

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

Pledge of Allegiance

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

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

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

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

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

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

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

Passage 6-0.

II. Minutes – December 20, 2021 Regular Council Meeting

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

Passage 6-0.

III. Communications, Presentations and Recognitions

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

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

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

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

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

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

V. Unfinished Business - None

VI. New Business

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

Order 03-01032022

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

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

Public comment – No one from the public spoke.

Passage 6-0.

1. Order 05-01032022

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

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

Public comment – no one from the public spoke.

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

Passage 6-0.

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

2. Ordinance 01-01032022

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

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

Public hearing – No one from the public spoke.

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

3. Ordinance 02-01032022

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

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

Public hearing – No one from the public spoke.

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

4. Order 06-01032022

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

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

Public comment – No one from the public spoke.

Passage 6-0.

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

VIII. Reports (from sub-committees to Council)

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

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

Councilor Walker provided an update on Maine Waste to Energy.

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

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

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

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

Passage 6-0, time 7:40 pm.

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

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

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ATTEST _____

Susan Clements-Dallaire, City Clerk

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

Pledge of Allegiance

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

10. Order 16-01182022*

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

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

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

Passage 7-0.

II. Minutes – January 3, 2022 Regular Council Meeting

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

Passage 7-0.

III. Communications, Presentations and Recognitions

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

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

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

V. Unfinished Business

1. Ordinance 01-01032022

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

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

Public comment – No one from the public spoke.

Passage 7-0.

2. Ordinance 02-01032022

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

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

Public comment – No one from the public spoke.

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

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

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

VI. New Business

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

Order 07-01182022

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

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

Public comment – no one from the public spoke.

Passage 7-0.

Order 08-01182022

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

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

Public comment – No one from the public spoke.

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

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

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

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

Order 09-01182022

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

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

Public comment - No one from the public spoke.

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

1. Order 17-01182022

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

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

Public hearing – No one from the public spoke.

Passage 7-0.

2. Order 18-01182022

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

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

Public hearing – No one from the public spoke.

Passage 7-0.

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

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

VII. Open Session

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

VIII. Reports (from sub-committees to Council)

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

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

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

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

Councilor Morin provided an update on the Airport Board.

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

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

IX. Executive Sessions:

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

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

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

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

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ATTEST _____

Susan Clements-Dallaire, City Clerk

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

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

Pledge of Allegiance

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

1. Order 19-02072022*

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

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

Passage 7-0.

II. Minutes – January 18, 2022 Regular Council Meeting

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

Passage 7-0.

III. Communications, Presentations and Recognitions

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

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

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

IV. Open Session:

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

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

V. Unfinished Business – None

The Mayor called for a 5 minute recess.

VI. New Business

1. Resolve 01-02072022

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

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

Public comment - No one from the public spoke.

Passage 7-0.

2. Order 20-02072022

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

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

Public comment – No one from the public spoke.

Passage 7-0.

3. Order 21-02072022

Approving the ARPA funding allocation for Employee Retention.

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

Public comment – No one from the public spoke.

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

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

Passage 7-0.

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

4. Order 22-02072022

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

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

Public comment – No one from the public spoke.

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

5. Order 23-02072022

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

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

Public comment – No one from the public spoke.

Passage 7-0.

6. Ordinance 03-02072022

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

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

Public hearing – No one from the public spoke.

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

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

7. Ordinance 04-02072022

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

Public hearing – No one from the public spoke.

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

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

8. Ordinance 05-02072022

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

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

Public hearing - No one from the public spoke.

Passage 7-0.

9. Ordinance 06-02072022

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

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

Public hearing:

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

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

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

Passage of amendment 7-0.

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

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

Passage 7-0.

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

Passage 7-0.

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

VIII. Reports (from sub-committees to Council)

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

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

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

Finance Director Eastman, December 2021 Monthly Finance Report.

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

Passage 7-0.

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

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ATTEST _____

Susan Clements-Dallaire, City Clerk

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

Pledge of Allegiance

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

1. Order 24-02222022*

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

2. Order 25-02222022*

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

3. Order 26-02222022*

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

4. Order 27-01182022*

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

5. Order 28-01182022*

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

6. Order 29-01182022*

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

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

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

Passage 6-0.

II. Minutes – February 7, 2022 Regular Council Meeting

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

Passage 6-0.

III. Communications, Presentations and Recognitions

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

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

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

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

V. Unfinished Business

1. Ordinance 05-02072022

Adopting a Disorderly House ordinance. Second reading.

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

Public comment – No one from the public spoke.

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

2. Ordinance 06-02072022

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

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

Public comment - No one from the public spoke.

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

VI. New Business

1. Order 30-02222022

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

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

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

Passage 6-0.

3. Ordinance 07-02072022

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

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

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

Dear City Officials:

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

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

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

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

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

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

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

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

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

Please give your consideration to my concerns.

*Suzanne Roy
8, Joline Drive, Auburn*

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

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

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

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

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

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

Public comment – No one from the public spoke.

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

Passage 6-0, time 8:04 pm.

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

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

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

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

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

VIII. Reports

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

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

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

IX. Executive Sessions:

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

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

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

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

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

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

Passage 6-0, time 8:42 pm.

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

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

A TRUE COPY

ATTEST _____

Susan Clements-Dallaire, City Clerk

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

Pledge of Allegiance

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

1. Order 31-03072022*

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

2. Order 32-03072022*

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

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

Passage 7-0.

II. Minutes – February 22, 2022 Regular Council Meeting

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

Passage 7-0.

III. Communications, Presentations and Recognitions

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

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

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

V. Unfinished Business

1. Ordinance 07-02222022

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

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

Public comment – No one from the public spoke.

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

VI. New Business

1. Order 33-03072022

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

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

Public comment – No one from the public spoke.

Passage 7-0.

2. Order 34-03072022

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

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

Public comment – No one from the public spoke.

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

3. Order 35-03072022

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

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

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

Passage 7-0.

4. Ordinance 08-03072022

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

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

Public hearing:

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

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

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

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

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

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

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

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

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

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

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

5. Ordinance 09-03072022

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

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

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

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

6. Ordinance 10-03072022

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

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

Public hearing – No one from the public spoke.

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

7. Order 36-03072022

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

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

Public comment – No one from the public spoke.

Passage 7-0.

8. Order 37-03072022

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

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

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

Passage 7-0.

9. Order 38-03072022

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

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

Public comment – No one from the public spoke.

Passage 7-0.

10. Order 39-03072022

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

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

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

Public comment – No one from the public spoke.

Passage 7-0.

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

VII. Reports (from sub-committees to Council)

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

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

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

Jill Eastman, Finance Director – January 2022 Final Monthly Report

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

Passage 7-0.

IX. Executive Sessions:

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

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

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

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

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

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

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

Passage 7-0, time 8:54 pm.

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

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

A TRUE COPY

ATTEST _____

Susan Clements-Dallaire, City Clerk

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

Pledge of Allegiance

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

1. Order 40-03212022*

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

2. Order 41-03212022*

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

3. Order 42-03212022*

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

4. Order 43-03212022*

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

5. Order 44-03212022*

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

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

Passage 7-0.

II. Minutes – March 7, 2022 Regular Council Meeting

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

Passage 7-0.

III. Communications, Presentations and Recognitions

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

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

IV. Open Session

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

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

V. Unfinished Business

1. Ordinance 08-03072022

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

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

Public comment

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

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

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

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

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

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

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

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

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

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

Passage 7-0.

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

2. Ordinance 09-03072022

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

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

Public comment – No one from the public spoke.

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

3. Ordinance 10-03072022

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

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

Public comment

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

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

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

Passage 7-0.

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

4. Order 34-03072022

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

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

Public comment – No one from the public spoke.

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

VI. New Business

1. Ordinance 11-03212022

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

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

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

Passage 7-0.

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

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

Passage 7-0.

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

Passage 7-0.

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

Passage 7-0.

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

Passage 7-0.

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

Passage 6-1 (Councilor Walker opposed).

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

Passage 7-0.

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

Passage 7-0.

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

Passage 7-0.

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

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

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

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

Public comment

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

2. Ordinance 12-03212022

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

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

Public comment – No one from the public spoke.

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

3. Order 45-03212022

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

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

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

Passage 7-0.

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

VIII. Reports (from sub-committees to Council)

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

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

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

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

Jill Eastman, Finance Director – February 2022 Final Monthly Report

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

Passage 7-0.

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

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

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

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

A TRUE COPY

ATTEST _____

Susan Clements-Dallaire, City Clerk

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

Pledge of Allegiance

I. Presentation - Court Street/City Core Zoning Amendments

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

II. Unfinished Business

1. Ordinance 11-03212022

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

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

Public hearing

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

III. New Business

1. Order 46-03282022

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

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

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

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

IV. Adjournment

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

A TRUE COPY

ATTEST _____

Susan Clements-Dallaire, City Clerk

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

Pledge of Allegiance

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

1. Order 47-04042022*

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

2. Order 48-04042022*

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

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

Passage 7-0.

II. Minutes - March 21, 2022 Regular Council Meeting

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

Passage 7-0.

III. Communications, Presentations and Recognitions

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

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

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

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

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

IV. Open Session

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

V. Unfinished Business

1. Ordinance 12-03212022

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

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

Public comment – No one from the public spoke.

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

VI. New Business

1. Resolve 02-04042022

Supporting the utilization of Maine’s Dual Enrollment Program.

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

Public comment – No one from the public spoke.

Passage 7-0.

2. Public hearing – Proposed Charter Amendments

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

No one from the public spoke.

The public hearing closed at 8:08 pm.

3. Order 49-04042022

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

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

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

Passage 7-0.

4. Order 50-04042022

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

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

Public comment - No one from the public spoke.

Passage 7-0.

5. Order 51-04042022

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

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

Public comment:

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

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

Passage 7-0.

6. Ordinance 13-04042022

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

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

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

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

VII. Open Session

VIII. Reports (from sub-committees to Council)

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

City Manager Crowell provided an update on the budget schedule.

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

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

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

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

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

A TRUE COPY

ATTEST _____

Susan Clements-Dallaire, City Clerk

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

Pledge of Allegiance

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

- 1. Order 52-04192022***
Appointing Election Clerks for a two-year term.
- 2. Order 53-04192022***
Accepting the transfer of \$1,132 forfeiture assets in Rem in U.S. Currency to the Auburn Police Department (Unified Criminal Court Docket No. CR-21-1689).

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

Passage 7-0.

I. Minutes

March 28, 2022, Special Council Meeting

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

Passage 7-0.

April 4, 2022, Regular Council Meeting

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

Passage 7-0.

III. Communications, Presentations and Recognitions

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

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

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

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

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

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

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

IV. Open Session

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

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

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

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

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

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

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

V. Unfinished Business

1. Ordinance 13-04042022

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

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

Public hearing – No one from the public spoke.

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

VI. New Business

1. Order 54-04192022

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

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

Public comment – No one from the public spoke.

Passage 7-0.

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

VIII. Reports (from sub-committees to Council)

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

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

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

Jill Eastman, Finance Director – March 2022 Final Monthly Report

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

Passage 7-0.

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

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

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

Passage 7-0, time 7:40 pm.

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

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

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ATTEST _____

Susan Clements-Dallaire, City Clerk

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

Pledge of Allegiance

I. Consent Items - None

II. Minutes - April 19, 2022 Regular Council Meeting

Motion was made by Councilor Walker and seconded by Councilor Staples to approve the minutes of the April 19, 2022 Regular Council Meeting.

Passage 7-0.

III. Communications, Presentations and Recognitions

Council Communications (about and to the community)

Councilor Gerry commented on the motto of the City “No Steps Backward” adding that she supports the petition process that is underway with residents of the city.

Mayor Levesque gave acknowledgement to Chief Moen and the Police Department for their work on a recent PD case. He also announced that there will be a Memorial Weekend event on Friday, May 27th at the Veteran Park on Summer Street dedicating veteran stones that were donated by the Lion’s Club. Last, he provided an update on LD 2003. He encouraged everyone to read and be aware of this bill which takes effect in July of 2023.

IV. Open Session

Maureen O’Brien, 42 Winter Street commented on the PAL Center.

Andy Titus, Rubellite Lane commented on Lake Grove Park.

Jay Bishop, Lake Shore Drive commented on the septic upgrade system.

V. Unfinished Business - None

VI. New Business

1. Public hearing – Public hearing to receive comments for Program Year 2022, CDBG & HOME Annual Action Plan.

The Mayor opened the public hearing at 7:19 PM. No one from the public spoke. The public hearing was closed at 7:20 PM.

2. Order 55-05022022

Approving the allocation of \$100,000 American Rescue Plan Act (ARPA) funds for the Lake Auburn Community Center.

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

Public comment – No one from the public spoke.

Passage 7-0.

3. Ordinance 14-05022022

Amending Auburn’s Code of Ordinances, Chapter 60-952(c) and (f) (1-5) for agricultural buffer trip and subsurface wastewater systems in the Lake Auburn Watershed. **Public hearing and first reading.**

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

Public hearing:

Bruce Rioux, 85 Mary Carroll Street, stated that we do not have a septic problem in the watershed and he asked who would benefit from this change?

Pam Rousseau, 745 West Auburn Road, expressed concerns about the septic design and who will monitor the “curtains” that go around the septic system.

Motion was made by Councilor Walker and seconded by Councilor Staples to postpone this item until after the Planning Board action and FE Environmental data is collected.

Passage 7-0.

4. Ordinance 15-05022022

Amending Auburn’s Code of Ordinances, Chapter 60, Sec. 60-1066 (1). Public hearing and first reading.

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

Public hearing:

Pam Rousseau, 745 West Auburn Road, stated that Taylor Pond is at risk, and she asked that to please be careful with the pond.

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

5. Order 56-05022022

Authorizing the City’s general obligation bonds in the amount of \$7,100,00.00 to finance the City’s FY23 Capital Improvement Program. Public hearing and first reading.

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

Public hearing – No one from the public spoke.

Motion was made by Councilor Staples and seconded by Councilor Gerry to amend by adding \$200,000 to add cross walks by the new Edward Little High School.

Passage 7-0.

Motion was made by Councilor Walker and seconded by Councilor Milks to amend by adding \$50,000 to replace the Boy's & Girl's Club gym floor. After further discussion, Councilor Walker withdrew his motion.

Passage of Order 56-05022022 as amended, 6-1 (Councilor Gerry opposed). A roll call vote was taken.

6. Order 57-05022022

Authorizing the reallocation of \$362,600 from previous General Obligation Bonds that were unspent to fund a portion of the City's FY 22 - 23 CIP. First reading.

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

Public comment – No one from the public spoke.

Motion was made by Councilor Walker and seconded by Councilor Gerry to amend by adding \$50,000 to replace the Boy's & Girl's Club gym floor.

Passage 7-0.

Motion was made by Councilor Walker and seconded by Councilor Staples to reduce the patrol rifle replacement amount by half (from \$35,000 to \$17,500).

Passage 6-1 (Councilor Whiting opposed).

Passage of Order 57-05022022 as amended, 7-0. A roll call vote was taken.

7. Resolve 03-05022022

Adopting the Appropriations Resolve for Fiscal Year 2023. Public hearing and first reading.

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

Public hearing:

Andy Titus, Rubelite Lane, commented that he feels the operating increase of 9% is high.

Motion was made by Councilor Staples and seconded by Councilor Walker to amend by adding \$25,000 to the operating budget to plant street trees.

Passage 7-0.

Motion was made by Councilor Milks and seconded by Councilor Hawes to amend by adding \$50,000 to the legal budget.

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

Motion was made by Councilor Gerry and seconded by Councilor Staples to amend by including the proposed Police Department restructure of \$270,000 within the current budget and to be mil rate neutral.

Passage 4-3 (Councilors Walker, Morin, and Hawes opposed). A roll call vote was taken.

Motion was made by Councilor Walker and seconded by Councilor Gerry to amend by increasing the Fire Department budget by \$68,000

Motion was made by Councilor Morin and seconded by Councilor Milks to postpone this amendment to the 5/16/2022 meeting.

Passage 7-0.

Passage of Resolve 03-05022022 as amended, 5-2 (Councilors Staples and Gerry opposed).

8. Order 58-05022022

Authorizing the School Committee be authorized to establish an Edward Little High School Capital Reserve Fund for the purpose of funding capital improvement projects, facility upgrades, and plant maintenance at the new Edward Little High School and adjacent athletic fields.

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

Public comment – No one from the public spoke.

Motion was made by Councilor Staples and seconded by Councilor Gerry to amend by adding that this would be used only for its intended purpose. After further discussion, Councilor Staples withdrew his motion.

Passage 7-0.

9. Order 59-05022022

The School Committee be authorized to establish a School Technology Equipment Reserve Fund for the purpose of funding purchase and maintenance of computers, tablets, audiovisual equipment and related technology for the School Department.

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

Public comment – Andy Titus, 24 Rubelite Lane, would like to see this used for the intended purpose.

Motion was made by Councilor Staples and seconded by Councilor Milks to amend by adding that these funds be used only for its intended purpose.

Passage 7-0.

Passage of Order 59-05022022 as amended, 7-0.

10. Order 60-05022022

Authorizing City Staff to draft amendments consistent with the adopted Comprehensive Plan for consideration by the Planning Board and direct the Planning Board to review proposed amendments, hold Public Hearings on each and forward a recommendation back to the City Council.

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

Public comment – Bob Hayes, 172 Allen Avenue asked for clarification to the public in respect to the adopted Comprehensive Plan.

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

Motion was made by Councilor Hawes and seconded by Councilor Staples to take Order 46-03282022 for the rezoning of T4.2 off the table and send to the Planning Board now instead of waiting the 120 days.

Public comment – Elizabeth Dunn, Court Street asked for clarification.

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

VII. Open Session – Pam Rousseau, West Auburn Road commented on Taylor Pond and would like the Council to reconsider the Taylor Pond purple color on the map (16 units per acre) which concerns her.

VIII. Reports (from sub-committees to Council)

Mayor Levesque reported that the Auburn Business Association Citizen of the Year event is coming up on May 17th, and CMCC will be holding their annual education event and fundraiser on May 4th at 3:30 at the Hilton Garden Inn.

City Manager Crowell reported that he appreciates the Mayor and Council taking a look at the ICMA training sessions that are coming up. June 10th will be the celebration for the naming of the footbridge after former Mayor John Jenkins. His celebration of life will be held on June 11th. More information will go out to the public.

IX. Executive Sessions - None

VIII. Adjournment – Motion was made by Councilor Milks and seconded by Councilor Morin to adjourn. Unanimously approved and the meeting adjourned at 8:42 pm.

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ATTEST _____

Susan Clements-Dallaire, City Clerk

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

Pledge of Allegiance

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

1. Order 61-05162022*

Authorizing the City Clerk to waive the \$200 business license fee for Auburn Suburban Baseball and Softball.

2. Order 62-05162022*

Confirming Chief Moen's appointment of Sergio Martins as a Constable with firearm for the Auburn Police Department.

3. Order 63-05162022*

Setting the date to hold the School Budget Validation Referendum Election for June 14, 2022.

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

Passage 7-0.

II. Minutes - May 2, 2022, Regular Council Meeting

Motion was made by Councilor Walker and seconded by Councilor Milks to approve the minutes of the May 2, 2022 Regular City Council meeting.

Passage 7-0.

III. Communications, Presentations and Recognitions

- Proclamation – Maine Arbor Week
- Proclamation – Kids to Parks Day
- Proclamation – 100th Anniversary of the Lewiston-Auburn Kiwanis Club
- Communication – Utilization of Capital Reserve Funds
- Council Communications (about and to the community)

Mayor Levesque – Recognized National Public Works Week, National EMS Week, National Police Officers Memorial Day/National Police Week, and he asked for a moment of silence to honor Auburn Police Officers Norman Philbrick and Rodney “Rocky” Bonney who lost their lives in the line of duty. He announced that the Auburn Business Associations', Citizen of the Year event is scheduled for tomorrow at Lost Valley, the LA Metro Chamber awards are scheduled for May 26th at the Poland Spring Inn at 3pm. On May 27th there will be the unveiling of the two new Veteran Memorial stones at 10am at Mt. Auburn Cemetery. June 9th is the Chamber breakfast where he will be presenting (on Education and Work Force

Development). The official dedication of the John Jenkins pedestrian bridge will be held on June 10th.

City Manager Crowell – Reported on the sustainable energy rebates, the \$50,000 that was made available for non-profit organizations and outdoor recreational facilities, and he reported that he received notification from FEMA regarding the National Flood Insurance Program. Our community will qualify for a 5% discount on flood insurance premiums.

IV. Open Session

Dr. Susan Stanford, 33 Goff Street, spoke regarding severe electrical issues she has with her home adding that the house has to be fully re-wired. She provided letters to the City Council.

Scott Berry, 179 Davis Avenue, spoke in favor of the rezoning changes. He stated that he is creating a short video to show people how a septic system works. If they look at the video they will have a better understanding of how a septic system works.

V. Unfinished Business

1. Ordinance 15-05022022

Amending Auburn’s Code of Ordinances, Chapter 60, Sec. 60-1066 (1). Second reading.

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

Public comment – No one from the public spoke.

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

2. Order 56-05022022

Authorizing the City’s general obligation bonds in the amount of \$7,300,00.00 to finance the City’s FY23 Capital Improvement Program. Second reading.

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

Public comment – No one from the public spoke.

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

3. Order 57-05022022

Authorizing the reallocation of \$395,100 from previous General Obligation Bonds that were unspent to fund a portion of the City’s FY 22 - 23 CIP. Public hearing and second reading.

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

Public hearing – No one from the public spoke.

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

Motion was made by Councilor Hawes and seconded by Councilor Walker to take Order 64-05162022 out of order.

Passage 6-1 (Councilor Gerry opposed).

Order 64-05162022

Adopting the FY 2023 Auburn School Budget.

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

Motion was made by Councilor Walker and seconded by Councilor Gerry to amend by reducing the regular budget by \$300,000 (to lower the mil rate) and taking \$300,000 out of the School Department's fund balance to offset the \$300,000 that would be taken from their budget.

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

Passage of Order 64-05162022 as presented, 5-2 (Councilors Walker and Gerry opposed). A roll call vote was taken.

4. Resolve 03-05022022

Adopting the Appropriations Resolve for Fiscal Year 2023. Second reading.

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

Public comment – Andy Titus, 24 Rubelite Lane, commented on the so called “cliff”. He said he thinks the ARPA money should be used to help offset costs now.

Motion was made by Councilor Walker and seconded by Councilor Milks to take off the table, the proposed amendment that was tabled at the 5/2/2022 meeting of adding \$68,000 to the Fire Department budget to fill 4 positions.

Passage of the amendment 5-2 (Councilor Staples and Gerry opposed).

Motion was made by Councilor Gerry and seconded by Councilor Whiting to amend by taking \$500,000 from the fund balance to offset the current budget which will reduce the mil rate.

Passage 6-1 (Councilor Morin opposed).

Passage of Resolve 03-05022022 as amended, 6-1 (Councilor Gerry opposed). A roll call vote was taken.

VI. New Business

Motion was made by Councilor Hawes and seconded by Councilor Walker to amend Order 46-03282022 previously adopted by adding language that the Planning Board sends this back to the Council by July 7, 2022.

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

1. Order 65-05162022

Directing the City Manager to issue a design/build footbridge from Newbury Street to Anniversary Park.

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

Public comment – No one from the public spoke.

Passage 7-0.

VII. Open Session

Susan Brown, Dillingham Hill Road spoke regarding the septic system mentioned earlier adding that even with new septic systems, we should still not increase development. The studies should be updated.

VIII. Reports

Jill Eastman, Finance Director – April 2022 Final Monthly Report

Motion was made by Councilor Walker and seconded by Councilor Milks to accept and place on file the April 2022 Final Monthly Finance Report. 7-0.

Passage 7-0.

IX. Executive Session - Discussion on a poverty abatement case #PA 2022-001 pursuant to (36 M.R.S.A § 841) with possible action to follow.

Motion was made by Councilor Whiting and seconded by Councilor Gerry to enter into executive session to discuss a poverty abatement case #PA 2022-001 pursuant to (36 M.R.S.A § 841) with possible action to follow.

Passage 7-0. Time in 8:23 pm.

Council was declared out of executive session at 8:39 pm.

Motion was made by Councilor Walker and seconded by Councilor Gerry to approve a poverty abatement in the amount of \$2,349.84. This is Order 66-05162022.

Passage 7-0.

VIII. Adjournment – Motion was made by Councilor Walker and seconded by Councilor Morin to adjourn. Unanimously approved and the meeting adjourned at 8:40 pm.

A TRUE COPY

ATTEST _____

Susan Clements-Dallaire, City Clerk

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

Pledge of Allegiance

- I. Consent Items** - All items with an asterisk (*) are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council member or a citizen so requests, in which event, the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.
- 1. Order 67-06062022***
Nominating City Manager Phillip L. Crowell, Jr. to Maine Municipal Association's 2022-2024 Legislative Policy Committee.
 - 2. Order 68-06062022***
Changing the date of the first regular City Council meeting in July from July 5, 2022 to July 11, 2022.
 - 3. Order 69-06062022***
Appointing Wardens and Ward Clerks for the June 14, 2022 Election.
 - 4. Order 70-06062022***
Re-appointing Jan Biron to the Age Friendly Committee with a term expiration of 6/1/2025.
 - 5. Order 71-06062022***
Re-appointing Belinda Gerry to the Age Friendly Committee with a term expiration of 6/1/2025.
 - 6. Order 72-06062022***
Re-appointing Frank Pippin to the Age Friendly Committee with a term expiration of 6/1/2025.
 - 7. Order 73-06062022***
Re-appointing Leroy Walker to the Age Friendly Committee with a term expiration of 6/1/2025.
 - 8. Order 74-06062022***
Appointing Heather Barnett to the Complete Streets Committee with a term expiration of 1/1/2025.
 - 9. Order 75-06062022***
Appointing Tim MacLeod to the Lewiston Auburn Transit Committee (LATC) with a term expiration of 7/1/2024.
 - 10. Order 76-06062022***
Appointing Michael Meigs to the Parks & Recreation Advisory Board with a term expiration of 10/01/2023.
 - 11. Order 77-06062022***

Re-appointing Kathy Shaw to the Regulatory Advisory Board with a term expiration of 6/01/2024.

12. Order 78-06062022*

Appointing Tom Moulin to the Auburn Sewer District Board of Trustees with a term expiration of 3/1/2024.

13. Order 79-06062022*

Appointing Jeff Chute to the Auburn Sewer District Board of Trustees with a term expiration of 3/1/2026.

14. Order 80-06062022*

Accepting the transfer of \$4,637 forfeiture assets in Rem in U.S. Currency to the Auburn Police Department (Unified Criminal Court Docket No. CR-21-2809).

15. Order 81-06062022*

Accept the transfer of \$1,321 forfeiture assets in Rem in U.S. Currency to the Auburn Police Department (Unified Criminal Court Docket No. CR-22-150).

16. Order 82-06062022*

Accept the transfer of \$1,075 forfeiture assets in Rem in U.S. Currency to the Auburn Police Department (Unified Criminal Court Docket No. CR-22-342).

Motion was made by Councilor Walker and seconded by Councilor Milks for passage of the consent items. Item number 10, Order 76-06062022 was removed from the agenda because the candidate withdrew his application.

Passage 7-0.

II. Minutes - May 16, 2022 Regular Council Meeting

Motion was made by Councilor Walker and seconded by Councilor Whiting to approve the minutes of the May 16, 2022, Regular City Council meeting.

Passage 7-0.

III. Communications, Presentations and Recognitions

- 2022 Mayor John Jenkins Hearts & Hands Leadership & Service Award was awarded to ELHS Basketball Coach Mike Adams
- Community Gardens - Kirsten Walter and Glen Holmes presented
- Hydro Power Update – Eric Cousens
- Proclamation – World Refugee Day
- Communication – Liberty Festival Special Event/Mass Gathering Request
- Council Communications (about and to the community)

Mayor Levesque announced the Grand Opening and Ribbon Cutting for Five Guys on Center Street is scheduled for Wednesday the June 8th at 10:30 am. He will be speaking at the LA Metro Chamber breakfast on June 9th at 6:45 am. The topic is on Workforce

Development and Education. The ELHS Adult Ed graduation is scheduled on the 9th of June at 7:00 pm in the ELHS gym. June 10th at noon, the VFW Minot Avenue chapter will hold their statewide convention. The unveiling of the John Jenkins pedestrian bridge will be held at 5:30 pm on Friday June 10th, and on Saturday, June 11th, a Celebration of Life, a tribute to John Jenkins will be held at the Lewiston Armory beginning at 2:00 pm and everyone is welcome to attend.

Councilor Staples thanked the city for the great Memorial Day dedication ceremony at Mount Auburn Cemetery as well as the Androscoggin Historical Society event put on by Tizz Crowley, along with a tour of Civil War Veterans graves.

Councilor Walker thanked everyone that worked on the Memorial Day celebration and also thanked Tizz Crowley for the Civil Ward event.

Councilor Gerry gave kudos to the Auburn Public Works Department for making our city look so great for the Memorial Day celebration.

IV. Open Session

Dr. Susan Stanford, 33 Goff Street spoke regarding the electrical wiring issues at her home.

Mamie Anthoine Ney, Director of the Auburn Public Library, announced that their “Books Around Town” fundraising event is underway.

Ann Parker, 69 Summit Street Auburn, thanked Mayor Levesque for including her in the award presentation earlier. She praised the recipients of the award (for 2021 and 2022). She spoke about the upcoming Celebration of Life, and the book that was published and available. The author of the book will be signing books at the Bridge Ceremony and the Celebration of Life. She invited everyone to attend both events.

V. Unfinished Business - None

VI. New Business

1. Ordinance 16-06062022

Approving the zoning amendment for 278 Poland Road. Public hearing and first reading.

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

Public hearing – Carol Lane, 30 Arbania Street, spoke in opposition of this proposed amendment.

Timothy Allen, Pride Road, spoke in opposition of this proposed amendment.

Motion was made by Councilor Gerry and seconded by Councilor Walker to postpone this item until July 18, 2022.

Passage 6-1 (Councilor Staples opposed).

2. Order 83-06062022

Allocating \$300,000.00 of ARPA Funding to create a two-year pilot program called “Project Support You – Auburn”.

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

Public comment – a member of the audience asked what this was. Glen Holmes explained.

Motion was made by Councilor Staples and seconded by Councilor Walker to postpone this item until the first meeting of July.

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

3. Order 84-06062022

Reallocating unspent bond proceeds in the amount of \$32,376 to fund purchase of Flight Simulator.

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

Public comment – No one from the public spoke.

James Scheller, Auburn Lewiston Airport Manager, provided additional information.

Passage 7-0.

4. Order 85-06062022

Adopting Juneteenth (June 19th) as an official city holiday.

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

Public comment – No one from the public spoke.

Passage 7-0.

5. Order 86-06062022

Changing the date of the second regular Council meeting for the month of June from June 20, 2022 to June 27, 2022.

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

Public comment – No one from the public spoke.

Passage 6-1 (Councilor Walker opposed).

6. Order 87-06062022

Allocating \$300,000.00 of ARPA Funding to create small area master plans in targeted growth areas within the city.

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

Public comment – No one from the public spoke.

Passage 7-0.

7. Order 88-06062022

Approving the sale of City owned property.

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

Public comment – No one from the public spoke.

Passage 6-1 (Councilor Gerry opposed).

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

VII. Reports (from sub-committees to Council)

Councilor Walker – reported that he received a letter regarding BJ's and the difficulty getting in and out of their parking lot.

IX. Executive Sessions - Economic Development matter, pursuant to 1 M.R.S.A. Sec. 405(6)(C). This item was taken up during the workshop.

VIII. Adjournment – Motion was made by Councilor Milks and seconded by Councilor Morin to adjourn. Unanimously approved and the meeting adjourned at 8:26 pm.

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ATTEST _____

Susan Clements-Dallaire, City Clerk

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

Pledge of Allegiance

I. Consent Items - None

II. Minutes - June 6, 2022, Regular Council Meeting

Motion was made by Councilor Staples and seconded by Councilor Walker to approve the minutes of the June 6, 2022, Regular City council meeting.

Passage 7-0.

III. Communications, Presentations and Recognitions

Council Communications (about and to the community)

Councilor Gerry provided an update on the Community Garden on Newbury Street.

Mayor Levesque announced two Community Conversations that are scheduled. The first is scheduled for July 12, 2022 at Walton School at 5:30 pm and the second is at Fairview School on July 13, 2022.

IV. Open Session

Scott Berry, 179 Davis Avenue spoke regarding the recent zoning amendment in the Lake Auburn Watershed area and the septic system discussions that took place. He stated that he has posted information on his Facebook page on how a septic system functions.

Jim Lynch, 80 Shepley Street, stated that he has concerns about the recent zone changes in residential neighborhoods.

V. Unfinished Business

VI. New Business

1. Order 89-06272022

Amending Order 68-06062022, previously adopted by the Auburn City Council on June 6, 2022, regarding the first Council meeting in July.

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

Public comment – No one from the public spoke.

Passage 7-0.

2. Order 90-06272022

Approving the Mass Gathering request for the Liberty Festival scheduled for Monday, July 4, 2022. Public hearing.

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

Public hearing – No one from the public spoke.

Passage 7-0.

3. Order 91-06272022

Authorizing the City Clerk to waive the \$60 business licensing fee (Temporary Food Service License) as requested by Auburn resident, Beth Woodhead who would like to sell whoopie pies to raise funds for Auburn School Department's Odyssey of the Mind.

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

Public comment – No one from the public spoke.

Passage 7-0.

4. Order 92-06272022

Adopting the HOME consortium agreement.

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

Public comment – No one from the public spoke

Passage 6-0-1 (Councilor Whiting abstained because he is an officer of the Auburn Housing Development Corporation).

5. Order 93-06272022

Allocating \$1,600,000.00 of American Rescue Plan Act (ARPA) funds for the upgrades and/or replacements of HVAC systems in our city-owned facilities.

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

Public comment – Andy Titus, 24 Rubelite Lane asked if the HVAC system upgrade is part of the 5-year Capital Improvement Plan.

Motion was made by Councilor Hawes and seconded by Councilor Morin to amend by approving this with ARPA funds today to get this moving and replace the ARPA money with bond money at a later date.

After further discussion, both Councilor Hawes and Morin withdrew the motion.

Motion was made by Councilor Whiting and seconded by Councilor Morin to amend to direct the City Manager to move forward with the bid process for the HVAC systems that have by identified as the four priority initiatives.

It will be determined at a later date how we will allocate the funds.

Passage 7-0.

6. Order 94-06272022

Amending Order 137-12062021, previously adopted by the Auburn City Council on December 6, 2021.

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

Public comment – Susan Brown Dillingham Hill Road stated that she was unclear about what this item was about.

Passage 7-0.

7. Order 95-06272022

Allocating \$100,000.00 of American Rescue Plan Act (ARPA) funds for the OpBox and Kayak Rental Kiosk.

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

Public comment – No one from the public spoke.

Motion was made by Councilor Gerry and seconded by Councilor Hawes to amend by adding another \$100,000 to purchase additional OpBoxes.

Passage 7-0.

Passage of Order 95-06272022 as amended 7-0.

8. Ordinance 17-06272022

Re-adopting the ward maps and descriptions that were adopted on 3/17/2014 using the 2020 census block references. Public hearing and first reading.

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

Public hearing – No one from the public spoke.

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

VII. Open Session

Jim Lynch, Shepley Street stated that the OpBoxes sound great, adding that students at ELHS have been working on building little houses and this would be a good student project for the kids and the community, and it would cost less.

Susan Brown, Dillingham Hill Road, spoke regarding the neighborhood zone change that has taken place recently and how it affects people's quality of life.

Maureen O'Brien, 42 Winter Street wanted to discuss the \$10,000 that was allocated to cover PR for the lake issue. The Mayor clarified that this was not a City item, but rather an Auburn Water District item.

VIII. Reports (from sub-committees to Council)

Mayor Levesque reminded everyone that the Liberty Festival will be held on the 4th of July.

Councilor Whiting stated that he attended World Refugee celebration on Monday where he saw Governor Mills and met Dr. Shah.

Councilor Walker provided information on how to pick up and dispose of pet waste. He announced that on Tuesday, the United New Auburn Association will meet at Rolly's Diner at 6:00 pm, Glen Holmes is the guest speaker. Thursday, the Neighborhood Watch group will be meeting at the Sixth Street Congregation Church at 6:00 pm and he invited the public to attend stating that you do not have to be a resident of New Auburn. All are welcome.

Councilor Staples stated that he attended the Planning Board meeting last Tuesday. He encouraged people to attend the Community Conversation meetings that are coming up on the 12th and 13th of the month adding that he is looking forward to hearing more public input. There is a neighborhood meeting at the Senior Center at 6:00 pm on Wednesday the 29th of the month. Last, he stated that there is another Planning Board meeting scheduled for tomorrow night.

Manager Crowell reported that we are wrapping up the fiscal year on Thursday, and union contract negotiations are underway.

Jill Eastman, Finance Director – May 2022 Final Monthly Report

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

Passage 7-0.

IX. Executive Session

Economic development, pursuant to 1 M.R.S.A. §405(6)(C).

Motion was made by Councilor Walker and seconded by Councilor Staples to enter into executive session (economic development) pursuant to 1 M.R.S.A. §405(6)(C).

Passage 7-0, time 8:18 pm.

Council was declared out of executive session at 8:40 pm

Personnel matter (City Manager's performance review), pursuant to 1 M.R.S.A. §405(6)(A).

IN COUNCIL REGULAR MEETING JUNE 27, 2022, VOL. 36 PAGE 272

Motion was made by Councilor Morin and seconded by Councilor Walker to enter into executive session (personnel matter – City Manager’s performance review) pursuant to 1 M.R.S.A. §405(6)(A).

Passage 7-0, time 8:40 pm.

Council was declared out of executive session at 9:10 pm

VIII. Adjournment – Motion was made by Councilor Hawes and seconded by Councilor Milks to adjourn. Unanimously approved and the meeting adjourned at 9:10 pm.

A TRUE COPY

ATTEST _____

Susan Clements-Dallaire, City Clerk

Mayor Levesque called the meeting to order at 5:30 P.M. in the Council Chambers of Auburn Hall. All Councilors were present.

I. Executive Sessions:

Legal consultation, pursuant to 1 M.R.S.A. §405 (6)(E)

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

Passage 7-0, time 5:30 pm.

Council was declared out of executive session at 6:30 pm.

Economic development, pursuant to 1 M.R.S.A. §405 (6)(C)

Motion was made by Councilor Walker and seconded by Councilor Hawes to enter into executive session (economic development) pursuant to 1 M.R.S.A. §405(6)(C).

Passage 7-0, time 6:30 pm.

Council was declared out of executive session at 7:13 pm.

Economic development, pursuant to 1 M.R.S.A. §405 (6)(C)

Motion was made by Councilor Walker and seconded by Councilor Whiting to enter into executive session (economic development) pursuant to 1 M.R.S.A. §405(6)(C).

Passage 7-0, time 7:13 pm.

Council was declared out of executive session at 7:45 pm.

Labor contracts, pursuant to 1 M.R.S.A. §405 (6)(D)

Motion was made by Councilor Walker and seconded by Councilor Hawes to enter into executive session (labor contracts) pursuant to 1 M.R.S.A. §405(6)(D).

Passage 7-0, time 7:45 pm.

Council was declared out of executive session at 7:55 pm.

Personnel matter (City Manager performance evaluation), pursuant to 1 M.R.S.A. §405 (6)(A)

Motion was made by Councilor Walker and seconded by Councilor Hawes to enter into executive session (personnel matter – City Manager performance evaluation) pursuant to 1 M.R.S.A. §405(6)(A).

Passage 7-0, time 7:55 pm.

IN COUNCIL SPECIAL MEETING JULY 11, 2022, VOL. 36 PAGE 274

Council was declared out of executive session at 8:13 pm.

- II. Adjournment** – Motion was made by Councilor Morin and seconded by Councilor Staples to adjourn. Unanimously approved and the meeting adjourned at 8:14 pm.

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ATTEST _____

Susan Clements-Dallaire, City Clerk

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

Pledge of Allegiance

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

1. Order 96-07182022*

Casting a vote to appoint City Manager, Phillip L. Crowell, Jr. to serve on the Maine Municipal Association's Executive Committee for a three-year term.

2. Order 97-07182022*

Appointing City Manager, Phillip L. Crowell, Jr. to serve on the Maine Municipal Association's 2022-2024 Legislative Policy Committee.

3. Order 98-07182022*

Accepting the transfer of the Smith & Wesson M&P 9mm to the Auburn Police Department (Unified Criminal Court Docket No. CR-22-654).

4. Order 99-07182022*

Casting votes for Larry Pelletier and Leroy Walker to represent County Commission District 6 on the Androscoggin County Budget Committee.

5. Order 100-07182022*

Casting votes for Phil Crowell and Gordon Bell to represent County Commission District 5 on the Androscoggin County Budget Committee.

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

Passage 7-0.

II. Minutes - June 27, 2022, Regular Council Meeting

Motion was made by Councilor Staples and seconded by Councilor Whiting to approve the minutes of the June 27, 2022 Regular Council Meeting.

Passage 7-0.

III. Communications, Presentations and Recognitions

- Auburn Police Department Swearing in Ceremony
 - Sergeant Steven Gosselin, promoted to Lieutenant
 - Sergeant Jason Moore, promoted to Lieutenant
 - Sergeant Eric Audette, promoted to Lieutenant
- City of Auburn Certified Member of the AARP Network of Age-Friendly States & Communities

- Communication from Petitioner’s Committee for the repeal of Ordinance 11-03212022
- Presentation – Assessing Valuation Adjustments/Declared Ratio and 2022 Mil Rate (Karen Scammon and Joe St. Peter)
- Council Communications (about and to the community)

Mayor Levesque shared a few words about former City Councilor, Alfreda Fournier, who recently passed. He also announced that a bench and plaque will be purchased in her honor. The bench will be placed in Anniversary Park near the brick she purchased for her late husband.

Councilor Staples reported that he attended the Triple Crown race, Emily’s Run on Sunday morning. He said it was an honor being a part of it. He stated that he would like the Council to strongly encourage a recommendation naming the new ELHS track after the Fletcher family.

City Manager Crowell reported on the July 4th celebration and thanked the Liberty Festival Committee for their work. He also provided an update on some upcoming summer events noting that more can be found on our website. He also announced that the hot breakfast and lunch program has been extended to anyone 18 and under to receive a free hot meal at either the PAL Center or the Boy’s & Girl’s Club. Last, he announced that nominations are being taken for the Spirit of America Award for those that go above and beyond in the community.

IV. Open Session

Scott Berry, 179 Davis Avenue spoke about exclusionary zoning and its effect on racial discrimination in the housing market. He provided written materials of an article on this subject to the Clerk to provide to the members of the City Council.

Fred Brodeur, 83 Sixth Street thanked the City Council for their time and commitment serving the people of Auburn. He commented on the zoning proposals, the petitions, and encouraged the Council to listen and work out a compromise. Written comments were handed out to the City Council.

V. Unfinished Business

1. Ordinance 17-06272022

Re-adopting the ward maps and descriptions that were adopted on 3/17/2014. Second reading.

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

Public comment – No one from the public spoke.

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

2. Order 83-06062022

Allocating \$300,000.00 of ARPA Funding to create a two-year pilot program called “Project Support You – Auburn”.

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

Public comment – No one from the public spoke.

Motion was made by Councilor Staples and seconded by Councilor Walker to postpone this item until the 8/1/2022 Council meeting.

Passage 7-0.

3. Ordinance 16-06062022

Approving the zoning amendment for 278 Poland Road. First reading (a public hearing was held on 6/6/2022 and the item was postponed to July 18, 2022).

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

Public comment –

Timothy Allen, 194 Pride Road stated that this was the first time he has seen this update, he spoke of concerns of traffic exiting the parking lot which will cause headlights to shine in his home. He also expressed other concerns about the proposed amendment.

Carol Lane, 30 Arbania Street stated that this information was new to her as well, she was unable to attend the meeting. She expressed concerns with the buffer zone and spoke in opposition of changing this area to an industrial zone adding that they've already had a negative impact on her neighborhood.

Ryan Smith, 14 Weaver Street, said he thought of an idea to open up a different zone for potential future uses and potentially something that would allow for parking with no other industrial uses.

Elizabeth Dunn, 530 Court Street asked why she was hearing about a community meeting with a developer and a plan about a large project that will impact the Poland Road neighborhood.

Motion was made by Councilor Hawes and seconded by Councilor Walker to amend by splitting the lot to exclude all land east of the parking lot to create more buffer zones and maintaining it as residential.

Passage 7-0.

Passage of Ordinance 16-06062022 as amended, 6-1 (Councilor Staples opposed). A roll call vote was taken.

4. Order 93-062762022

Directing the City Manager to move forward with the bid process for the upgrades and/or replacements of HVAC systems in our city-owned facilities that have been identified as the four priority initiatives (\$1,600,000.00 to be funded either with ARPA funds or bond to be determined).

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

Public comment – No one from the public spoke.

Passage 7-0.

VI. New Business

1. Order 101-07182022

Adopting the CDBG/HOME Program Year 2022 Annual Action Plan. Public hearing.

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

Public hearing – Barbara McGivaren, 55 Winter Street spoke regarding issues she has been experiencing since 2019 with a weatherization/asbestos removal project to her home.

Passage 7-0.

2. Order 102-07182022

Authorizing the City Manager to negotiate and execute the purchase of 121 Mill Street, Auburn, Maine, parcel ID 221-041.

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

Public comment – No one from the public spoke.

Passage 7-0.

3. Order 103-07182022

Approving the liquor license for The Cheesy Skillet. Public hearing.

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

Public hearing – No one from the public spoke.

Passage 7-0.

4. Order 104-07182022

Authorizing the City Manager to execute a purchase and sale agreement for the Lake Auburn Community Center.

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

Public comment – No one from the public spoke.

Passage 7-0.

5. Ordinance 18-07182022

Extending the moratorium on public safety, detention, and correctional facilities. Public hearing and first reading.

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

Public hearing – No one from the public spoke.

Motion was made by Councilor Staples and seconded by Councilor Gerry to amend by striking “*at a site in which one currently does not exist*”.

Failed 2-5 (Councilors Whiting, Hawes, Milks, Morin, and Walker opposed).

Passage of Ordinance 18-07182022 5-2 (Councilors Gerry and Staples opposed). A roll call vote was taken.

6. Ordinance 19-07182022

Creating a new Formed Base Code District Traditional Neighborhood Development District (T-4.2B). Public hearing and first reading.

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

Public hearing –

Ryan Smith, 14 Weaver Street, spoke about process and said he thinks T-4.2B is too similar to T-4.2 and feels this undermines the petition effort that took place. He suggested working with urban residential and traditional neighborhood zoning and just make small changes and make adjustments to density and reduce the setbacks.

Jeffrey Harmon, 34 Vista Drive urged council to vote no on this and send it back to the Planning Board adding that this has to happen through a normal planning process with robust public participation.

Bob Hayes, 172 Allen Avenue stated that with respect to the Monday night meeting that he was invited to attend to sit down with another Auburn resident and two councilors and the Mayor to discuss and he did not feel it was a dated meeting of the Council. He commented on Form Based Planning and Code. He said T-4.2B is almost the same as T-4.2. He encouraged everyone to also read the strategic plan.

Adam Lee, 87 Western Prom commented on the Freedom of Access Act and read section 406.

Elizabeth Dunn, 530 Court Street said that T-4.2B as she reads it, is minimally, if at all different from T-4.2. She would like them to think of a compromise.

Motion was made by Councilor Staples and seconded by Councilor Gerry to postpone this item to allow additional meetings to engage the public. A series of three meetings in three months.

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

Passage of Ordinance 19-07182022 5-2 (Councilors Gerry and Whiting opposed). A roll call vote was taken.

7. Order 105-07182022

Authorizing the Mayor to sign and submit Certifications and Assurances by the Chief Executive of the Applicant Government document to be submitted with the 2022 Edward Byrne Justice Assistance Grant application.

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

Public comment – No one from the public spoke.

Passage 7-0.

VII. Open Session – Elizabeth Dunn, 530 Court Street said that she is perplexed and doesn't believe the public is being heard.

VIII. Reports (from sub-committees to Council)

Councilor Morin wanted to express his heartfelt condolences to Alfreda Fournier's family and friends for her recent passing.

City Manager Crowell reported that at the last LATC meeting, it was discussed that their meetings should be part of Federal Transit Authority's requirements regarding access to those meetings should be done through the available transit when buses run. The meeting time is being moved from 5:30 pm to noon and will be held here at Auburn Hall. They will also include a ZOOM option.

IX. Executive Session - None

VIII. Adjournment – Motion was made by Councilor Milks and seconded by Councilor Walker to adjourn. Unanimously approved and the meeting adjourned at 9:43 pm.

A TRUE COPY

ATTEST _____

Susan Clements-Dallaire, City Clerk

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

Pledge of Allegiance

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

1. Order 106-08012022*

Confirming Chief Moen's appointment of Ryan Jones as Constable with firearm/arrest powers for the Auburn Police Department.

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

Passage 7-0.

II. Minutes

July 11, 2022, Special Council Meeting

Motion was made by Councilor Walker and seconded by Councilor Staples to approve the minutes of the July 11, 2022, Special Council Meeting.

Passage 7-0.

July 18, 2022, Regular Council Meeting

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

Passage 7-0.

III. Communications, Presentations and Recognitions

- Communication from Petitioner's Committee for the repeal of Ordinance 08-03072022
- Council Communications (about and to the community)

Manager Crowell reported that there will be a virtual meeting at 6:00 pm on August 8, 2022 with the Assessing Department regarding valuation changes. The public can go to our website for access information. He also announced that tomorrow night is National Night out from 5:30 pm until dusk at Festival Plaza.

IV. Open Session –

Angela Dow, Auburn resident and employee of Auburn Public Works Department, expressed her concerns with the MSEA union negotiations that are underway.

V. Unfinished Business

1. Order 83-06062022

Allocating \$300,000.00 of ARPA Funding to create a two-year pilot program called “Project Support You – Auburn”.

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

Public comment – No one from the public spoke.

Passage 6-1 (Councilor Milks opposed).

2. Ordinance 16-06062022

Approving the zoning amendment for 278 Poland Road. Second reading.

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

Public comment –

Timothy Allen, 194 Pride Road, thanked Council for reading the correspondence that he submitted. He stated that he met with some of his neighbors, and they were surprised to see the updated plans which appeared to be different from what was discussed at the last meeting. He said that they do not think that Hammond Lumber is making a good faith effort and doesn't think they can trust them to do what they say they will do.

Carol Lane, Arbania Street, commented that this lot is a nice residential lot, and there is no reason to turn this into an industrial lot. She said that she does not want to see this changed to industrial.

Failed 1-6 (Councilors Hawes, Milks, Morin, Staples, Gerry, and Whiting opposed). A roll call vote was taken.

3. Ordinance 18-07182022

Extending the moratorium on public safety, detention, and correctional facilities. Second reading.

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

Public comment – No one from the public spoke.

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

4. Ordinance 19-07182022

Creating a new Formed Base Code District Traditional Neighborhood Development District (T-4.2B). Second reading.

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

Public comment – No one from the public spoke.

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

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

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

Motion was made by Councilor Morin and seconded by Councilor Staples on the following:

Order 121-08012022, Ordered, that the City Council hereby refers for consideration, conduct a public hearing, and recommendation, a zoning text and map amendment to create and apply a new T-4.2B zoning district to the Court Street area (1,687.41 acres) to the Planning Board at its September 13, 2022 meeting.

Public comment – No one from the public spoke.

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

VI. New Business

1. Order 109-08012022

Approving the liquor license for Make Dough, LLC., DBA Otto, Auburn located at 730 Center Street. Public hearing and vote.

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

Public hearing – No one from the public spoke.

Passage 7-0.

2. Order 110-08012022

Adopting the Auburn-Lewiston Consortium HOME-ARP Plan. Public hearing and vote.

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

Public hearing - No one from the public spoke.

Passage 7-0.

3. Order 111-08012022

Approving the proposed technical revision to the Tambrands II Municipal Development Tax Increment Financing Development (TIF) program. Public hearing and vote.

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

Public hearing – No one from the public spoke.

Passage 7-0.

4. Order 112-08012022

Allocating \$1,600,000.00 of American Rescue Plan Act (ARPA) funds for the upgrades and/or replacements of HVAC systems in our city-owned facilities.

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

Public comment- No one from the public spoke.

Motion was made by Councilor Milks and seconded by Councilor Walker to postpone this item for three months.

Passage 6-1 (Councilor Whiting opposed).

5. Referred Ordinance 11-03212022

Repealing Ordinance 11-03212022 amending the zoning district Court Street/City Core of Urban Residential Area; 1,687.41 acres of Urban Residential to Traditional Neighborhood Development District Areas (T-4.2) that was adopted on 3/28/2022.

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

Public comment – John Cleveland, 183 Davis Avenue, commented on the current city charter that was adopted in 2005.

Ryan Smith, 14 Weaver Street, provided a legal letter from Kristin M. Collins of Preti Flaherty, and he read a portion of the letter. He said he would like to see this go before the voters and does not want to see T-4.2B to go before the planning board again.

Jeffrey Harmon, 34 Vista Drive, stated that this is the first time that a citizen referendum has come before the City Council and has been signed by 2,400 Auburn residents. He said repealing this Ordinance to push through T-4.2B is an insult to the people that signed the petition.

Dennis Bergeron, Ward 2 resident, doesn't think this has been much of a process, there hasn't been due public process and the people feel that the City Council isn't listening to them. Residents are upset over what the council is doing.

Steven Beal, Shepherd Street, questions why refer T4.2b to the Planning Board, when it is similar to this T-4.2.

Pam Rousseau, West Auburn Road listened to the Planning Board meeting twice, and found no substantial difference between T-4.2 and T-4.2B adding that the Council isn't listening.

Bob Hayes, 172 Allen Avenue, commented on the Strategic Plan, neighborhoods, and read sections from the Strategic Plan adding that he would like to get the neighborhoods involved in the process.

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

6. Order 113-08012022

Authorizing the marketing of city owned property located at 86 Western Avenue. Parcel ID 230-026.

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

Public comment – No one from the public spoke.

Passage 7-0.

7. Order 114-08012022

Authorizing the marketing of city owned property located at 192 Winter Street. Parcel ID 260-022.

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

Motion was made by Councilor Staples and seconded by Councilor Morin to amend by correcting the street number on the Order from 129 to 192. Passage 7-0.

Public comment – No one from the public spoke.

Passage 7-0.

8. Order 115-08012022

Authorizing the marketing of city owned property located at 104 Newbury Street. Parcel ID 221-067.

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

Due to an error on the street number in the Council packet, a motion was made by Councilor Whiting and seconded by Councilor Morin to postpone within 30-day period in order to make the necessary corrections.

Passage 7-0.

9. Order 116-08012022

Authorizing the marketing of city owned property located at 103 Newbury Street. Parcel ID 221-058.

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

Public comment – No one from the public spoke.

Due to an error on the street number in the Council packet, a motion was made by Councilor Hawes and seconded by Councilor Staples to postpone within a 30-day period to make the necessary corrections.

Passage 7-0.

10. Order 117-08012022

Authorizing the marketing of city owned property located at 369 Main Street. Parcel ID 221-044.

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

Public comment – No one from the public spoke.

Passage 7-0.

11. Order 118-08012022

Authorizing the marketing of city owned property located at 351 Main Street. Parcel ID 221-048.

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

Public comment – No one from the public spoke.

Passage 7-0.

12. Order 119-08012022

Authorizing the marketing of city owned property located on Vickery Road. Parcel ID 183-029.

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

Public comment - No one from the public spoke.

Passage 7-0.

13. Order 120-08012022

Authorizing the marketing of city owned property, Winter Oak, parcel ID 191-101.

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

Public comment - No one from the public spoke.

Passage 7-0.

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

VIII. Reports (from sub-committees to Council)

City Manager Crowell announced that he and Assistant City Manager, Brian Wood, will be attending MTCMA (Maine Town and City Manager) conference next week.

IX. Executive Sessions - None

VIII. Adjournment – Motion was made by Councilor Milks and seconded by Councilor Staples to adjourn. Unanimously approved and the meeting adjourned at 8:11 pm.

A TRUE COPY

ATTEST _____

Susan Clements-Dallaire, City Clerk

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

Pledge of Allegiance

I. Consent Items - None

II. Minutes - August 1, 2022, Regular Council Meeting

Motion was made by Councilor Staples and seconded by Councilor Walker to approve the minutes of the August 1, 2022, Regular Council Meeting.

Passage 7-0.

III. Communications, Presentations and Recognitions

- Washington Street Demonstration Safety Project – East Hardscrabble and Beech Hill/Danville Corner – Jonathan LaBonté
- Lake Auburn Watershed Report Sub Surface Wastewater – Eric Cousens
- Public Safety Building – Brian Wood
- Council Communications - None

IV. Open Session

Scott Berry, 179 Davis Avenue had comments and questions regarding the Lake Auburn Watershed Report Sub Surface Wastewater presentation.

Jim Lynch, 80 Shepley Street also had a question regarding the Lake Auburn Watershed Report Sub Surface Wastewater presentation.

Jennifer Goff Lynch, 80 Shepley Street spoke regarding a notice she received in the mail and asked if there would be public comment on upcoming zone changes.

Erica Gosselin, 48 Houghton Street stated she is unhappy with the Council and the lack of civic engagement like other people that have spoken.

Mary Fuller, Lake Auburn Avenue, stated that she isn't sure what these changes are.

Victoria Ballou, 106 Locksley Road, stated that she has concerns with the rezoning and she would like to see the information provided to the public in a format that was easier to understand what the proposed changes are. She asked why there couldn't be a third option.

V. Unfinished Business

1. Order 115-08012022

Authorizing the marketing of city owned property located at 115 Newbury Street. Parcel ID 221-055.

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

Public comment – No one from the public spoke.

Passage 7-0.

2. Order 116-08012022

Authorizing the marketing of city owned property located at 103 Newbury Street. Parcel ID 221-058.

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

Public comment – Andy Titus, applauds this going on, would like more in the packet to go over the process we use to market these properties.

Passage 7-0.

3. Order 49-04042022

Authorizing the proposed Charter amendments be placed on a referendum ballot and submitted to the voters of Auburn at the November 8, 2022, Election. Public hearing and vote.

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

Public hearing – No one from the public spoke.

Passage 7-0.

VI. New Business

1. Order 122-08152022

Approving the Incorporated Civic Organization Liquor License application for the City of Auburn, for the Riverwalk Blues & Brews Festival scheduled for September 10, 2022, in the Festival Plaza/Main Street area.

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

Public comment – No one from the public spoke.

Passage 7-0.

2. Order 123-08152022

Authorizing the City Clerk to waive the \$75 business licensing fee (Peddler License) as requested by the Maine Blues Society, for the Riverwalk Blues and Brews Festival scheduled for September 10, 2022.

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

Public comment – No one from the public spoke.

Passage 7-0.

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

VIII. Reports (from sub-committees to Council)

Mayor Levesque announced that he will be on the next Legislative Policy Committee for the Maine Municipal Association (MMA), representing the City of Auburn.

Councilor Staples reported that the Lewiston Auburn Transit Committee (LATC) was cancelled this month and the Auburn Public Library board will meet on Tuesday.

IX. Executive Sessions – None

X. Adjournment

Motion was made by Councilor Milks and seconded by Councilor Morin to adjourn. Unanimously approved. The meeting adjourned at 8:49 PM.

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ATTEST _____

Susan Clements-Dallaire, City Clerk

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

Pledge of Allegiance

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

1. Order 124-09062022*

Confirming Chief Moen's appointment of Corey David as Constable with firearm for the Auburn Police Department.

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

Passage 7-0.

III. Minutes – August 15, 2022, Regular Council Meeting

Motion was made by Councilor Walker and seconded by Councilor Milks to approve the minutes of the August 15, 2022, Regular Council Meeting.

Passage 7-0.

IV. Communications, Presentations and Recognitions

- Landon Cogle was recognized for being selected as a Page for the US Senate.
- The Spirit of America Award was awarded to the late Jimbo Marston for his contribution to the community. His wife and family were there to accept the award.
- Councilor Walker provided an update on the Potato Give-Away on behalf of the Age Friendly Community Committee.
- The Mayor provided a communication on the Mayor's Ad-hoc Committee to Develop Permit Ready Housing Plans.
- Council Communications (about and to the community)

Mayor Levesque reminded everyone about the Blues and Brews Festival to be held on September 10th.

Councilor Staples reported that the Androscoggin Land Trust will be holding their 13th annual Androscoggin River clean up from 9am until noon on September 10th.

Councilor Walker reported that the United New Auburn Association met on August 30th at Rolly's diner. The City Manager was the guest speaker. Councilor Walker commended City Manager Crowell stating that "Phil Crowell is one heck of a speaker". He also added that the Age Friendly Community Committee will be meeting at Senior Center on September 13th at 6:00 pm. All are welcome.

Councilor Morin reported that he was contacted by a constituent whose six year old son wanted to run a lemonade stand to try to raise money to purchase a guitar. They came to Auburn Hall to obtain a permit and was told that the permit would be \$200. He has asked Councilor Hawes to co-sponsor an ordinance that they will try to present at the next City Council meeting regarding waiving that fee.

City Manager Crowell – provided a work force update and some of the challenges we are facing. We currently have approximately 30 vacancies with the majority being Police, Fire, and the Public Works Departments. These shortages unfortunately impact our services. We are working on it and numerous initiatives to try to resolve the issue.

V. Open Session

Stephen Beale, 575 Johnson Road, asked of there would there be an opportunity to comment on the Lake Auburn repeal.

Pam Rousseau, 745 West Auburn Road, stated that when watching meetings on YouTube, it is difficult to hear, and closed captioning isn't available. She would like to see the volume increased and closed captioning available. She also said she wanted to remind everyone is that "Taylor Pond is on the chopping block, also".

Scott Berry, 179 Davis Avenue, spoke in favor of the proposed zoning amendments which he feels will end exclusionary zoning and help to end racial discrimination in the housing market. He provided photos to the Council and also commented on the illumination of business signs and devaluation of homes.

Elizabeth Dunn, 530 Court Street, had a request for a new ordinance to be written making it a requirement for, rather than only encouraging, public meetings to be held if a developer or someone wants to come into a neighborhood with plans for an apartment complex or to develop property.

VI. Unfinished Business - None

VII. New Business

1. Resolve 04-09062022

Accepting the final report from the Public Safety Building Ad-Hoc Committee.

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

Public comment – No one from the public spoke.

Motion was made by Councilor Staples and seconded by Councilor Walker to amend by correcting the date in the second to last paragraph to say August 15th not September 16th as follows:

"WHEREAS, a final report and recommendation was presented to the Auburn City Council on ~~September 16~~ August 15, 2022"

Passage 7-0.

Passage of Resolve 04-09062022 as amended 7-0.

2. **Resolve 05-09062022**

Supporting the Center Street Safety Action Plan Grant Application.

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

Public comment – No one from the public spoke.

Passage 7-0.

3. **Resolve 06-09062022**

Addressing the current housing shortage in Auburn by seeking an opinion from the Planning Board to consider eliminating income standards and current strip zoning limitations in areas outside of the Lake Auburn Watershed overlay.

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

Public comment –

Pam Rousseau, 745 West Auburn Road, stated that we need our Ag zone, and she is not in favor of this. She asked how does one demonstrate that any development will not negatively impact the regions primary source of drinking water? She added that she would like them to vote not in favor of this.

Victoria Ballou, 106 Locksley Road, asked if we were working with consultants, and what that may look like and what would the plan be to make a decision.

Jane Costlow, 104 Fourth Street, she spoke of balancing need for housing and protecting the lake and our natural resources and there should be a robust series of conversations with the various committees and the Planning Board. She stated that there was an error in the resolve, in the section referencing the 2018 Crossroads Study regarding the elimination of the income standards. She stated that they did recommend doing away with the income standards, but they also recommended putting in other considerations to make sure that the people building houses were in fact farming.

Bruce Rioux, 85 Mary Carroll Street, said that he didn't have a strong opinion either way, but eliminating the last paragraph of this resolve would make it a much better document.

Motion was made by Councilor Staples and seconded by Councilor Whiting to amend the last paragraph to read:

*Therefore, be it resolved that the City Council directs the Planning Board **after consultation from the Sustainability and Natural Resource Management Board** to provide an opinion no later than December 15th, 2022, on whether or not to eliminate the income standard and the current strip zoning limitations in all areas outside of the Lake Auburn Watershed overlay.*

Passage 7-0.

Motion was made by Councilor Staples and seconded by Councilor Whiting to amend the deadline from December 15, 2022 to March 20, 2023 and to include language that the recommendations be delivered to the City Council no later than that March 20th deadline, as follows:

Therefore, be it resolved that the City Council directs the Planning Board after consultation from the Sustainability and Natural Resource Management Board to provide an opinion and deliver recommendations to the City Council no later than March 20, 2023 ~~December 15th, 2022~~, on whether or not to eliminate the income standard and the current strip zoning limitations in all areas outside of the Lake Auburn Watershed overlay.

Passage 6-1 (Councilor Walker opposed).

Passage of Resolve 06-09062022 as amended, 4-3 (Councilor Staples, Gerry, and Whiting opposed).

4. Referred Ordinance 08-03072022

Repealing Ordinance 08-03072022 that was adopted on 3/21/2022 amending the zoning map and adjusting Article XII, Division 4, Sec. 60-751 Lake Auburn Watershed Overlay District Map.

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

Public comment –

Stephen Beale, 575 Johnson Road commented on an error in packet where the acreage in the Ordinance did not reflect the amendment that was made when the Ordinance was adopted (changing it from 148 acres to 120 acres). He also stated that he would like to see this referred to the public for a public vote rather than being repealed by the City Council.

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

5. Order 125-09062022

Allocating \$1,500,000.00 ARPA (American Rescue Plan Act) funding for home relief.

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

Public comment –

Jackie Majeris-Collins, 30 Taylor Street, spoke in opposition of this order and would like to see the money spent in other areas, such as homelessness. There is more that can be done if the money is pooled together.

Ryan Smith, 14 Weaver Street, said he is not against doing this, but a better solution would be adjusting the taxes on commercial properties.

Dan Herrick, 470 Hatch Road, asked why they don't take the money and reduce the budget instead.

Motion was made by Councilor Walker and seconded by Councilor Gerry to postpone this item until the first meeting of October (October 3, 2022).

Passage 7-0.

6. Ordinance 20-09062022

Amending the zoning district T-4.2B. Public hearing and first reading.

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

Public hearing –

John Cleveland, 183 Davis Avenue, said citizens have not had adequate time for public involvement and this item should be tabled until the Planning Board reviews the zoning changes with an opportunity for more public input and then make a recommendation to the City Council.

Ronald Lebel, 31 Coachman Avenue, said that he objects to this proposal and stated his reasons why. A written statement was provided to the City Clerk.

Beth Bell, 86 Nottingham Road, said she is trying to get up to speed on this, adding that she feels that many people are uninformed about this. She said she is opposed to this at this time, she has a lot of concerns about it. She said that she is a real estate agent and is concerned about the values of people's homes and feels like it is too big of an area to make the change.

Pam Rousseau, 745 West Auburn Road, said that she doesn't believe they are able to do this legally based on the City Charter, and this is not a "one size fits all".

Jeffrey Harmon, 34 Vista Drive, stated that his issue with the matter before the Council is with the lack of public engagement.

Elizabeth Dunn, 530 Court Street, stated that her concern is that this is very similar to T-4.2 which was repealed. She spoke about the development at 555 Court Street, stating that the buildings tower over the neighborhood.

Ryan Smith, 14 Weaver Street, said that he believes this item is out of order and that this item should be tabled until the next meeting. He noted that many municipalities are waiting to see what happens with LD 2003 before making changes.

Pat Phillips, 17 Sunset Avenue, received a letter stating that her home is within 500 feet of one of the proposed zoning changes and she doesn't really know what that means. She suggested having neighborhood meetings and to make it a community effort.

The Mayor closed the public hearing.

Councilor Milks stated that he does own a piece of property within this area, which could be viewed as a potential conflict.

Motion was made by Councilor Staples and seconded by Councilor Morin to allow Councilor Milks to continue in the debate and voting on this item. Passage 6-0 with Councilor Milks abstaining.

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

7. Resolve 07-09062022

Supporting the creation of an Ad-hoc/Public Infrastructure Committee.

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

Public comment – No one from the public spoke.

Passage 6-1 (Councilor Gerry opposed).

8. Order 126-09062022

Allocating \$225,000 in ARPA (American Rescue Plan Act) funding for Accessory Dwelling Unit Development Program.

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

Public comment – No one from the public spoke.

Passage 7-0.

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

IX. Reports (from sub-committees to Council)

Mayor Levesque reported on the School Committee meeting.

Councilor Morin congratulated the ELHS football team on their win Friday night.

IX. Executive Sessions – None

X. Adjournment – Motion was made by Councilor Milks and seconded by Councilor Morin to adjourn. Unanimously approved and the meeting adjourned at 10:00 pm.

A TRUE COPY

ATTEST _____

Susan Clements-Dallaire, City Clerk

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

Pledge of Allegiance

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

1. Order 127-09192022*

Approving the renewal of the Auto Graveyard/Junkyard permit for Isadore T. Miller Corp. located at 78 & 80 Hotel Road.

2. Order 128-09192022*

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

3. Order 129-09192022*

Approving the renewal of the Auto Graveyard/Junkyard permit for Don's No Preference Towing, dba Morris Auto Parts located at 940 Washington St. N.

4. Order 130-09192022*

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

5. Order 131-09192022*

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

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

Passage 7-0.

II. Minutes - September 6, 2022, Regular Council Meeting

Motion was made by Councilor Walker and seconded by Councilor Staples to approve the minutes of the September 6, 2022, Regular Council Meeting.

Passage 7-0.

III. Communications, Presentations and Recognitions

Council Communications (about and to the community)

Mayor Levesque reported that he attended a walk through of the new Edward Little High School adding that it is going to be a great asset to the students and community. He also noted that the Blues and Brews Festival was a huge hit.

Councilor Staples reported that on Thursday, September 29th at 5:30 p.m. the Auburn Public Library will hold it's Annual Meeting. The social hour begins at 5:30 and the business meeting will begin at 6:00 p.m. He also wanted to promote the Auburn City website which has a feature where citizens can subscribe to emails to receive notification on upcoming meetings of the Council and Planning Board and more.

Councilor Whiting reported that the Lake Auburn Watershed Protection Commission is building a Trail on the Tot Lot and on Sunday, the Auburn Nordic Ski Association cleaned up the cuttings of a new trail.

City Manager Crowell reported that the Maine Town and City Clerk's Association presented the City with a plaque for their support of the Association and the City Clerk.

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

V. Unfinished Business

1. Ordinance 20-09062022

Amending the zoning district T-4.2B. Second reading.

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

Public comment –

Ronald Lebel, Coachman Avenue, said that he objects to the rezoning proposal and would suffer particularized injury if it were to be enacted. A letter was provided to the City Clerk.

Scott Berry, Davis Avenue, provided a list of some potential businesses that could fit into the neighborhoods nicely without impacting on the ambiance of the neighborhoods living space.

Elizabeth Dunn, 530 Court Street, stated that it is a shame that we've had to spend our taxpayer dollars for legal counsel to convince the public that their actions are legal. She stated that she would like the City Council to vote this down.

Motion was made by Councilor Morin and seconded by Councilor Staples to postpone this item until November 7th with the intention that Mr. Cousens and the Planning office staff would redemonstrate the presentation of 9/6/22.

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

VI. New Business

1. Public hearing - CDBG/HOME Consolidated Annual Performance Evaluation Report (CAPER) Program Year 2020.

Public hearing – No one from the public spoke.

2. Public hearing - CDBG/HOME Consolidated Annual Performance Evaluation Report (CAPER) Program Year 2021.

Public hearing – No one from the public spoke.

3. Order 132-09192022

Amending the PY21 Action Plan to include the Auburn-Lewiston Consortium HOME-ARP Plan as recommended by the Business & Community Development Office.

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

Public comment – No one from the public spoke.

Passage 7-0.

4. Ordinance 21-09192022

Amending the GA Maximum Appendices. Public hearing and first reading.

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

Public hearing – No one from the public spoke.

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

5. Order 133-09192022

Directing the City Manager to draft a Request for Proposal (RFP) procuring the solicitation of engineering and/or architectural services as part of the Accessory Dwelling Unit Initiative proposed by Council.

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

Public comment – Maureen O'Brien, Whitney Street stated that if Councilors want to hear what people think they should answer phone calls.

Passage 7-0.

6. Order 134-09192022

Adopting the Rules & Procedures Governing Open Session and Public Comment.

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

Public comment –

Andy Titus, 24 Rubelite Lane, stated that he likes this but is not a believer of voting on something that is workshopped in the same night. He also thinks we should keep the second open session.

Pam Rousseau, 745 West Auburn Road, also has concerns about eliminating the 2nd open session.

Scott Berry, 179 Davis Avenue, would like to give people 5 minutes to speak instead of 3 minutes.

Motion was made by Councilor Staples and seconded by Councilor Walker to continue to maintain the second open session as we've been doing.

Passage 7-0.

Motion was made by Councilor Gerry and seconded by Councilor Staples to amend to state that when questions are asked, they are given an answer at the next Council meeting if possible.

Motion failed 3-4 (Councilor Whiting, Hawes, Milks, and Walker opposed).

Motion was made by Councilor Staples to amend by striking rule #4. Motion failed for lack of a second.

Passage of Order 134-09192022 as amended, 7-0.

VII. Open Session - Pam Rousseau, 745 West Auburn Road, stated that people do not realize that the Court Street T-4.2B does not just impact Court Street, it impacts the city core.

VIII. Reports (from sub-committees to Council)

Councilor Milks reported that there is a Sewer District meeting tomorrow (Tuesday) at 5:30 p.m. at AVCOG regarding the increase in Sewer rates.

City Manager Crowell reported that the Assistant City Manager, Brian Wood, is attending the ICMA conference in Ohio. The County budget work will begin on September 21st at the County Building, and MMA's Legislative Policy Committee work begins this week.

Jill Eastman, Finance Director – August Finance Report

Motion was made by Councilor Hawes and seconded by Councilor Walker to accept and place on file the August Finance Report.

Passage 7-0.

IX. Executive Sessions – None

X. Adjournment – Motion was made by Councilor Walker and seconded by Councilor Hawes to adjourn. Unanimously approved and the meeting adjourned at 7:57 pm.

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ATTEST _____

Susan Clements-Dallaire, City Clerk

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

Pledge of Allegiance

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

1. Order 135-10032022*

Confirming Chief Moen's appointments of Trevor Gagnon, Noor Shidad, Christopher Ivers, and Timothy Robinson as Constables with firearm for the Auburn Police Department.

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

Passage 7-0.

II. Minutes - September 19, 2022, Regular Council Meeting

Motion was made by Councilor Gerry and seconded by Councilor Walker to approve the minutes of the September 19, 2022 Regular Council meeting.

Passage 7-0.

III. Communications, Presentations and Recognitions

- Communication - Lake Auburn Watershed Protection Commission Resolution
- T-4.2B Education Presentation Schedule
- Council Communications (about and to the community)

Manager Crowell reported that he spoke with community members about how to enhance communications with the public. We are now using a different format for our newsletter. The public can sign up for various notifications under the "alert me" feature on our website. He reported that there were some email issues where emails were not working properly, but that is being worked on and should be resolved soon. The Police Department is sending out weekly crime statistics for the public. He reminded everyone that we are closed on Monday, October 10th in observance for Indigenous Peoples Day. He also reported that we have received over 150 applications for the Christmas Village event. About 18 will be selected out of the 150 applicants.

Councilor Walker reported that the Age Friendly Committee will hold a bean supper at the Senior Community Center on Saturday, October 15th from 4:00 pm to 5:30 pm. There is no charge, however donations are welcome and will be used for future dinners. Anyone that would like to attend are encouraged to call 333-6601 ext. 2108 so they will have an idea how many plan on attending. He also reported that the United New Auburn

Association will be holding their Halloween event in Anniversary Park on Sunday, October 30th from 1-3 pm with plenty of candy to hand out.

IV. Open Session

Ben Lounsbury asked why the communication item on the Lake Auburn Watershed Protection wasn't discussed. He also stated that he is concerned that the Planning and Permitting staff will be overloaded if all of the additional development goes through. He also spoke about a horse farm in his neighborhood that he stated was not in compliance with the terms of the permit and it seems that nothing is being done about it.

Pam Rousseau, 745 West Auburn Road, said that she would like to know what the city has spent of taxpayer money on attorney costs.

V. Unfinished Business

1. Order 125-09062022

Allocating \$1,500,000.00 ARPA (American Rescue Plan Act) funding for home relief.

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

Public comment – No one from the public spoke.

Motion was made by Councilor Whiting and seconded by Councilor Walker to amend the \$1,500,000.00 amount to \$700,000 with the terms and conditions outlined in the staff memorandum.

Passage 7-0.

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

2. Ordinance 21-09192022

Amending the GA Maximum Appendices. Second reading.

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

Public comment – No one from the public spoke.

Passage 7-0. A roll call vote taken.

VI. New Business

1. Ordinance 22-10032022 Amending Chapter 14, Sec. 14-49, Exemptions from license requirement or fees of the City Code. Public hearing and first reading.

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

Public hearing – No one from the public spoke.

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

Ordinance 23-10032022

Adopting the Street Tree Sustainability Ordinance. Public hearing and first reading.

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

Public hearing – Dave Griswold spoke in favor of this proposed ordinance and thanked Councilors for their support.

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

2. Resolve 08-10032022

Requesting increased State involvement for better outcomes for those unhoused.

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

Public comment – Mike Gilligan, 107 Newbury Street said it is wonderful that we are reaching out to the state for assistance but we have to act and come up with a comprehensive plan.

Passage 7-0.

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

VIII. Reports (from sub-committees to Council)

Mayor's Levesque stated that this past weekend was an emotional weekend where we celebrated the life and memorialized the passing of Steven Roop, owner of Roopers adding that it was the largest funeral we've seen in Lewiston Auburn for generations. He reported that there is a School Committee meeting on Wednesday where they will be setting goals for the Superintendent, and he will discuss the dual enrollment resolve that the Council voted on.

Councilor Walker reported that the Age Friendly Group has been working with Bell's Potato Farm and recently came up with a deal to give away potatoes. They were able to purchase 15 tons of potatoes to give out to senior citizens that are in need.

IX. Executive Sessions

Economic Development (continuation from workshop executive session discussion), pursuant to 1 M.R.S.A. §405 (6)(C).

Motion was made by Councilor Milks and seconded by Councilor Gerry. Passage 7-0.
Time 7:40 pm.

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Council was declared out of executive session at 8:30 pm.

- X. Adjournment** – Motion was made by Councilor Milks and seconded by Councilor Morin to adjourn. Unanimously approved and the meeting adjourned at 8:30 pm.

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ATTEST _____

Susan Clements-Dallaire, City Clerk

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

Pledge of Allegiance

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

1. Order 136-10172022*

Confirming Mayor Levesque's appointment of Tara Paradie as alternate member of the Ethics Panel with a term expiration of 11/1/2025.

2. Order 137-10172022*

Re-appointing Misty Edgecomb to the Parks & Recreation Advisory Board with a term expiration of 10/01/2024.

3. Order 138-10172022*

Re-appointing Haley Warden to the Parks & Recreation Advisory Board with a term expiration of 10/01/2024.

4. Order 139-10172022*

Re-appointing Ronald Spofford to the Auburn Housing Authority Board of Trustees with a term expiration of 10/01/2027.

5. Order 140-10172022*

Appointing Wesley Mech to the Complete Streets Committee with a term expiration of 01/01/2025.

6. Order 141-10172022*

Confirming the Mayor's appointments to the Ad Hoc Committee to develop permit ready housing.

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

Councilor Whiting requested that item #1, Order 136-10172022 be moved from the consent agenda and under new business.

Passage of the remaining 5 consent items, 7-0.

II. Minutes – October 3, 2022 Regular Council Meeting

Motion was made by Councilor Staples and seconded by Councilor Milks to approve the minutes of the October 3, 2022 Regular Council meeting.

Passage 7-0.

III. Communications, Presentations and Recognitions

- Assessor's Report (Karen Scammon and Joe St. Peter)
- Council Communications (about and to the community)

Councilor Staples reported that he has heard from a constituent that received their absentee ballot and was confused about the proposed charter changes.

Councilor Walker reported that the United New Auburn Association will be holding a meeting on Tuesday, October 25th at 6:00 pm to discuss the Halloween event, he invited the public to attend. The Neighborhood Watch Group will be meeting on October 27th at the Sixth Street Congregational Church, the United New Auburn Association will be holding a bean dinner on October 29th, October 30th is the Halloween event from 1:00-3:00 pm at Anniversary Park, and the Age Friendly Committee will be holding a Thanksgiving dinner on November 24th.

City Manager Crowell reported that the Council Retreat date is November 14th from 5:00 pm to 8:30 pm, location to be determined. He talked about the Election Hub that is on our website. LATC voted to waive the bus fees on election day.

He reported on communications – we are pushing out crime stats, planning and permitting is pushing out information, and data is being shared consistently.

Mayor Levesque addressed the nationwide housing crisis which is impacting our community. He wanted the public to know that we are working on this, and city staff has put together a proposal on short term housing. We are working with our partners collaboratively to take action with a goal to roll this out by January 2023.

IV. Open Session

Pam Rousseau, 745 West Auburn Road, thanked Councilor Staples for his suggestion on providing information on the local ballot questions, she commented on the watershed and asked how much land can be cleared, it doesn't make sense to her to allow bed and breakfasts, and she would like it to be more restrictive. She mentioned that she attended the planning board meeting where they discussed getting rid of the income requirement for the AG zone with no safeguards, we have to think about PFAS/forever chemicals and she asked that the Council be very mindful.

Maureen O'Brien, 42 Winter Street commented on statements she said were made by the Mayor that were published in the newspaper on Sunday regarding families moving into neighborhoods.

V. Unfinished Business

1. Ordinance 22-10032022

Amending Chapter 14, Sec. 14-49, Exemptions from license requirement or fees. of the City Code. Second reading.

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

Public comment – No one from the public spoke.

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

2. Ordinance 23-10032022

Adopting the Street Tree Sustainability Ordinance. Second reading.

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

Public comment - No one from the public spoke.

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

VI. New Business

Order 136-10172022*

Confirming Mayor Levesque's appointment of Tara Paradie as alternate member of the Ethics Panel with a term expiration of 11/1/2025.

This item was taken from the Consent Agenda.

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

Passage 7-0.

1. Order 142-10172022

Allocating \$200,000.00 ARPA funding for the Sustainable Auburn Match Program.

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

Public comment - No one from the public spoke.

Passage 7-0.

2. Order 143-10172022

Authorizing the marketing of city owned property located at 1865 Hotel Road, parcel ID 187-005.

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

Public comment - No one from the public spoke.

Passage 6-1 (Councilor Gerry opposed).

3. Order 144-10172022

Authorizing the marketing of city owned property located at 145 Eastman Lane, parcel ID 079-004.

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

Public comment - No one from the public spoke.

Passage 6-1 (Councilor Gerry opposed).

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

VIII. Reports (from sub-committees to Council)

Mayor Levesque reported on the School Committee meeting.

Councilor Staples provided an update on the LATC meeting, and he reminded everyone that there will be free bus trips on election day. He noted that the Conservation Committee will be meeting tomorrow night and Complete Streets Committee will be meeting on Wednesday of this week. There is also a presentation on Wednesday for the T-4.2B.

Councilor Walker spoke about the potatoes that are being given to senior citizens at no cost. Anyone in need can go to the Senior Center on Wednesday to pick up a 5 pound bag.

Councilor Milks announced that the Water and Sewer District meetings are scheduled for this week at 4:00 pm on Tuesday (Sewer) and Wednesday (Water) of this week.

Councilor Whiting reported that the Auburn Nordic Ski Association will be working on Saturday, October 29th to trim the ski trails.

Jill Eastman, Finance Director – September Finance Report

Motion was made by Councilor Morin and seconded by Councilor Whiting to accept and place on file the September Final Finance Report.

Passage 7-0.

X. Executive Session – None.

XI. Adjournment – Motion was made by Councilor Milks and seconded by Councilor Walker to adjourn. Unanimously approved and the meeting adjourned at 7:56 pm.

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ATTEST _____

Susan Clements-Dallaire, City Clerk

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

Pledge of Allegiance

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

1. Order 145-11072022*

Accepting the transfer of \$7,523 and a Smith & Wesson .38 caliber revolver to Auburn Police Department (Unified Criminal Court Docket No. CR-22-1525).

2. Order 146-11072022*

Appointing Planning Board members, Toni Ferraro, Brian DuBois, and Paul Jacques to the Mayor's Ad Hoc Committee to develop permit ready housing as nominated by the Planning Board.

3. Order 147-11072022*

Appointing Warden's and Ward Clerks for the November 8, 2022 Election.

Councilor Whiting asked that consent item #2 be removed and placed under new business.

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

Passage 7-0.

II. Minutes – October 17, 2022, Regular Council Meeting

Motion was made by Councilor Staples and seconded by Councilor Walker to approve the minutes of the October 17, 2022 Regular Council meeting.

Passage 7-0.

III. Communications, Presentations and Recognitions

- Extra Mile Day Proclamation and Recognition – Rhonda Russell was recognized as the Extra Mile Day recipient for going above and beyond, and for going the extra mile for the City of Auburn.
- Update on MSHA Community Solutions Grant Award and Final Program Overview was presented by Glen Holmes
- Council Communications (about and to the community)

Councilor Staples thanked TD Bank for putting in some trees in the New Auburn area, and he gave thanks to the Clerk staff for their work running the Election and encouraging everyone to get out to vote and polls open at 7am and close at 8pm.

Councilor Walker reminded everyone that the Age Friendly Committee will be putting on a Thanksgiving Dinner on November 24th at the Senior Center. Doors open at 11:00 am.

Councilor Morin reported on the Trunk or Treat event at Lost Valley and encouraged people that would like to participate next year to reach out to Travis Dow.

Mayor Levesque congratulated the Edward Little High School football and soccer teams. He spoke about the grand opening of Target adding that he is happy that they have joined our community. He also provided an update on the Lost Valley Brew Festival that took place, he announced that ELHS will be producing Mama Mia, a musical at Community Little Theater to be held November 16, 17, and 18, in which he will have a cameo appearance.

Councilor Whiting said that he is happy to see a full parking lot at Target every time he drives by.

Manager Crowell reported that 113 applications for the Senior rebate program have been received so far, he reported on the drug take back event noting that 732 pounds of unused medications were collected, the Christmas Village is underway and will kick off on December 3rd. We were audited by the State of Maine on the Keep Maine Healthy grant. We received over \$300,000 in funds, and we received a clean audit on the funds that were expended. He commented on the covid vaccination clinic that was held at the Auburn Mall and we received over \$85,000 in reimbursement funds from FEMA on that effort.

IV. Open Session –

Pam Rousseau, 745 West Auburn Road commented on the purple section on the Comp Plan and asked why there is a difference. She also commented on a petition for 150 Andrew Drive to take Ag Zone and Low Density to Suburban residential (40 acres).

Andy Titus, 24 Rubellite Lane commented on the workshop item on the grocery store grant and stated that he has concerns about potential competitive advantage.

V. Unfinished Business

Motion was made by Councilor Morin and seconded by Councilor Walker to suspend the rules to enter into executive session to discuss a legal matter. Passage 7-0.

Motion was made by Councilor Milks and seconded by Councilor Walker to enter into executive session to discuss a legal matter, pursuant to 1 MRSA, Sec. 405(6)(A).

Passage 7-0. Time 7:17 pm.

Council was declared out of executive session at 7:35 pm.

4. Ordinance 20-09062022

Amending the zoning district T-4.2B. Second reading.

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

Public comment –

Jeffrey Harmon, 34 Vista Drive spoke in opposition. Stated that it was clear with the petition drive that people were opposed to the changes, small changes were made so if this were to pass, we will end up with pretty much the same outcome as T-4.2 that people opposed. He asked that the Council do the right thing.

Denis Bergeron, Ward 2 resident stated this zoning will be unpopular. He asked that Council take a step back and reject this zone change.

Sharon Philbrook Bergeron, 23 Dexter Avenue thanked the two Councilors that stood in solidarity to the signers of the petition. She spoke in opposition of the zone change adding that we can do better than this. She suggested we get it right not just for developers but for the families as well.

Elizabeth Dunn, 530 Court Street said this has been a long painful process and spoke in opposition of the proposed change. She asked that they vote this down.

Renee Cote, Dawes Avenue spoke in opposition of the proposed change. She said she used to love living in Auburn and can no longer say that Auburn is a good place to live, and she asked the Council to really think about how many people are opposed to the proposed change.

Celia McGuckian, 10 Fairmount Avenue wanted to bring unintended consequences to their attention. She stated that she does not think they are aware of how many are opposed to the proposed change.

Pam Rousseau, 745 West Auburn Road said that she realizes there has to be some development in Auburn but asked the Council to “paint by numbers” and not whitewash the whole barn.

John Cleveland, 183 Davis Avenue spoke in opposition stating that this proposed ordinance is essentially the same as the T-4.2 zone change that was repealed by over 2,400 Auburn voters. He stated that the voters of Auburn will not forget or forgive those that vote in favor of this ordinance.

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

VI. New Business

1. Order 148-11072022

Authorizing the allocation of Two Hundred Fifteen Thousand Dollars (\$215,000) of ARPA Funds to create the Downtown Curb Appeal Grant Program.

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

Public comment – no one from the public spoke.

Passage 7-0.

2. Order 149-11072022

Approving the MSEA Labor Contract.

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

Public comment – no one from the public spoke.

Passage 7-0.

3. Order 150-11072022

Allocating up to \$50,000 from the American rescue Plan Act (ARPA) funds to purchase two trailers as part of the Community Outreach and Community Beautification Traylor Program.

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

Public comment – no one from the public spoke.

Passage 7-0.

4. Order 151-11072022

Directing the Planning Board to provide a recommendation on a text amendment whether to eliminate the income standard and the current strip zoning limitations in all areas outside of the Lake Auburn Watershed overlay.

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

Public comment – Stephen Beal, 576 Johnson Road stated that he saw this as two significant changes and should not be joined together. The income standards should be one, and the removal of limitations should be another subject and not only should they be separated, the should be re-worded more specifically.

Motion was made by Councilor Milks and seconded by Councilor Walker to amend as follows:

Therefore, be it ordered that the City Council directs the Planning Board, after consultation ~~from~~ with the Sustainability and Natural Resource Management Board, to ~~provide an opinion and deliver recommendations~~ conduct a public hearing pursuant to Article XVII, Division 3 of the Zoning Ordinance and report in writing the results of the hearing and recommendations of the Planning Board pursuant to Article XVII, Division 4 of the Zoning Ordinance to the City Council no later than March 20, 2023, on whether or not to eliminate the income standard and the current strip zoning limitations in all areas outside of the Lake Auburn Watershed overlay as an ordinance text amendment, ~~considering~~ as shown on the attached proposed text changes.

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

Passage as amended 4-3 (Councilors Gerry, Whiting, and Staples opposed).

Order 146-11072022 (this item was removed from the consent agenda).

Appointing Planning Board members, Toni Ferraro, Brian DuBois, and Paul Jacques to the Mayor's Ad Hoc Committee to develop permit ready housing as nominated by the Planning Board.

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

Public comment – Pam Rousseau, 745 West Auburn Road said that she doesn't get it because it was only supposed to be 2 planning board members appointed not three. She said she feels that the Council and Planning Board are becoming more closed.

Motion was made by Councilor Whiting and seconded by Councilor Gerry to amend by appointing Toni Ferraro and Paul Jacques as full members and Brian Dubois as an alternate member.

Passage 6-1 (Councilor Walker opposed).

Passage as amended 6-1 (Councilor Walker opposed).

- VII. Open Session** – Vic Caron, 57 Stevens Mill Road stated that what a lot of people are saying is to listen to them. He said he appreciates everyone on the Council but one thing they must understand is the citizens and tax-payers of this city that come to them and speak to them and they have to start listening.

VIII. Reports (from sub-committees to Council)

Mayor Levesque reported that the School Committee and City Council will have a joint meeting coming up on December 19th. He stated that he is on MMA's LD2003 working group with the Legislative Policy Committee, he will keep everyone posted on that item. He also reported that there will be a Veteran's appreciation lunch at the Green Ladle in Lewiston on November 9th and all veterans in Lewiston and Auburn can eat for free.

Councilor Staples reminded everyone that tomorrow is election day, bus rides are free.

Councilor Walker reminded everyone to get out to vote tomorrow.

Councilor Morin, Ward 4 votes at Auburn Hall in the Community Room.

Councilor Whiting advised that Wards 1 and 2 voters vote at the Auburn Senior Center.

- X. Executive Session** – None.

- XI. Adjournment** – Motion was made by Councilor Walker and seconded by Councilor Milks to adjourn. Unanimously approved and the meeting adjourned at 8:24 pm.

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ATTEST _____

Susan Clements-Dallaire, City Clerk

City Manager Crowell called the meeting to order at 7:03 pm. All Councilors were present. The Mayor had an excused absence.

Motion was made by Councilor Walker and seconded by Councilor Morin to nominate Councilor Milks to serve as Mayor Pro Tempore in the temporary absence of the Mayor. There were no other nominations.

Passage 7-0.

Mayor Pro Tempore Milks led the assembly in the salute to the flag.

I. Consent Items - None

II. Minutes – November 7, 2022 Regular Council Meeting

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

Passage 7-0.

III. Communications, Presentations and Recognitions

- Communication - Sustainability and Natural Resource Management Board
- Council Communications (about and to the community)

Councilor Morin congratulated the Leavitt High School and Oxford Hills football teams for winning the state championships.

Councilor Gerry reminded everyone about the Thanksgiving Dinner that will be held at the Senior Center on 11-24-2022. The public is encouraged to call in advance if possible.

City Manager Crowell announced that on December 1st at 4:30 pm at Anniversary Park, we will be unveiling the newest piece of public art installation. More information will be forthcoming. He also reminded the public that the city building will be closed on Thursday and Friday in observance of the Thanksgiving holiday, and there will be no trash pick-up on Thanksgiving Day.

IV. Open Session –

Jane Costlow, 104 Fourth Street provided an explanation of the SNRB communication that was included in the packet.

Pam Rousseau, 745 West Auburn Road, encouraged Council to not move forward on their efforts on the strip zone and she commented on the Andrew Drive zone change request and the FB Environmental study.

David Griswold, 199 Gamage Avenue, spoke regarding the Community Cords Program.

V. Unfinished Business - None

VI. New Business

1. Order 152-11212022

Approving the reallocation of bonds to build roof protection for the Norway Savings Bank Arena (NSBA) sign.

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

Public comment – No one from the public spoke.

Passage 7-0.

2. Order 153-11212022

Approving the Mass Gathering for the New Year's Eve event to be held 12/31/2022. Public hearing.

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

Public hearing – No one from the public spoke.

Passage 7-0.

3. Order 154-11212022

Approving the temporary liquor license for an Incorporated Civic Organization for the New Year's Eve event to be held 12/31/2022. Public hearing.

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

Public hearing – No one from the public spoke.

Passage 7-0.

4. Order 155-11212022

Allocating \$150,000 American Rescue Plan Act (ARPA) funding for the Neighborhood Corner Store Program.

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

Public comment – No one from the public spoke.

Passage 7-0.

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

VIII. Reports (from sub-committees to Council)

Councilor Staples noted that the Library Board will meet tomorrow at 4:30 p.m. at the Auburn Public Library, and this month's LATC meeting has been cancelled.

Councilor Whiting spoke on the Community Cords Program.

Jill Eastman, Finance Director – October Finance Report

Motion was made by Councilor Walker and seconded by Councilor Staples to accept and place on file the final October Finance Report.

Passage 7-0.

IX. Executive Sessions – None

X. Adjournment - Motion was made by Councilor Walker and seconded by Councilor Staples for passage. Unanimously approved and the meeting adjourned at 7:36 pm.

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ATTEST _____

Susan Clements-Dallaire, City Clerk

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

7:00 P.M. City Council Meeting

Pledge of Allegiance

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

1. Order 156-12052022*

Confirming the Mayor's appointment of Scott Berry to the Mayor's Ad Hoc Committee to develop permit ready housing.

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

Passage 7-0.

II. Minutes – November 21, 2022, Regular Council Meeting

Motion was made by Councilor Walker and seconded by Councilor Staples to approve the minutes of the November 21, 2022 Regular Council Meeting.

Passage 7-0.

III. Communications, Presentations and Recognitions

- Communication – Staff response to the Sustainability and Natural Resource Management Board (SNRB) communication (Phil Crowell)
- St. Lawrence and Atlantic Railroad – Berlin Subdivision (Rail Use Advisory Council) Update – Jonathan LaBonte
- Stage Purchase (carryover from the workshop) – Brian Wood
- Council Communications (about and to the community)

Mayor Levesque played a live TV commercial ad for Auburn's New Year's Auburn event. He gave a big thanks to Emerson Toyota for being a big sponsor, as well as Androscoggin Bank, Neocraft Signs, and Proctor and Gamble. The tree lighting is this week at Festival Plaza on Thursday at 6:00 pm and the Christmas Village opens at 4:00 pm.

Councilor Staples stated that he would like to sponsor an order for the next meeting to have the Planning Board take a look at our city zoning to determine whether or not there is an area for shelters.

Councilor Walker announced that Santa Claus is coming to Sullivan Park behind Rolly's Diner on Saturday at 5:00 pm.

City Manager Crowell reported on the Night Out at the Hilton held on Friday evening and the Regional Roundtable that was held with the Chamber.

IV. Open Session –

Pam Rousseau, 745 West Auburn Road expressed concerns with the number of realtors becoming more and more involved in our city and planning board decisions.

V. Unfinished Business - None

VI. New Business

1. Order 157-12052022

Authorizing the use of \$35,000 in ARPA funds for the Auburn Heating Assistance Program.

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

Public comment – No one from the public spoke.

Passage 7-0.

2. Order 158-12052022

Disposition of building located at 110 Hampshire Street under dangerous building statute. Public hearing. Hearing for parties with interest in property.

Council may enter into Executive Session pursuant to 1 M.R.S.A. Sec. 405 (6)(C).

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

Public hearing – Alexandria Savard, owner of 110 Hampshire Street spoke regarding issues with the property.

Passage 6-1 (Councilor Walker opposed). A roll call vote was taken.

3. Order 159-12052022

Approving the liquor license for Ryan & Connor Concessions Group, LLC, DBA: Ringers, located at 985 Turner Street. Public hearing.

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

Public hearing – No one from the public spoke.

Passage 7-0.

4. Order 160-12052022

Allocating up to \$180,000 from the American Rescue Plan Act (ARPA) funds for the purchase of a portable Stage.

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

Public comment – No one from the public spoke.

Motion was made by Councilor Whiting and seconded by Councilor Hawes to postpone this item until the second meeting in January.

Passage 7-0.

5. Ordinance 24-12052022

Zoning Map Amendment - Amending a portion of 150 Andrew Drive (Parcel I.D. 347-003) from Agriculture and Resource Protection (AG), and Low-Density Country Residential (LDCR), zoning districts to the Suburban Residential (SR) as recommended by the Planning Board. First Reading.

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

Motion was made by Councilor Whiting and seconded by Councilor Staples to remand to the planning board.

Public comment – Jeffrey Harmon, 34 Vista Drive wanted to clarify what happened at the Planning Board meeting, which he attended.

John Cleveland, 183 Davis Avenue, said that he concurs with what Mr. Harmon said and noted that he recommends that the Council obtains a legal written opinion on the procedure before moving forward. He provided his comments in writing to the City Council.

Motion was made by Councilor Gerry and seconded by Councilor Staples to add that it is subject to legal review.

Passage 7-0.

Passage of the order as amended, 7-0.

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

VIII. Reports (from sub-committees to Council)

Mayor Levesque, asked the Council if anyone would be interested in serving on the Airport Board, filling that opening. He reported on the upcoming School Committee

meeting where they will be discussing the budget, and the possibility of closing Lake Street School. Discussions are still moving forward on dual enrollment.

Councilor Gerry reported on the Thanksgiving Dinner that took place at the Senior Center on Thanksgiving Day.

Councilor Walker reported on the 9-1-1 meeting that was held last week.

Manager Crowell reported that the Legislative Policy Committee has prepared their list of legislative actions to move forward, and they are monitoring several bills. He also noted that he has asked that the incoming Legislators attend the December 19th meeting.

IX. Executive Sessions - None

X. Adjournment

Motion was made by Councilor Staples and seconded by Councilor Walker to adjourn. Unanimously approved and the meeting adjourned at 8:26 pm.

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Susan Clements-Dallaire, City Clerk

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

7:00 P.M. City Council Meeting

Pledge of Allegiance

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

1. Order 161-12192022*

Re-appointing Susan Clements-Dallaire, City Clerk as the Registrar of Voters for the City of Auburn for a two-year term which will expire on 12/31/2024.

2. Order 162-12192022*

Confirming Chief Moen's appointments of Civilian Process Servers for the Auburn Police Department and Constable Process Servers without firearm/arrest powers within the City of Auburn.

3. Order 163-12192022*

Re-appointing Bryan Bachelder as Auburn's Local Sealer of Weights and Measures with a term expiration of December 31, 2023.

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

Passage 7-0.

II. Minutes – December 5, 2022 Regular Council Meeting

Motion was made by Councilor Walker and seconded by Councilor Milks to approve the minutes of the December 5, 2022 Regular Council meeting.

Passage 7-0.

III. Communications, Presentations and Recognitions

- Discussion with State Legislators -Representative Laurel Libby was present
- Planning Board Policy Violation Legal Opinion (150 Andrew Drive)
- Communication - Shovel Ready Housing Update (Eric Cousens)
- Council Communications (about and to the community)

Mayor Levesque, commented on the Christmas Village in Festival Plaza, and the New Year's Eve Auburn event that is scheduled to be held on December 31st.

Councilor Staples, commented on the Christmas tree lighting ceremonies in Festival Plaza and in New Auburn, and the Christmas Village in Festival Plaza, adding that it was a great time, and he noted that Public Works did a great job clearing roads after the storm.

Councilor Walker thanked everyone that came out for both holiday celebrations.

Councilor Morin reinforced the previous comments, noting that the festivities were awesome, well attended, and he gave thanks to city staff that were involved with the events and the storm clean up.

Councilor Whiting reported on Auburn Nordic Ski Association. You can register on-line at auburnnordicski.org, there is lots of snow, it's been groomed and it's beautiful.

Councilor Gerry thanked the Public Works Department for their efforts with the storm clean up.

City Manager Crowell thanked staff for their efforts with the storm, even with the staffing challenges, the team did a great job. He also commended the work done by the Sustainability and Natural Resource Management Board (SNRB) on the work they did on the ag zone as it pertains to income standards. He encouraged everyone to watch the presentation. It was clear, and they did a great job presenting. He also provided an update on the opioid settlement.

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

V. Unfinished Business - None

VI. New Business

1. Resolve 09-12192022

Supporting a “rail with trail” recommendation from the Rail Use Advisory Council.

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

Public comment – No one from the public spoke.

Passage 7-0.

2. Order 164-12192022

Directing the Planning Board to review unhoused/homeless shelter related uses in the City of Auburn Zoning Districts.

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

Public comment – Andy Titus, 24 Rubilite Lane, said that he is not in favor of sending this to the Planning Board adding that this is important, and we should not sit on this.

Motion was made by Councilor Whiting and seconded by Councilor to postpone this item until May of 2023.

Passage 7-0.

3. Order 165-12192022

Allocating \$145,000 of ARPA (American Rescue Plan Act) funds for the acquisition of the Shovel Ready Housing Plans.

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

Public comment –

Ryan Smith, Auburn resident was unable to attend but provided written comments noting that he would like to see the Council reject this proposal and spend the ARPA money elsewhere and that he would like them to consider other measures to make building in Auburn more affordable.

Andy Titus, 24 Rubelite Lane, stated that he is against the proposal stating that it is unfair to anyone that wants to go through the normal process, there are costs and staff time involved, and it will be hard to police or control this.

Motion was made by Councilor Morin and seconded by Councilor Hawes to postpone until February 13, 2023.

Passage 7-0.

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

VIII. Reports (from sub-committees to Council)

Mayor Levesque reported on the upcoming School Committee meeting scheduled for this Wednesday, where they will discuss dual enrollment.

City Manager Crowell provided an update on the holiday schedule. Next week Auburn Hall will be closed on Monday for the holiday, trash pickup will continue as scheduled.

Jill Eastman, Finance Director – November Finance Report

Motion was made by Councilor Whiting and seconded by Councilor Milks to accept and place on file the November finance report.

Passage 7-0.

IX. Executive Sessions

Contract negotiations, pursuant to 1 M.R.S.A. Section 405(6)(D), with possible action to follow.

Motion was made by Councilor Walker and seconded by Councilor Morin to enter into executive session, pursuant to 1 M.R.S.A. Section 405(6)(D), with possible action to follow.

Passage 7-0. Time, 8:35 pm.

Council was declared out of executive session at 8:55 pm.

Order 166-12192022 authorizing the City Manager to execute a Memorandum of Agreement (MOA) for retention efforts and to reopen Patrol/Detective and Command Unit contracts for negotiation no later than February 1, 2023.

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

Public comment – No one from the public spoke.

Passage 7-0.

Economic development, pursuant to 1 M.R.S.A. Section 405(6)(C).

Motion was made by Councilor Milks and seconded by Councilor Whiting to enter into executive session, pursuant to 1 M.R.S.A. Section 405(6)(C). Mayor Levesque recused himself and stepped out of the room for the discussion.

Passage 7-0. Time 8:59 pm.

Council was declared out of executive session at 9:24 pm.

Economic development, pursuant to 1 M.R.S.A. Section 405(6)(C), with possible action to follow.

Motion was made by Councilor Hawes and seconded by Councilor Walker to enter into executive session, pursuant to 1 M.R.S.A. Section 405(6)(C), with possible action to follow. Councilor Milks recused himself and stepped out of the room for the discussion.

Passage 7-0. Time 9:24 pm.

Council was declared out of executive session at 9:48 pm.

Order 167-12192022 authorizing the City Manager to execute a purchase and sale agreement with Highgate Development, LLC. for the purchase of 15 Academy Street (Auburn Tax Parcel 230-132) and 261 Main Street (Auburn Tax Parcel 231-004) for \$50,000.

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

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

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

Motion was made by Councilor Whiting and seconded by Councilor Staples to enter into executive session, pursuant to 1 M.R.S.A. Section 405(6)(C).

Passage 7-0. Time 9:49 pm.

Council was declared out of executive session at 10:00 pm.

- X. Adjournment** - Motion was made by Councilor Hawes and seconded by Councilor Morin to adjourn. Unanimously approved and the meeting adjourned at 10:00 pm.

A TRUE COPY

ATTEST _____

Susan Clements-Dallaire, City Clerk