointed representative, is hereby authorized and empowered, at his discretion, from time to time, to make such revisions to the Downtown District and to the Downtown District development program as the City Manager

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



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

Jonathan P. LaBonte, Mayor

deems reasonably necessary or convenient in order to facilitate the process for review and approval of the Downtown District by the State of Maine Department of Economic and Community Development, or for any other reason, so long as such revisions are not inconsistent with these resolutions or the basic structure and intent of the Downtown District development program.

A TRUE COPY

ATTEST _____
Susan Clements-Dallaire, City Clerk 9/14/2016

Passage on 9/12/2016 7-0.

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



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

Jonathan P. LaBonte, Mayor

**IN CITY COUNCIL
SEPTEMBER 12, 2016
ORDER 61-09122016**

WHEREAS, the City of Auburn (the "City") is authorized pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended (the "Act"), to designate a specified area within the City as the **62 Spring Street Municipal Development and Tax Increment Financing District (#20)** (the "District") and adopt a development program (the "Development Program") for the District pursuant to the Act; and

WHEREAS, there is a need for economic development in the City of Auburn, in the surrounding region, and in the State of Maine; and

WHEREAS, there is a need to improve and broaden the tax base of the City of Auburn; and to improve the general economy of the City of Auburn and the surrounding region; and

WHEREAS, designation of the District and adoption of the Development Program will help to improve and broaden the tax base in the City of Auburn and improve the economy of the City of Auburn and the region by attracting business development to the District; and

WHEREAS, the City desires to designate the District and adopt the Development Program; and

WHEREAS, it is expected that approval will be obtained from the State of Maine Department of Economic and Community Development (the "Department"), approving the designation of the District and adoption of the Development Program.

ORDERED AS FOLLOWS:

Section 1. The City of Auburn hereby designates the 62 Spring Street Municipal Development and Tax Increment Financing District (#20) and hereby adopts the Development Program for said District; such designation and adoption to be pursuant to the following findings, terms, and provisions:

Section 2. The City Council hereby finds and determines that:

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



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

Jonathan P. LaBonte, Mayor

a. At least twenty-five percent (25%), by area, of the real property within the District, as hereinafter designated, is suitable for commercial uses; and

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

c. The original assessed value of all existing and proposed tax increment financing districts (including the proposed District) does not exceed five percent (5%) of the total value of equalized taxable property within the City as of the most recent April 1 for which such value is available; and

d. The designation of the District and adoption of the related Development Program will make a contribution to the economic growth and well-being of the City of Auburn and the surrounding region, and will contribute to the betterment of the health, welfare and safety of the inhabitants of the City of Auburn, including a broadened and improved tax base and economic stimulus, and therefore constitutes a good and valid public purpose. The City Council has considered all evidence, if any, presented to it with regard to any adverse economic effect on or detriment to any existing business and has found and determined that such adverse economic effect on or detriment to any existing business, if any, is outweighed by the contribution expected to be made through the District and the Development Program.

Section 3. The City Manager, or his duly appointed representative, is hereby authorized, empowered and directed to submit the proposed designation of the District and the proposed Development Program for the District to the Department for review and approval pursuant to the requirements of 30-A M.R.S.A. § 5226; and further is authorized to execute a Credit Enhancement Agreement consistent with the provisions of the District's Development Program as presented and approved herein, and to create the accounts and take all the actions described in such agreements.

Section 4. The foregoing designation of the District and approval of the Development Program shall automatically become final and shall take full force and effect upon receipt by the City of approval of the designation of the District and adoption of the Development Program by the Department, without requirement of further action by the City, the City Council, or any other party.

Section 5. The City Manager, or his duly appointed representative, is hereby authorized and empowered, at his/her discretion, from time to time, to make such revisions to the

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



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

Jonathan P. LaBonte, Mayor

Development Program as the City Manager, or his duly appointed representative, deems reasonably necessary or convenient in order to facilitate the process for review and approval of the District and/or the Development Program by the Department, or for any other reason, so long as such revisions are not inconsistent with these resolutions or the basic structure and intent of the District and the Development Program.

A TRUE COPY

ATTEST _____
Susan Clements-Dallaire, City Clerk 9/14/2016

Passage on 9/12/2016 7-0.

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 62--09192016

ORDERED, that the City Council hereby appoints the following board and committee members as nominated by the Appointment Committee on 9/12/2016;

Board or Committee	Term Exp. Date	Name
Auburn Housing Authority	10/01/2021	Richard Valcourt (re-appointment)
CDBG Loan Committee	10/01/2019 10/01/2019 10/01/2019 10/01/2018	Ann Parker (re-appointment) Nikki Chabot (re-appointment) Christopher Bouchard (new appointment) Darcy Perkins-Phinney (new appointment)
Conservation Commission	6/1/2019 6/1/2019	Robert Sipe (re-appointment) Jordan Tate (re-appointment)
Finance Committee (alternate member)	12/01/2017	Benoit Blondeau (new appointment)
Parks and Recreation Advisory Board	10/01/2017 10/01/2017 10/01/2017 10/01/2018 10/01/2018 10/01/2018	Tizz E.H. Crowley (W1) Howard Fogle (W2) Belinda Gerry (W5) Misty Edgecomb (W2) Janice Barrett (W3) Dana Staples (W5) All new appointments
Zoning Board of Appeals (Associate member)	10/01/2019	Dana Staples (new appointment)

Passage on 9/19/2016 5-2 (Councilors Stone and Titus opposed).

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 63-10032016

ORDERED, that the City Council hereby adopts the attached By-laws of the Auburn-Lewiston Advisory Cable TV Committee.

Passage on 10/03/2016 7-0.

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 64 - 10032016

ORDERED, that the City Council hereby approves the request for Saint Dominic Academy to place a temporary sign for its Holiday Festival to be placed on Mount Auburn Avenue beside Starbucks from October 21st to November 7th. The event will take place on November 5, 2016.

Passage on 10/3/2016 7-0.

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 65 - 10032016

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

Passage on 10/3/2016 7-0.

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 66 - 10032016

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

Passage on 10/3/2016 7-0.

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 67 - 10032016

ORDERED, that the City Council hereby approves the annual renewal request for an Auto Graveyard/Junkyard permit for Prolerized New England Company, LLC., 522 Washington St. North.

Passage on 10/3/2016 7-0.

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 68 - 10032016

ORDERED, that the City Council hereby approves the annual renewal request for an Auto Graveyard/Junkyard permit for Isadore T. Miller, 79 & 80 Hotel Road.

Passage on 10/3/2016 7-0.

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 69 - 10032016

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

Passage on 10/3/2016 7-0.

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 70-10172016

ORDERED, that the City Council hereby appoints the following individuals as Wardens and Ward Clerks for the November 8, 2016 Election.

David Foster – Warden
Irene Noyes - Warden

Donna Martin - Ward Clerk
Christine Sirois - Ward Clerk
Jeannine Pelletier - Ward Clerk
Levi Gervais - Ward Clerk

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 71 - 10172016

ORDERED, that the City Council hereby approves the Auto Graveyard/Junkyard permit for TY Auto, located at 249 Merrow Road.

Passage on 10/17/2016 7-0.

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 73-10172016

ORDERED, that the City Council hereby authorizes the Acting City Manager to execute the land lease between the City of Auburn and the Lewiston-Auburn Transit Committee.

Passage on 10/17/2016 7-0.

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 74-10172016

ORDERED, that the City Council hereby authorizes the Acting City Manager to sign a Memorandum of Understanding between the Lewiston-Auburn Transit Committee (LATC) and the City of Auburn.

Passage on 10/17/2016 7-0.

**CITY OF AUBURN CITY COUNCIL
FINDINGS OF FACT, CONCLUSIONS OF LAW
AND ORDER OF DEMOLITION**

741 BROAD STREET

On October 17, 2016 at 7:00 pm, the Auburn City Council held a hearing at 60 Court Street in Auburn, Maine to determine whether the five structures (the "Structures") at 741 Broad Street in Auburn, Maine, more particularly described in the deed recorded in the Androscoggin County Registry of Deeds at Book 5886, Page 110 (the "Premises"), are dangerous or nuisances pursuant to 17 M.R.S. § 2851. As such, the Council makes the following findings of fact and conclusions of law, and orders that the Structures be demolished.

Findings of Fact

Present at the hearing on this matter for the City was Eric Cousens, City Planner. The following individuals appeared on behalf of the owner and/or parties in interest:

John McLean

After considering the testimony and evidence presented, the City Council makes the following findings of fact:

1. The Premises and Structures are owned by John McLean.
2. Mr. McLean was served with Notice of this Hearing ("Notice") on October 12, 2016.
3. Party-in-Interest Paul B. Streeter Revocable Trust dated 10/28/92 was served with a copy of the Notice on October 13, 2016.
4. A copy of that Notice was also recorded in the Androscoggin County Registry of Deeds at Book 9472 and Pages 126 and 128.
5. The Structures are structurally unsafe.
6. The Structures are unfit for human occupancy due to the lack of utilities, including water, heat, and electricity, as well as major structural damage.
7. The Structures constitute a hazard to health and safety because of inadequate maintenance, dilapidation, obsolescence, and abandonment.
8. The Structures are unsanitary due to the fact that the interior of each structure is open to the elements.
9. The Structures are heightened fire hazards and attractive to vandals, and have a history of illegal burnings and have caused fires necessitating multiple responses from the City's emergency services.
10. The Owners have been given the opportunity to remedy the conditions at the Premises

but have failed to do so.

Conclusions of Law

Applying the legal standards set forth in 17 M.R.S. § 2851, the Auburn City Council reaches the following conclusions of law:

11. The Structures are structurally unsafe and unstable.
12. The Structures are unsanitary.
13. The Structures constitutes a fire hazard.
14. The Structures are unsuitable and improper for human habitation.
15. The Structures are a hazard to health and safety because of inadequate maintenance, dilapidation, obsolescence and abandonment.
16. The Structures are dangerous to life and property.

Any one of these conclusions would be sufficient to support a finding that the Structures are a nuisance and dangerous buildings, and the Council hereby concludes that the Structures at 741 Broad Street are a nuisance and dangerous buildings within the meaning of 17 M.R.S. § 2851.

Order

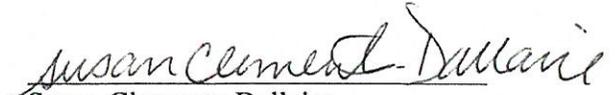
Having found that the Structures at 741 Broad Street are a nuisance and dangerous buildings within the meaning of 17 M.R.S. § 2851, the Auburn City Council hereby ORDERS:

17. That the Owner, and/or his successors or assigns, demolish the Structures, remove all debris, and stabilize the site within thirty (30) days of service of this Order.
18. That if the Owners, and/or his successors or assigns, fail to comply with this Order in the time frame set forth herein, the City shall have the authority to carry out this Order.
19. That within thirty (30) days after demand by the City, the Owners, and/or his successors or assigns, shall reimburse the City for all expenses it incurs in connection with this proceeding, including, but not limited to, expenses for securing and maintaining the Structure, service and other costs incurred, attorneys' fees, and any and all demolition and clean-up costs.
20. That if the Owners, and/or their successors and assigns, fail to timely reimburse the City for the expenses provided for above, the City shall assess a special tax against the Premises, as provided for in 17 M.R.S. § 2853 and/or recover its costs by means of a collection action.

This decision may be appealed to Superior Court under Maine Rule of Civil Procedure 80B.

I, Susan Clements-Dallaire, City Clerk for the City of Auburn, certify that on October 17, 2016, the City of Auburn City Council adopted the above Order.

Dated: October 17, 2016


Susan Clements-Dallaire
City Clerk

STATE OF MAINE
ANDROSCOGGIN, ss

October 17, 2016

Before me this day personally appeared Susan Clements-Dallaire who acknowledged the foregoing instrument to be her free act and deed.


Notary Public/Attorney at Law
Maine Bar # 4352

Public hearing and passage on 10/17/16 6-1
(Councilor Walker opposed).

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 76-11072016

ORDERED, that City Council hereby approves the Auburn Ski Association request for a temporary sign for their Annual Ski Swap which will be held on Sunday, November 13th, 2016. The sign will be placed at the intersection of Turner Street and Lake Auburn Avenue below Starbucks.

Passage on 11/7/2016 6-0 (Councilor Burns absent).

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 77-11072016

ORDERED, that the City Council hereby approves the request by Sixth Street Congregational Church to waive the Flea Market/Craft Fair/Swap Meet/Bazaar license fee of \$50.00 for the Craft Fair and Bake Sale being held on November 12, 2016.

Passage on 11/7/2016 6-0 (Councilor Burns absent).

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 78-11072016

ORDERED, that the City Council hereby approves the request by Saint Dominic Academy to reimburse the Flea Market/Craft Fair/Swap Meet/Bazaar license fee of \$100.00 for the Annual St. Dom's Holiday Festival being held on November 05, 2016.

Passage on 11/7/2016 6-0 (Councilor Burns absent).

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 79-11072016

ORDERED, that the City Council hereby adopts the Program Guidelines for the Storefront Traffic Accelerates revitalization (Star Program).

Passage on 11/7/2016 6-0 (Councilor Burns absent).

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 80-11072016

ORDERED, that the City Council hereby adopts the Program Guidelines for the Neighborhood Challenge Grant.

Passage on 11/7/2016 6-0 (Councilor Burns absent).

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 81-11072016

ORDERED, that the City Council hereby authorizes the City Manager to sign the Memorandum of Understanding and Agreement Between Community Concepts Finance Corporation and the City of Auburn.

Passage on 11/7/2016 6-0 (Councilor Burns absent).

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 82-11072016

ORDERED, that the City Council hereby authorizes the City Manager to correct the Original Assessed Value of the District to \$1,278,600 (corrected from \$1,178,340) in order to fix the typo that appeared in the original Development Program; such authorization to include:

- (a) Correcting any mention of the Original Assessed Value contained in the Development Program,
- (b) Directing the Assessor to execute and submit an Amended Assessor's Certificate that certifies to this corrected Original Assessed Value, and
- (c) To correct, as necessary, the references to the Original Assessed Value contained within the Credit Enhancement Agreement entered into by and between the City and Hartt Transportation Systems, Inc.

The City Manager, or his duly appointed representative, is hereby authorized and empowered, at his/her discretion, from time to time, to make such further revisions to the Development Program as the City Manager, or his duly appointed representative, deems reasonably necessary or convenient in order to facilitate the process for review and approval of the District and/or the Development Program by the Department, or for any other reason, so long as such revisions are not inconsistent with these resolutions or the basic structure and intent of the District and the Development Program.

Passage on 11/7/2016 6-0 (Councilor Burns absent).

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 83-11072016

WHEREAS, the City of Auburn (the "City") designated the **62 Spring Street Municipal Development and Tax Increment Financing District (#20)** (the "District") and adopted a development program (the "Development Program") for the District on September 12, 2016; and

WHEREAS, in the course of reviewing the application, the State of Maine Department of Economic and Community Development is requiring that the City hold an additional public hearing and vote on this Council Order to verify four items about the District prior to permitting the City to begin reimbursement of payments pursuant to a Credit Enhancement Agreement.

ORDERED AS FOLLOWS:

Section 1. Authorize and direct the City Manager to add to the Development Program the following statements:

- a) There will be no displaced persons as a result of the District and implementation of the Development Program.
- b) The District development will be required to comply with all applicable environmental controls that would otherwise be required under law.
- c) The developer of the District property will be responsible for the operations of the improvements made within the District.
- d) The District project costs do not include any transportation improvements.

Passage on 11/7/2016 6-0 (Councilor Burns absent).

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 84-11212016

ORDERED, that the City Council hereby names Joshua S. King as a Constable with a firearm for the Auburn Police Department.

Passage on 11/21/2016 6-0 (Councilor Walker absent).

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 86-11212016

ORDERED, that the City Council hereby adopts the City of Auburn Policy on Emergency Medical Services Billing and Collection.

Passage on 11/21/2016 6-0 (Councilor Walker absent).

City of Auburn Policy on Emergency Medical Services Billing and Collection

PURPOSE

To establish a policy to bill patients and collect fees for the provisions of emergency medical services and transportation provided by the City.

POLICY

EMS Billing & Collection

- A. The City recognizes the need to bill for these services to aid in the provision of EMS.
- B. No person requiring emergency medical services and/or transportation shall be denied services due to a lack of insurance or ability to pay levied charges.
- C. The City may, either directly or through any third party billing agency with which it has contracted for billing and/or collections for emergency medical services, make arrangements with patients and/or their financially responsible party for installment payments of bills so long as the City determines that:
 - 1. The financial condition of the patient requires such an arrangement; and
 - 2. The patient and/or financially responsible party has demonstrated a willingness to make good faith efforts towards payment of the bill.
- D. The City shall bill for all EMS services provided unless the City is reimbursed for services by another agency due to disaster declaration.
- E. Any applicable charges for EMS rendered shall be billed directly to the patient or to the patient's third party payer.
- F. The City may, at its option, and shall, where required by law, bill insurers or carriers on a patient's behalf and may accept payment on an assignment basis.
- G. All patients and/or their financially responsible parties, insurers or carriers, will be billed for emergency medical services provided by the City according to the Fee Schedule attached as Appendix A.
 - 1. All patients shall be liable for any co-payment, deductibles and patient responsibility amounts not satisfied by public or private insurance, and the City shall Balance Bill and make reasonable collection efforts for all such balances. The City may bill any applicable coinsurance carriers for such amounts.

2. Exceptions include only those instances where the City or its agent has made a determination that the cost of billing and collecting such co-payments, deductibles and patient responsibility amounts exceeds or is disproportionate to the amounts to be collected as determined by the City's write off policy.

Account Adjustments and Write Offs

- A. The City's billing agency is authorized to consider all cases of financial hardship based on the City's financial assistance hardship guidelines.
- B. Uncollected balances on patients accounts that have been sent to collection and/or have had no activity for 270 days shall be deemed uncollectible and may be written off of the City's accounts receivable balances.

PROCEDURES

EMS Billing & Collection

- A. Third party billing agencies must:

- 1) Have in place a compliance program conforming to standards set forth in the Office of Inspector General's Compliance Program Guidance for Third Party Medical Billing Companies, 63 Federal Register 70138, as amended.
 - 2) Deposit funds payable to the City directly into a designated City account, through a lock box or similar arrangement.
 - 3) Not be subject to exclusion from any state or federal health care program.
 - 4) Be bonded and/or insured in amounts satisfactory to the City.
- B. A detailed listing of patients who utilize EMS will be compiled by the Auburn Fire Department. This information will be transmitted to the agency responsible for billing in the form of a patient care report. The information will however be subject to the confidentiality requirements of applicable law. This information will include, at a minimum, the following:
- 1) Name, address, and telephone number of patient.
 - 2) Name, address and claim number of insurance carrier, if applicable.
 - 3) Date, time and EMS chart number.
 - 4) Point of origin and destination.
 - 5) A Center for Medicare & Medicaid Services approved method for mileage billing.
 - 6) Reason for transport/ patient's complaint/ current condition.
 - 7) Itemization and description of services provided and charges.
 - 8) Signature of the patient (when possible) or authorized decision maker.
 - 9) Name of receiving physician.
 - 10) Names, titles, and signatures of ambulance personnel, when possible.
- C. The fee schedule for EMS is attached as Appendix A and may be amended from time to time.
- D. Payments on EMS invoices may be made by mail to the City's third party billing agency, on the City's website, or in person at Auburn City Hall located at 60 Court Street, Auburn, Maine.

Account Adjustments

- A. All patients are to be billed for transport upon receipt of billing information from the fire department.
- B. The City may, either directly or through any third party billing agency with which it has contracted for billing and/or collections for emergency medical services, make arrangements with patients and/or their financially responsible party for installment payments of bills so long as the City determines that:

- 1) The financial condition of the patient requires such an arrangement; and
 - 2) The patient and/or financially responsible party has demonstrated a willingness to make good faith efforts towards payment of the bill.
- C. The City shall not Balance Bill when prohibited by law.
- 1) Providers must accept the Medicare allowed charge as payment in full and may not bill or collect from the beneficiary any amount other than the unmet Part B deductible and Part B coinsurance amounts.
 - 2) For patients covered by Medicaid (Mainecare), the city will accept the payment from Medicaid as payment for services and will not pursue the patient for the remaining balance of the invoice.

Write Off of Uncollectible Accounts

- A. The City authorizes the billing contractor/agent to bulk write off amounts not contractually allowed by Medicare and Medicaid and provide reports to the City of such write offs.
- B. For all commercial insurance and private pay clients; all appropriate charges shall be applied uniformly without regard to ability to pay or probability of payment.
- C. Any account that has aged more than **90 days** without activity or payment history shall be referred to the City for review. The billing contractor/agent must include all account documentation that demonstrates timely and efficient billing practices. This should include but not be limited to:
- 1) Account notes
 - 2) Proof of billing statements and date of mailing(s) or electronic contact
 - 3) Summary of amount billed and any current amount received
 - 4) Summary of outstanding balances
 - 5) Evidence of payment plan if applicable

After review the City will transfer uncollected balances to a collection agency designated by the City for continued collection efforts. Either when the collection agency determines that the account is uncollectible or 270 days from last insurance payment with no activity, the account will be determined to be uncollectible and it will be written off.

APPENDIX A

City of Auburn EMS Transport Rate Schedule as of September 29, 2016:

BLS emergency	\$650.00
ALS emergency	850.00
ALS2 emergency	1,200.00
Loaded mile	14.00

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER **87-11212016**

ORDERED, that the City Council hereby endorses and adopts the Cultural Plan LA, a five year plan with goals to: Foster Community Cohesion and Cultural Understanding, Amplify Quality of Life with Accessible Lifelong Learning in Arts and Culture, Further the Position of Arts and Culture in Local Governments, Bolster LA's Creative Capital and Entrepreneurial Activity and Utilize Arts and Culture to Enhance LA's Image to Attract and Engage Residents, Tourism and New Investment.

Passage on 11/21/2016 6-0 (Councilor Walker absent).

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 88-11212016

ORDERED, that Cascades Drive, as laid out on the plan of the Auburn Industrial Subdivision, as approved by the Auburn Planning Board on June 10, 2016, and recorded at the Androscoggin County Registry of Deeds in Plan Book 51, Pages 110, 111, and 112, is hereby accepted as a City Street as provided in Title 23 M.R.S.A. § 3026 et sequ:

Passage on 2/6/2017 6-0.

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 89-12052016

ORDERED, that the City Council hereby re-appoints Susan Clements-Dallaire as Registrar of Voters with a term expiration of December 31, 2018.

Passage on 12/5/2016 7-0.

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 90-12052016

ORDERED, that the City Council hereby re-appoints Karen Scammon as the City Tax Assessor with a term expiration of January 31, 2019.

Passage on 12/5/2016 7-0.

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 91-12052016

ORDERED, that the City Council hereby approve \$325,000 be used from the Downtown TIF account for the reconstruction of Hampshire Street.

Passage on 12/5/2016 7-0.

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 92-12052016

ORDERED, that the City Council hereby approves the Liquor License (Class A Lounge) and Special Amusement Permit for Sapphire Entertainment, Inc., located at 150 Center Street.

Passage on 12/5/2016 7-0.

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



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

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 93-12192016

ORDERED, that the City Council hereby approves the request for Liquor License and Special Amusement Permit for LAVA/House of Bacon, located at 34 Court Street.

Passage on 12/19/2016 6-0 (Councilor Pross absent).