

IN COUNCIL REGULAR MEETING JANUARY 3, 2023, VOL. 37 PAGE 1

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. Councilor Milks had an excused absence. All other 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 01-01032023***
Confirming Chief Moen's appointments of Steven Friedrich, William Howard, James Clement, and Joshua Crosswell as Constable with Firearm for the Auburn Police Department.
 2. **Order 02-01032023***
Re-appointing Darren Finnegan to the Planning Board, full member, with a term expiration of 1/1/2026.
 3. **Order 03-01032023***
Appointing Paul Jacques to the Planning Board, full member, with a term expiration of 1/1/2026.
 4. **Order 04-01032023***
Re-appointing Stacey LeBlanc to the Planning Board, full member, with a term expiration of 1/1/2026.
 5. **Order 05-01032023***
Appointing David Trask to the Planning Board, full member, with a term expiration of 1/1/2025.
 6. **Order 06-01032023***
Appointing Amanda Guerette to the Planning Board, associate member, with a term expiration of 1/1/2025.
 7. **Order 07-01032023***
Appointing Timothy DeRoche to the Planning Board, associate member, with a term expiration of 1/1/2026.
 8. **Order 08-01032023***
Re-appointing Danelle Martel to the Auburn Housing Authority Board of Trustees, with a term expiration of 10/01/2027.
 9. **Order 09-01032023***

Re-appointing Jeremiah Bartlett to the Complete Streets Committee, with a term expiration of 1/1/2026.

10. Order 10-01032023*

Appointing Benjamin Weisner to the Age Friendly Community Committee, with a term expiration of 6/1/2023.

11. Order 11-01032023*

Appointing Gerald Samson to the Regulatory Advisory Board, with a term expiration of 6/1/2024.

12. Order 12-01032023*

Appointing Kirk Nadeau to the Airport Board, with a term expiration of 1/1/2026.

13. Order 13-01032023*

Amending the postponement date of order 165-12192022 to February 21, 2022 instead of February 13, 2022.

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

Councilor Whiting asked that Orders 05-01032023, 06-01032023, and 07-01032023 be removed from the consent agenda and placed under new business for discussion.

Passage of the remaining consent items, 6-0.

II. Minutes – December 19, 2022, Regular Council Meeting

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

Passage 6-0.

III. Communications, Presentations and Recognitions

- LA 9-1-1 Presentation
- Presentation of Recreation Non-Profit Groups
 - Auburn Suburban Baseball & Softball
 - Phoenix Karate
 - Auburn Ski Association
 - YMCA
- Council Communications (about and to the community)

Councilor Whiting reported that we should be hearing a fairly big announcement from Museum LA soon.

Councilor Walker reported back on the New Year's Day party that was held at the Senior Community Center.

Councilor Staples reported that he attended the New Year's Auburn event and thanked staff for their efforts.

City Manager Crowell also reported on the New Year's Eve event and thanked everyone that was involved.

Mayor Levesque also commented positively on the New Year's Eve event. He also noted that he is asking staff to put together an order for Council to review and vote on directing the Planning Board to recommend converting the agricultural & resource protection zone within the Lake Auburn Watershed into a city conservation zone.

IV. Open Session – Stephen Beal, Johnson Road commented on the Planning Board appointments that are on the agenda.

V. Unfinished Business - None

VI. New Business

1. Order 14-01032023

Directing the City Manager to acquire the necessary property to optimize a new Engine 2 station and allocating up to \$25,000 from the American Rescue Plan Act (ARPA) funds in support of this initiative.

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

Public comment - No one from the public spoke.

Passage 6-0.

2. Order 15-01032023

Amending Order 22-02072022 to include website redesign and associated costs to the list of projects that were approved in the allocation of ARPA funds.

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

Public comment – No one from the public spoke.

Passage – 6-0.

3. Ordinance 01-01032023

Amending the Code of Ordinances, Sec. 16-49, Security Systems and Appendix A, Fees and Charges under Emergency Management and Service, removing the renewal requirement and associated fee. First Reading.

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

Public comment – No one from the public spoke.

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

Order 05-01032023

Appointing David Trask to the Planning Board, full member, with a term expiration of 1/1/2025. This item was removed from the Consent Agenda.

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 Staples and seconded by Councilor Whiting to replace David Trask with Joshua Daigle for this position.

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

Passage of Order 05-01032023 4-2 (Councilors Gerry and Whiting opposed).

Order 06-01032023

Appointing Amanda Guerette to the Planning Board, associate member, with a term expiration of 1/1/2025. This item was removed from the Consent Agenda.

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

Public comment – Stephen Beal, 575 Johnson Road, commented that it would be of interest to the public to know if someone has resigned or reached their term limits.

Motion was made by Councilor Whiting and seconded by Councilor Gerry to replace Amanda Guerette with Stanwood Gray for this position.

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

Passage of Order 06-01032023 4-3 (there was a tie vote of 3-3 with Councilors Gerry, Whiting, and Staples opposed, and in accordance with the City Charter, Article III, Section 3.3, Mayor Levesque voted to break the tie vote, voting in the affirmative).

Order 07-01032023

Appointing Timothy DeRoche to the Planning Board, associate member, with a term expiration of 1/1/2026. This item was removed from the consent agenda.

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

Public comment – No one from the public spoke.

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Motion was made by Councilor Staples and seconded by Councilor Whiting to replace Timothy DeRoche with Joshua Daigle for this position.

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

Passage of Order 07-01032023 6-0.

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

VIII. Reports (from sub-committees to Council)

Mayor Levesque reported on the dual enrollment program for Edward Little High School students.

Councilor Morin reported that he is excited about this project, and he gave special thanks to the Central Maine Community College staff, particularly Andrew Morong, and his team.

Councilor Whiting commented on an experience he had while in high school and stated that it will be great for students to have this opportunity.

Manager Crowell thanked Mr. DeRoche for coming to the meeting tonight and for applying to serve on the Planning Board position. There will be a legal consultation for new Planning Board members that will be held tomorrow night. He also said that moving forward, we will include information in the Appointment Committee minutes when a position is vacant due to a resignation or term expiration. He also provided an update on staffing and hiring of police officers.

IX. Executive Sessions – Legal Matter, pursuant to 1 M.R.S.A. §405(6)(E). This item was taken up during the workshop.

X. Adjournment

Motion was made by Councilor Staples and seconded by Councilor Morin to adjourn. Unanimously approved and the meeting adjourned at 8:09 pm.

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ATTEST _____

Susan Clements-Dallaire, City Clerk

IN COUNCIL REGULAR MEETING JANUARY 17, 2023, VOL. 37 PAGE 6

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. Councilor Milks had an excused absence. All other 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 16-01172023*

Re-appointing Karen Scammon as the City Assessor with a term expiration of 01/31/2028.

2. Order 17-01172023*

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

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

Passage 6-0.

II. Minutes – January 3, 2023 Regular Council Meeting

Motion was made by Councilor Walker and seconded by Councilor Staples to approve the minutes of the January 3, 2023 Regular Council Meeting.

Passage 6-0.

III. Communications, Presentations and Recognitions

- Library Presentation and Update - Mamie Anthoine Ney, Library Director
- Communication - Business License Denial Notification (1800 Club, LLC.)
- Council Communications (about and to the community)

Mayor Levesque reported that Burnt Ends BBQ located Lewiston and owned by Jill and Kevin Cunningham (Jill is an Auburn city staff member) will be celebrating their 1-year business anniversary, on January 23rd adding that they have great barbeque.

Councilor Morin extended his appreciation for everyone involved at the Auburn Public Library.

Councilor Walker reported that the United New Auburn Association will be meeting on January 31st at Rolly's Diner. Chief Moen of the Auburn Police Department will be the

guest speaker. On Thursday, January 26th the Neighborhood Watch meeting will be held at 6:00 pm at the Sixth Street Congregational Church.

Manager Crowell, provided an update on the Maine's Hire-A-Vet Campaign which staff participated in. He also stated that he has been hearing from Councilors regarding conflict with the February meeting dates. He is proposing that Councilors suspend the rules to add item to the agenda to change meeting dates.

IV. Open Session

Bruce Rioux, 85 Mary Carroll Street would like Councilors to add to the February agenda a workshop and eventually a vote to use tax-payer funds to reimburse rate payers of the Auburn Water District for the cost of the litigation for the Lake Auburn lawsuit that the City of Lewiston has filed.

Pam Rousseau, 745 West Auburn Road would like to have a way to provide public comment when people cannot attend a meeting.

Larry Pelletier, 129 Second Street commented on the homeless crisis in Auburn and Lewiston.

V. Unfinished Business

1. 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. No one seconded the motion.

Motion fails for lack of a second.

2. Ordinance 01-01032023

Amending the Code of Ordinances, Sec. 16-49, Security Systems and Appendix A, Fees and Charges under Emergency Management and Service, removing the renewal requirement and associated fee. Public hearing and second 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 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 Walker and seconded by Councilor Staples for passage.

Public comment – No one from the public spoke.

Passage 4-2 (Councilors Gerry and Whiting opposed). A roll call vote was taken.

VI. New Business

1. Order 18-01172023

Directing the Planning Board to provide a recommendation on a zoning text and map amendment prohibiting any future residential structures and animal farms within the portion of the Lake Auburn watershed zoned “Agriculture and Resource Protection”.

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

Public comment – No one from the public spoke.

Passage 5-1 (Councilor Gerry opposed).

2. Order 19-01172023

Directing the Planning Board to provide a recommendation for a zoning amendment that will prohibit any future subsurface wastewater disposal within 300’ of Lake Auburn.

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

Public comment – No one from the public spoke.

Passage 5-1 (Councilor Gerry opposed).

Motion was made by Councilor Staples and seconded by Councilor Whiting to suspend the rules. Passage 6-0.

Motion was made by Councilor Whiting and seconded by Councilor Walker to cancel the February 6, 2023 and February 21, 2023 Council meetings and to schedule a meeting for February 13, 2023.

Passage 6-0. This becomes Order 20-01172023.

VII. Open Session – No one from the public spoke

VIII. Reports (from sub-committees to Council)

Mayor Levesque reported on some recent news about the high school construction cost overruns and significant PBC mitigation. A meeting has been scheduled with the Governor, the General Contractor and sub-contractors regarding this issue. The School Committee is now in budget discussions and prepping their FY 24 budget.

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Councilor Staples, reported on last week's LATC (Lewiston Auburn Transit Committee) meeting. They have been discussing the upcoming budget.

Councilor Walker reported that the 911 Committee will be meeting on Thursday at 8:00 am at Lewiston City Hall, and the Age Friendly Community Committee will be holding a spaghetti Valentine Day dinner on February 14th.

Councilor Whiting, commented on Larry Pelletier's comments on homelessness and asked the City Manager if there was any word on the State of Maine housing.

City Manager Crowell provided an update on overnight warming shelters. A draft application will be submitted to the State which would provide accommodations for up to 68 people and will be located at 121 Mill Street in Auburn. If approved, it will be coming back to the Council for a vote. The Director of the 911 center provided updated information which will be made available. He also wanted to recognize staff. Brian Wood, Assistant City Manager received an award for the Finest Under 40 with the Chamber of Commerce, Sue Clements-Dallaire, City Clerk received her Master Municipal Clerk designation, and our Finance Director, Jill Eastman and her team received a certificate of achievement for excellence in finance reporting which is 29 years running for our Finance Department.

Jill Eastman, Finance Director – December Finance Report

Motion was made by Councilor Walker and seconded by Councilor Morin to accept and place on file the December Finance Report. Passage 6-0.

IX. Executive Sessions – None.

X. Adjournment

Motion was made by Councilor Morin seconded by Councilor Walker to adjourn. Unanimously approved and the meeting adjourned at 7:44pm.

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ATTEST _____

Susan Clements-Dallaire, City Clerk

FY23 GOALS | DEPARTMENT UPDATES

PLANNING FOR A BETTER FUTURE | Attract quality businesses by creating an environment where business can succeed. Enrich lives and promote community life in Auburn.

Business & Community Development: The Department has implemented six initiatives to support small businesses and entrepreneurs in the community. These include: (1) a micro enterprise loan program offering up to \$7,500 for low-income or underserved business owners; (2) a revolving business loan program providing up to \$150,000 to new and expanding businesses; (3) a corner store grant program offering up to \$35,000 in funding to improve food options in neighborhoods; (4) active involvement in the strengthen L/A program to address workforce issues in the city; (5) participation in the recovery friendly workplace initiative to support the hiring of individuals in recovery; and (6) the simplification of documentation and processes for clients to make it easier to do business with the Department.

City Clerk: Continue to work closely with businesses guiding them through the business licensing/renewal process with one part time staff person is dedicated to marijuana licensing which helps to ensure a smooth and consistent process for business owners.

Communications & Community Development: Supported and promoted Auburn's departments, signature events, initiatives, and programs, helping to enhance Auburn's reputation as a regional destination and an exceptional community partner. Collaborated with community partners, hosted and/or promoted new business/grand opening events, public art dedications, new construction/development projects, and other unifying, community-building occasions. Launched and promoted Auburn's inaugural Christmas Shopping Village, which supported small local businesses and entrepreneurs and made downtown Auburn a holiday destination.

Economic Development: Implementation of the Downtown Revitalization Plan included but was not limited to: successfully marketing seven city-owned downtown properties, creating the Christmas Village, partnering with the founder of the Blues and Brews Fest, coordinating New Year's Auburn, developing a new spring event, continually updating the Storywalk, and meeting with business prospects and investors.

Fire Department: We continue to streamline fire safety inspection processes to reduce the impacts on businesses. We have reduced time taken for plans review processes and approvals.

Information Technology: We will continue to streamline software solutions that offer residents, business owners, and contractors a more transparent and connected community.

Police Department: We continue to work on reducing shoplifting incidents with our retailers. Later this month we are initiating a Citizens Police Academy to help further the public's understanding of department operations.

Public Works: Although, this winter has not produced a great deal of snow the department maintains a high priority of snow removal for the downtown businesses improving access throughout the winter months.

Recreation: Focus on reaching out to local businesses to help support our programming. Sponsorships and donations from Auburn business not only help us keep costs low but it is also an opportunity for those businesses to get their name out into the community. Continue to help support each departments special events and use our resources to ensure our patrons know not only what the Recreation Department is offering but other departments within the City.

Sports Tourism: Auburn is including sports in its tourism strategy and tourism in its sports strategy. Connect with leaders, investors, real estate influencers, and partner organizations to promote engagement. Continue successful communication with local community stakeholders (Ex. Auburn Suburban) and regional stakeholders (Ex. Edge Sports Group) who will support the city's future sport tourism initiatives. Cultivate relationships with investment groups (Ex. Municipal Acquisitions) to explore ways to fund sports tourism projects and initiatives. Main mission is to focus on three (3) impacts of sport tourism: 1. Direct impacts (Ex. retail, food, and lodging), 2. Indirect (Ex. Purchase of goods and services - B2B), and 3. Induced (Ex. Money spent back into the economy)

Transportation: Established engagement with downtown businesses and prospective investors regarding infrastructure challenges and opportunities (including pedestrian safety, transit access, parking, etc) as continued scope development for small area master plans and seeking of non-local infrastructure investment (MaineDOT or federal)

RECLAIMING OUR STREETS | Develop clear identities for Auburn's Downtown and industrial parks that consider scale, connectivity, use, and integrity to maximize their appeal. Invest in and maintain infrastructure necessary to provide sustainable, safe, and livable environment.

Business & Community Development: The Department's ongoing neighborhood challenge grant program empowers local neighborhood groups to request funding for small infrastructure projects that enhance their communities. Grants of up to \$10,000 are available for a wide range of projects, including park benches, wayfinding signage, and more. In addition, the Department has actively pursued federal earmark dollars to secure funding for larger projects that benefit the entire city.

Communications & Community Engagement: Installed, decorated, and promoted "pop-up shops" on Festival Plaza to help beautify the downtown and bring more visitors to the heart of the city. Designed and installed signage for public art, and promoted the art unveiling events. Increased use of electronic signs, light pole banners, etc. to beautify downtown and promote the city. Supported Public Works beautification efforts - planters, benches, street tree planting, etc. Promoted recycling, sustainability, composting, and other initiatives. Created StoryMap to highlight the city's sustainability efforts. Worked with Downtown Coordinator to improve Riverwalk StoryWalk installations. Created Court Street transportation survey to help improve walkability efforts. Created and shared public safety alerts, educational materials, and anti-crime initiatives, including Neighborhood Watch, National Night Out, motorist safety info, fire prevention info, and much more.

Economic Development: The Economic Development Department took an interdepartmental approach to create and begin implementing the 5-Year Downtown Revitalization Plan. In addition, we created and have been presenting the GIS powered storyboard identifying Auburn as Maine's manufacturing, warehousing, and distribution hub.

Fire Department: Improving public safety infrastructure by working toward a new public safety building and South Main Street Fire Station.

Information Technology: We will continue to aid internal departments with their needs to develop Auburn's Downtown through connectivity and technology.

Police Department: The department works daily to ensure the safety of our motoring public throughout the city. As with Fire, we are working on improving the Public Safety Infrastructure with the Public Safety Building Project.

Public Works: Public Works plays a significant role in maintaining city streets, sidewalks, trails, and outdoor in support of all city neighborhoods. Projects such as North River Rd and Woodbury Hill Rd cold mulch road treatments improved the quality of each of these neighborhoods. The department continues to explore other roads that could benefit from the less expensive, but effective road treatments.

Recreation: With the new playground spaces is an opportunity to further promote our great parks and fields. Promoting these locations and fields as areas for the community

to gather and host parties. Look into adding equipment to playgrounds for those with intellectual and physical disabilities.

Sports Tourism: Sport tourism projects have been critical steps in many urban renewal efforts creating economic engines. We will continue to explore and understand specific programming niches across Auburn. The use of certain spaces and industrial areas offer flexibility with sport tourism projects and events. Identify different demographic groups targeting how these areas of Auburn can be designed to accommodate sports tourism projects. (Ex. Use of downtown and festival plaza for the 2024 Fan Fest area for the National Collegiate Roller Hockey National Championship.

Transportation: Coordinated with Capital Investment/Engineering and Community Development to prioritize putting out to bid a Union Street crosswalk improvement and a new Gamage Ave crosswalk creating improved safety and connectivity in the PAL/Washburn School Neighborhood. Also coordinated with Planning and Permitting and Public Works on a GIS intern project to evaluate crosswalk compliance with MaineDOT safety policies through our CDBG priority census tracts. Additional effort will go into an action plan to improve pedestrian safety in known high crash locations and on priority walking routes to neighborhood schools.

MAKING HOUSING MORE ATTAINABLE | Efficiently utilize current housing stocks and sustainable targeted residential development that supports and attracts growth, residents, and workforce.

Business & Community Development: The Department has 9 initiatives in place to support housing and homeownership. 3 of these programs have been in place for some time, while the remaining 6 are relatively new (within the last 18 months). These include: (1) critical repair program, which provides funding to repair critical components of homes/apartments for eligible residential homeowners and landlords; (2) home buyer program, which offers down payment assistance to eligible applicants; (3) security deposit program, which helps eligible individuals access funds for security deposits on qualified apartments; (4) lead hazard abatement program, which provides funding to remove lead hazards from eligible housing units; (5) accessory dwelling unit program, which offers grants of up to \$30,000 to assist with the creation of new, affordable dwelling units on existing properties; (6) curb appeal program, which provides up to \$10,000 in grants to multi-unit building owners to improve visual impact; (7) heating assistance program, which provides up to \$700 in assistance to qualified residents; (8) sustainable Auburn program, which offers matching grants to residents; and (9) housing

resource coordinator, who works with unhoused residents to find affordable housing solutions.

Communications & Community Engagement: Distributed press releases and social media promoting various business, economic, and community development programs and initiatives, such as Sustainable Auburn rebates, HOME-ARP, HEAP and heating assistance, property tax stabilization program, property tax relief program, and more. Promoted and supported city's recruitment efforts across all departments. Worked with administration and human resources to evaluate employee recruitment and retention strategies; laid groundwork for a regional hiring event to be held in 2023. Created Qualified Sales StoryMap to help tell the story of Auburn's recent housing market.

Economic Development: Economic development met with a total of 92 developers and investors to promote the need for additional housing in Auburn. Examples meetings resulting in building new residential units include but are not limited to the Sable Ridge development and seven city-owned properties.

Fire Department: We support all housing development by ensuring all housing types meet minimum safety standards.

Police Department: Implementation of the Disorderly Housing Ordinance has been an effective means to addressing problem housing areas and working with property owners to quell disturbances in the neighborhoods. Staffing constraints have not allowed us to develop a selective enforcement strategy for neighborhoods.

Recreation: Keeping program cost low so all community members feel that they can participate regardless of their financial situation.

Sports Tourism: With the expected housing growth around the Auburn Mall and Norway Savings Bank Arena area, the city sees sport as a lever for economic development and has seized opportunities to be attractive to event hosting and visitors while meeting the needs of citizens and honoring local identities in which the city they live. Solidifying the emergence and attractiveness to live in this part of Auburn.

Transportation: Coordinating with Planning and Permitting on infrastructure needs and opportunities as zoning changes have advanced through the Planning Board and when prospective investors reach out to the city. This has included reviewing Complete Street policies, framing opportunities for street grid expansion, additional walking facilities, and how our ordinances might further encourage in-fill along existing street networks.

ENRICHING NEIGHBORHOOD IDENTITIES | Support all residents by fostering a sense of unity while honoring diversity and coordinating community resources and assets to provide "wraparound" support to all residents. Dedicate resources to define our image and identity to build a sense of community.

Communications & Community Engagement: Shared weekly/monthly police, 9-1-1, and planning/permitting statistics to educate residents, demonstrate transparency in reporting, and highlight the performance of city departments. Promoted and facilitated assessing division's "Virtual Town Hall" meetings to help residents better understand recent valuation adjustments. Promoted Community Forums on Zoning. Inspired community and neighborhood pride, but working to successfully and thoughtfully tell the story of Auburn through photos, live and pre-recorded videos, and other content.

Fire Department: We are working to establish the Co-responder PSY program to offer "wrap around" support to citizens with substance abuse, behavioral health or homelessness issues.

Human Resources: Work to attract out of state and New Mainer potential employees with skills to build the CoA workforce and bring their families into our community.

Police Department: The Police Athletic League (PAL) program is the successful cornerstone in enriching neighborhood identity. The continued success of the program has led to the implementation of a new building project that has received significant federal funding. We continue to support our Neighborhood Watch Program as staffing allows.

Recreation: Provide programming for the New Mainer population – to feel included- by reaching out to community via social media and surveys to see what they would like to be offered in their community.

Sports Tourism: Continue to evaluate, strategize, and move progress on two (2) or more recreational infrastructure projects aimed at improving or enhancing local infrastructure for the purpose of accessibility, sustainability, and revenue enhancement measures that are necessary. This includes evaluating a third sheet of ice and a comprehensive plan to build a new indoor turf facility that both are fiscally sustainable and focuses on meeting the growing population density and accessibility to its citizens.

Transportation: Coordinated with Communications, Capital Investment, and School Department for a survey of students and residents along the Court Street Corridor for targeted pedestrian improvements, per Council CIP allocation. Follow up public meeting to review results and staff recommendations based on neighborhood input to follow this winter.

ENACTING RESILIENT SOLUTIONS | Create, support, and market accessible, connected, and diverse network of recreation and natural resources that provides destinations and pathways for residents. Continue to improve access to training designed to address workforce gaps. Provide diverse, well-rounded education through partnerships. Protect funding and support educators, facilities, and accessibility.

Communications & Community Engagement: Used social media, email & text alerts, media releases, city website, electronic signage, electronic mapping, and other methods to provide dependable, consistent communication to residents, businesses, etc. on topics such as summertime cooling centers, winter warming centers, browntail moth abatement, PFAS, parking bans, road closures/traffic alerts, and much more. Designed and produced the city's Annual Report to the Community. Designed and produced various surveys to collect and evaluate community data and feedback. Collected and distributed resident complaints, compliments, and feedback (received via email, social media, and the city website) to appropriate staff and city council in an effort to include citizens in the decision-making process and to offer exceptional customer service and help make improvements to Auburn's service delivery.

Fire Department: Placed a rescue UTV into service to meet the increased demands for EMS and rescue services associated with recreational activities such as hiking, biking, and fishing.

Public Works: Public Works provides maintenance and conducts small construction projects in support of all Auburn Recreation facilities and ensure safe connectivity amongst the city's recreation and natural resource assets. The department has created an in-house Professional Driving training program to address the department's workforce gaps. The training program provides local residents with an opportunity to start a professional CDL operator career at Auburn Public Works with no experience.

Recreation: Providing participates with program brochures in different languages. We have started to offer programs partnering with Special Olympics that provide opportunities for those with disabilities to play alongside with others.

Sports Tourism: Sports tourism will continue to play an important role in recovery and resilience building here in Auburn post Covid-19. Contributing to evolving hospitality and experience economy, while generating social and environmental benefits in our local community. We continue to reinforce a growing appreciation for the need to facilitate exercise and sport as part of making Auburn healthier and more attractive to

those living and visiting our city. Combine sporting events with local opportunities, local entrepreneurs and utilize local services to minimize economic outflow and maximize local benefits.

Transportation: Coordinated with Capital Investment and Purchasing, along with the Sustainability Workgroup, to host a Bates College student research team evaluating opportunities for EV infrastructure in Auburn. Follow up activities included engaging Efficiency Maine and MaineDOT to seek non-local funding for further investment.

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.

7:00 P.M. City Council Meeting

Pledge of Allegiance

I. Consent Items

1. Order 21-01032023*

Re-appointing Robert Cavanagh to the Auburn Sewer District Board of Trustees, with a term expiration of 3/1/2027.

2. Order 22-01032023*

Re-appointing Jason Pawlina to the Auburn Water District Board of Trustees, with a term expiration of 3/1/2027.

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

Passage 7-0.

II. Minutes – January 17, 2023 Regular Council Meeting

Motion was made by Councilor Walker and seconded by Councilor Staples to approve the minutes of the January 17, 2023 Regular City Council meeting.

Passage 6-0-1 (Councilor Milks abstained as he was not present for the meeting).

III. Communications, Presentations and Recognitions

- Mayor Jason Levesque’s State of the City Address which was previously recorded was presented.
- Communication from Frederick Kunas (Auburn Suburban Baseball & Softball)
- A Special City Council Meeting to be held on February 17, 2023
- Council Communications (about and to the community)

Councilor Staples congratulated the Edward Little High School basketball teams on a successful season. He also commented on the Sun Journal article regarding the warming shelter. He stated that the city did put forth a good effort and would like that to continue.

IV. Open Session

Larry Pelletier, 129 Second Street, spoke regarding an article on homelessness and read reasons why someone may become homeless. He provided a written copy.

Bruce Rioux, 85 Mary Carroll Street, would like Auburn tax payers to reimburse the Water District rate payers for the legal fees incurred due to the law suit that was initiated by the City of Lewiston.

V. Unfinished Business

1. 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. Public hearing and second reading.

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

Public hearing –

Ryan Smith, 14 Weaver Street, spoke regarding the City Attorney’s recent legal opinion and said he would like the City Council to reach out to legal counsel again or have the petitioner start the process over.

Stephen Beal, 575 Johnson Road, spoke regarding this property adding that this parcel is not suitable for suburban residential.

Razell Ward, 1372 North River Road, spoke regarding storm water runoff on Andrew Drive and stated that this lot is not suited for residential development, and she is respectfully requesting that this not be approved.

Lisa Bisson, 199 Andrew Drive, stated that there was a lack of adequate infrastructure for development at this location, the roads are narrow and there is no turnaround. She stated that the East Auburn Community respectfully requests that they not approve the zoning change.

John Cleveland, 183 Davis Avenue, discussed elevations and slope sides of this lot, there is no way to develop a road on those steep grades and there are no other abutting roads to get there adding that it is not adequate to support suburban residential construction, and he would like the City Council to reject this.

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

2. 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 Morin and seconded by Councilor Hawes for passage.

Public comment – No one from the public spoke.

Motion was made by Councilor Staples to postpone this item, then withdrew his motion.

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

VI. New Business

1. Public hearing – CDBG & HOME Annual Action Plan

Larry Pelletier, 129 Second Street, continued reading an article he found regarding homelessness.

Andy Titus, 24 Rubellite Lane, stated that this plan should have a goal and how we did against that goal when spending the money. We need to measure how the money is being used and if it is not working that is how we will know to switch to something different.

2. Ordinance 02-02132023

Amending the definition and use of standards related to Public Safety Facilities, Detention Facilities, Correctional Facilities and/or Government Offices at a site on which the use does not currently exist. First reading.

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

Public comment – Andy Titus, 24 Rubellite Lane stated that he was disturbed about this, adding that it is far reaching, and Council will have to become involved and then it becomes politics. He said he feels it is wrong and they are rushing this through.

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

3. Order 23-02132023

Authorizing the City Manager to execute a CBA between the City of Auburn and the Auburn Firefighters Association Local 797.

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

Public comment – No one from the public spoke.

Passage 7-0.

VII. Open Session – Fred Stone, 169 Royal River Road would like to extend some of his property to rural residential, which is currently listed in the Ag zone. He said he would like to build a home on the land, but he can't because of the zoning. He also spoke about a blue building on Trapp Road that he said is an eyesore, a danger, and a fire hazard. It is boarded up now after being vandalized. He would like to know if something can be done about that property.

VIII. Reports (from sub-committees to Council)

Mayor Levesque commented on the ELHS basketball games, the boys alpine ski team came in first place in KVAC's, girls came in second, and boys swimming first place, adding that it is a very busy sports season. He spoke about the Court Street traffic, and appreciates the work Jason Moen, Jonathan LaBonté, and Kris Bennett did presenting, and he reported that the Legislative Policy Committee will be working on several bills.

Councilor Gerry commented on the warming shelter and asked what will we be doing moving forward. She would like to see the City Manager come up with some other locations.

Councilor Whiting wanted to attest to Mr. Stone's comment on the building on Trapp Road and said he was glad that he brought it to our attention. He also announced the new name of Museum LA is Maine Mill – Maine Museum of Innovation, Learning, and Labor.

Councilor Milks reported that we are looking for two additional Sewer District Trustees.

Councilor Morin reported that Mr. Stone lives in his ward and he encouraged him to come here to speak.

Councilor Walker said he agreed with Mr. Stone regarding his property and the warehouse that he mentioned earlier. He also reported that the Neighborhood Watch meeting will be held at the Sixth Street Congregational Church at 6:00 pm on February 23rd. The United New Auburn Association will be meeting on February 28th at Rolly's Diner. Fire Chief Chase will be the guest speaker at 6:00 pm.

Councilor Staples reported that the library committee met at the end of January, and they've been discussing fundraising events.

City Manager Crowell will provide a budget meeting schedule at the next regular meeting, he provided an update on the status of the warming center, some of the partnerships working with the city on this, and resources that are available and how we are addressing the issue.

Jill Eastman, Finance Director – January 2023 Finance Report

Motion was made by Councilor Walker and seconded by Councilor Morin to accept and place on file the January 2023 Finance Report.

Passage 7-0.

IX. Executive Sessions

Labor contract negotiations (Police Patrol), pursuant to 1 M.R.S.A. §405(6)(D).

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

Passage 7-0. Time 8:29 pm.

Council was declared out of Executive Session at 8:39 pm.

Labor contract negotiations (Police Command), pursuant to 1M.R.S.A. §405(6)(D).

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

Passage 7-0. Time 8:40 pm.

Council was declared out of Executive Session at 8:48 pm.

Economic development, pursuant to 1 M.R.S.A. §405(6)(C) which premature disclosure would prejudice the competitive or bargaining position of the City.

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

Passage 7-0. Time 8:51 pm.

Council was declared out of Executive Session at 9:11 pm.

X. Adjournment

Motion was made by Councilor Whiting and seconded by Councilor Morin to adjourn. Unanimously approved and the meeting adjourned at 9:13 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 and led the assembly in the salute to the flag. Councilor Moring had an excused absence. All other City Councilors were present.

5:30 P.M. City Council Meeting

Pledge of Allegiance

I. Unfinished Business

1. Ordinance 02-02132023

Amending the definition and use of standards related to Public Safety Facilities, Detention Facilities, Correctional Facilities and/or Government Offices at a site on which the use does not currently exist. Public hearing and second reading.

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

Public hearing – No one from the public spoke.

Motion was made by Councilor Staples and seconded by Councilor Whiting to postpone this item to the next City Council meeting.

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

Passage of Ordinance 02-02132023 4-2 (Councilors Gerry and Whiting opposed).

X. Adjournment

Motion was made by Councilor Milks seconded by Councilor Hawes to adjourn. Unanimously approved and the meeting adjourned at 5:35 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. Councilor Staples had an excused absence. All other City Councilors were present.

7:00 P.M. City Council Meeting

Pledge of Allegiance

I. Consent Items

1. Order 24-03062023*

Setting the time to open the polls at 7:00 a.m. for 2023 Elections.

2. Order 25-03062023*

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

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

Passage 6-0.

II. Minutes

February 13, 2023, Regular Council Meeting Minutes

Motion was made by Councilor Milks and seconded by Councilor Walker to approve the minutes of the February 13, 2023 Regular Council Meeting.

Passage 6-0.

February 17, 2023, Special Council Meeting Minutes

Motion was made by Councilor Milks and seconded by Councilor Walker to approve the minutes of the February 17, 2023 Special Council meeting.

Passage 5-0-1 (Councilor Morin abstained as he was no present at that meeting).

III. Communications, Presentations and Recognitions

Norway Savings Bank Arena's 10 Year Anniversary

Marc Gosselin, Executive Director, Community Partnerships & Sport Tourism and Karen Hakala, Senior Vice President of Marketing for Norway Savings Bank presented by unveiling the new anniversary log and introduced the new mascot, Barnabee.

Council Communications (about and to the community)

Councilor Whiting stated that he has missed out on skiing at Auburn Nordic Ski Association which has more snow than they've had in a long time.

Mayor Levesque reported that there has been great public response to the announcement of the Auburn Lobster Festival that is scheduled on May 6th at Festival Plaza beginning at noon. More information can be found at www.auburnlobsterfestival.com.

City Manager Crowell addressed the article that was in the newspaper this morning regarding biosolids in the State of Maine and the impacts it is having on communities.

IV. Open Session – Dave Griswold, 199 Gamage Avenue, as Chair of the Community Forest Working Group provided a summary of their 2022 accomplishments and touched on a few things the group would like to work on in 2023.

V. Unfinished Business - None

VI. New Business

1. Order 26-03062023

Authorizing the marketing of City owned property 121 Mill Street Parcel ID 221-041.

Motion was made by Councilor Walker 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 Gerry to amend by adding language that all offers will be reviewed and recommendations made by a neighborhood committee formed by the Mayor.

Passage 4-2 (Councilor Milks and Walker opposed).

Passage as amended, 6-0.

2. Order 27-03062023

Authorizing the marketing of City owned property 80 Lake Street Parcel ID 239-114.

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

Public comment – No one from the public spoke.

Motion was made by Councilor Whiting and seconded by Councilor Gerry to amend by adding language that all offers will be reviewed and recommendations made by a neighborhood committee formed by the Mayor.

Passage 4-2 (Councilor Milks and Walker opposed).

Passage as amended, 6-0.

3. Order 28-03062023

Authorizing the marketing of City owned property Rodman Road Parcel ID 198-036.

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

Public comment – No one from the public spoke.

Motion was made by Councilor Whiting and seconded by Councilor Gerry to amend by adding language that all offers will be reviewed and recommendations made by a neighborhood committee formed by the Mayor.

Passage 4-2 (Councilor Milks and Walker opposed).

Passage as amended, 6-0.

4. Public Hearing
Stable Ridge TIF District.

Mayor Levesque opened the public hearing at 7:43 pm

Andy Titus, 24 Rubelite Lane, questioned the \$250,000 amount that was mentioned would go toward public safety (under allowed use of TIF dollars). He said his is not a fan of TIF's and found that it is restrictive. He added that he doesn't believe in credit enhancements at all, and added that we should TIF just a portion, maybe a 50% TIF and the rest should be available for the general fund.

Jeffrey Harmon, 34 Vista Drive, commented on a credit enhancement agreement which he stated would give a \$500,000 rebate of taxes paid by the developer back to them. He said if they want to create a TIF and steer money toward improvements in the Court Street area, great, but we should not include a credit enhancement agreement.

Bob Hayes, 172 Allen Avenue stated that he finds it interesting how TIF's have evolved over the years adding that in the last decade or so, we've gone from TIF's on commercial properties to TIF's on residential properties. He stated that we have to be careful with the project that is before us being considered.

John Cleveland, 183 Davis Avenue, stated that he agrees with previous speakers. He noted that the credit enhancement agreement is transferrable, so if the current owner decides to sell the property, the credit enhancement goes to the new buyer. He went on to say that we really should think about whether we should be doing a 100% TIF. All property owners should contribute something to the ongoing expenses, and he suggested looking at a 60% TIF instead of a 100% TIF, and further suggested removing the credit enhancement agreement.

Mayor Levesque closed public hearing at 7:56 pm.

5. Order 29-03062023

Amending Order 151-11072022 previously adopted by the City Council on 11/07/2022 extending the date for the Planning Board to provide a recommendation on a text amendment on a proposed zoning amendment from 3/20/2023 to 4/18/2023.

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

Public comment – Ryan Smith, 14 Weaver Street, asked why this is being delayed just a month when the Planning Board said at their last meeting that they would probably need until the end of the year on this. He asked that Council vote this down and take the proper public process and the Planning Board can make a proper recommendation.

Passage 6-0.

VII. Open Session

Andy Titus, 24 Rubelite Lane, spoke regarding spring clean-up and said he thinks we should do the spring clean-up this year and notify the public that this is the last year we do spring clean-up and delay the new proposal until next year.

VIII. Reports (from sub-committees to Council)

Mayor Levesque reported that there is a lot of legislation action happening. He stated that the decrease in educational revenue share is driven by a decrease of students. He reported on the School Committee budget. The School Committee is looking at bottom line budget increase as proposed on the school side of .64 to the mil rate.

IX. Executive Session - None

X. Adjournment

Motion was made by Councilor Milks seconded by Councilor Morin to adjourn. Unanimously approved and the meeting adjourned at 8:09 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. All Councilors were present.

7:00 P.M. City Council Meeting

Pledge of Allegiance

I. Consent Items

1. Order 30-03202023*

Confirming Chief Moen's appointments of Andrew Shute and Andrew St. Pierre as Constable with firearm/arrest powers for the Auburn Police Department.

2. Order 31-03202023*

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

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

Passage 7-0.

II. Minutes – March 6, 2023, Regular Council Meeting

Motion was made by Councilor Walker and seconded by Councilor Milks to approve the minutes of the March 6, 2023 Regular City Council meeting.

Passage 6-0-1 (Councilor Staples abstained as he was not present for the meeting).

III. Communications, Presentations and Recognitions

Council Communications

David Chittim, President of the Androscoggin Historical Society announced that AHS turn one hundred years old this year. He also announced that they have purchased a building in Lewiston (93 Lisbon Street) after 86 years being located in the Androscoggin Court House building. He stated that they are hoping to raise a total of \$750,000 over the next few years. He said they are requesting a grant from the City of Auburn in the amount of \$60,000 adding that Lewiston granted them \$75,000 last year. He noted that they will also be reaching out to other towns. The Mayor followed by stating that he submitted an endorsement for funding for this project with Senator Collins. A copy which will be included in the minutes.

Councilor Morin stated that he recalls visiting the Androscoggin Historical Society when he was in school, adding that he has a personal passion for history and he thanked Mr. Chittim for coming in and speaking.

Manager Crowell reported that on May 3rd the City of Auburn will collaborate with the Police Activities League (PAL) to bring LEADERCAST to the community. This is an important fundraiser for PAL. More information can be found on www.auburnpal.com or they can contact Liz Allen. He also shared the annual report with the Council and members of the public.

Mayor Levesque announced that the Lobster Festival is moving forward in May at Festival Plaza. He added that this event is also to raise money for the Maine Lobstermen Association. One fundraiser is a buoy painting contest where members of the public can buy a buoy for \$20, decorate it, bring it to the festival and the winner of the event will receive 50% of the proceeds and the other half will be donated to the Maine Lobstermen Association. He also talked about the corner store initiative and talked about proposing a program on sustainable food options. He said he will ask for input from the Sustainability and Natural Resource Board (SNRB).

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

V. Unfinished Business - None

VI. New Business

Order 33-03202023

Approving \$4,598,331 of additional costs for environmental remediation of the new high school project and authorizing general obligation bonds and a tax levy therefor. First 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.

1. Public hearing – Stable Ridge TIF (Tax Increment Financing) District #27.

Mayor Levesque opened the public hearing at 7:36 pm.

John Cleveland, 183 Davis Avenue first commented on the TIF piece of this, noting that there are reasons to do that, and the percentage of the TIF is up to the Council. He then commented on the credit enhancement agreement portion adding that he doesn't think there is a need to offer this on a finished project and asked that it be removed.

Jeffrey Harmon, 34 Vista Drive commented on the credit enhancement agreement noting that at no time during this project did the developer come forward for assistance or ask for an incentive. He added that there is no community benefit in extending this rebate to the developer.

Celia McGuckian, 10 Fairmount Avenue commented on a news article which stated that 5 police officers left Auburn for another municipality because of the budget. She stated that the \$500,000 could help to keep our police officers here.

Ryan Smith, 14 Weaver Street reiterated the comments made by other speakers about the credit enhancement agreement. He commented on the numbers that were provided adding that he believes those are based on phase 2 of the development and when you assume the numbers, you should assume about half if the second phase of the development is denied again by the Planning Board. He added that he would rather see a 60% TIF so we can still control 40% and no credit enhancement.

Mayor Levesque closed the public hearing at 7:43 pm.

2. Order 32-03202023

Approving TIF (Tax Increment Financing) District #27 Stable Ridge Development.

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

Public comment – No one from the public spoke.

Motion was made by Councilor Hawes and seconded by Councilor Milks to amend the language in section 7 as follows:

Section 7. The City Council will reconvene at a later date to review, hold a public hearing and vote to authorize the City Manager ~~be and hereby is authorized, empowered and directed~~ to enter into the Credit Enhancement Agreement contemplated by the Development Program, in the name of and on behalf of the City, such agreement to be in such form and to contain such terms and provisions, not inconsistent with the Development Program, as the City Manager may approve, the City Manager's approval to be conclusively evidenced by his or her execution thereof.

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

Motion was made by Councilor Staples and seconded by Councilor Gerry to amend by striking any reference to “credit enhancement agreement”.

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

Passage of Order 32-03202023 as amended 4-3 (Councilors Staples, Gerry, and Whiting opposed). A roll call vote was taken.

3. Order 33-03202023

Approving \$4,598,331 of additional costs for environmental remediation of the new high school project and authorizing general obligation bonds and a tax levy therefor. First reading.

This item was taken out of order and voted on earlier on in the meeting.

4. Order 34-03202023

Authorizing the City Manager to execute the Collective Bargaining Agreement with the Fraternal Order of Police Union, Command Division, effective 07/01/2023.

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

Public comment – No one from the public spoke.

Passage 7-0.

5. Order 35-03202023

Authorizing the City Manager to execute the Collective Bargaining Agreement with the Fraternal Order of Police Union, Patrol Division, effective 07/01/2023.

Motion Walker/Morin

Public comment – No one from the public spoke.

Passage 7-0.

VII. Open Session

Fred Stone, 169 Royal River Road, stated that he is trying to build a small campground on his property to pay the taxes. He has a preliminary plan. He said the property is in the accepted use of Ag Zone and he is concerned that this may become all residential because the campground will not work if this happens.

VIII. Reports

Mayor Levesque reported that the School Committee is meeting every week to discuss the budget, the Legislative Policy Committee (LPC) has been meeting and he will be going to Washington DC along with the City Manager on Tuesday.

Councilor Staples said he represented the city along with City staff at the opening of LA Arts back in February, adding that it was a great event.

Councilor Walker announced that on Friday, March 17th the Age Friendly Committee put on a St Patrick's Day dinner, approximately 140 people showed up. He said they are also working with the General Assistance department to help out people that are unhoused or in need. They are planning to offer lightly worn clothing, if not brand new to those in need. This will be held on March 25th from noon - 2:00 pm at the Senior Center. Donations are welcome. They are also putting on a Movie tomorrow at the Senior Center. It is a free event, however \$1.00 donations welcome but not necessary.

Councilor Morin reported that on Saturday he watched his son got his orange belt at Phoenix Karate, then went to the Home Show at the Norway Savings Bank Arena. It was a well-attended, well managed, and well represented event.

Councilor Milks announced that the Sewer District will be meeting tomorrow at 4:00 pm and the Water District will be meeting on Wednesday, also at 4:00 pm at the Auburn Water District.

Councilor Whiting said he took a field trip to University of Maine, Orono, to see their 3D printer where they constructed a house with it. It is the biggest in the world other than one that does cement based products.

Councilor Gerry said that she has been contacted by constituents who have asked that when we start posting roads due to the spring thaw, that we give them a heads up so they can get their equipment out of the woods.

Jill Eastman, Finance Director – February 2023 Finance Report

Motion was made by Councilor Milks and seconded by Councilor Whiting to accept and place on file the February 2023 final finance report.

Passage 7-0.

IX. Executive Sessions

1. Economic Development, pursuant to 1 M.R.S.A. §405(6)(C) which premature disclosure would prejudice the competitive or bargaining position of the City.

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

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

Time in 8:23 pm.

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

2. Labor contract negotiations – Public Works Teamsters (Drivers), pursuant to 1 M.R.S.A. §405(6)(D).

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

Passage 7-0.

Time in 8:43 pm.

Council was declared out of executive session at 8:48 pm.

3. Labor contract negotiations – Public Works Teamsters (Mechanics), pursuant to 1M.R.S.A. §405(6)(D).

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

Passage 7-0.

Time in 8:48 pm.

Council was declared out of executive session at 8:50 pm.

X. Adjournment

IN COUNCIL REGULAR MEETING MARCH 20, 2023, VOL. 37 PAGE 25

Motion was made by Councilor Morin seconded by Councilor Hawes to adjourn.
Unanimously approved and the meeting adjourned at 8:50 pm.

A TRUE COPY

ATTEST _____

Susan Clements-Dallaire, City Clerk



City of Auburn, Maine

Office of the Mayor

60 Court Street | Auburn, Maine 04210

www.auburnmaine.gov | 207.333.6601

March 15, 2023

Senator Susan Collins
55 Lisbon Street
Lewiston, Maine 04240

Re: Androscoggin Historical Society

Dear Senator Collins:

I have recently learned that the Androscoggin Historical Society is planning to apply for a HUD grant through the Economic Development Initiative Program. I encourage you to support this application, not only for the historical society itself, but for the spin-off effects on the local economy.

The Society is a long-time stable force in our community and is now undergoing a metamorphosis to broaden its influence. Its new home will provide it with greater exposure and allow it to attract more consumers to our county.

Auburn benefits from the activities of the Androscoggin Historical Society both culturally and economically. Its programs at the one-room 1850 West Auburn Schoolhouse and at the 1796 Knight House in downtown Auburn attract visitors from far and wide, visitors who also patronize local hotels, restaurants, and retail businesses.

I believe that inclusion of \$150,000 in directed spending for the AHS will result in benefits for the entire community and I encourage you to include it in your spending package. Thank you for your consideration.

Sincerely,

Jason Levesque
Mayor

IN COUNCIL REGULAR MEETING APRIL 03, 2023, VOL. 37 PAGE 26

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.

7:00 P.M. City Council Meeting

Pledge of Allegiance

I. Consent Items

1. Order 36-04032023*

Setting the date for the School Budget Validation Referendum Election (June 13, 2023).

2. Order 45-04032023*

Approving the transfer of \$1,600 forfeiture assets in Rem in U.S. Currency to the Auburn Police Department.

3. Order 46-04032023*

Approving the transfer of \$2,000 forfeiture assets in Rem in U.S. Currency to the Auburn Police Department.

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

Passage 7-0.

II. Minutes - March 20, 2023, Regular Council Meeting

Motion was made by Councilor Staples and seconded by Councilor Walker to approve the minutes of the March 20, 2023 Regular Council meeting.

Passage 7-0.

III. Communications, Presentations and Recognitions

- Communication – Request for funds from David Chittim, President of the Androscoggin Historical Society
- Communication - LA Arts programming review and funding request
- Council Communications (about and to the community)

Councilor Walker reported that the Age Friendly Committee will be offering a free clothing giveaway at the Auburn Public Library on April 8th from 2-4 pm.

Councilor Gerry stated that a constituent would like to know how many people staff the 911 Center during the daytime and in the evenings.

Mayor Levesque announced that there will be a joint City Council and Planning Board workshop on Tuesday, April 18th to discuss the Agriculture Resource Protection Zone

and the Strip Zones. He reminded everyone about the upcoming Lobster Festival adding that the Auburn Exchange Club will be putting on the lobster feed.

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

V. **Unfinished Business**

1. **Order 33-03202023**

Approving \$4,598,331 of additional costs for environmental remediation of the new high school project and authorizing general obligation bonds and a tax levy therefor. Public hearing and second reading.

Motion was made by Councilor Whiting 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 37-04032023**

Approving the question for a Municipal Referendum Election with respect to environmental remediation costs for the new high school construction project and general obligation bonds therefor.

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

Public comment – No one from the public spoke.

Passage 7-0.

2. **Order 38-04032023**

Authorizing the City Manager to execute the sale of St. Louis Church, 32 Dunn Street, Auburn, Maine.

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 39-04032023**

Approving the liquor license for the Olive Garden. Public hearing and vote.

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

IN COUNCIL REGULAR MEETING APRIL 03, 2023, VOL. 37 PAGE 28

Public hearing - Pawel Binczyk, Attorney representing the Olive Garden spoke. He stated that they are looking to open at the end of May.

Passage 7-0.

4. Order 40-04032023

Approving the Annual Reports to the Maine State Housing Authority for Tax Year 4/1/2022 – 3/31/2023.

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

Public comment - No one from the public spoke.

Passage 7-0.

5. Order 41-04032023

Authorizing the City Manager to execute the Collective Bargaining Agreement with the Public Works Teamsters (Highway), effective 07/01/2023.

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

Public comment - No one from the public spoke.

Passage 7-0.

6. Order 42-04032023

Authorizing the City Manager to execute the Collective Bargaining Agreement with the Public Works Teamsters (Mechanics), effective 07/01/2023.

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

Public comment - No one from the public spoke.

Passage 7-0.

7. Order 43-04032023

Approving the Mass Gathering for the Auburn Lobster Festival event to be held 05/06/2023. Public hearing.

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

Public hearing - No one from the public spoke.

Passage 7-0.

8. Order 44-04032023

IN COUNCIL REGULAR MEETING APRIL 03, 2023, VOL. 37 PAGE 29

Approving the temporary liquor license for an Incorporated Civic Organization for the Auburn Lobster Festival event to be held 05/06/2023. Public hearing.

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

Public hearing - No one from the public spoke.

Passage 7-0.

9. Order 47-04032023

Accepting the consideration of Riverside Drive gifted property.

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

Public comment - No one from the public spoke.

Passage 7-0.

10. Order 48-04032023

Authorizing the City Manager to enter into a naming rights agreement of the Drummond Street Playground Park with Tizz Crowley.

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

Wayne Souza, 256 Main Street reported concerns regarding a section of the riverwalk that needs better drainage to help with ice buildup and large puddles when the ice melts. He also commented on the safety cones on Elm Street that have been there for months. Last, he commented on the bike path, and the lines painted at the section of Elm Street near School Street.

VIII. Reports (from sub-committees to Council)

Mayor Levesque reported that he and the City Manager were both in Washington, D.C. last week, meeting with our local delegation. He also reported on the School Committee budget, adding that they are looking at increased state aid to schools due to a statewide error calculating those figures.

Councilor Staples reported that the Auburn Public Library will be holding a fundraiser in June.

IN COUNCIL REGULAR MEETING APRIL 03, 2023, VOL. 37 PAGE 30

Councilor Walker reported on Waste to Energy adding that there was not a lot of bulky trash brought in last weekend.

City Manager Crowell reported that the next council meeting will be held on Tuesday April 18th, due to the holiday on the 17th, and there is a tentative date for a budget workshop to be held on April 24th. Last, he explained why the cones are on Elm Street.

IX. Executive Sessions - None

X. Adjournment

Motion was made by Councilor Milks seconded by Councilor Morin to adjourn. Unanimously approved and the meeting adjourned at 7:38 pm.

A TRUE COPY

ATTEST _____

Susan Clements-Dallaire, City Clerk

IN COUNCIL REGULAR MEETING APRIL 18, 2023, VOL. 37 PAGE 31

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

The discussion from the Joint Planning Board and City Council Workshop continued until 7:22 P.M. at which time, the meeting was then moved to Council Chambers resuming at 7:26 P.M.

Mayor Levesque asked for a moment of silence to remember Royce Coburn, former Auburn Planning Board member who recently passed.

Mayor Levesque moved the first open session to the beginning of the meeting to allow members of the public to speak on what was discussed during the workshop, or any item that is not on the agenda.

Jane Costlow, 104 Fourth Street, spoke on what she stated was the intent and purpose of the Ag zone, adding that it was created to prevent sprawl. She suggested asking professionals about what the ecosystem services of almost 20,000 acres of undeveloped land is, adding that what we need right now is a different process on this really important issue.

Mr. Bosworth, 299 Jordan School Road, said he thinks we are giving up the best resource in the Northeast, adding that if we change the zoning, he will be taxed off his land.

Denis Wheeler, owner of a piece of land on the corner of River Road and Jordan School Road stated that he would like to build a home and retire there. This is a piece of property that was given to him by his mother. Currently, he cannot build a home there due to zoning restrictions.

Joanne Wheeler, spouse of Denis Wheeler said this 2-acre lot of land was gifted to them in 1987 and it is not a farm. She said she believes they should be able to build there. She said that she understands that there is a lot of diversity and a lot of different feelings on this issue, but their feelings should be considered too.

David Griswold, 199 Gamage Avenue talked about woodlot owners stating that many woodlot owners own them for privacy and wildlife and not to just harvest timber. He stated that if there is development within or adjacent to woodlots, it may cause conflict among neighbors for various reasons, one being if you are a woodlot owner with neighbors, it may be difficult to harvest timber. Neighbors may object to the noise from the equipment, and night-time operations during mud season, and it could change their view. He said we need to balance housing and conservation and he hopes the City Council and Planning Board will find a way to do that.

Chloe Myers, resident of Lewiston and owner of Open Heart Farm located at 304 Sopers Mill Road in Auburn stated that she is originally from New York and was searching for a farm for about 5 years in four states before they found their farm here in Auburn. She encouraged the City Council to consider the value and future of food production within Auburn stating that we cannot continue to rely on produce from California to sustain us forever. She also urged the Council to work collaboratively with not only the Sustainability and Natural Resource Board but also with entities like the Good Food Council of Lewiston and Auburn and others.

Peter Moore, landowner on Jordan School and Pownal Road stated that he has a different perspective than most that have spoken. He said that he sees the opportunity for Auburn to have a much bigger future adding that we could do a few more things in Auburn while still protecting the vast majority of

the city. He said he thinks it is atrocious that people do not want to allow people to build a home on their own land. He said what we have is a tax problem stating that we have a high tax rate due to too small a population. He went on to state that we are a city and should behave like a city and allow more development. He said he sees the future of Auburn as a robust urban place that could surpass the City of Portland in both population and vitality and if we could release the creativity and innovation of our citizens and landowners, we could see the city thrive for decades to come, but right now we have our heads in the sand, and we are clinging to the past. He would like the Council to get rid of this ordinance and not replace it with so many restrictions that we are back to where we started back in 1963 when the ordinance was enacted.

Mike Morrissey, 825 Perkins Ridge Road, said that according to the agenda, we were supposed to talk about residential strips, and we did not. When will we address that?

I. Consent Items

1. Order 49-04182023*

Setting the date for the Special Municipal Referendum Election (June 13, 2023).

2. Order 54-04182023*

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

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

Passage 7-0.

II. Minutes - April 3, 2023, Regular Council Meeting

Motion was made by Councilor Staples and seconded by Councilor Milks to approve the minutes of the April 3, 2023, Regular Council Meeting.

Passage 7-0.

III. Communications, Presentations and Recognitions

- a. Communication from Lake Auburn Watershed Protection Commission
- b. Communication – City of Auburn Petition to Intervene
- c. Council Communications (about and to the community)

Mayor Levesque announced that a workshop will be held on Monday, April 24th at 5:30 pm to discuss the budget.

Councilor Whiting announced that Gerry Denis and he will be leading a walk (Jane's Walk) at 9:00 am on May 6th beginning at Rolly's.

City Manager Crowell announced that the budget documents are on our website, all Councilors should have their budget books in their office. Staff is working to fix a broken link on the budget portal.

IV. **Open Session** – This item was taken up at the beginning of the meeting.

V. **Unfinished Business** - None

VI. **New Business**

1. **Order 50-04182023**

Adopting the 5-Year Capital Improvement Plan (CIP).

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

Public comment – No one from the public spoke.

Passage 6-1 (Councilor Gerry opposed).

2. **Order 51-04182023**

Allocating funds from the American Rescue Plan Act (ARPA) to establish the Auburn Victory Garden Program.

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

Public comment – No one from the public spoke.

Passage 7-0.

3. **Order 52-04182023**

Allocating funds from the American Rescue Plan Act (ARPA) to support establishing the Auburn Commercial Agriculture Incentive 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. **Ordinance 03-04182023**

Amending Chapter 60 of the City Ordinances, Sec.60-145 (b)(8) - Use regulations by changing the lot size requirement for a cemetery from twenty acres to ten acres if the cemetery is a conservation cemetery. First reading.

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

Public comment – No one from the public spoke.

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

5. **Ordinance 04-04182023**

Amending Chapter 60 of the City Ordinances, Sec. 60-2. Definitions, by adding the

definition of conservation cemetery. First 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.

6. Order 53-04182023

Authorization of funds for East Auburn Tennis Courts.

Motion was made by Councilor Whiting 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 reported that the Lobster Festival is scheduled for May 6th from 1:00 -7:00 pm. The Lobster Festival commercial was played for the public to see. The Mayor also noted that there have been a lot of meetings of the LPC (Legislative Policy Committee), and the School Committee will be meeting tomorrow.

Councilor Staples stated that he is going to propose that we add \$100,000 to our ARPA expenditures in order to provide two \$50,000 grants for businesses that will provide a place for people to do something outside of the home and where they can spend their spare time.

Councilor Morin commented on how popular pickle ball is and he encouraged people to be careful and stretch to avoid injuries.

Councilor Milks announced that Mike Broadbent is the new Superintendent of the Water and Sewer Districts adding that Mike is doing a phenomenal job.

Councilor Whiting stated that the New Auburn walk is called the New Auburn Lost and Found, adding that Mr. Dennison is knowledgeable about what was lost in the big fire of New Auburn.

City Manager Crowell stated that he and the Assistant City Manager attended the Local Government Reimagined Conference that was held in Burlington, Vermont, and gave a recap of the key topic areas from the conference.

Jill Eastman, Finance Director – March Final Finance Report

Motion was made by Councilor Whiting and seconded by Councilor Milks to accept and place on file the March 2023 final finance report.

Passage 7-0.

IX. Executive Sessions

Labor contract negotiations – (Fire), pursuant to 1M.R.S.A. §405(6)(D).

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

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

Time in 8:31 pm.

Council was declared out of executive session at 8:37 pm.

Economic Development, pursuant to 1 M.R.S.A. §405(6)(C) which premature disclosure would prejudice the competitive or bargaining position of the City.

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

Passage 7-0.

Time in 8:37 pm.

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

X. Adjournment

Motion was made by Councilor Walker seconded by Councilor Whiting to adjourn.
Unanimously approved and the meeting adjourned at 8:54 pm.

A TRUE COPY

ATTEST _____

Susan Clements-Dallaire, City Clerk



April 14, 2023

To: Mayor Levesque, City Council and Planning Board

CC:

Phil Crowell, City Manager;

Eric Cousens, Director of Planning

RE: Proposed Map Amendment to expand residential strips abutting the AGRP Zone and Text Amendment to eliminate the income standard

Dear Mayor Levesque, City Council Members, and Planning Board Members:

The Good Food Council of Lewiston Auburn (GFCLA) appreciates the time you are spending considering the AGRP zone and its future. We share your commitment to the community and to local businesses, and know that you care deeply about the community's development potential and future. Ordinance development and rezoning is complex work, and the city, while uniquely fortunate to have large segments of land with minimal development, also faces numerous challenges. Difficult matters include development pressure due to serious and unprecedented housing insufficiency and the continued and worsening economic situations for independent farmers to maintain viable businesses and be able to continue growing food for our community. We applaud the decision to have a joint workshop to discuss this issue on April 18, and as a follow up to our [testimony to the Planning Board on March 28](#), are providing the below comments for your consideration in advance.

In general, food and farming land use concerns are similar to natural resource conservation land use concerns, and the GFCLA is aligned with the December 2022 [Sustainability and Natural Resource Conservation Board's \(SNRB\) recommendation report](#) to the Planning Board in response to these proposed changes.

We are concerned that changes to the ordinance could negatively impact the ability of the City to implement the Comprehensive Plan policies, goals, and strategies, specifically those contained in Chapter 2 Future Land Use, Chapter 1(A) Natural Resources Policies, and Chapter 1(K) Promoting Food Access & Production & Growing the Agriculture Economy, the latter of which are new and haven't had time to take effect and develop the desired outcome. Because we know many family farms struggle in the current economy with dwindling profit margins, and also when residential homes are placed adjacent to working agricultural lands, these goals and strategies outlined in several chapters of the Comprehensive Plan are more important than ever for Auburn to maintain a viable agricultural sector and be able to provide fresh local foods for its residents in the future.

We are in agreement with the Planning Board's March 28, 2023 decision that if the income and strip zoning standards are to be stricken, they need to be replaced simultaneously with alternative restrictions - and we would add, they should be based on a community-engaged planning process that goodfood4la.org

determines publicly-held and shared goals and priorities for AGRP land use that are in alignment with the Comprehensive Plan. We have attached a suggested process for garnering community values and vision which can then be developed into specific elements of the ordinance. The process isn't onerous, and provides for a tailored solution to the current problems with the ordinance that could be clearly tied to community value and vision that is in alignment with the Comprehensive Plan. Through a process such as this, creative solutions are likely to arise to replace the income standard, strip zoning, and other updates to the ordinance that can address the desire for owners to live on their land, and also limit land fragmentation for resource conservation and agriculture.

In review of the alternative ordinance language presented at the March 28, 2023 Planning Board meeting, we appreciate this effort by Member Cyr and others, and the effort made to restrict the developed area for housing. We feel that while the proposal does provide some minor restrictions on impervious surfaces, it still creates essentially a 10-acre zone for residential use that would outcompete agriculture. We are concerned this proposal would result in a 10-acre zoning district with little or no agriculture taking place. The reduction in agriculture would be due to a variety of factors, such as the reality of available land being expensive, fragmented, and without suitable soils, as well as other incentives being eliminated such as reduced taxes and residential abutter complaints that are a known threat to farming practices. Further consideration is necessary to identify how to develop more housing compactly without dividing all of the land in the AGRP into 10 acre residential lots that would directly abut working farms. The community process referenced above and attached would help guide the development of ordinance language that can balance the seemingly competing needs.

Further, the proposed language states that new residential dwellings would “*avoid* being sited on” soils suitable for farming, essential habitat, forested lands, wetlands, and steep slopes. The intention behind this is good land use and planning practice, however we are concerned that this language does not ensure conservation of these assets. Additionally, we are concerned that taking a 10 acre lot and dividing up any two acres of it into driveway, lawns, and structures creates a lot of fragmentation of the land and does not assure 8 acres of pristine land. If development is going to occur, we recommend it be focused adjacent to already dense development and roads, and the implementation of planning tools such as concentrating housing development much more tightly than one unit per 10 acre to limit public infrastructure costs, provisions for setting unfragmented land aside, and others. We believe these types of efforts are more likely to result in the same number or greater housing units with greater land preservation.

In order to help decision makers, land most valuable for conservation for agriculture and natural-resource purposes should be mapped, and working farms should be inventoried. We appreciate that staff have started this mapping process, however more time should be allowed for more complete mapping to include an inventory of existing farm and natural-resource based businesses, and public input on verification of map qualities. Natural resource mapping is needed because A.) Comprehensive Plan goals and strategies in the aforementioned chapters cannot be achieved without doing this, and adjusting ordinances accordingly, before loosening development restrictions across the zone, and, B.) Present and future local farms, and other natural resource-based businesses, require preservation of land that has the appropriate natural resource characteristics, such as suitable soils and slopes. The Comprehensive Plan specifically contains a chapter, (Promoting Food Access and Production and Growing the Agriculture Economy) that emphasizes the importance of these sectors. Further

resources on doing farm and farmland inventories can be found on page 19 of [this guide for municipalities](#) developed by Maine Farmland Trust.

Again, we are recommending that a community-engaged planning process to identify AGRP goals and priorities that utilizes natural resource mapping and farm inventory should commence in order to determine the best possible AGRP ordinance. Again we have attached an Outline of a Proposed Community Process for consideration. We appreciate the effort that staff has put into this process so far, and agree that a minimum of 8-12 months is needed to finalize this work.

Respectfully,



Jeff Newell, Chair

On Behalf of the Good Food Council of Lewiston-Auburn



For additional resources:

Maine Farmland Trust, the foremost statewide organization protecting farmland, supporting farm viability, and advancing the future of farming, has a variety of [resources for municipalities interested in supporting farm-based businesses](#), including the aforementioned [municipal policy and planning guide](#) and an [“Is Your Town Farm-Friendly? Survey”](#) which advocates for, among other things, required buffer zones between farmland and residential uses, and providing for the agricultural use of open space land created by innovative residential subdivisions. These recommendations point to a caution against allowing residential development that directly abuts working farms, unless it's part of an intentional design.

Attached:

Outline of Proposed Community Decision-Making Process to update AGRP zone

Outline of a Proposed Community Decision-Making Process To update the AGRP zone

Goals of the Community Decision-Making Process:

1. Outcome of any modifications to the AGRP zone are based on community input and buy-in (all Auburn residents)
2. City-wide shared goals and priorities for the AGRP zone are developed based on alignment with the Comprehensive Plan and reaching a shared understanding of what are the city's most valued natural resource areas.

Outline of a Proposed Community Decision-Making Process:

Phase 1: Planning (staff + community groups)

- GIS Mapping of natural resources

Phase 2: Community Input (staff + community groups)

- Community Listening Sessions Ward by Ward (or sufficient meetings to get broad public input), dot exercises looking at maps of all zones in Auburn
- Identifying existing assets and areas with opportunities for different uses
 - o *Ask: Here is what we understand about the land, what is missing? What are the current uses? What is most important to you?*
 - o *From this emerges more of a shared understanding about what the community's most valued natural resource areas are, and where there are opportunities for different uses.*
- Workshop draft goals, brainstorm priorities

Phase 3: Processing & Agreement (staff + community groups e.g. SNRB)

- Synthesize Data
- Community meetings to: agree on most valued natural resource areas, finalize goals and priorities for updating/amending the AGRP zone

Phase 4: Developing Ordinance Recommendations (staff + community groups e.g. SNRB)

- Use city-wide shared goals and priorities to come up with options for revising specific details of the ordinance;
- Could involve research on models nationally, tapping outside expertise

Phase 5: Typical city process for amending ordinances

- Staff
- Planning Board
- City Council
- Public Hearings

IN COUNCIL SPECIAL JOINT MEETING MAY 15, 2023, VOL. 37 PAGE 41

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

5:30 P.M. City Council Meeting

Pledge of Allegiance

- I. Executive Session** – Lewiston and Auburn Joint Executive Session – Legal consultation, pursuant to 1 M.R.S.A. §405(6)(E).

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

Passage 14-0. Time 5:32 pm.

Council was declared out of Executive Session at 6:45 pm.

II. Unfinished Business

1. Auburn Order 59-05012023

Modifying the Auburn-Lewiston Airport interlocal agreement.

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

Motion was made by Councilor Milks and seconded by Councilor Walker to postpone this item until the first meeting in June (June 5th).

Passage 7-0.

III. Adjournment

Motion was made by Councilor Lachapelle of Lewiston and seconded by Councilor McCarthy of Lewiston to adjourn.

Unanimously approved and the meeting adjourned at 6:50 pm.

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ATTEST: _____

Alison F. Pepin, Deputy City Clerk

IN COUNCIL REGULAR MEETING MAY 01, 2023, VOL. 37 PAGE 36

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. Councilors Staples and Morin both had excused absences. All other 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 requests, in which event, the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

1. Order 55-05012023*

Authorizing the City Clerk to waive the \$60 Temporary Food Service fee for Phoenix No Limits Karate for a fundraising event to be held on June 11, 2023.

2. Order 56-05012023*

Authorizing the City Clerk to waive the \$60 Temporary Food Service fee for the Auburn Exchange Club for the Lobster Festival Event to be held on May 6, 2023.

3. Order 57-05012023*

Accepting the transfer of forfeiture assets (\$490.00 and a Ruger .380 caliber semi-automatic pistol (Serial #372358035) to Auburn Police Department.

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

Passage 5-0.

II. Minutes – April 18, 2023, Regular Council Meeting

Motion was made by Councilor Hawes and seconded by Councilor Walker to approve the minutes of the April 18, 2023 Regular Council Meeting.

Passage 5-0.

III. Communications, Presentations and Recognitions

Glen Holmes and Amy Hatter introduced the following Community Partners who spoke briefly about their respective organizations:

- Elise Johanson - Safe Voices
- Heather Davis and Patrice Currie - Seniors Plus
- Fatuma Hussein - Immigrant Resource Center of Maine
- Michelle Worthley and Jeff Tardif - Rumford Group Homes
- John Hodge - Housing Resources for Youth
- Sasha Anastasoff – Auburn School Department

IN COUNCIL REGULAR MEETING MAY 01, 2023, VOL. 37 PAGE 37

- Katherine Saunders – Auburn Adult Education Program
- Jennifer Hogan - Community Credit Union

Council Communications:

Councilor Whiting spoke regarding the Jane’s Walk (Lost and Found) which will take place on Saturday May 6th along with Gerry Dennison.

Councilor Hawes thanked the first responders for the work they do and for keeping us safe.

Councilor Milks spoke regarding the potential Gracelawn Development noting that there is going to be public water and the City and Sewer and Water departments are working well together.

Councilor Walker reported on the Age Friendly Group and the potato program that is in place for the public. Potatoes can be picked up at the Senior Center.

City Manager Crowell announced that there is currently an active threat underway. Anyone in that neighborhood received a call regarding the threat (reverse 911 system - code red). We are working with the State police on this matter. He asked that everyone please be patient as we get through this.

Mayor Levesque reminded everyone about the Lobster Festival that is happening this Saturday at 1pm at Festival Plaza. He also noted that the Auburn School Board has a budget meeting on Wednesday. He encouraged people to vote on the school budget at the June 13, 2023 election. In addition to the school budget, there is a bond referendum question to be voted on.

IV. Open Session – Rudy Wing, Penley Corner Road, said it is nice to see work is being done on the ag zone. He has lived on that property in a camper, lost his camper due to a fire and now unable to live on the property.

V. Unfinished Business

1. Ordinance 03-04182023

Amending Chapter 60 of the City Ordinances, Sec.60-145 (b)(8) - Use regulations by changing the lot size requirement for a cemetery from 20 acres to 10 acres if the cemetery is a conservation cemetery. Public hearing and second reading.

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

Public hearing – No one From the public spoke.

Passage 5-0. A roll call vote was taken.

2. Ordinance 04-04182023

Amending Chapter 60 of the City Ordinances, Sec. 60-2. Definitions, by adding the

definition of conservation cemetery. Public hearing and second reading.

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

Public hearing – No one from the public spoke.

Passage 5-0. A roll call vote was taken.

VI. New Business

1. Order 58-05012023

Authorizing the City's general obligation bonds in the amount of \$13,000,000.00 to finance the City's FY24 Capital Improvement Program. Public hearing and first reading. *Passage requires an affirmative vote of 5 Councilors at the second reading.*

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

Public hearing – Andy Titus, 24 Rubelite Lane, commended staff and council, adding that his concern is \$3,000,000 to rebuild Engine 2. He also asked about \$1.1 million dollars of unbonded CIP.

Failed first reading 4-1 (Councilor Gerry opposed). A roll call vote was taken. Passage will require an affirmative vote of 5 at the second reading.

2. Resolve 01-05012023

Adopting the Appropriations Resolve for Fiscal Year 2024. Public hearing and first reading. *Passage requires an affirmative vote of 4 Councilors at the second reading.*

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

Public hearing – No one from the public spoke.

Motion was made by Councilor Milks and seconded by Councilor Hawes to amend by eliminating the recycling program.

Passage 5-0.

Motion was made by Councilor Gerry and seconded by Councilor Whiting to reappropriate \$275,000 from the recycling line item, back into the budget.

Passage 5-0.

Passage of first reading as amended 4-1 (Councilor Gerry opposed). A roll call vote was taken.

3. Resolve 02-05012023

Supporting Congressman Golden's initiative for a federal budget agreement that would begin dealing with the serious problem of ongoing federal deficits.

IN COUNCIL REGULAR MEETING MAY 01, 2023, VOL. 37 PAGE 39

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

Public comment – No one from the public spoke.

Failed 2-3 (Councilor Milks, Hawes, and Walker opposed).

4. Order 59-05012023

Modifying the Auburn-Lewiston Airport interlocal agreement.

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

Public comment – Mark Blais, Pilot and Airport Board member who also owns property at the airport (hangar). He said he is not sure that he is opposed to the change, but a few things were brought up such as potential conflict of interest. He spoke about a study that was done which was administered by the airport manager which he stated was very biased. Now that Jonathan LaBonté has taken over, the board is a very cohesive group. He doesn't think pilots should be removed from the board at this time.

Tom Ward, Jacksonville Road, said he has been at the airport for about 30 years (Skyward Aviation). He has concerns with just city personnel serving on the board.

Motion was made by Councilor Whiting and seconded by Councilor Gerry to postpone this item until the last meeting in June (June 20th).

Failed 2-3 (Councilor Milks, Hawes, and Walker opposed).

Motion failed 3-2 (Councilor Whiting, and Gerry opposed). Passage requires an affirmative vote of 4.

Motion was made by Councilor Milks and seconded by Councilor Hawes to reconsider that motion.

Passage 4-1 (Councilor Walker opposed).

Motion was made by Councilor Whiting and seconded by Councilor Gerry to postpone the item to second meeting in May (15th).

Passage 5-0.

5. Order 60-05012023

Reallocating unspent proceeds from the City's 2020 General Obligation Bonds. First reading. *Passage requires an affirmative vote of 5 Councilors at the second reading.*

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

IN COUNCIL REGULAR MEETING MAY 01, 2023, VOL. 37 PAGE 40

Public comment – Andy Titus, 24 Rubelite Lane wondered why we are spending the unspent bonds on something else instead of applying it to our current CIP.

Passage 5-0. A roll call vote was taken.

- 6. Public hearing** – Public hearing to receive comments for Program Year 2023, CDBG & HOME Annual Action Plan.

No one from the public spoke.

- 7. Order 61-05012023**

Adopting the CDBG/HOME Program Year 2023 Annual Action Plan.

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

Public comment – No one from the public spoke.

Passage 5-0.

- VII. Open Session** - Elaine Gammon, 56 Marion Drive, and serves on the LA Arts Board and is looking forward to working with the City of Auburn.

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

Mayor Levesque reported on the Legislative Policy Committee and the School Board will be meeting on Wednesday.

- IX. Executive Sessions** - None

- X. Adjournment**

Motion was made by Councilor Milks seconded by Councilor Hawes to adjourn. Unanimously approved and the meeting adjourned at 8:36 pm.

A TRUE COPY

ATTEST _____

Susan Clements-Dallaire, City Clerk

IN COUNCIL REGULAR MEETING MAY 15, 2023, VOL. 37 PAGE 42

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 requests, in which event, the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.
 1. **Order 62-05152023***
Appointing Robert Cavanagh to the Age Friendly Community Committee with a term expiration of 06/01/2026.
 2. **Order 63-05152023***
Re-appointing Sally Gagne to the Age Friendly Community Committee with a term expiration of 06/01/2026.
 3. **Order 64-05152023***
Re-appointing Diane Vincent to the Age Friendly Community Committee with a term expiration of 06/01/2026.
 4. **Order 65-05152023***
Re-appointing Benjamin Weisner to the Age Friendly Community Committee with a term expiration of 06/01/2026.
 5. **Order 66-05152023***
Appointing Daniel Bilodeau to the Auburn Sewer District Board of Trustees with a term expiration of 03/01/2027.
 6. **Order 67-05152023***
Appointing Brad Kowalski to the Auburn Sewer District Board of Trustees with a term expiration of 03/01/2026.
 7. **Order 68-05152023***
Appointing Britny Anderson to the Parks & Recreation Advisory Board with a term expiration of 10/01/2024.

Motion was made by Councilor Staples and seconded by Councilor Hawes for passage of the seven consent items.

Passage 7-0.

II. Minutes – May 1, 2023, Regular Council Meeting

Motion was made by Councilor Milks and seconded by Councilor Walker to approve the minutes of May 01, 2023, Regular Council Meeting.

Passage 7-0.

III. Communications, Presentations and Recognitions

- Recognition and Pinning Ceremony – Auburn Fire Department Promotions
 - Michael Scott promoted to Battalion Chief
 - Erik Poland promoted to Captain.
 - Tyler Arsenault promoted to Lieutenant.
 - Adam Salve promoted to Lieutenant.
- Maine Arbor Week Proclamation
- Recognition – The City of Auburn, recipient of the Maine Spirit of America 2022 Gold Distinction

Council Communications:

Councilor Staples reported that he attended the dedication of Mother’s Park on Drummond Street with Councilor Whiting and Councilor Walker and stated it was a great event. He also wanted to thank Tizz Crowley for initiating the event.

Councilor Walker thanked the City of Auburn for the plaque that was presented at Anniversary Park for the celebration of 90 years since the Great Fire that destroyed the city of New Auburn. He further went on to say it was a great event and wanted to thank everyone who attended.

Councilor Milks commended the staff and everyone that took part in organizing and putting together the lobster festival. It was a great time.

Councilor Whiting thanked the Mayor, City Manager and Fire Chief for their participation in the unveiling of the plaque for the 90th anniversary of the New Auburn Fire.

Mayor Levesque spoke about the current drug epidemic that is happening within the City of Auburn and how it is correlated with generational poverty. He thanked the City Council and staff for continually taking proactive steps to help eliminate generational poverty through continuing to help make the Pal Center a reality, offering mental health programs, free recreation activities, making sure our schools are fully funded and giving opportunities for all. He went on to say that his primary oath as Mayor is Life and Liberty for the people of Auburn and balancing fiscal responsibility.

City Manager Crowell spoke regarding the PACE program that the Council, at the last budget process developed and approved. He stated that PACE program is an opportunity for the police department to be more proactive and engaged at a street level, as it pertains to the drug epidemic. Manager Crowell reiterated the PACE program is a good option and proposes that when the Council gets to the budget process that they bring PACE forward as part of an amendment to the budget.

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

V. Unfinished Business

1. Order 58-05012023

Authorizing the City's general obligation bonds in the amount of \$13,000,000.00 to finance the City's FY24 Capital Improvement Program. Second reading.

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

Public Comment - Andy Titus, 24 Rubelite Lane, spoke on how the City funds are spent. Specifically, the \$3,000,000 for a public safety upgrade in New Auburn. His other concern is the PAL Center and still needs to raise another \$1.5 million dollars. He asked why we are bonding the \$1.5 million when we don't know if the additional money will come in.

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

Motion was made by Councilor Milks and seconded by Councilor Morin to suspend the rules to take up **Order 69-05152023** – Adopting the Fiscal Year 2024 School Budget.

Passage 7-0.

Order 69-05152023

Adopting the Fiscal Year 2024 School Budget.

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

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

2. Resolve 01-05012023

Adopting the Appropriations Resolve for Fiscal Year 2024. Second reading.

Motion made by Councilor Walker 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 reinstating the PACE program for the police department.

Passage 7-0.

Motion was made by Councilor Milks and seconded by Councilor Whiting to amend with the estimated aggregate amount of non-property tax revenue of \$62,395,844 with a municipal revenue budget of \$23,121,704 and a School Department revenue budget of \$39,274,140.

Passage 7-0.

Motion was made by Councilor Staples and seconded by Councilor Milks to address the resolve to state, the aggregate appropriation for the City of Auburn is \$113,170,192, with a municipal budget of \$51,126,866.

Passage 7-0.

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

3. Order 60-05012023

Reallocating unspent proceeds from the City's 2020 General Obligation Bonds. Public hearing and second reading.

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

Public Hearing – Public hearing to receive comments on reallocating unspent proceeds from the City's 2020 General Obligation Bonds.

No one from the public spoke.

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

VI. New Business

1. Order 70-05152023

Approval of a Credit Enhancement Agreement between the City of Auburn and American Development Group, LLC relating to the TIF #27 Stable Ridge Municipal Development and Tax Increment Financing District. Public hearing and vote.

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

Public Hearing – Public hearing to receive comments for Credit Enhancement Agreement between the City of Auburn and American Development Group, LLC.

John Cleveland – 183 Davis Avenue would like to urge the Council to vote against the credit enhancement agreement because he feels it is bad public policy. He stated if approved an awful precedent will be set going forward for all for profit multi-family homes who do not commit any public benefit to receive a credit enhancement.

Sharon Philbrick Bergeron – 23 Dexter Avenue, stated that she hopes the Council will invest in the four areas outlined in the TIF and not enrich one private developer by incrementally giving them \$500,000.

Dennis Bergeron – 23 Dexter Avenue, stated that he is against this proposal and if the Council votes to approve then he would like to know why.

Andy Titus – 24 Rubelite Lane – stated that when a private developer starts a project, they take on a risk of something going adverse. He questioned whether the City of Auburn will now be taking on that risk when the next developer comes along. He stated a credit enhancement is to benefit the community and it does not look like this does.

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

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

VIII. Reports –

Mayor Levesque toured the new Edward Little High School; Construction is on schedule and is very close to completion. On May 20th there will be a tour of the old Edward Little High School. He’s hoping there will be tours for the Council and School Board. The mayor would like to hold a joint City Council and School Board meeting in September at the new school auditorium providing everyone to come in and experience a portion of the high school. The mayor commented on the success of the Lobster Festival and how it attracted thousands of people, resulting in thousands of dollars raised for the PAL Center.

Jill Eastman, Finance Director – April 2023 Finance Report

Motion was made by Councilor Staples and seconded by Councilor Morin to accept and place on file the April 2023 finance report.

Passage 7-0.

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

Motion made by Councilor Walker seconded by Councilor Milks to enter Executive Session.

Passage 7-0.

Time in 8:20 pm.

Council was declared out of executive session at 9:20 pm.

X. Adjournment

Motion was made by Councilor Walker seconded by Councilor Staples to adjourn. Unanimously approved and the meeting adjourned at 9:20 pm.

A TRUE COPY

ATTEST _____

Alison F. Pepin, Deputy City Clerk

IN COUNCIL REGULAR MEETING JUNE 5, 2023, VOL. 37 PAGE 47

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 requests, in which event, the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

1. Order 71-06052023*

Appointing Wardens and Ward Clerks for the June 13, 2023 Election.

2. Order 72-06052023*

Confirming Mayor Levesque's appointment of Councilor Rick Whiting to the Airport Board.

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

Passage 7-0.

II. Minutes

May 15, 2023 Special Joint Meeting (Lewiston and Auburn City Councils)

Motion was made by Councilor Walker and seconded by Councilor Morin to approve the minutes of the May 15, 2023 Special Joint Meeting (Lewiston and Auburn City Councils).

Passage 7-0.

May 15, 2023, Regular Council Meeting

Motion was made by Councilor Milks and seconded by Councilor Walker to approve the minutes of the May 15, 2023 Regular Council Meeting.

Passage 7-0.

I. Communications, Presentations and Recognitions

Council Communications (about and to the community)

Councilor Staples commented on the elimination of the recycling program and has recommended to everyone that has reached out to him to reach out to the Sustainability and Natural Resource Management Board who will be meeting to discuss this topic.

Councilor Milks added to Councilor Staples' recycling conversation, stating that when people are asking why the program was eliminated, it is primarily because it wasn't really "recycling" and it was not achieving the goal of the program and was being landfilled and not cost effective.

City Manager Crowell reported that Cassella has invited elected officials to visit their facility to look at their single stream operation.

Mayor Levesque reported on the Victory Garden program, the LA Chamber of Commerce Awards event that will be held at the Poland Spring Inn on; June 15 at 3pm; the work being done at the Garfield Road ballfields by the National Guard; the ELHS graduation that was held on Saturday night; and the Adult Ed graduation is coming up on June 8th at the ELHS gym.

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

III. Unfinished Business

1. Order 59-05012023

Modifying the Auburn-Lewiston Airport Interlocal Agreement.

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

Public comment – Mark Blais, Airport Board member, does not feel it is a conflict of interest for a pilot to serve on the board, adding that it is a bad message to send to the pilots.

Motion was made by Councilor Gerry and seconded by Councilor Walker to amend to include a Councilor from the City of Lewiston, a councilor from the City of Auburn and two ex officio members appointed by the board.

Passage 7-0.

Passage of Order 59-05012023 as amended 7-0.

IV. New Business

1. Order 73-06052023

Authorizing the City Manager to execute a donation agreement with Sultan Corporation for the donation of 7 Chestnut Street (Auburn Tax Parcel 250-335).

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

Public comment – No one from the public spoke.

Passage 7-0.

2. Order 74-06052023

IN COUNCIL REGULAR MEETING JUNE 5, 2023, VOL. 37 PAGE 49

Authorizing the City Manager to execute the sale of 188 Chicoine Avenue through Bill Bergeron with Fontaine Family Realty.

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

Public comment – Andy Titus, 24 Rubelite Lane, noted that his concern is regarding the realtor that already has signs posted, adding that he feels it is an unfair advantage.

Scott Berry, 179 Davis Avenue, stated that he had a client that wanted to look at one of the properties but was unable to get in because of unsafe conditions.

Passage 7-0.

3. Order 75-06052023

Authorizing the City Manager to execute the sale of Garfield Road (parcel ID 216-062) through Bill Bergeron with Fontaine Family Realty.

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 76-06052023

Authorizing the City Manager to execute the sale of 126 Goff Street through Bill Bergeron with Fontaine Family Realty.

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

Public comment - No one from the public spoke.

Passage 7-0.

5. Order 77-06052023

Authorizing the City Manager to execute the sale of 140 Northern Avenue through Bill Bergeron with Fontaine Family Realty.

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

Public comment - No one from the public spoke.

Passage 7-0.

6. Order 78-06052023

Authorizing the City Manager to execute the sale of Smith Street (parcel ID 198-063) through Bill Bergeron with Fontaine Family Realty.

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

Public comment – No one from the public spoke.

Passage 7-0.

7. Order 79-06052023

Authorizing the City Manager to execute the sale of South Witham Road (parcel ID 161-009) through Bill Bergeron with Fontaine Family Realty.

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

Public comment – No one from the public spoke.

Passage 7-0.

8. Order 80-06052023

Authorizing the City Manager to execute the sale of Union Street (parcel ID 240-169) through Bill Bergeron with Fontaine Family Realty.

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

Public comment – No one from the public spoke.

Passage 7-0.

9. Order 81-06052023

Authorizing the City Manager to execute the sale of 18 Western Prom through Bill Bergeron with Fontaine Family Realty.

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

Public comment – No one from the public spoke.

Passage 7-0.

10. Order 82-06052023

Authorizing the City Manager to execute the sale of 59 Willard Road through Bill Bergeron with Fontaine Family Realty.

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

Public comment – No one from the public spoke.

Passage 7-0.

11. Order 83-06052023

Authorizing the City Manager to execute the sale of 192 Winter Street through Bill Bergeron with Fontaine Family Realty.

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

Public comment – No one from the public spoke.

Passage 7-0.

12. Order 84-06052023

Authorizing the City Manager to execute the sale of 86 Western Avenue through Bill Bergeron with Fontaine Family Realty.

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

Public comment – No one from the public spoke.

Passage 7-0.

13. Ordinance 05-06052023

Amending Appendix A – Fees and Charges (Streets, Sidewalks, and other Public Places).
First 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.

V. Open Session –

Zachary Vickers, 185 Sixth Street, regarding the elimination of the recycling program adding that he feels this is a large step backwards and not the best decision.

Scott Berry, 179 Western Avenue provided handouts to the Council. He said he filed a complaint with HUD against the City's 30% rule in our ordinance stating he feels that it is discriminatory. He also requested that Council carefully deliberate on the capital improvement ordinance and proposed including fees as part of the ordinance.

Katherine Manson, Goff Street commented on the elimination of the recycling program and how it will impact our children and grandchildren.

VI. Reports (from sub-committees to Council)

Mayor Levesque commented on recycling, and the dual enrollment pilot program between ELHS and Central Maine Community College.

Councilor Staples reminded everyone about the upcoming election scheduled for next Tuesday, June 13th and encouraged members of the public to vote.

Mayor Levesque spoke on the remediation bond referendum.

IX. Executive Session – Economic development, pursuant to 1 M.R.S.A. §405(6)(C) which premature disclosure would prejudice the competitive or bargaining position of the City.

Motion was made by Councilor Hawes and seconded by Councilor Moring to enter into executive session to discuss an economic development matter, pursuant to 1 M.R.S.A. §405(6)(C) which premature disclosure would prejudice the competitive or bargaining position of the City.

Passage 7-0.

Time 7:48 pm.

Council was declared out of executive session at 8:10 pm.

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

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

Passage 7-0.

Time 8:10 pm.

Council was declared out of executive session at 8:15 pm.

X. Adjournment

Motion was made by Councilor Milks seconded by Councilor Gerry to adjourn. Unanimously approved and the meeting adjourned at 8:15 pm.

A TRUE COPY

ATTEST _____

Susan Clements-Dallaire, City Clerk

IN COUNCIL REGULAR MEETING JUNE 20, 2023, VOL. 37 PAGE 53

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 requests, in which event, the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

1. Order 85-062023*

Re-appointing Jane Costlow to the Sustainability and Natural Resource Management Board with a term expiration of April 1, 2026.

2. Order 86-062023*

Confirming Chief Moen’s appointment of George Monteith and Dustin Pepin as Constable with firearm and arrest powers for the Auburn Police Department.

3. Order 87-062023*

Cancelling the Regular City Council meeting scheduled for Monday, July 3, 2023.

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

Passage 7-0.

II. Minutes – June 5, 2023, Regular Council Meeting

Motion was made by Councilor Staples and seconded by Councilor Walker to approve the minutes of the June 5, 2023 Regular Council Meeting.

Passage 7-0.

III. Communications, Presentations and Recognitions

Manager Crowell provided the Council with an update on the Opioid Crisis.

Mayor Levesque read a proclamation declaring June 20, 2023 World Refugee Day. He also reported that the Councilors received a letter and book from Diana Carson (Auburn Middle School). The Mayor asked that the letter be entered into the minutes. The book is called We Are America Auburn which is a culmination of short stories written by Auburn Middle School students. The letter from Diana Carson reads:

The National We Are America Project

“We have special news to share with you. In this envelope, you will find a gift copy of a book written by students from Auburn Middle School. This spring they were part of the national We are American Project.

In 2018, Lowell High School teacher Jessica Lander asked students in her Seminar on American Diversity class to grapple with what it meant to be American. Studying history turned into a study of their own personal stories about growing up in America.

That year; Lander’s students wrote and published two books – We Are America, and a sequel, We Are America Too. Believing the work needed to grow, alumni of the class and Lander launched the national We Are America Project.

Over the past four years, the national We Are America team has worked with more than 50 teachers in over 25 U.S. states, directly affecting more than 1,500 students—helping the next generation share their personal stories of growing up in America. These stories are published in books in their community and on the project’s website library.

We are pleased to announce that the first students to publish their stories in a We Are America book from the state of Maine are from Auburn Middle School. Seventeen students have courageously shared their stories about growing up, continuing family traditions, exploring their identities and dealing with loss.

These published authors were honored on Monday, June 12th at the AMS Awards Ceremony: Abdi Adow, Ilhan Ali, Dominic Davis, Zane Deletetsky, Charlie Dresdner, Habso Issack, Anita Legere, Dariel Matos, Abraham Maqubela, Evie McGuigan, Travis McKeen, Casey Mileikis, Olivia Sawyer, Lily Smith, Abby Snyder, Destiny Wing and Bella Williams.

The stories these students shared in the national We Are America Project have the power to help build empathy among people of different backgrounds, ethnicities and faiths and ensure all young people feel they belong here.

We hope you enjoy reading their stories and thank you for supporting quality public education in the city of Auburn.”

Diana Iwaszkiewicz Carson

Mayor Levesque invited Fatuma Hussein, who was in the audience, to say a few words.

Council Communications:

Councilor Whiting congratulated the Auburn Adult Ed graduates.

Councilor Milks congratulated the ELHS baseball team for a good season.

Councilor Walker urged people to be careful driving through New Auburn due to the work that is being done out there.

Mayor Levesque announced the 248th birthday of the US Army. He reported that Lucador Tacos opened on Center Street adding that there will be a ribbon cutting coming sometime in July.

City Manager Crowell reported that an information flyer will be going out soon to the public adding that the back of the flyer provides information on movies in the park. He noted that the sheds that were in Festival Plaza have been moved to Anniversary Park, adding that a promotional information will be coming soon. He also announced that the Auburn Community Band will be starting up in Festival Plaza.

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

V. Unfinished Business

1. Ordinance 05-06052023

Amending Appendix A – Fees and Charges (Streets, Sidewalks, and other Public Places). Public hearing and second reading.

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

Public hearing – No one from the public spoke.

Passage 7-0. A roll call vote taken.

VI. New Business

1. Order 88-06202023

Authorizing the use of \$102,000 in ARPA (American Rescue Plan Act) funds for the Third Space Incentive Program.

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

Public comment – No one from the public spoke.

Passage 7-0.

2. Order 89-06202023

Approving the Mass Gathering for the Liberty Festival. 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.

3. Public hearing – Agren Warehouse Tax Increment Financing (TIF) District #28.

Mayor Levesque opened the public hearing at 7:15 pm.

No one from the public spoke.

Mayor Levesque closed the public hearing at 7:15 pm.

4. Order 90-06202023

IN COUNCIL REGULAR MEETING JUNE 20, 2023, VOL. 37 PAGE 56

Approving the Agren Warehouse TIF (Tax Increment Financing) #28 Agreement.

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

Passage 7-0.

5. Ordinance 06-06202023

Amending the Auburn Code of Ordinances, DIV. 12, General Business, Sec 60-500 (2). First 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.

6. Ordinance 07-06202023

Amending the Auburn Code of Ordinances, DIV. 13, General Business II, Sec 60-526 (2). First reading.

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

Public comment – No one from the public spoke.

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

7. Ordinance 08-06202023

Amending the Auburn Code of Ordinances, DIV 15, Industrial Zoning District, Sec 60-579 (2). First reading.

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

Public comment – No one from the public spoke.

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

8. Ordinance 09-06202023

Amending the zoning at 37 Loring Avenue (Parcel I.D. 211-282) from Urban Residential to Multifamily Suburban. First reading.

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

Public comment – Pam Rousseau, 745 West Auburn Road, spoke in opposition of this proposed amendment.

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

9. Ordinance 10-06202023

Amending the Code of Ordinances, Definitions and Agriculture and Resource Protection District text of Chapter 60, Zoning as shown in Proposal B (attached). First reading.

IN COUNCIL REGULAR MEETING JUNE 20, 2023, VOL. 37 PAGE 57

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

Public comment – Mara King, 59 Davis Avenue, asked if there was an attachment.

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

10. Order 91-06202023

Directing the Planning Board to hold a public hearing and recommend additional changes to Proposal B, Article IV District Regulations, Division 2 Agriculture and Resource Protection District as recommended by the Planning Board.

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

Public comment – Chris King, 59 Davis Avenue, he would like to get the Planning Board amendments.

Passage 5-2 (Councilors Hawes and Milks opposed).

11. Order 92-06202023

Authorizing the City Manager and/or his designee to execute the final purchase and sale agreement for tax map 211, lot 288 for Fire Engine 2 replacement.

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 – David Griswold, Gamage Avenue wanted to remind everyone that the Auburn Community Band starts its 42nd season next Wednesday night in Festival Plaza.

VIII. Reports

Mayor Levesque stated that the school year has ended, they had a great graduation, and the new high school is actively being moved into now. He also reminded the public that there is a School Committee meeting tomorrow night.

Manager Crowell reported that Legislators are wrapping up soon, they are working with MMA on any legislation that could affect the city. He added that they are hoping the audit will be ready by mid-July.

Kelsey Earle presented the May 2023 Finance Report.

Motion was made by Councilor Walker and seconded by Councilor Milks to accept and place on file the final May 2023 Finance Report.

Passage 7-0.

IX. Executive Session – None.

X. Adjournment

IN COUNCIL REGULAR MEETING JUNE 20, 2023, VOL. 37 PAGE 58

Motion was made by Councilor Milks seconded by Councilor Morin to adjourn. Unanimously approved and the meeting adjourned at 7:43 pm.

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ATTEST _____

Susan Clements-Dallaire, City Clerk

IN COUNCIL SPECIAL MEETING JULY 10, 2023, VOL. 37 PAGE 60

Mayor Levesque called the meeting to order at 5:30 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Councilor Whiting had an excused absence. All other Councilors were present.

5:30 P.M. City Council Meeting

Pledge of Allegiance

I. Executive sessions

Economic development, pursuant to 1 M.R.S.A. §405(6)(C) which premature disclosure would prejudice the competitive or bargaining position of the City.

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

Passage 6-0. Time 5:30 pm.

Council was declared out of executive session at 6:00 pm.

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

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

Passage 6-0. Time 6:01 pm.

Council was declared out of executive session at 6:23 pm.

II. Unfinished Business

1. Ordinance 06-06202023

Amending the Auburn Code of Ordinances, DIV. 12, General Business, Sec 60-500 (2).
Public hearing and second reading.

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

Public hearing – No one from the public spoke.

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

2. Ordinance 07-06202023

Amending the Auburn Code of Ordinances, DIV. 13, General Business II, Sec 60-526 (2).
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 5-1 (Councilor Gerry opposed). A roll call vote was taken.

3. Ordinance 08-06202023

Amending the Auburn Code of Ordinances, DIV 15, Industrial Zoning District, Sec 60-579 (2). 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 5-1 (Councilor Gerry opposed). A roll call vote was taken.

4. Ordinance 09-06202023

Amending the zoning at 37 Loring Avenue (Parcel I.D. 211-282) from Urban Residential to Multifamily Suburban. Public hearing and second reading.

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

Public hearing -

Mike Adler, 82 Loring Avenue said he does not believe this should go through adding that the lot is not set up for multi-family zoning with only two multi-family units on Loring Avenue. He said he is asking the city not to pass this.

Dina Chapman, 40 Vivian Street, stated this is not a multi-family neighborhood and spoke in opposition of this proposed change and urged the Council to listen to the people and consider the tax payers and residents that live in the neighborhood.

Lisa St. Hilaire Crites, 108 Loring Avenue stated that she does not think it is the right place to do this and appealed to council to vote it down.

Chris Henry, 97 Loring Avenue, echoed the comments of his neighbors and spoke in opposition of the proposed ordinance amendment.

Failed 0-6, unanimously opposed. A roll call vote was taken.

5. Ordinance 10-06202023

Amending the Code of Ordinances, Definitions and Agriculture and Resource Protection District text of Chapter 60, Zoning as shown in Proposal B (attached). Public hearing and second reading.

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

Public hearing - Chris Carson, Jacques Road, said he was representing a group of folks that have come together in the Agricultural Zone and have been talking about this issue for a while now. The group is named the Save Auburn Agricultural and Resource

Protection Group and they would like to endorse proposal B and would encourage the Council to pass this proposed amendment stating that it is also in line with the comprehensive plan. He thanked the city staff for their hard work on this.

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

III. New Business

1. Order 93-07102023

Authorizing the City Manager to execute the collective bargaining agreement with MSEA SEIU 1989.

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

Public comment – No one from the public spoke.

Passage 6-0.

2. Order 94-07102023

Authorizing the City Manager to execute the sale of City owned property (103 Newbury Street).

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

Public comment – John Cleveland, 183 Davis Avenue, supports the idea of selling properties and wanted to share his experience when serving on the Council in the past stating that with similar proposals, the properties did not get developed as they were supposed to due to various circumstances and he would like to see reasonable conditions put on the sale of these properties so they achieve what they say they are going to achieve.

Motion was made by Councilor Staples and seconded by Councilor Hawes to amend the order to reflect the correct first name and changing it from Olan to Oleg.

Passage 6-0.

Passage as amended 6-0.

3. Order 95-07102023

Authorizing the City Manager to execute the sale of City owned property (115 Newbury Street).

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 Staples and seconded by Councilor Gerry to amend the order to reflect the correct first name and changing it from Olan to Oleg.

IN COUNCIL SPECIAL MEETING JULY 10, 2023, VOL. 37 PAGE 63

Passage 6-0.

Passage as amended 6-0.

4. Order 96-07102023

Authorizing the City Manager to execute the sale of City owned property (351 Main Street).

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 Staples and seconded by Councilor Gerry to amend the order to reflect the correct first name and changing it from Olan to Oleg.

Passage 6-0.

Passage as amended 6-0.

5. Order 97-07102023

Authorizing the City Manager to market and execute the sale of City owned property (369 Main Street) through Bill Bergeron with Fontaine Family Realty.

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

Public comment – No one from the public spoke.

Passage 6-0.

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

Passage 5-1 (Councilor Staples opposed).

Motion was made by Councilor Walker and seconded by Councilor Morin to cancel the Regular Council meeting that is scheduled for July 17, 2023. This becomes Order 98-07102023.

Public comment - No one from the public spoke.

Passage 5-1 (Councilor Gerry opposed).

X. Adjournment

Motion was made by Councilor Walker seconded by Councilor Morin to adjourn.

Unanimously approved and the meeting adjourned at 6:55 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.

7:00 P.M. City Council Meeting

Pledge of Allegiance

I. Consent Items

1. Order 99-08072023*

Confirming Chief Moen's appointment of constables with firearms and arrest powers for the Auburn Police Department.

2. Order 100-08072023*

Confirming Chief Moen's appointment of Cameron Mason as constable, without firearm, for the Auburn Police Department.

3. Order 101-08072023*

Casting the voting ballot for the 2024 Maine Municipal Association's Vice President and Executive Committee Members as nominated by the MMA Nominating Committee.

4. Order 102-08072023*

Confirming Mayor Levesque's appointment of Andy Titus as full member of the Ethics Panel with a term expiration of 11/1/2025.

5. Order 103-08072023*

Authorizing the Mayor to execute the Edward Byrne Justice Assistance Grant Program FY2023 Local Solicitation-Certifications and Assurances by the Chief Executive of the Applicant Government document to be submitted with the grant application.

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

Passage 7-0.

II. Minutes

June 20, 2023, Regular City Council Meeting

Motion was made by Councilor Staples and seconded by Councilor Walker to approve the minutes of the June 20, 2023, Regular City Council meeting.

Passage 7-0.

July 10, 2023, Special City Council Meeting

Motion was made by Councilor Staples and seconded by Councilor Walker to approve the

minutes of the July 10, 2023, Special City Council meeting.

Passage 6-0-1 (Councilor Whiting abstained as he was not present for that meeting).

III. Communications, Presentations and Recognitions

- Presentation – Project Support You (PSY) Update
- Communication – Business License Denial - Medical Marijuana Cultivation Facility for Marc Fishman
- Communication – Aquatic Center in Auburn (Mayor Jason Levesque)
- Communication – Naming of City Facilities and Infrastructure (Mayor Jason Levesque)
- Council Communications (about and to the community)

Councilor Gerry spoke regarding sports funding that was going to be cut from the school budget.

Councilor Whiting stated that the baby loon on Lake Auburn appears to be doing well. He also noted that the Maine Mill received a grant from the Office of Tourism.

Councilor Walker announced that there will be an Age Friendly Community Committee meeting tomorrow at 5:30 pm. Jonathan LaBonté will be the guest speaker.

Councilor Staples thanked city staff for doing a wonderful job during the recent storm and during the Presidential visit.

Mayor Levesque echoed councilor Staples comments regarding the Presidential visit, adding that it was an honor hosting the President and thanked staff. He also noted that he will be soliciting nominations for the next John Jenkins Award, the Hands and Heart Leadership Award.

City Manager Crowell also echoed the comments about the Presidential visit. The feedback received was that our staff was on point. He added that he couldn't have asked for a better showing of Auburn and gave accolades to Kathy Leonard (Auburn Manufacturing). He went on to provide a recap of the recent storm, the damage, and the great job and restoration efforts made by staff. There was a lot of damage throughout the city. He then provided an update on the program mailing that went out to Auburn residents. Last, he announced that the 19th Annual National Night Out will be held on Thursday August 10th at 5:30 in Festival Plaza.

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

V. Unfinished Business - None

VI. New Business

1. Order 104-08072023

Approving the Mass Gathering application for the Auburn Blues & Brews event to be held on Saturday, September 9, 2023. Public hearing and vote.

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

Public hearing – No one from the public spoke.

Passage 7-0.

2. Order 105-08072023

Allocating funds (\$50,000) from the American Rescue Plan Act (ARPA) for the Auburn Victory Gardens Program.

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

Public comment – No one from the public spoke.

Passage 7-0.

3. Order 106-08072023

Adopting the School Maintenance Labor Contract.

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

Public comment – No one from the public spoke.

Passage 7-0.

4. Order 107-08072023

Authorizing the Auburn-Lewiston Municipal Airport Board of Directors to designate and sell surplus personal property.

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

Public comment – No one from the public spoke.

Passage 7-0.

5. Order 108-08072023

Amending the loan between the City's General Fund and the Auburn-Lewiston Municipal Airport to extend the maturity from FY2034 to FY2036.

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

Public comment – No one from the public spoke.

Passage 7-0.

6. Order 109-08072023

Approving the liquor license for Gipper's (new ownership). Public hearing and vote.

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

Public hearing – 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 reported that a very successful Accessory Dwelling Unit Meeting was held. There were over 90 people in attendance.

Councilor Staples reported that he attended the Community Conversation that took place last week with Planning and Permitting Office did on zoning. It was well attended, and he wanted to thank staff for their efforts.

Councilor Milks reported on the Ad hoc Committee on Lake Auburn went well and everyone appears to be on same page and want to accomplish the same things. Another meeting is coming up at the end of August.

City Manager Crowell reported on our new podcast called Absolutely Auburn and he encouraged people to listen.

IX. Executive Sessions - Economic development, pursuant to 1 M.R.S.A. §405(6)(C) which premature disclosure would prejudice the competitive or bargaining position of the City.

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

Passage 7-0. Time in 8:17 pm.

Council was declared out of executive session at 8:33 pm.

X. Adjournment

Motion was made by Councilor Milks seconded by Councilor Walker to adjourn.

Unanimously approved and the meeting adjourned at 8:33 pm.

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ATTEST _____

Susan Clements-Dallaire, City Clerk

IN COUNCIL REGULAR MEETING AUGUST 21, 2023, VOL. 37 PAGE 69

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 - None

II. Minutes - August 7, 2023, Regular City Council Meeting

Motion was made by Councilor Staples and seconded by Councilor Walker to approve the minutes of the August 7, 2023, Regular City Council meeting.

Passage 7-0.

III. Communications, Presentations and Recognitions

- Communication - Recycling update (City Manager Crowell)
- Council Communications (about and to the community)

Councilor Staples reported on attending the National Night Out event and thanked City staff for putting that on.

Councilor Gerry also reported on attending the National Night Out event and echoed the comments made by Councilor Staples.

Mayor Levesque announced that the Blues and Brews Fest will be held on September 9th at Festival Plaza. He announced that there will be an open house at the new Edward Little High School on Sunday, August 27th from 2:00 to 5:00 pm. There will be a ribbon cutting, speeches followed by tours of the new high school. Anyone attending should enter on Western Avenue. This is a rain or shine event.

City Manager Crowell reported that tax bills went out and they show the Homestead exemptions as zero, however the exemptions show up on the bills as “other” instead. He apologized for the error. He reported that Movie Night in the Park will be held at the PAL Center on September 1st at 8:00 pm. He also announced that the PAL Center had their backpack give away where 256 back packs were given out.

IV. Open Session

Mara King, 59 Davis Avenue commented recycling and the information she just heard during the City Manager’s update. She stated that residents need more education on composting and recycling.

Scott Berry, 179 Davis Avenue provided handouts to Councilors regarding something he read in the Sun Journal that a representative from the City of Auburn stated during a meeting of the Androscoggin County Commissioners that the current courthouse could be demolished. He spoke about the potential to repurpose the building into a fine arts museum.

V. Unfinished Business - None

VI. New Business

1. Order 110-08212023

Directing the City Manager to report back to Council relating to cost, funding source, and location of a proposed Aquatic Center/Feasibility Study.

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

Public comment – No one from the public spoke.

Passage 6-1 (Councilor Whiting opposed).

2. Order 111-08212023

Allocating \$50,000 out of the American Rescue Plan Act (ARPA) funds for Safe Voices.

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

Public comment – Elise Johansen, Executive Director of Safe Voices stated that they are requesting funding from the City to help to renovate their Resource Center. She stated that she would also like to request that the City Council consider funding more than \$50,000 if additional ARPA funds are available.

Motion was made by Councilor Milks and seconded by Councilor Hawes to amend by increasing the amount to \$100,000.

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

Passage as amended 5-2 (Councilors Walker and Gerry opposed).

3. Order 112-08212023

Allocating \$20,000 from the American Rescue Plan Act (ARPA) funds to the Boys & Girls Club of Southern Maine – Auburn Clubhouse with \$10,000 to be the “Presenting Sponsor” for the “Fall for the Kids” fundraising event and an additional \$10,000 for additional Auburn Programming.

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

Public comment – No one from the public spoke. Councilor Walker invited Gary Violette, Director of the Auburn Boy’s & Girl’s Club, to the podium to speak.

Passage 7-0.

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

VIII. Reports

Mayor Levesque reported that the first meeting of the committee on Naming Facilities and Infrastructure was held last week and the next meeting is scheduled for September 12th at 4:00 pm.

Councilor Walker thanked the volunteers that worked with him at the Balloon Festival. The Age Friendly group had a table set up selling beverages. He also reported that the Age Friendly Committee will be holding another clothing giveaway, at the Auburn Public Library on October 7th. Anyone with donations can reach out to him and he will pick up the items if needed. He also thanked the Public Works department for the work they've done in Anniversary Park.

IX. Executive Sessions – Personnel matter (City Manager evaluation) pursuant to 1 M.R.S.A. Sec. 405(6)(A).

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

Passage 7-0. Time in 7:42 pm.

Council was declared out of executive session at 8:00 pm.

X. Adjournment

Motion was made by Councilor Morin seconded by Councilor Walker to adjourn.

Unanimously approved and the meeting adjourned at 8:00 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 requests, in which event, the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

1. Order 113-09052023*

Approving the renewal of an Auto Graveyard/Junkyard permit for Randy's Auto, 899 Broad St.

2. Order 114-09052023*

Approving the renewal of an Auto Graveyard/Junkyard permit for M&P Auto, Inc., 227 Merrow Rd.

3. Order 115-09052023*

Approving the renewal of an Auto Graveyard/Junkyard permit for Don's No Preference Towing, dba Morris Auto Parts, 940 Washington St. North.

4. Order 116-09052023*

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

5. Order 117-09052023*

Approving the renewal of an Auto Graveyard/Junkyard permit for Isadore T. Miller, 79 & 80 Hotel Rd.

Councilor Staples requested that items #1 and #3 be removed from the Consent Agenda and placed under New Business.

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

Passage 7-0.

II. Minutes - August 21, 2023, Regular City Council Meeting

Motion was made by Councilor Walker and seconded by Councilor Staples to approve the minutes of the August 21, 2023, Regular City Council meeting.

Passage 7-0.

III. Communications, Presentations and Recognitions

- Council Communications (about and to the community)

Councilor Staples reported on the meeting with Casella (Waste Systems) adding that it was a productive meeting.

Mayor Levesque provided an update on recycling and handed out a memorandum regarding curbside recycling which states the following:

I recently requested a meeting with the City of Auburn's recycling vendor, Casella, to discuss the effectiveness of our city's recycling program. City administration and department heads, along with Councilor Staples, were also invited and participated in the conversation. We discussed both our historic bi-weekly curbside pick-up and current consolidated program with the goal of gathering information on recyclable items - where they go and to what extent our recycling is actually benefiting the environment once we factor in variables such as contamination, freight omissions, and off-gassing.

During this process, we identified some issues with our historic and current single-stream recycling program, from high contamination rates, to lack of commodity market for certain items commonly placed into the recycling bin, to a lack of general knowledge on participation and efficacy of Auburn's recycling initiatives. These missing data points will be essential in helping the City Council - with the assistance of the Sustainability and Natural Resource Management Board - to make appropriate decisions when a new recycling contract is being considered early in 2024 and to determine the programs overall benefit to our environment.

I am, therefore, proposing to the City Council a limited pilot recycling program that would have the following components:

1. *Re-introduction of curbside recycling to select parts of the city, with a mix of urban and rural areas.*
2. *Increased pick up in those areas, from bi-weekly to weekly.*
3. *Definition of exactly what should be put into single-stream recycling. For example, glass should go into household trash, and some plastics should not be placed in recycling bins.*
4. *In partnership with Casella, increased public education on what goes into recycling and how to prevent contamination, such as making sure residents are covering their recycling to prevent moisture, and if that is not possible, holding onto it until the following week.*
5. *Launch of a Casella mobile app to help participating households understand what should and should not be recycled.*
6. *Distribution of Auburn-specific direct mail educational pieces produced by Casella.*
7. *Periodic reporting of data collected by Casella, to include recycling program participation by household, and percentage of overall waste collected.*
8. *Retaining the centralized drop-off containers located at Public Works for those who are not part of the pilot program and remain in the control group.*

By creating a new best practice pilot program with a statistically relevant sample size of participants, we can more effectively gather data on efficacy, participation, contamination, and more. If done correctly, this could become the standard model to use throughout the region, therefore influencing the recycling and re-using efforts (incineration to produce energy is a re-

use) in surrounding communities.

The cost of this pilot program should not exceed the already budgeted and set aside amount for recycling for this current financial year, details to be worked out prior to, and made available to the Council during its deliberations on September 18, 2023.

Our goal is simple and remains consistent: To ensure that Auburn's government and residents are effective in their efforts to enhance global health and sustainability of natural resources using educated decision making based on quantifiable results. The decision to add or modify a city program lies with the City Council, not with the Mayor or staff, and it is my hope that implementing a short-term option will bring forth the information needed for educated decision-making during next year's budget deliberations.

City Staff will prepare specifics on the pilot program and will provide details and an order for you to consider at our next meeting.

IV. Open Session

Art Dingley, 512 Danville Corner Road, spoke regarding recycling.

Caroline Davidson, Danville Corner Road, also spoke regarding recycling.

V. Unfinished Business - None

VI. New Business

Orders 113-09052023* and 115-09052023* below were removed from the Consent Agenda and placed under New Business.

Order 113-09052023*

Approving the renewal of an Auto Graveyard/Junkyard permit for Randy's Auto, 899 Broad St.

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

Public comment – No one from the public spoke.

Passage 6-1 (Councilor Gerry opposed). A roll call vote was taken at the request of the Mayor.

Order 115-09052023*

Approving the renewal of an Auto Graveyard/Junkyard permit for Don's No Preference Towing, dba Morris Auto Parts, 940 Washington St. North.

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

Public comment – No one from the public spoke.

IN COUNCIL REGULAR MEETING SEPTEMBER 5, 2023, VOL. 37 PAGE 75

Motion was made by Councilor Milks and seconded by Councilor Whiting to postpone until the October 16, 2023, City Council meeting.

Passage 7-0.

1. Order 118-09052023

Authorizing the City Manager to execute a real estate transaction to swap City owned parcel 271-100-000 for privately held parcel 261-056-002.

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. Ordinance 11-09052023

Approving the text amendment to the Auburn Code of Ordinances, Sec. 60-548B – Front Setback, Principal for Traditional Downtown Neighborhood T-4.2B as shown in the Citizen Petition submitted on June 12, 2023. **Public hearing and 1st reading.**

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

Public hearing – Stephen Beal, 575 Johnson Road, stated that he supports staffs position on this proposal (opposed).

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

3. Ordinance 12-09052023

Approving the text amendment to the Auburn Code of Ordinances, Sec. 60-548B ,T-4.2B Sec. 60-54B Intent and Purpose, Sec. 60-54B.1, Building Placement on Lot, Frontage Buildout, 3. Sec 548B.2, Common or Porch Yard Stoop Yard Frontage Storefront Type, Building envelope articulation, Ground and Upper story building façade. **Public hearing and 1st reading.**

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

Public hearing – John Cleveland, 183 Davis Avenue, spoke regarding the language in this proposal, adding that he would like to see it removed until after the court proceeding.

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

4. Ordinance 13-09052023

Approving the zoning map amendment T-4.2B & C/OS “Area A1”. **Public hearing and 1st reading.**

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

Public hearing – Robert Hayes, 172 Allen Avenue, spoke and said he would like to see the Council table this to allow more public discussion.

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

5. Ordinance 14-09052023

Approving the zoning map amendment T-4.2B & C/OS “Area A2”. **Public hearing and 1st reading.**

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

Public hearing – Dee Chapman, 40 Vivian Street, asked that all of area A2 be removed. She spoke regarding LD2003. She also asked the Council to slow down on the changes.

Mike Adler, 82 Loring Avenue, stated that the rezoning has to stop and leave the neighborhood as it is.

Bob Hayes, 172 Allen Avenue, spoke regarding regarding being called to participate in meetings on T-4.2.

Bruce Rioux, Mary Carroll Street, stated the issue he has with changes to zoning map is that it seems like these zone changes are inviting developers from other areas, and will not be owner occupied. He asked that the Council slows down on the zoning changes and maybe spot zoning is what we should look at.

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

6. Ordinance 15-09052023

Approving the zoning map amendment T-4.2B “Area C”. **Public hearing and 1st reading.**

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

Public hearing – Bob Hayes, 172 Allen Avenue, stated that form-based planning should be built on neighborhood characteristics and the Planning Board should have been given time to reach out and engage with the public. He said he questions our future when looking at property values.

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

7. Ordinance 16-09052023

Approving the zoning map amendment T-4.2B “Area D”. **Public hearing and 1st reading.**

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

Public hearing – No one from the public spoke.

IN COUNCIL REGULAR MEETING SEPTEMBER 5, 2023, VOL. 37 PAGE 77

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

8. Ordinance 17-09052023

Approving the Zoning Ordinance text amendments (Proposal B1) – Amend Sec. 60-145 and Sec. 60-146 of Article IV, District Regulations, Division 2-Agriculture and Resource Protection District. **Public hearing and 1st reading.**

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

Public hearing – Stephen Beal, 575 Johnson Road spoke regarding the process, he is in favor of the proposed amendment.

Motion was made by Councilor Staples and seconded by Councilor Walker to strike #6 from the Order to add “or 400 feet, whichever is less” to Sec. 60-146(3)(c) after the word “lot”. Which was not recommended by the Planning Board.

Passage 6-1 (Councilor Milks opposed).

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

9. Ordinance 18-09052023

Approving the Zoning Ordinance text amendments (Proposal B3) – Amend Sec. 60-145 and Sec. 60-146 of Article IV, District Regulations, Division 2, Agriculture and Resource Protection District. AGRP text Amendment (Proposal B3) Planning Board Proposed Change #10 concerning prohibiting housing in the AGRP zone in the Taylor Pond watershed. **Public hearing and 1st reading.**

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

Public hearing – No one from the public spoke.

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

10. Ordinance 19-09052023

Approving the AGRP text amendments (Proposal B2) Planning Board proposed change number ten to Sec. 60-145(a)(1)(b)(vii) prohibiting housing to be sited on land that has been enrolled in certain State of Maine current use programs within the last five years. **Public hearing and 1st reading.**

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

Public hearing – Stephen Beal, 575 Johnson Hill Road, supports staff’s recommendation opposing this proposed amendment.

Failed 0-6 (Councilor Walker was not in the room for the vote). A roll call vote was taken.

11. Order 119-09052023

Authorizing the proposed Public Safety Building to be placed on a referendum ballot and submitted to the voters of Auburn at the November 7, 2023, Election.

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

Public comment – Andy Titus, Rubelite Lane, was on the committee when this was talked about two years ago and he thought there would be more discussion on this. He also spoke regarding the tax impact if this passes. He would like more discussion before this goes to referendum.

Passage 6-1 (Councilor Gerry opposed).

12. Order 120-09052023

Allocating \$5,700 out of the American Rescue Plan Act (ARPA) funds for Literacy Volunteers, Androscoggin.

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

Public comment – No one From the public spoke.

Motion was made by Councilor Gerry and seconded by Councilor Staples to double the amount by increasing it from \$5,700 to \$11,400.

Failed 1-6 (Councilors Whiting, Hawes, Milks, Morin, Walker, and Staples opposed).

Passage of original motion 7-0.

13. Order 121-09052023

Authorizing the City Manager to execute the purchase and sales agreement of 80 Lake Street (PID 239-114), 7 Fern Street (PID 239-113), and 9 Fern Street (PID 239-112).

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

Public comment – No one from the public spoke.

Passage 7-0.

VII. Open Session – Corey Wallace, 93 Gamage Avenue, asked about 67 Minot Avenue and wondered if there have been any updates on that structure. He said he could see this as a non-profit housing unit.

VIII. Reports (from sub-committees to Council)

Mayor Levesque, announced that the Blues and Brews Festival will be held on September 9th; there is new college housing in our downtown where the Value Inn used to be on Center Street; last week he met with the Governor's staff on infrastructure law and more; and the

School Committee will be meeting on Wednesday; and last, he reported on the open house at the new Edward Little High School.

Councilor Staples also commented on the Edward Little High School open house.

Councilor Walker also commented on the Edward Little High School open house and was looking for the big plaque but could not find it.

Councilor Morin stated that he also attended the Edward Little High School open house. He added that if anyone is looking for a rewarding opportunity, they can donate their time and volunteer with Literacy Volunteers.

Councilor Gerry also reported on the Edward Little High School open house.

City Manager Crowell reported on the partnership with school and city to rehab the tennis courts at the East Auburn School, the project is complete. The grand opening will be on Monday. They can also be used for Pickleball. PAL movie night was held last Friday, 100 people attended, and he encouraged the Council and the Public to listen to our new Podcast called Absolutely Auburn. There are 4 episodes out at this time.

IX. Executive Sessions - None

X. Adjournment

Motion was made by Councilor Hawes seconded by Councilor Morin to adjourn.

Unanimously approved and the meeting adjourned at 9:03 pm.

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ATTEST _____

Susan Clements-Dallaire, City Clerk

IN COUNCIL REGULAR MEETING SEPTEMBER 18, 2023, VOL. 37 PAGE 80

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 requests, in which event, the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.
 1. **Order 122-09182023***
Confirming Chief Moen's appointment of Brent Bynum as a Constable with firearm for the Auburn Police Department.
 2. **Order 123-09182023***
Accepting the transfer of \$1,896.00 of forfeiture assets to the Auburn Police Department (Unified Criminal Court Docket No. CR-2020-01965 (St. Hilaire)).
 3. **Order 124-09182023***
Accepting the transfer of \$2,114.00 of forfeiture assets to the Auburn Police Department (Unified Criminal Court Docket No. CR-2019-02569 (Poulin)).
 4. **Order 125-09182023***
Accepting the transfer of \$1,421.00 of forfeiture assets to the Auburn Police Department (Unified Criminal Court Docket No. CR-22-2172 (Burnsworth)).
 5. **Order 126-09182023***
Accepting the transfer of \$557 of forfeiture assets to the Auburn Police Department (Unified Criminal Court Docket No. CR-23-1609 (Deam)).
 6. **Order 127-09182023***
Authorizing the cancellation of the October 2, 2023 regular City Council meeting and calling a special meeting to be held on October 23, 2023.
 7. **Order 128-09182023***
Designating Phil Crowell as the official Voting Delegate and Brian Wood as the alternate Voting Delegate for Auburn at the Maine Municipal Associations Annual Business Meeting scheduled for October 2023.

Councilor Staples requested that item #6, Order 127-09182023 be taken off consent and added to new business.

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

Passage 7-0.

II. Minutes - September 5, 2023, Regular City Council Meeting

Motion was made by Councilor Staples and seconded by Councilor Whiting to approve the minutes of the September 5, 2023, Regular City Council Meeting.

Passage 7-0.

III. Communications, Presentations and Recognitions

- Council Communications (about and to the community)

Mayor Levesque stated that he received a letter from President Joe Biden regarding his recent visit to Auburn. The Mayor read the letter for the public to hear. He also reported that he and Evan Cyr attended the CNU (Congress for the New Urbanism) New England Fall Summit and were presented with the Municipal Innovation Award.

Manager Crowell reported on the shops at Anniversary Park, kayaking opportunities on the river, and last, he noted that we are in search of a Christmas tree for Festival Plaza.

IV. Open Session –

Mike Adler, 82 Loring Avenue, spoke regarding pan handlers in Auburn.

Wayne Souza, Auburn resident read a few quotes.

Chance, who stated that he is a homeless healthcare worker who commented on Facebook and commented that a public official should not be able to block criticisms and voices of the community.

Bob Hayes, 172 Allen Avenue, spoke about what he called flaws in the process of ordinance changes and the form-based planning process.

V. Unfinished Business

1. Ordinance 11-09052023

Approving the text amendment to the Auburn Code of Ordinances, Sec. 60-548B – Front Setback, Principal for Traditional Downtown Neighborhood T-4.2B as shown in the Citizen Petition submitted on June 12, 2023. **Second reading.**

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

Public comment. No one from the public spoke.

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

2. Ordinance 12-09052023

Approving the text amendment to the Auburn Code of Ordinances, Sec. 60-548B, T-4.2B Sec. 60-54B Intent and Purpose, Sec. 60-54B.1, Building Placement on Lot, Frontage Buildout, 3. Sec 548B.2, Common or Porch Yard Stoop Yard Frontage Storefront Type, Building envelope articulation, Ground and Upper story building façade. **Second reading.**

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

Public comment – Ryan Smith, provided handouts for the City Council which he stated outlines flaws in our definitions of structures and dwellings. He stated that there is no definition for a shared private drive adding that he feels it is a flaw that was overlooked.

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

3. Ordinance 13-09052023

Approving the zoning map amendment T-4.2B & C/OS “Area A1”. **Second reading.**

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

Public comment - Ryan Smith, 14 Weaver Street provided written comments that were emailed and handed out to the Mayor and City Council. He stated that he was submitting written comments to clarify what the new LD2003 states. He noted that he is all for more flexible zoning, but only with more careful planning and citizen engagement. Included in the handout was a copy of Chapter 5: Housing Opportunity Program: Municipal Land Use and Zoning Ordinance Rule.

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

4. Ordinance 14-09052023

Approving the zoning map amendment T-4.2B & C/OS “Area A2”. **Second reading.**

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

Public comment – Dee Chapman, Vivian Street, spoke in opposition of this proposed ordinance. She stated that the Sun Journal quoted her incorrectly and she wanted that noted. She said she would like to remove the whole T-4.2b in this section.

Mike Adler, 82 Loring Avenue, stated that he would like the Council to vote this down again.

Ryan Smith, 14 Weaver Street provided written comments that were emailed and handed out to the Mayor and City Council. He stated that he was submitting written comments to clarify what the new LD2003 states. He noted that he is all for more flexible zoning, but only with more careful planning and citizen engagement. Included in the handout was a copy of Chapter 5: Housing Opportunity Program: Municipal Land Use and Zoning Ordinance Rule.

Failed 0-6-1 (Councilor Walker abstained). A roll call vote was taken.

5. Ordinance 15-09052023

Approving the zoning map amendment T-4.2B “Area C”. **Second reading.**

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

Public comment - Ryan Smith, 14 Weaver Street provided written comments that were emailed and handed out to the Mayor and City Council. He stated that he was submitting written comments to clarify what the new LD2003 states. He noted that he is all for more flexible zoning, but only with more careful planning and citizen engagement. Included in the handout was a copy of Chapter 5: Housing Opportunity Program: Municipal Land Use and Zoning Ordinance Rule.

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

6. Ordinance 16-09052023

Approving the zoning map amendment T-4.2B “Area D”. **Second reading.**

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

Public comment – Ryan Smith, 14 Weaver Street expressed concerns that this zone change will save the neighborhoods from LD2003, and he would like to hear more discussion from the Council and would like to hear more regarding parking. He also provided written comments in advance of the meeting that were emailed and handed out to the Mayor and City Council. He stated that he was submitting written comments to clarify what the new LD2003 states. He noted that he is all for more flexible zoning, but only with more careful planning and citizen engagement. Included in the handout was a copy of Chapter 5: Housing Opportunity Program: Municipal Land Use and Zoning Ordinance Rule.

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

7. Ordinance 17-09052023

Approving the Zoning Ordinance text amendments (Proposal B1) – Amend Sec. 60-145 and Sec. 60-146 of Article IV, District Regulations, Division 2-Agriculture and Resource Protection District. **Second reading.**

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

Public comment – No one from the public spoke.

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

8. Ordinance 18-09052023

Approving the Zoning Ordinance text amendments (Proposal B3) – Amend Sec. 60-145 and Sec. 60-146 of Article IV, District Regulations, Division 2, Agriculture and Resource Protection District. AGRP text Amendment (Proposal B3) Planning Board Proposed Change #10 concerning prohibiting housing in the AGRP zone in the Taylor

Pond watershed. **Second reading.**

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

Public comment – No one from the public spoke.

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

9. Ordinance 19-09052023

Approving the AGRP text amendments (Proposal B2) Planning Board proposed change number ten to Sec. 60-145(a)(1)(b)(vii) prohibiting housing to be sited on land that has been enrolled in certain State of Maine current use programs within the last five years.

Second reading.

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

Public comment - No one from the public spoke.

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

VI. New Business

Order 127-09182023

Authorizing the cancellation of the October 2, 2023 regular City Council meeting and calling a special meeting to be held on October 23, 2023.

This item was removed from the Consent Agenda.

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

Motion was made by Councilor Gerry to add a workshop on October 2, 2023. Motion failed for lack of a second.

Passage of Order 127-09182023 5-2 (Councilor Staples and Gerry opposed).

1. Public hearing

Public Safety Building Referendum scheduled to be submitted to the Auburn voters at the November 7, 2023, Election.

Mayor Levesque opened the public hearing at 7:43 pm.

Matt Dailey, Police Department spoke to endorse the proposed Public Safety Building and addressed some of the needs for adequate space.

Douglas Mathews, also spoke in favor of the proposed Public Safety Building and the need for additional space.

Chance, no last name or address provided, stated that it would be wise for the city to

invest in more protection for the vulnerable, less protected, and homeless.

Jason Moen, Police Chief, spoke regarding the needs of a Public Safety Building and spoke regarding the process that has gotten us to this point. He added that Auburn is growing and very different from 20 plus years ago and they need a location and space to support that.

Bob Chase, Fire Chief, wanted to build on what Chief Moen stated. He stated that there is a financial cost to do nothing as well. Both agencies have much more diverse work forces which will have to be addressed whether this building passes or not, as well as safety issues that will have to be addressed.

Wayne Souza said he has dealt with similar issues and understands it is difficult for the city to reach out to the state for money but when you take that step it makes it easier.

Mike Adler, 82 Loring Ave, stated that he supports Police and Fire, he knows they need a new building, and we need to support our city services, Police, Fire, Public Works, and EMT, and we also have to support the County Sheriff's Department as well.

Mayor Levesque closed the public hearing at 7:59 pm.

2. Ordinance 20-09182023

Amending Chapter 24, Article II, Division 1, Sec. 24-33 of the General Assistance Ordinance Annual Adjustment of Maximum Benefits. First reading.

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

Public comment – Chance, who stated that he is a homeless health care worker, and a CNA, and stated that we need general assistance during times of hardship.

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

3. Order 128-09182023

Authorizing the partial discontinuance of Chestnut Street.

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

Public comment – No one from the public spoke.

Passage 5-1-1 (Councilor Whiting abstained, Councilor Walker opposed).

4. Order 129-09182023

Authorizing the discontinuance and re-alignment of Miller Street.

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

Public comment – No one from the public spoke.

Passage 7-0.

5. Order 130-09182023

Authorize the city manager to modify the solid waste agreement with Casella to initiate a pilot recycling program within designated areas within the city, by using the allocated funding authorized in the FY24 budget.

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

Public comment – No one from the public spoke.

Passage 7-0.

6. Ordinance 21-09182023

Amending the Code of Ordinances, Chapter 14, Article XVIII Adult Use and Medical Marijuana Business licensing. Public hearing and first reading.

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

Public hearing – Hannah King, representing Marc Fishman, respectfully requests council to remove the retroactive language which would add to the license application criteria that is not in the current ordinance. She stated that it also creates a new appeals process. The application that was filed contained all required information. She suggested making it a condition which would make more sense than requiring all those approvals.

Marc Fishman, business owner at 213 Washington Street, Auburn said he would like to see the retroactive language removed. He stated that he included everything that was needed under the current ordinance. He stated that it does not seem like a fair process that could impact, not only his business, but also sets bad precedence for the city of Auburn.

Motion was made by Councilor Hawes and seconded by Councilor Walker to postpone this item until the October 16, 2023 meeting.

Passge 7-0.

VII. Open Session - Wayne Souza, commented on cones that are left around the city and also commented on drivers that do not slow down for people in the cross walk.

Chance, spoke regarding inflation, rent control, and wages.

VIII. Reports (from sub-committees to Council)

Mayor Levesque reported on the Blues and Brews Festival which was a success. He also noted that he was invited to serve on a state committee for creating permanent homes and financing options for ADU's.

Councilor Staples noted that Thursday is the Annual Meeting for Auburn Public Library starting at 5:30.

City Manager Crowell provided information regarding pan handling in the city. He also provided an update on the lawsuit against the City of Auburn. The judge found in favor of the City of Auburn and American Development Group and the plaintiff has 21 days to file an appeal.

August 2023 Finance Report

Motion was made by Councilor Whiting and seconded by Councilor Gerry to accept and place on file the August Finance report.

Passage 7-0.

IX. Executive Sessions – None

X. Adjournment

Motion was made by Councilor Staples seconded by Councilor Walker to adjourn.

Unanimously approved and the meeting adjourned at 8:42 pm.

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ATTEST _____

Susan Clements-Dallaire, City Clerk

IN COUNCIL REGULAR MEETING OCTOBER 16, 2023, VOL. 37 PAGE 88

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 – None

II. Minutes - September 18, 2023, Regular City Council Meeting

Motion was made by Councilor Hawes and seconded by Councilor Staples to approve the minutes of the September 18, 2023, Regular City Council Meeting.

Passage 7-0.

III. Communications, Presentations and Recognitions

- Recycling Update – Phil Crowell, City Manager
- Proclamation - Extra Mile Day – Mayor Levesque proclaimed November 1, 2023, as Extra Mile Day in Auburn and presented David Griswold with a plaque and recognized him for his volunteerism and for going the extra mile for the community.
- Council Communications (about and to the community)

Councilor Hawes announced that Saturday, October 21st the Auburn Fire Department will be holding an open house from 10:00am to 1:00pm. He encouraged the public to attend.

Councilor Walker announced that on October 29th at 1:00 pm in Anniversary Park there will be a Trick or Treat event with free candy for the kids.

Councilor Staples thanked staff for performing the recent walk audits led by Jonathan LaBonté adding that a report should be coming soon. He thanked staff for putting on the Shops at Anniversary Park, he reported that he has been working with the Sustainability Working Group and the Sustainability and Natural Resource Management Board (SNRB) to discuss recycling and he thanked the City Manager for his work on that, and last, he stated that the Androscoggin Land Trust had a clean-up event along the river which he participated in. He stated that it was a great community event.

Mayor Levesque announced that the organization Bipartisan Policy Center in Washington, DC has just recognized Auburn, Maine and did a nationwide case study called Small City Zoning Reforms in Auburn Maine adding that this is a testament of the good work of the council and staff.

City Manager Crowell announced that a Truck or Treat event is coming to the Public Works building on October 26th from 5:00 – 7:00pm, and the Pal Center will be running a haunted house on October 31st.

IV. Open Session

Elizabeth Dunn, 530 Court Street, commented on the vote taken at the last City Council meeting that exempted area A2 of New Auburn from the T-4.2B ordinance.

TJ Cassiello, 225 Vickery Road, stated that he and his wife moved here recently from Boston, stating that we are doing the same thing that was done in Boston which has become what he called an “overcrowded disaster area”. He is opposed to building the proposed complex adding that they want to live in the country with land and does not want this.

V. Unfinished Business

Motion was made by Councilor Gerry and seconded by Councilor Morin to suspend the rules to move three items (Orders 133-10162023 through 135-10162023) from new business and to act on before the unfinished business.

Passage 7-0.

Order 133-10162023

Allocating \$10,317.00 from the American Rescue Plan Act (ARPA) funds to the Auburn Ski Association to purchase an alpine ski timing system.

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

Public comment – No one from the public spoke.

Passage 7-0.

Order 134-101620023

Allocating \$10,000 of American Rescue Plan Act (ARPA) funds to the Edward Little High School Outdoor Club.

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

Public comment - Joe Mailey, 82 Webster Street, asked why isn't this part of the school budget, and is this a one-time deal, and what happens when the ARPA funds are no longer available?

Passage 7-0.

Order 135-10162023

Allocating \$10,000.00 from the American Rescue Plan Act (ARPA) funds to Special Olympics Maine to be the “Presenting Sponsor” for the “Special Olympics Maine Winter Games 2024” to be held at Lost Valley in February 2024.

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

Public comment – No one from the public spoke.

Passage 7-0.

1. Order 115-09052023

Approving the renewal of an Auto Graveyard/Junkyard permit for Don's No Preference Towing, dba Morris Auto Parts, 940 Washington St. North.

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

Public comment – No one from the public spoke.

Motion was made by Councilor Staples, seconded by Councilor Gerry to amend to include the conditions recommended by staff.

1. Any vehicle containing fluids or batteries shall only be stored or dismantled within the area shown as "Storage of vehicles w/fluids + batteries limited to this area" on an aerial map entitled "940 Washington Street – 2012 Flood Plain Zones – 2013 Aerial" (the "Compliance Plan"), on file in the City's Planning and Permitting Office, and in no event shall any vehicle containing fluids or batteries be stored or dismantled within 100 feet of the normal high water line of the Little Androscoggin River.
2. No vehicles or junk shall be stored or dismantled within 50 feet of the normal high water line of the Little Androscoggin River.
3. Tires shall be stored at least 100 feet from the normal high water line of the Little Androscoggin River, except that if tires are maintained within a fenced enclosure of sufficient height and durability to contain the tires within the enclosure, they may be stored more than 50 feet but less than 100 feet from the normal high water line of the Little Androscoggin River.
4. The used car display area shall be limited to the area of the premises that is located north of the rectangular building shown on the Compliance Plan.
5. The driveway entrance to the premises and exit onto Washington Street North shall at all times be kept free and clear of dust and debris so that dust and debris is not tracked onto Washington Street North or any other public street.
6. Licensee shall cooperate with the City's Director of Planning and Permitting or their designee, who is to conduct inspections of the premises for compliance with (a) these conditions, (b) Sec. 14-74(c) of the Code of Ordinances, and (c) 30-A M.R.S. § 3751 *et seq.* no less frequently than quarterly. If any violations are observed as a result of such an inspection, they shall be communicated to the licensee for immediate remediation and, if not immediately remediated, to the City Council for potential suspension or revocation proceedings.

Passage 7-0.

Passage of Order 115-10162023 as amended, 7-0.

2. Ordinance 20-09182023

Amending Chapter 24, Article II, Division 1, Sec. 24-33 of the General Assistance Ordinance Annual Adjustment of Maximum Benefits. Public hearing and second reading.

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

Public hearing – No one from the public spoke

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

3. Ordinance 21-09182023

Amending the Code of Ordinances, Chapter 14, Article XVIII Adult Use and Medical Marijuana Business licensing. Public hearing and first reading.

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

Public hearing – Hanna King represents Alzie and Mr. fishman, spoke at the last meeting objecting to the retroactive criteria provision of this proposed ordinance.

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

4. Public hearing - Partial discontinuance of Chestnut Street

Mayor Levesque opened the public hearing at 7:52 pm.

Joe Mailey, 82 Webster Street spoke in opposition of the discontinuance and stated that he doesn't think there has been enough input from the general public.

Stephen Beal, 575 Johnson Road, spoke neither for nor against but stated that he feels it is a public safety concern if they do close the street and he feels that a traffic or safety study should be done.

Mayor Levesque closed the public hearing at 7:57 pm.

5. Public hearing - Discontinuance and re-alignment of Miller Street

Mayor Levesque opened the public hearing at 7:57 pm.

William Turner, Chicoine Ave, also owns a building on Miller Street, stated he had no issue with realignment, however he had concerns regarding parking.

Mayor Levesque closed the public hearing at 7:59 pm.

VI. New Business

- 1. Public hearing - CDBG/HOME Consolidated Annual Performance Evaluation Report (CAPER) Program Year 2022.**

Mayor Levesque opened the public hearing at 7:59 pm.

No one from the public spoke.

Mayor Levesque closed the public hearing at 7:59 pm.

- 2. Ordinance 22-10162023**

Amending the Auburn Zoning Ordinance – Minimum Dwelling Size. First reading.

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

Public comment – Joe Mailey, 82 Webster Street asked why the size of a dwelling is an issue.

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

- 3. Ordinance 23-10162023**

Amending the Auburn Zoning Map, Area B change, from UR, SR, and LDCR to T4.2B. First reading.

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

Public comment – Kate, 225 Vickery Road, spoke in opposition of the change.

Pam Rousseau, 745 West Auburn Road, spoke in opposition of this amendment.

Failed 1-5-1 (Councilors Gerry, Whiting, Milks, Morin, and Staples opposed, Councilor Walker abstained). A roll call vote was taken.

- 4. Order 131-10162023**

Authorizing the issuance of General Obligation Bonds and Tax Levy Therefor, for the proposed Public Safety Building. Public hearing and first reading. **Requires an affirmative vote of five.**

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

The Mayor opened the public hearing at 8:19 pm.

Joe Mailey, 82 Webster Street stated that issues like this should have been addressed publicly long before absentee voting began.

The Mayor closed the public hearing at 8:21 pm.

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

5. Order 132-10162023

Authorizing the City Manager to execute a modified contract with Casella to reinstate curbside recycling.

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

Public comment – No one from the public spoke.

Passage 7-0.

6. Order 136-10162023

Allocating up to \$5,000.00 from the American Rescue Plan Act (ARPA) funds to provide public safety costs (Police and EMS services) associated with Special Olympics Maine Winter Games 2024” to be held at Lost Valley in February 2024.

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

Public comment - No one from the public spoke.

Passage 7-0.

VII. Open Session – Joe Mailey, 82 Webster Street, commented on property in his neighborhood that is storing unregistered cars in his yard and looks like a scrapyard. He said he would like the city to do something.

Ryan smith, 14 weaver street, commented on the recycling program.

VIII. Reports – There were no reports.

IX. Executive Sessions

- **Economic development, pursuant to 1 M.R.S.A. §405(6)(C)** which premature disclosure would prejudice the competitive or bargaining position of the City.

Motion was made by Councilor Walker and seconded by Councilor Hawes to enter into executive session regarding an Economic development matter, pursuant to 1 M.R.S.A. §405(6)(C) which premature disclosure would prejudice the competitive or bargaining position of the City.

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Passage 7-0. Time in 8:33 pm.

Council was declared out at 8:42 pm.

- **Economic development, pursuant to 1 M.R.S.A. §405(6)(C)** which premature disclosure would prejudice the competitive or bargaining position of the City.

Motion was made by Councilor Walker and seconded by Councilor Gerry to enter into executive session regarding an Economic development matter, pursuant to 1 M.R.S.A. §405(6)(C) which premature disclosure would prejudice the competitive or bargaining position of the City.

Passage 7-0. Time in 8:43 pm.

Council was declared out at 8:55 pm.

- **Personnel matter, pursuant to 1 M.R.S.A. §405(6)(A)**

Motion was made by Councilor Morin and seconded by Councilor Walker to enter into executive session regarding a personnel matter, pursuant to 1 M.R.S.A. §405(6)(C) which premature disclosure would prejudice the competitive or bargaining position of the City.

Passage 7-0. Time in 8:55 pm.

Council was declared out at 9:20 pm.

X. Adjournment

Motion was made by Councilor Hawes seconded by Councilor Staples to adjourn.

Unanimously approved and the meeting adjourned at 9:20 pm.

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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 and led the assembly in the salute to the flag. Councilor Hawes had an excused absence. All other 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 requests, in which event, the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

1. Order 137-10232023*

Re-appointing Timothy Cogle to the Parks & Recreation Advisory Board with a term expiration of 10-01-2025.

2. Order 138-10232023*

Appointing Julia Bergeron-Smith to the Parks & Recreation Advisory Board with a term expiration of 10-01-2025.

3. Order 139-10232023*

Re-appointing Celia McGuckian to the Auburn Housing Authority Board of Trustees with a term expiration of 10-01-2028.

4. Order 140-10232023*

Appointing Jonathan LaBonté to the Airport Board with a term expiration of 01-01-2026.

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

Passage 6-0.

II. Communications, Presentations and Recognitions

- Recognition of Dan Campbell, the 2023 recipient of The John Jenkins Hands & Hearts Leadership & Service Award-3rd Annual Award.
- September Finance Report – Jill Eastman, Finance Director

Motion was made by Councilor Walker and seconded by Councilor Milks to accept and place on file the September Finance Report.

Passage 6-0.

Councilor Whiting commented on role models such as John Jenkins and Dan Campbell. He then apologized for his behavior at the last meeting.

Councilor Milks read a letter that he would like to be included in the minutes.

To the People of Auburn,

Over the past four years, I served as the Mayor's appointee to the Board of Trustees for the Auburn Water and Sewer District. I was elected President of the Board in 2021 and serve as President today. I've been immersed in the issues of the Lake for 4 years, seen countless briefings from many experts and read the studies. This report is not a legal opinion, nor does it address any legal proceedings. My goal is to state facts and give my assessment to Council.

FACTS:

- *Auburn Water District received great evaluations recently from the Drinking Water Program. Operationally, AWD is functioning very well and in total compliance with all Federal and State rules and regulations. We have an extensive testing and monitoring system that monitors the lake daily, weekly, monthly and yearly.*
- *The water quality problems have nothing to do with current zoning or ordinance revision ideas.*
- *Lake Auburn is a small, shallow lake. The water quality fluctuates due to the weather much more than Sebago Lake for example.*
- *The majority of things causing water quality issues in the lake are already there. Much of it is from storm runoff due to improper logging, unusually heavy rains, phosphorus loading from upper water shed towns like Turner and shorter iced over periods in recent years. The bottom of Lake Auburn is full of the mineral Apatite which naturally releases phosphorus which causes quality problems.*
- *Water quality issues in the lake have persisted for two decades and it was recommended to put in a filtration plant years ago.*
- *In 2012 a UV treatment plant was built to adhere to Tier 1 and Tier 2 requirements for the removal of Giardia and cryptosporidium. This was a cheaper solution than a filtration plant and requires UV and chemical treatment of the water.*
- *In 2018 the Lake experienced an algae bloom that resulted in taste and odor complaints with the water. An algaecide was applied to remove the algae and to improve the esthetics of the water. In 2019 an alum treatment was applied to the lake to strip the water column of phosphorus and reduce the potential of another algae bloom.*

The Gravel Pit

- *According to experts, the most dangerous thing for the lake is to leave the gravel pit a gravel pit and continue digging and blasting the bedrock.*
- *Hundreds of thousands of dollars have been spent on studies over the years. No study has shown the storm runoff water from the gravel pit flowing into the lake.*

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- *The Gravel Pit has been there for over 50 years and is legal and in compliance with all regulations and zoning. AGRP, the Ag zone, allows for a gravel pit next to the lake.*
- *The sanitary sewer is at the street and available for any development.*
- *Any housing redevelopment of the gravel pit would require extensive civil and environmental engineering to address storm runoff containment systems and connection to the Sanitary Sewer System. There would be public hearings, planning board reviews and permitting requirements. The city could require greenspace, walking trails and other recreational opportunities accessible to the People of Auburn*
- *The recent AD Hoc Committee which included the City of Lewiston Water Director, Lewiston LAWPC Representative, AWD Superintendent, AWD Trustee President, and Turner LAWPC representative agreed with the things the City of Auburn has proposed to Protect the lake like the proposed septic ordinance and the passed LID standards to protect Lake Auburn.*

Councilor Milks Assessment:

AWD Superintendent Broadbent is doing a phenomenal job maximizing AWD and LAWPC resources, coordinating with Lewiston officials and constantly looking to improve how AWD delivers water to the rate payers. The AD Hoc committee is a perfect example of his initiative.

The owner of the gravel pit would like to build a housing development on the site of the gravel pit. Based on all the factors, that is our best-case solution for the gravel pit. The development would be on the sanitary sewer and would have extensive engineering to secure the site and prevent any future storm runoff into the lake. It would most likely be a TIF district which would allow us to capture revenue for the Public Safety building and would have other amenities available to the people of Auburn like green space and walking trails. A development would allow us to secure the gravel pit, like we have the two dumps next to the gravel pit.

Additionally, AWD is exploring other options for water, like putting the intake into deeper water where the quality tends to be more consistent, and exploring alternative water sources should we be forced to put in a filter plant or if a disaster strikes the lake.

There are several interlocal agreements between Auburn and Lewiston that should have been renegotiated years ago.

In summary, the proposed ordinance revisions and watershed boundary changes will make a positive impact on the Lake. These changes will allow for responsible development that could reduce Auburn's impact to Lake Auburn. These improvements will then be needed in the upper watershed towns to continue to reduce the phosphorus loading on the lake. Despite all of these positive initiatives, we need to start planning for filtration. Given the vulnerability of the Lake and the environmental factors that are out of our control we need to start planning.

III. Unfinished Business

IN COUNCIL SPECIAL MEETING OCTOBER 23, 2023, VOL. 37 PAGE 98

1. Order 131-10162023

Authorizing bonds for the Public Safety Building. Second reading.

Requires an affirmative vote of five.

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

Public comment – No one from the public spoke.

Passage 5-1 (Councilor Gery opposed).

IV. New Business

1. Order 141-10232023

Directing the City Manager to execute all documents necessary to apply for the PRO Housing Grant.

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

Public hearing - No one from the public spoke.

Passage 6-0.

V. Adjournment

Motion was made by Councilor Staples and seconded by Councilor Walker to adjourn.

Unanimously approved and the meeting adjourned at 6:08 pm.

A TRUE COPY

ATTEST _____

Susan Clements-Dallaire, City Clerk

IN COUNCIL REGULAR MEETING NOVEMBER 6, 2023, VOL. 37 PAGE 99

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. Councilor Whiting had an excused absence. All other Councilors were present.

7:00 P.M. City Council Meeting

Pledge of Allegiance

Moment of Silence and In Memoriam to pay respect to the 18 victims of the October 25, 2023 mass shooting event in Lewiston.

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 requests, in which event, the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

1. Order 142-11062023

Appointing Warden's and Ward Clerks for the Nov. 7, 2023 Election.

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

Passage 6-0.

II. Minutes

October 16, 2023, Regular City Council Meeting

Motion was made by Councilor Walker and seconded by Councilor Milks to approve the minutes of the October 16, 2023, Regular City Council Meeting.

Passage 6-0.

October 23, 2023, Special City Council Meeting

Motion was made by Councilor Walker and seconded by Councilor Milks to approve the minutes of the October 23, 2023, Special City Council Meeting.

Passage 6-0.

III. Communications, Presentations and Recognitions

- Mayor Levesque recognized Hilary Dacko-Roy, Todd Pelletier, and Dan Hall, representatives of Hannaford Supermarket for Hannaford's generous donation to be used for a second Project Support You responder in the city.
- Communication – Special Event/Mass Gathering Application for New Year's Eve Auburn Event
- Public Safety Wellness Program presented by Police Chief Jason Moen and Fire Chief Robert Chase and guests Dr. Ben Stone and Vince Pallozzi who attended via Zoom
- Council Communications (about and to the community)

Mayor Levesque reminded the public that the polls open at 7:00 am tomorrow and encouraged residents to vote; on Friday, December 1st there will be a tree lighting and

Christmas Shopping Village opens in Anniversary Park; there will be a holiday shopping event at the Hilton Garden on Thursday, November 30th from 5:00 to 7:00 pm.

Manager Crowell provided an update on the recycling program. He also announced that starting Wednesday night at 7:00 pm, the St. Louis Bells will ring 18 times over the course of 18 weeks to honor the 18 victims of the October 25th shooting event. He reminded Councilors that they have two more meetings for the remainder of this term, November 20th and December 4th. Some items coming up are a report from our auditors, the Miller Street discontinuance, and the Lake Auburn ordinance amendments.

Councilor Staples thanked the City Clerk for the work put into the upcoming election.

Councilor Walker announced that there will be a Thanksgiving Dinner held on Thursday, November 23rd at the Senior Community Center hosted by the Age Friendly Community Committee. They are asking for donations of \$5.00 and are also requesting that anyone interested in attending call the Recreation Department at ext. 2101 by November 20th so they can get a count on how many will be attending.

Councilor Gerry said she has been asked what we have planned for people to get out of the elements as it gets colder.

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

V. Unfinished Business

1. Ordinance 22-10162023

Amending the Auburn Zoning Ordinance – Minimum Dwelling Size. Public hearing and second 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. A roll call vote was taken.

2. Ordinance 23-10162023

Amending the Auburn Zoning Map, Area B change, from UR, SR, and LDCR to T4.2B. Public hearing and second reading.

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

Public hearing – Scott Crane, 271 Vickery Road, reiterated what fellow neighbors and citizens have said and would like council to vote no on this item.

Pam Rousseau, 745 West Auburn Road, also would like council to vote no on this item adding that she does not think it is right to allow 16 units per acre.

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

3. Public hearing - Miller Street Discontinuance.

The Mayor opened the public hearing at 7:40 pm. No one from the public spoke. The Mayor closed the public hearing at 7:40 pm.

VI. New Business

1. Order 143-11062023

Approving the discontinuance of Chestnut Street.

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

Public comment - No one from the public spoke.

Passage 5-1 (Councilor Walker opposed).

2. Order 144-11062023

Amending the Downtown Omnibus TIF #10. Public hearing and vote.

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

Public hearing – No one from the public spoke.

Passage 5-1 (Councilor Gerry opposed).

3. Order 145-11062023

Allocating \$10,000.00 from ARPA (American Rescue Plan Act) funds to Rebuilding Together Lewiston/Auburn who will make necessary repairs to homes of those financially unable to do so.

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

Public comment – David Trask spoke on behalf of Rebuilding Together Lewiston - Auburn, thanked the City Council for considering this request.

Passage 6-0.

4. Open Session

Chaplain Eddie Greyfox Burgess urged Veterans to go to the Auburn Mall for a Hire a Vet Campaign and Resource Fair on November 9th. The Green Ladle will be holding lunch on the 8th and there will be many resources at the Fall Festival at Cabella's. He added that there are also many services for active-duty individuals.

5. Reports (from sub-committees to Council)

IN COUNCIL REGULAR MEETING NOVEMBER 6, 2023, VOL. 37 PAGE 102

Mayor Levesque announced that the Auburn Exchange Club will be offering a free Annual Veteran's lunch at the Green Ladle on November 8th and encouraged veterans to join him. He reported on the School Committee meeting that was held on Wednesday. Last, he noted that the Victims Resiliency Center will be opening up on the 13th of November at 184 Main Street in Lewiston.

City Manager Crowell thanked the team in Auburn for collaborating and working alongside Lewiston during the October 25th incident. He also commended the communications team at the 9.1.1 center that fielded over 700 calls between 7:00 pm and midnight. He thanked the City Council, the Mayor, members of the community and city staff for their efforts.

IX. Executive Sessions - None

X. Adjournment

Motion was made by Councilor Morin and seconded by Councilor Hawes to adjourn.

Unanimously approved and the meeting adjourned at 7:58 pm.

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ATTEST _____

Susan Clements-Dallaire, City Clerk

IN COUNCIL REGULAR MEETING NOVEMBER 20, 2023, VOL. 37 PAGE 103

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.

I. Consent Items – None

II. Minutes – November 6, 2023, Regular City Council Meeting

Motion was made by Councilor Staples and seconded by Councilor Hawes to approve the minutes of the November 6, 2023, Regular City Council Meeting.

Passage 7-0.

III. Communications, Presentations and Recognitions

Mayor Levesque announced that he received notification that the Senate has passed a \$3.9 million Congressional discretionary spending bill for the Riverwalk, however, they haven't acted on it yet. He thanked staff, the City Council and Senator Collins and her staff for helping with this. He provided information on the Light the Park event in Anniversary Park to be held on Friday, December 1st from 6-8pm.

Councilor Whiting congratulated the Lewiston Blue Devils soccer championship team.

Councilor Gerry asked what will be done for the homeless and warming centers in the City and the City Manager provided an update.

IV. Open Session – Stephen Beal wanted to comment on agenda item #5, the TIF #29 item not realizing there would be public comment at that time. He stated that he would defer his comments until that item comes up on the agenda.

V. Unfinished Business - None

VI. New Business

1. Order 146-11202023

Approving the Mass Gathering Permit for the New Year Auburn Event to be held on December 31, 2023, in Festival Plaza. Public hearing and vote.

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

Public hearing – No one from the public spoke.

Passage 7-0.

2. Order 147-11202023

Allocating funds from the American Rescue Plan Act (ARPA) for the Public Safety Wellness Program.

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

Public comment – No one from the public spoke.

Passage 7-0.

3. Order 148-11202023

Allocating funds for the Recreation Program Scholarships.

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

Public comment – No one from the public spoke.

Passage 7-0.

4. Order 149-11202023

Approving the Miller Street discontinuance.

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

Public comment – No one from the public spoke.

Passage 7-0.

5. Order 150-11202023

Approving Tax Increment Financing (TIF) District #29, 186 Main Street.

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

Public comment – Stephen Beal, Johnson Road, did not speak for, nor against this item but had questions regarding the credit enhancement agreement.

Passage 7-0.

6. Order 151-11202023

Approving Tax Increment Financing (TIF) District #30, Diamond Point Storage.

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

Public comment – John Cleveland, 183 Davis Avenue, had questions regarding the credit enhancement agreement. He also stated that he would like to see the Tax Increment Financing voted on separately from the Credit Enhancement Agreement.

Passage 6-1 (Councilor Whiting opposed).

7. Ordinance 24-11202023

Amending the zoning map to rezone all areas in the LDRR or RR zoning district within the Lake Auburn watershed to the LDCR zoning district. First reading.

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

Public comment – No one from the public spoke.

Passage 6-1 (Councilor Gerry opposed).

8. Ordinance 26-11202023

Amending the zoning map for parcel ID 289-001, 289-002, and 277-026 from AGRP to GB. First reading.

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

Public comment – No one from the public spoke.

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

9. Ordinance 27-11202023

Amending the zoning map to reflect the actual drainage boundary based on existing topography of the land and known groundwater flows. First reading.

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

Public comment – No one from the public spoke.

Passage 6-1 (Councilor Gerry opposed).

10. Ordinance 28-11202023

Amending the Chapter 60, Article XII, Division 4 – Lake Auburn Watershed Overlay District pertaining to animal farms, agricultural buffer strips, septic system buffer strips, and private sewage disposal systems and subsurface wastewater standards and requirements. First reading.

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

Public comment – Bruce Rioux, Mary Carroll Street, said amending this ordinance will be adding pollution to the lake.

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

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

VIII. Reports -

Mayor Levesque reported on the School Committee's fund balance.

IX. Executive Session - None

X. Adjournment

Motion was made by Councilor Staples and seconded by Councilor Milks to adjourn.

IN COUNCIL REGULAR MEETING NOVEMBER 20, 2023, VOL. 37 PAGE 106

Unanimously approved and the meeting adjourned at 8:08 pm.

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ATTEST _____

Susan Clements-Dallaire, City Clerk

IN COUNCIL REGULAR MEETING DECEMBER 4, 2023, VOL. 37 PAGE 107

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. Councilor Gerry was excused from the meeting at 8:25 pm.

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 requests, in which event, the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

1. Order 152-12042023*

Re-appointing Riley Bergeron to the Planning Board, full member position with a term expiration of 01/01/2027 as nominated by the Appointment Committee.

2. Order 153-12042023*

Re-appointing Evan Cyr to the Planning Board, full member position with a term expiration of 01/01/2027 as nominated by the Appointment Committee.

3. Order 154-12042023*

appointing Stephen Roop to the Planning Board, full member position with a term expiration of 01/01/2027 as nominated by the Appointment Committee.

4. Order 155-12042023*

Accepting the Audit Report.

5. Order 156-12042023*

Appointing Wardens and Ward Clerks for a two-year term as outlined in our City Charter.

Councilor Whiting requested that items 1 through 3 (Orders 152-12042023, 153-12042023, and 154-12042023) be removed from the consent agenda and placed under New Business.

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

Passage 7-0.

II. Minutes – November 20, 2023, Regular City Council Meeting

Motion was made by Councilor Staples and seconded by Councilor Walker to approve the minutes of the November 20, 2023, Regular City Council meeting.

Passage 7-0.

III. Communications, Presentations and Recognitions

Proclamation – Small Business Saturday

IN COUNCIL REGULAR MEETING DECEMBER 4, 2023, VOL. 37 PAGE 108

Recognition of Outgoing Elected Officials (Mayor Levesque, Councilor Hawes, Councilor Morin, Councilor Staples).

Jill Eastman, Finance Director - Finance Report of October 2023

Motion was made by Councilor Milks and seconded by Councilor Walker to accept and place on file the October 2023 Final Finance Report.

Passage 7-0.

Council Communications -

Councilor Walker announced that the United New Auburn Association and the City of Auburn proudly present the Christmas in the Park (Anniversary Park) event scheduled for Saturday, December 9th beginning at 4:00pm.

City Manager Crowell stated that they appreciate the work that Councilor Walker does with the United New Auburn Association, and Christmas in the Park will be a great event. He also wanted to highlight www.auburnchristmasvillage.com which is a great site to go to find out more about the vendors that are there now and leading up to Christmas. He recognized and gave thanks to everyone that contributed to the Thanksgiving dinners that were provided at the Senior and PAL Centers. He thanked the employees of Panolam (Pioneer Plastics) for their donation and introduced John Everly and Susan Hagerstrom, both from Panolam. They donated 30 turkeys and the fixings for the PAL families, adding that it is greatly appreciated.

IV. Open Session

Maureen O'Brien, 42 Winter Street, spoke regarding the ability for citizens to have access to public records.

Dave Griswold, 199 Gamage Avenue, wanted to thank the Council at the end of their terms for their work and commitment and stated that he appreciates their service.

A gentleman who did not identify himself, spoke regarding his property on Penley Corner Road and helping veterans.

V. Unfinished Business

1. Ordinance 21-09182023

Amending the Code of Ordinances, Chapter 14, Article XVIII Adult Use and Medical Marijuana Business licensing. 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.

2. Ordinance 24-11202023

Amending the zoning map to rezone all areas in the LDRR or RR zoning district within the Lake Auburn watershed to the LDCR zoning district. Public hearing and second reading.

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

Public comment – No one from the public spoke.

Passage 7-0.

3. Ordinance 26-11202023

Amending the zoning map for parcel ID 289-001, 289-002, and 277-026 from AGRP to GB. Public hearing and second reading.

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

Public hearing –

Renee Cote, Dawes Avenue, asked that the Council consider the will of the majority and keep the lake area undeveloped. She asked that they vote against the amendment.

Peter Dingley stated that people do not want general business by the lake and with all the talk about the festivals we have in the city, have we ever had a lake festival and celebrated the lake?

Deb Desjardins, 2768 Turner Road stated that we are reducing the watershed line adding that she has never seen a watershed line for Lake Auburn. She has for Taylor Pond but not Lake Auburn and urged council not to pass this tonight.

Mike Ouellette, West Auburn Road, provided handouts to the Council and spoke in opposition to the proposed amendment. He said he feels that development of the sand pit would threaten the water quality of the lake. He said he has never had issues with his well water until his neighbor clear cut a lot next to him and has since had to purchase a filtration system. He said he never thought he would need a filtration system as he has now and said don't be fooled that Auburn won't too.

Fred Holler, 352 West Auburn Road stated that it is obvious that the citizens of Auburn regard this as a threat to the lake and don't want this change. He said he thinks passing this is unfair and it is not a "Not in My Back Yard" issue.

John Cleveland, 183 Davis Avenue, stated that this proposed zoning amendment before them was part of a repeal where petitions were signed, and Council had the opportunity to put it out to the voters or to repeal it themselves. He stated that Council chose to repeal the change on September 6, 2022. He further stated that the vote has the same effect and per the city charter, the Council has no authority to vote against the repeal by re-instating it.

Stephen Beale, 575 Johnson Road, stated that while he agrees with most of the comments, he has a specific concern and would like to see the 100-foot buffer around the landfill parcel be retained.

Bruce Rioux, 85 Mary Carroll Street stated that if this passes this will become a large housing development and asked if having 3,000 people living in that area is protecting the lake and asked the Council to think about that before they vote.

Pam Rousseau, 745 West Auburn Road stated that this would be taking more land out of the ag zone when we should be saving it, and then stated that if the area is built up, there have been no studies done on the impact that could have.

Motion was made by Councilor Staples and seconded by Councilor Gerry to amend by excluding the landfill.

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

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

4. Ordinance 27-11202023

Amending the zoning map to reflect the actual drainage boundary based on existing topography of the land and known groundwater flows. Public hearing and second reading.

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

Public comment – No one from the public spoke.

Passage 6-1 (Councilor Gerry opposed).

5. Ordinance 28-11202023

Amending the Chapter 60, Article XII, Division 4 – Lake Auburn Watershed Overlay District pertaining to animal farms, agricultural buffer strips, septic system buffer strips, and private sewage disposal systems and subsurface wastewater standards and requirements. Public hearing and second reading.

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

Public hearing –

Kathy Shaw, 1200 Sopers Mill Road, also the Chair of the Natural Products and Agricultural Work Group provided hand-outs to the councilors and stated that this would take a lot of small, non-invasive farming operations out of contention, completely prohibited and she asked to set aside this language to take more time to look at this with more detail.

Pam Rousseau, 745 West Auburn Road, reiterated what Kathy Shaw just stated adding that she would like this set aside and looked at again.

IN COUNCIL REGULAR MEETING DECEMBER 4, 2023, VOL. 37 PAGE 111

John Cleveland, 183 Davis Avenue, read the last paragraph of a letter from the Lewiston City Administrator that was included in the agenda packet.

Bruce Rioux, 85 Mary Carroll Street commented that in the past, if Lake Auburn came up on a City Council or Planning Board agenda, the Water District Superintendent and microbiologist would attend these meetings addressing the science of the lake when questions came up. He stated that tonight is the first time in the last four years, that the Water District Superintendent has attended a meeting, and he is not answering the questions adding that we are getting our information from the developers, and he is not trusting their answers.

Stephen Beale, 575 Johnson Road stated that he wanted to address the septic design change and added that if this Council wants to do something for the benefit of the watershed, the thing to do would be to pass the septic design but put a cap of 20 permits to be issued over a 25-year period.

Dave Griswold, 199 Gamage Avenue, spoke regarding the language about the non-hobby agriculture stating that the intent was good, but it can be confusing. He said he did some research to see what might fall under that category and he shared that information with the Council. He stated that possibly, rather than make a blanket prohibition under agricultural activities, maybe Council should consider stating what would be allowed such as low impact activities that will not have an impact on the lake if managed properly. He stated he would urge them to take this back to the drawing board and get it right.

Motion was made by Councilor Whiting and seconded by Councilor Gerry to send this to the Natural Product and Agriculture group.

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

Passage of Ordinance 28-11202023 as presented 5-2 (Councilors Gerry and Whiting opposed). A roll call vote was taken.

Councilor Gerry was excused from the meeting and Mayor Levesque called for a 5-minute recess.

VI. New Business

Order 152-12042023

Re-appointing Riley Bergeron to the Planning Board, full member position with a term expiration of 01/01/2027 as nominated by the Appointment Committee. This item was removed from the Consent Agenda.

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

Public comment – No one from the public spoke.

Passage 5-0-1 (Councilor Whiting abstained).

Order 153-12042023

Re-appointing Evan Cyr to the Planning Board, full member position with a term expiration of 01/01/2027 as nominated by the Appointment Committee. This item was removed from the Consent Agenda.

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

Public comment – Renee Cote, Dawes Avenue stated this should not be the purview of this Council and they should address it at this time.

Passage 5-0-1 (Councilor Whiting abstained).

Order 154-12042023

Appointing Stephen Roop to the Planning Board, full member position with a term expiration of 01/01/2027 as nominated by the Appointment Committee. This item was removed from the Consent Agenda.

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

Motion was made by Councilor Morin and seconded by Councilor Hawes to amend by striking Stephen Roop and replacing him with Timothy Deroche (Stephen Roop withdrew).

Public comment - No one from the public spoke.

Passage 5-0-1 (Councilor Whiting abstained).

Passage as amended 5-0-1 (Councilor Whiting abstained).

1. Public hearing – CDBG PY23 Revised Budget and Action Plan.

Mayor Levesque opened the public hearing at 8:33 pm.

No one from the public spoke. The public hearing closed at 8:33 pm.

2. Order 157-12042023

Authorizing the School Committee to establish a curriculum development reserve fund for the purpose of funding curriculum development materials, equipment, software, and professional development.

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

Public comment – No one from the public spoke.

Passage 6-0.

3. Order 158-12042023

Authorizing the naming of “Officer Norman Philbrick Square” (or “Philbrick Square”).

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

Public comment – No one from the public spoke.

Passage 6-0.

4. Order 159-12042023

Authorizing the naming Mustang Alley.

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

Public comment – No one from the public spoke.

Passage 6-0.

5. Order 160-12042023

Authorizing the naming of “Joseph ‘Joe’ Walker Memorial Field” or (“Walker Field”).

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

Public comment – No one from the public spoke.

Passage 6-0.

6. Order 161-12042023

Authorizing the naming of “Tricia Asselin Memorial Field” or (“Asselin Field”).

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

Public comment – No one from the public spoke.

Passage 6-0.

7. Order 162-12042023

Allocating funds (Comprehensive Plan Implementation Funding) of up to \$160,767.50 for the replacement structure for R&K Properties LLC (PID 221-074).

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

Public comment – No one from the public spoke.

Passage 6-0.

8. Order 163-12042023

Approving Tax Increment Financing (TIF) District #31, Academy Street. Public hearing.

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

Public hearing – No one from the public spoke.

Passage 4-1-1 (Councilor Whiting opposed, Councilor Milks abstained).

9. Order 164-12042023

Approving Tax Increment Financing (TIF) District #32, Mount Auburn Housing. Public hearing.

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

Public hearing – No one from the public spoke.

Passage 5-1 (Councilor Staples opposed).

10. Order 165-12042023

Adopting the employment agreement between the city and the City Manager Phillip L. Crowell, Jr.

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

Public comment – No one from the public spoke.

Passage 6-0.

11. Order 166-12042023

Approving the allocation of American Rescue Plan Act (ARPA) funds for the PAL Center.

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

Public comment – Maureen O'Brien, 42 Winter Street, stated that we should not be spending money without a plan, and she hopes they do not approve this.

Passage 6-0.

12. Order 167-12042023

Authorizing the allocation \$1,823,255.00 from the FY22 undesignated fund balance that's in excess of the recommended 14%.

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

Public comment – Kathy Shaw, 1200 Sopers Mill Road asked where these funds were going.

Motion was made by Councilor Walker and seconded by Councilor Milks to allocate an additional \$100,000 from the fund balance to conduct a security evaluation of our public buildings that are accessible to the public.

Passage 6-0.

Motion was made by Councilor Whiting and seconded by Councilor Walker to allocate an additional \$100,000 from the undesignated fund balance to be used for wayfinding signage to use for memorials and other facility naming bringing the allocation to \$2,023,255.00.

Passage 6-0.

Passage of order 167-12042023 as amended 6-0.

13. Resolve 03-12042023

Calling upon the Auburn Water District and the Lake Auburn Watershed Protection Commissioners to begin discussions with the towns in the upper watershed to adopt critical protections for Lake Auburn.

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

Public comment – No one from the public spoke.

Passage 6-0.

14. Order 168-12042023

Approving the increase to EMS care and transport fees with the first increase taking effect December 11, 2023, and the second increase taking effect April 1, 2024.

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

Public comment – No one from the public spoke.

Passage 6-0.

15. Order 169-12042023

Authorizing the City Manager to execute the sale of 186 Main Street, Parcel ID 231-020 (city-owned property) to Great Falls Construction, DBA JCS 18, LLC.

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

Public comment – No one from the public spoke.

Passage 6-0.

16. Order 170-12042023

Directing a review of zoning ordinance text amendments relating to Lake Auburn Watershed Overlay District evidenced by Ordinance 28-11202023.

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

Public comment – No one from the public spoke.

Passage 6-0.

VII. Open Session

Kathy Shaw, 1200 Sopers Mill Road thanked the Council for creating more community conversations and engagement and she wished them good luck in the future.

VIII. Reports (from sub-committees to Council)

Councilor Staples thanked everyone for the last two years. He stated that his favorite part is how everything has been civil, and they've managed to talk things out and he values that.

Councilor Walker also expressed thanks to the voters, the City Council, and the mayor.

Councilor Morin stated these have been the two most educational years of his life. He said he also appreciates the civility and decency of everyone on the Council, adding that he calls everyone on the Council a friend. He closed by saying that during these two years he has concluded that Auburn is very fortunate to have the level of staff that do this as their day job day in and day out and he is proud of city staff. He said he wishes the next council much luck and success.

Councilor Milks thanked the Council adding that he has learned a lot from everyone up here. He stated that one thing he was taught is that you should listen to people you disagree with. He thanked Mayor Levesque and added that he is looking forward to the next steps and thanked voters for their vote and confidence and he looks forward to working with the next Council.

Councilor Hawes gave thanks to the city staff and echoed comments made by Councilor Morin. He also thanked the Councilors and the Mayor. He wished the newly elected Council good luck, and he thanked Manager Crowell and Assistant Manager Wood.

Councilor Whiting thanked everyone and echoed what Representative Shaw said and added that although they did not always agree, they agreed on more than what they disagreed on.

City Manager Crowell provided an update on the activity on the LAWPCA property on Penley Corner Road.

Mayor Levesque discussed some unresolved items and is hoping there will be follow through on the following. Discussion on eminent domain properties, specifically the Barn on Minot Avenue; the Lewiston Auburn Railroad Corporation is a corporation in which 33% of the shares go to Auburn and the rest go to Lewiston, though 90% of the revenue is derived from Auburn operations whereas a vast majority of the property that doesn't create revenue sits in Lewiston for the most part sitting in a quasi-land trust or a land bank. He added that he has fought vehemently for fairness in this, and they refuse, adding that Auburn isn't getting any economic benefit for the rail that flows through the city and should be addressed; he would like to urge the Council to keep in mind a renegotiation of water costs for our rate payers.

Lewiston and Auburn splits costs 50/50 though Lewiston uses 63-65% of that water and we pay a disproportionately high amount of the operating costs and this needs to be addressed; Stevens Mills Baseball/Softball fields, we must see that through; one parcel on Mechanics Row that is still left for sale. He would like the Council to see this through; regarding Walton School, there is an order to create a transitional committee with anticipation of closing Walton School. He is leaning towards no at this point and we must take into consideration the growth we've seen in the last few years. He urged everyone to pay attention to the School Committee meeting scheduled for this Wednesday.

In closing, he stated that this is approximately his 158th Council meeting in 6 years, adding that it has been a joy, a pleasure, and he thanked the City Council, City Manager Crowell, Assistant Manager Wood, and city staff for helping and working together, respecting boundaries, and the chain of command. He stated that nationally, Auburn has a great reputation.

IX. Executive Sessions - None

X. Adjournment

Motion was made by Councilor Walker and seconded by Councilor Milks to adjourn.

Unanimously approved and the meeting adjourned at 9:16 pm.

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ATTEST _____

Susan Clements-Dallaire, City Clerk

IN COUNCIL REGULAR MEETING DECEMBER 18, 2023, VOL. 37 PAGE 118

Mayor Harmon 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.

1. **Order 171-12182023***
Confirming Chief Moen's appointments of Constables/Civil Process Servers without Firearm.
2. **Order 172-12182023***
Confirming the re-appointment of Bryan Bachelder as Local Sealer of Weights and Measures for 2024.

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

Passage 7-0.

I. **Minutes** – December 4, 2023, Regular City Council Meeting

Motion was made by Councilor Walker and seconded by Councilor Whiting to approve the minutes of the December 4, 2023, Regular City Council Meeting.

Passage 7-0.

II. **Communications, Presentations and Recognitions**

- Communication – April 9, 2024, Special Election (Ward 4 School Committee)
- Communication – Mayoral Appointments

III. **Open Session** –

Dan Campbell, 294 Hotel Road, spoke regarding homelessness and said he would like to seek the help of the City Council, stating that we need to come together on this, and he asked that they join him when he walks the streets of Auburn. He stated that we need shelters now.

Alex, who stated that he was homeless, spoke about his experience, addiction, homelessness, and challenges in getting a job.

Beth, who also stated that she was currently homeless, spoke about her experience, and the difficulty finding an apartment. She also encouraged Councilors to visit some of the shelters and to walk amongst the homeless community, to meet them and start a conversation. She stated that she is hoping we can find a solution.

Greg Whitney, President of the Pleasant Street Drop-In Center said the center opened almost two years ago as a warming center and as the need got greater and greater, they've opened as a drop-in center. He said what the city really needs is an overnight shelter and an emergency shelter especially on days like today. He added that there is also a need for day shelters.

IV. **Unfinished Business** – None

V. New Business

1. Order 173-12182023

Confirming Mayor Harmon's Board and Committee Appointments.

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

Public comment – No one from the public spoke.

Passage 7-0.

Motion made by Adam Platz seconded by Councilor Gerry to adopt the following order which was discussed during the Executive Session held during the Council Workshop earlier this evening.

Order 174-12182023

***ORDERED**, that the City Manager be and hereby is authorized and directed to prepare, in consultation with the City Attorney and appropriate City staff, proposed Zoning Ordinance amendments that would serve to delay the applicability date of the amendments to the Zoning Ordinance evidenced by Ordinance #26-12042023 and Ordinance #28-12042023;*

***BE IT FURTHER ORDERED**, that such proposed Zoning Ordinance amendments be prepared in time for a first reading of them at the January 2, 2024 City Council meeting.*

Public comment – No one from the public spoke.

Passage 5-2 (Councilors Milks and Walker opposed).

Motion was made by Councilor Whiting and seconded by Councilor Gerry to rescind Order 152-12042023 re-appointing Riley Bergeron to the Planning Board, full member position with a term expiration of 01/01/2027 as nominated by the Appointment Committee.

Public comment – No one from the public spoke.

Motion was made by Councilor Whiting and seconded by Councilor Cowan to take a brief recess.

Passage 5-2 (Councilors Milks and Walker opposed). Time 7:50 pm.

The Council meeting resumed after a ten-minute recess. Time 8:00 pm.

Passage to rescind Order 152-12042023 4-3 (Councilors Milks, Walker, and Weisner opposed).

Motion was made by Councilor Whiting and seconded by Councilor Gerry to rescind Order 153-12042023 re-appointing Evan Cyr to the Planning Board, full member position with a term expiration of 01/01/2027 as nominated by the Appointment Committee.

Public comment – No one from the public spoke.

Passage 4-3 (Councilors Milks, Walker, and Weisner opposed).

Motion was made by Councilor Whiting and seconded by Councilor Gerry to rescind Order 154-12042023 appointing Timothy DeRoche to the Planning Board, full member position with a term expiration of 01/01/2027 as nominated by the Appointment Committee.

Public comment – No one from the public spoke.

Passage 4-3 (Councilors Milks, Walker, and Weisner opposed).

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

VIII. Reports

Mayor Harmon announced that he will be forming a Mayor's Ad hoc committee on housing and another on homelessness. He thanked the school department for hosting the inauguration at the Donald Gay Performing Arts Center adding that it is a beautiful facility that will not only serve the school well but will also be a benefit to the community. He commented on the Absolutely Auburn podcasts and encouraged the public to listen. Last, he reminded the public of the upcoming New Year's Eve event adding that more information can be found at www.newyearsauburn.com.

Councilor Gerry inquired about warming centers in the City of Auburn.

Councilor Whiting echoed the Mayor's comments on the Donald Gay Performing Arts Center and he thanked the people that helped to make that possible: Malcolm Philbrook, Bob Gardner, Dick Gammon and others, members of the class of 1951 who donated a large sum previously used for scholarships to go toward the construction of that beautiful space. He also stated that he was happy to be back on the Library Board.

Councilor Cowan stated that he is excited to be part of the new City Council and looking forward to making some good changes.

Councilor Weisner echoed previous comments, adding that he is looking forward to listening to the needs of the people of Auburn and is looking forward to it.

Councilor Walker announced that there will be a New Year's event to be held at the Senior Center on New Year's Day at 10:00 am.

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Councilor Platz thanked everyone on the Council and city staff for welcoming the new members of the board and congratulated the returning City Councilors. He noted that he was looking forward to it as well as serving on the School Committee, adding that his first meeting is on Wednesday.

Councilor Milks stated that the highlight of the Inauguration held on Thursday was the students that participated.

City Manager Crowell provided an update on the current storm situation, adding thanks to the first responders that are out there. He commented on the New Year's Eve event adding that the team is doing a great job planning that event and announced that there will be a drone show which is the first in New England and he encouraged people to come out to see the drone show.

Finance Report – November 2023

Motion was made by Councilor Walker and seconded by Councilor Cowan to accept and place on file the November 2023 Finance Report.

Passage 7-0.

IX. Executive Sessions - None

IX. Adjournment

Motion was made by Councilor Weisner and seconded by Councilor Walker to adjourn.

Unanimously approved and the meeting adjourned at 8:19 pm.

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ATTEST _____

Susan Clements-Dallaire, City Clerk